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REPLY
TO TWO PAMPHLETS,
ENTITLED
“ ILLUSTRATIONS
OF THE
PORTUGUESE QUESTION,
BY A PORTUGUESE LAWYER,”
AND
“ THE LAST DAYS OF THE
PORTUGUESE CONSTITUTION,
BY LORD PORCHESTER.”

BY AN ENGLISH CIVILIAN.

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REPLY, &c.

THE two pamphlets on Portuguese Affairs, named in the title-page, have simultaneously made their appearance, somewhat different, it must be confessed, in their pleas and mode of argument; yet both deserving of particular notice, at this precise moment, not on account of the new facts which they contain, or the elucidations found in their pages; but, because of the high authority intended to be given to each, arising out of different causes. The one relates to the right, and the other to the expediency of D. Pedro's ascendancy in Portugal. The one is silent on the merits of the Charter, sent from Brazil, as if ashamed that it should ever have existed; whilst the other argues that, if only properly modified, it would work miracles and constitute the felicity of those for whom it was enacted. Both are evidently party works, specially written to promote the same cause;

yet each varies in its views of the subject, as well as in the development of the details. The first professes to be written by a "Portuguese Lawyer," who, consequently, must be presumed well acquainted with the Legislation and Jurisprudence of his own country; whilst the second is the production of an English Nobleman, who pledges for the fidelity of facts which he himself witnessed, and assures his readers that the information he offers them, is derived from the purest sources and the highest authority, almost exclusively his own. One is a concentration of all that the Portuguese refugees on this topic had previously written among us, in great measure divested of that acrimony of diction and virulence of thought which have hitherto invariably marked their publications; at the same time that the other strikes off into a new and unbeaten path. They are not, consequently, equally original; or stamped with the same vigour of perception; yet both authors are impelled by the same ardour and, it is but charity to suppose, alike actuated by sincerity; nevertheless, whilst one creates doubts which he by no means satisfies; to an impartial mind, it will be found that the general tenour of his coadjutor's remarks convey impressions, totally opposite to those which he seeks to excite.

The aim of the writer of the following pages, is to examine and answer both publications, in their most material parts, and this he will proceed to do in the order in which they are named. After the variety of works already written on the Portuguese question, both here and in France, by many the present effort will be deemed unnecessary; by some perhaps pre-

sumptive ; but, it ought to be borne in mind that delusion must be attacked, at every hour in the day and at all seasons. Both works endeavour to affix a stigma on our national honour ; separately they upbraid and insult the government for acts, of which their authors cannot be competent judges. Their united efforts are moreover directed to preserve that delusion, so early spread among us on Portuguese affairs, by a misguided press, and kept alive by all kinds of expedients. Their appeal is to the feelings, rather than to the judgment of Englishmen ; and whilst they seek to prolong the popular cry, excited by all kinds of fictitious means and emboldened by clamour and intrigue, they seem unmindful that expedients of this kind can only give them a temporary triumph, and must eventually end in their own discomfiture. The voice of justice is not thus to be silenced ; nor is a question of so much moment to be treated with levity. No artifice—no refinement in politics can now avail ; the truth—the naked truth, will come out. It is evident that ministers have at length taken their stand, and those who were once so eager to deceive, now run the risk of becoming the victims of their own stratagems. This may, besides, be considered as a question, affecting the great balance of European interests. That rank which Portugal has always held in the scale of nations, cannot any longer be disregarded ; or treated with indifference. It is a topic of great and universal importance ; it is connected with some of our best interests, and since the late Speech from the Throne and the discussions which ensued, it presses with redoubled force upon our attention. With these

preliminary considerations, the writer will commence the performance of his task.

When the "Portuguese Lawyer" tells us that, in order "to place the perfect and unqualified recognition of her Majesty's rights (meaning Donna Maria) beyond all dispute, it will be sufficient to refer to the epoch at which the throne of Portugal devolved upon her illustrious father, D. Pedro, and thence to the period when, with the full concurrence and sanction of the only powers whose interference in the internal arrangements of the Portuguese Monarchy, could be justified by the relation in which they stood to that crown, as the most intimate Allies of the House of Braganza," he cannot certainly wish it to be understood that governments are infallible and incapable of committing errors, when acting with precipitation; or, that the recognition of D. Pedro by "the intimate allies of the House of Braganza," is virtual proof of his inherent rights in Portugal; and much less can he deduce that such an act, uncautiously and hastily performed, now prevents them from correcting their oversight and retracing their steps. No inference, as regards right, can be drawn from any such circumstance. No barrier is thus placed to a revision of the subject; such a formality does not debar the injured from resorting to an appeal; the opinion thus expressed does not prevent an act of justice, however tardy, from being done. If one party was then condemned without a hearing, it does not follow that the same partiality and precipitation will be observed at the new trial. If the "Portuguese Lawyer" wishes to adduce substantial evidence and aid to the establishment of a

correct verdict; if he seeks to make this country the theatre of the contest and the British public the umpire, let him give us plain matter-of-fact; let him state his case fairly and stick to points; let him descend from the clouds of mist and confusion in which he steers his devious course, and instead of overwhelming us by references; or dazzling us with ponderous authorities, let him state to us what the Law of Succession in Portugal really is—what are its modifications, and leave us to make the applications and do the rest. Let him lay before us the materials requisite to form an accurate judgment on the question, not by holding forth to us parliamentary speeches, or anonymous pamphlets; but, by a full and authentic exposition of the state of the law in Portugal, and a review of the manner in which that law has been affected by D. Pedro's preference to another crown. Let him inform us by what competent tribunal and according to what legal forms, the claims of either D. Pedro, or Donna Maria, have been established; since their validity, whether claimed by the father, or the daughter, among foreign nations, even as an historical question, must ever remain problematical, if it rests only on the precipitate act of an interested party. Their eager champion seems also to forget that the rights of Succession were by the only competent tribunal, known in Portugal, formally declared vested in D. Miguel, and neither raillery, nor invective can shake that award, unless the allegations then set forth can be controverted. He ought further to recollect that Portugal is the most interested in this affair, and that there the people have declared that institutions

which their ancestors founded on experience, earned by struggles of the most arduous kind, endeared to them by historical retrospection and rendered venerable by the lapse of centuries, shall not be overthrown at one blow, either to please D. Pedro, or his "intimate allies."

It must be considered as a most extraordinary feature, distinguishable in all the works, written by the Portuguese Refugees for our instruction, that not one of them ventures to grapple with that part of the subject which relates to D. Pedro's acts in Brazil; and this omission is the more unaccountable in the two effusions now under consideration, particularly the first, which professes to be unusually full and comprehensive, because this has always been held by far the most important point by those Englishmen who have expressed an opinion on the competition to the throne. Both the "Portuguese Lawyer" and My Lord Porchester seem studiously to have avoided this most essential division of the question; although they fondly indulge the hope of being able to carry conviction to the breasts of their readers. They enter the arena, as the avowed champions of a party, seeking to intercept the Succession to the throne of Portugal, guarded, as it is, by clear and distinct laws, and then shrink from the contest and claim a victory, without having overthrown a single opposing combatant. The Portuguese writers talk of the process of a judicial investigation, conducted by themselves, as being best acquainted with their own affairs, and, after all, adduce no other than mutilated and often contradictory evidence, and even on this they offer us their own interpretations. As,

however, these friendly monitors, our “Lawyer” included, who appear so anxious that the British public, the House of Commons and the Government should thoroughly understand the question at issue, have deigned only to favour us with such a view of it, as suited their own purposes, I will undertake to state the case myself and regularly examine the question, in all its bearings. This is the only mode of eliciting a proper enquiry into a subject, so important—thus only can judgment be entered up, without prejudice, or partiality.

In pursuit of my object, I shall arrange this part of my subject under two distinct heads; viz. 1st, the various ways in which D. Pedro forfeited, or renounced his right and title to the throne of Portugal, previous to the death of King John VI.; and 2ndly, the manner in which the existing laws of that kingdom peremptorily excluded him from the Succession, after the demise of the monarch just named. He forfeited, or renounced his right and title,

1st, Because, by open war and force of arms, he severed Brazil from Portugal, at the time an integral portion of the Monarchy. By the Cortes of Coimbra, in 1386, the two sons of Peter I., Deniz and John, were excluded from the Succession, in consequence, as the act sets forth, “of their having gone to Castile and taken up arms against Portugal.” (*O terem ido para Castelha e tomado armas contra Portugal.*)*

2dly, Because he lost his character of a Portuguese, by taking up his residence in a foreign country, a distinction applicable to Brazil, from the moment

* Portugal, or Who is the Lawful Successor to the Throne?

she was disunited and declared independent. Here it ought to be remarked that the first time it became necessary to dispense with that part of the Statute of Lamego which relates to the exclusion of foreigners, was in 1245, when the Cortes, on the death of Sancho II., called to the throne his brother, Alonzo III., who, after his marriage with Matilda, sovereign Countess of Boulogne, continued to live abroad with her. This rendered the dispensation of the Three Estates necessary; *pues estava desligado do Character Portuguez, por ter feito residencia em pais estranho.** The late Cortes of Lisbon, in their "Solemn Declaration," signed on the 11th of July, 1828, on this subject, observe thus: "But, they tell us that Count de Boulogne was estranged to Portugal and yet reigned in Portugal. The Count, however, did not reign by Succession; he reigned extraordinarily, by election. The leaders of this Kingdom went to France to fetch him; the Pope's authority strengthened the choice, and by immediately proceeding to Portugal, he recovered his right of birth. He did not take the title of King, until after, as it were, by dispensation, he had been specially empowered by the Estates. It is besides a very remarkable circumstance that, at the time, no other member of the Royal Family was in the Kingdom; the Infante D. Fernando being married in Castile, and the Infanta Donna Leonora equally so, in a country still more remote: in such manner that the laws were not violated, in the case of the Count de Boulogne; but in him an extraordinary remedy was rather sought

* Ibid;

for the urgent wants of the Kingdom; the spirit of the laws and the national usages being, at the same time, followed with all possible scrupulosity.”

3dly, Because, when he accepted the Imperial Crown of Brazil, he did it on the principle of total and eternal Separation, the avowed object of the revolution, and, with reiterated pledges, the most solemn and binding, that no union should again take place between the two Kingdoms, under any circumstances whatsoever.

4thly, Because the very first Article of the Brazilian Charter, which on oath he swore to observe and maintain, expressly declares “that the Empire of Brazil is the Political Association of all the Brazilian Citizens, and they constitute a free and independent Nation, which does not allow of any bond, union, or federation, with any other, opposed to its independence.”

5thly, Because, Article 4 of the said Charter enacts “that all persons, born in Portugal and the dominions thereof, who, residing in Brazil at the period when the independence was proclaimed in those provinces in which they had their abode, expressly adhered to the said Independence, or tacitly by a continuation of their residence, ARE BRAZILIAN CITIZENS.” This clause consequently affects D. Pedro and the whole of his issue.

6thly, According to Article 7 of the same Charter, “that person loses his rights as a Brazilian Citizen, who naturalizes himself in a foreign country;” a principle established not only as a check against abuses; but also in reciprocity to a similar law, prevailing in Portugal.

7thly, Because, by Article 116, relating to the Succession, he bound himself "to reign in Brazil;" a positive and direct pledge that he would never reign elsewhere.

8thly, Because, in order to guard against contingencies and render the Separation more complete, the Charter (Article 119) enacts "that no foreigner shall succeed to the power of the Empire;" a clause, in like manner introduced, in reciprocity to the prevailing law in Portugal.

9thly, Because, by Article 118, it is ordained "that, in case the lawful issue of Peter I. should become extinct, the General Assembly shall choose the new dynasty;" evidently framed to protect the rights of the Nation, and again, on a principle of reciprocity, to exclude Portuguese members of the Royal Family from the Succession.

10thly and finally, Because, by his own letters to his father, and especially by that of the 15th July, 1824, of which further notice will be taken, he voluntarily surrenders up all his rights of primogeniture and claims of inheritance, when he distinctly declared, "that he never again wished to have any thing to do with Portugal."*

For the reasons and by the acts, enumerated in the preceding clauses, each one of which is sufficient in itself to defeat the right and title once vested in D. Pedro, as the surviving first born male of the Blood Royal, he was clearly disabled from instituting any claim to the Crown of Portugal, at the time of his

* This document, in English and Portuguese, is to be found at full length, in Walton's Letter to Sir James Mackintosh, page 158.

father's demise, and, consequently, it was out of his power to prevent the laws from taking their course. Thus it was that he became, to all intents and purposes, a Brazilian, to the exclusion of himself and issue—thus did he prefer a Brazilian to an European Crown. By this choice and the circumstances on which it was founded, he consequently became a foreign sovereign, in reference to Portugal; was debarred from the Succession to the Crown of that realm, and disqualified from therein exercising any act of authority whatsoever.

As a further elucidation of the spirit in which the Independence of Brazil was achieved and the national institutions subsequently enacted, it is necessary to take a short survey of the events which led to the separation of the two Kingdoms and the establishment of a new and distinct Monarchy, on the other side of the Atlantic. This sketch, followed by a recapitulation of the sentiments of the Brazilian Chambers, as far as they can be ascertained, respecting the Emperor's interference in the affairs of Portugal, will complete this part of the picture.

The object aimed at by the Brazilians in severing their bond of union with Portugal, by having recourse to arms, was clearly to establish a separate and independent State, and it is equally so that all their subsequent enactments were directed to preserve that separation and independence, unimpaired, by every means which human foresight could suggest. Agreeably to this feeling and in support of this determination, as early as June 10, 1824, D. Pedro issued a decree, at a time when Portugal was sending armies against him, in which he announces “the universally adopted

resolution of the Brazilians to defend their liberties, to the last drop of their blood;" adding thus; "What would they with us—those infuriated ministers, who urge His Most Faithful Majesty to take so violent a course? Would they reunite us—what insanity! Would they dictate laws to us, by offering to us, with lighted matches and fixed bayonets in their hands, a nominal independence, founded on an artful basis? Gross error—miserable policy! Would they tear me from among you and have me leave you, abandoned to all the horrors of anarchy? This they never shall accomplish. To arms, Brazilians, INDEPENDENCE OR DEATH is our watch-word." In another proclamation, about the same time addressed to the Pernambucans, among whom a revolution was raging, and after treating every idea of a reunion with Portugal as preposterous, he avows that "having perfectly identified himself with the Brazilian people, he is resolved to share their fate, whatever it may be;" adding, "that his interest, happiness and glory do, and always will, correspond with those of the Brazilian people," &c. These are merely two specimens, selected from various documents of a similar tendency.*

King John VI. at length acknowledged the separation and independence of Brazil, by a solemn Treaty, negotiated through the mediation of Great Britain, and concluded on the 29th of August, 1825,

* The subject of D. Pedro's pledges and professions to the Brazilians, is treated of at full length in "Portugal, or Who is the Lawful Successor to the Throne?" as well as in the Letter to Sir James Mackintosh, above quoted.

in which, after the usual preliminaries, he sets forth that "wishing to promote the general prosperity and secure the political existence and future destinies of Portugal, as well as of Brazil, &c., he acknowledged Brazil in the rank of an independent Empire, separated from the Kingdoms of Portugal and Algarves, and his son D. Pedro as Emperor; of his own free will, surrendering up and transferring the sovereignty thereof to his said son and his Successors," &c. Previously, and at a time when D. Pedro was writing to his father and urging him to acknowledge the independence of Brazil, under date of July 15, 1824, as before noticed, he states "that it was the interest of the King, his father, to acknowledge the independence of Brazil, as soon as possible, and thus adds he, "may I be allowed to express myself, as of Portugal, I have already told your Majesty, I wish nothing at all."* Further on he says, "I, as Emperor, and your Majesty, as King, are at war and it is our duty to sustain the rights of the independent nations of which we are the chiefs; but, I, as a son, and your Majesty, as a father, ought to love each other."

In no document, public, or private, that ever was produced; in no known communication that ever passed between the father and his distant son, was the Succession to the Crown of Portugal mentioned; nor did the Brazilians know any thing respecting the Emperor's intentions to institute a claim, at least officially, till the opening of the General Assembly,

* *Posso assim fallar, pois de Portugal, já disse a V. M. que não querria nada.*

in May, 1826, when, in his speech from the Throne, he told the National Representatives that, "through the death of his father, he unexpectedly found himself legitimate King of Portugal, Algarves and the dominions thereof;" adding that, "anxious to promote the felicity of the Portuguese nation, without offending that of Brazil, and to separate them, notwithstanding they were already separate, so that they might never again be united, he had abdicated and yielded up his inherent and indisputable rights to his daughter, Donna Maria," &c. He then boasts of the sacrifice which he had thus made, on behalf of the Brazilians; but, contrary to his expectations, when the address was voted by the Chambers, not a word on Portuguese claims, or the sacrifices which their Sovereign graciously professed to have made, was mentioned in it. The Emperor took the hint and has never since renewed the subject to the Legislature, up to the present time. This was a silent; but an impressive condemnation of his act. The assembled Representatives of the Brazilian Nation could not have said more, if they had told him to remember his oath. Not a Brazilian, of enlightened and impartial mind, was in fact to be found, who did not consider this as a complete juggle.

The first time any thing, connected with Portuguese affairs, was since submitted to the General Assembly, was at the opening on the 2nd April, 1829, when the Emperor very reluctantly announced to them the unexpected news of foreign troops being about to arrive among them, consisting of Portuguese emigrants, who were coming to seek an asylum in the Empire." These were the Oporto troops who, it

will be remembered, were sent to Terceira, instead of Rio de Janeiro. Some days after, the Emperor learnt the change of destination and immediately communicated the fact to the Chambers, well aware that his first notice had been most unfavourably received. On the 10th, they presented their address, in which is to be seen the following remarkable passage; "The Chambers exult with joy, on seeing Brazil relieved from the apprehension of those difficulties in which the arrival of Portuguese troops would have placed her." On several occasions, the Chambers have expressed their disapprobation of the interference of Brazilian agents in the affairs of Portugal, and of which, at the same time, they knew little, except from hearsay; or such answers as they were able to wring from the Emperor's ministers, when pressed upon that point. On one of these occasions, (April 6, 1829) M. Clemente Pereira, minister of the Home Department, assured the House that the government was not answerable for what Brazilian agents had done in Europe, "who had received no instructions whatsoever, authorizing them to act as they had done; and already," did he emphatically add, "on account of the affairs of Portugal, has one Brazilian diplomatist been dismissed." This alluded to Viscount de Itabayana. In order to exculpate the Brazilian Cabinet from a charge of being favourable to a war between Brazil and Portugal, the same minister and in the same speech, retorted thus; "As regards our wishes for a war, which Deputy Vasconcellos attributes to us, I will declare, in presence of the Representatives of the nation, that the ministers never wished any such thing; and

the Deputy will never have it in his power to prove so unjust an assertion." On the grounds of interference, a Brazilian Captain was afterwards removed; and on the 21st of August (1829) M. Calmon, the Finance Minister, alluding to the Portuguese dividends, declared in the Chambers that "the usurpation (meaning no state of things) did not release Brazil from the obligations, arising to her from existing treaties with Portugal."

Such were the barriers placed by the Brazilians in order to guard the independence and separation of their country; and such has been the policy, invariably observed by the General Assembly, and even the Emperor's own ministers, in public at least, on all matters connected with the competition for the throne of Portugal. Many other instances of the expression of public feeling in Brazil on this subject, equally strong and explanatory, might be adduced; but these will satisfy the present purpose. I shall therefore now proceed to establish the manner in which the Laws of Portugal exclude D. Pedro from the Succession; under the circumstances in which he was placed, at the death of King John VI., which occurred on the 10th of March, 1826. He was then peremptorily excluded,

Ist, Because the Statutes of Lamego, enacted in 1143, by Alonzo Henriques, the founder of the Monarchy, and never since abrogated, after establishing the direct line of succession and right of progeneriture, declare that a daughter may succeed to the throne, in default of male issue; but, on the sole condition "of her marrying a noble Portuguese, in order that the Kingdom may not pass into the hands of

foreigners ; and if she marries a foreign Princee, she shall not inherit, on that account, because we do not wish that our Kingdom should go out of the hands of Portuguese who, by their valour, made us King, without the aid of others, thus evincing their courage and shedding their blood." As a further proof of that detestation, even in those early times, entertained by the Portuguese, of a foreign dominion, it may be added that the following was enacted and recorded in words, strikingly curious and emphatic. " Lourenço Viegas (the Speaker) then said,—Do you wish that the King, Our Lord, should go to the Cortes of the King of Leon, or pay tribute to him, or to any other person, except the Pope, who confirmed him in the Kingdom? And they all rose, holding their naked swords in their hands, and standing up, they said—We are free—our King is free ; our own hands freed us, and the Lord who shall consent to any such thing, shall die, and if he should be the King, he shall not reign, but lose his sovereignty. And the King again rose up, and with the Crown on his head and his naked sword in his hand, said to all—You know how many battles I fought for your freedom ; of this you were good witnesses, and so also are my arms and sword. If any one should consent to do so, he shall on that account die, and if it should be a son of mine, or a grandson, let him not reign. And they all said—Good pledge, let him die. The King, if he should act so as to consent to a foreign dominion, shall not reign," &c. In Portugal, this has been the primordial rule of succession, up to the present time.

2dly, Because, in the Cortes of 1641, the People,

Nobles, and Clergy, prayed the Sovereign, “for the universal good of the kingdom, that Resolutions should be passed, with the approbation of all the Three Estates, respecting the inheritance and succession thereof, by renewing and confirming the Statutes of Lamego, enacted by the glorious King Alonzo Henriquez, the founder of this kingdom; and let it be so ordained (do they further pray) that the same may never be again inherited by any foreign King, or Prince, whatsoever.” It was then even further enacted, “that when it so happens that the Sovereign of these realms (meaning Portugal) succeeds to any larger Kingdom, or Lordship, he shall always be bound *to reside* in this, and having two or more male children, that the eldest shall succeed to the foreign Kingdom, and the second to this one of Portugal, to whom the Oath of Allegiance is to be taken,” &c.

3dly, On account of non-residence, as established by the Statutes of 1641.

4thly, On account of his not having taken the coronation oath, as required by law.

5thly, On account of his having recently waged war, through the agency of his public and avowed functionaries, in Europe, especially by sending an expedition to Oporto, supplying money to excite a revolution; and again by assuming an ascendancy, by means of an armed force, in the Island of Terceira, an integral portion of the Portuguese monarchy, and expelling the lawful authorities, &c.; rendered treason by a variety of laws.

And 6thly and finally, Because, the late Cortes of Lisbon, or Three Estates of the Realm, assembled

to consider the claims of Dom Miguel I. to the Crown of Portugal, in their solemn *Auto*, or judicial Declaration, after taking a full view of the case, peremptorily awarded and enacted as follows ;

“ All which being well considered and deliberately weighed, the Three Estates of the Realm, finding that most clear and peremptory laws excluded from the Crown of Portugal, previous to the 10th March, 1826, Dom Pedro and his descendants, and for this same reason called, in the person of Dom Miguel, the second line thereto ; and that every thing that is alleged, or may be alleged to the contrary, is of no moment, they unanimously acknowledged and declared, in their respective Resolutions, and in this general one also do acknowledge and declare, that to the King, our Lord, Senhor Dom Miguel, the first of that name, from the 10th of March, 1826, the aforesaid Crown of Portugal has belonged ; wherefore, all that Senhor Dom Pedro, in his character of King of Portugal, which did not belong to him, has done and enacted, ought to be reputed and declared null and void, and particularly what is called the Constitutional Charter of the Portuguese monarchy, dated the 29th of April, in the said year, 1826. And in order that the same may appear, this present Act and Resolution has been drawn up and signed by all the persons, assisting at the Cortes on account of the Three Estates of the Realm. Written and done in Lisbon, this 11th day of the month of July, 1828.”

Such are the principal and prevailing enactments in Portugal which exclude D. Pedro, and, consequently, the whole of his issue, from a participation in the rights enjoyed by the Portuguese themselves ;

such is the state of the law, and no plea, or expedient, on his part, can stop its steady course. For some time before the death of his father, he had ceased to be a Portuguese ; and it therefore evidently follows that when that event happened, no act of his own, of his friends, or of his allies, could reinstate him in his lost rights ; or intercept the succession, as ordained by the legislation of the country.

Fortunately, no monarchy ever had clearer ; more specific, more comprehensive, and, I will add, more venerable laws to guard the Succession to the Throne, than that of Portugal ; no nation ever acted with more foresight upon a subject of such moment—no one was ever actuated with a similar dread of foreign dominion. Had it been otherwise, the kingdom would have become exposed to the inroads of contending potentates. The history of Portugal is filled with records, distinctly and impressively shewing the jealousy and provident care of the people to guard against contingencies which, at various periods, had befallen them, more particularly through usurpation of the Spanish Philips. This outrage and the national and individual misfortunes which accompanied that event, are fresh in the memories of all ; and, since the overthrow of the Castilian yoke, were never so much so, as at the present moment.

The union of the crowns of Portugal and Castile, was indeed always a subject of dread and terror to the Lusitanians, and the same feeling at this moment prevails as regards Brazil. When Emanuel married Isabel, heiress of the Crowns of Castile, Leon and Aragon, and was about to visit his newly-acquired dominions, the Cortes compelled him to

give in a declaration, signed January 16, 1499, "that no foreigner should be allowed to be a viceroy, or governor of the Kingdom; nor appointed to exercise any act of jurisdiction—any trust, in the departments of either justice, or finance," &c. The memorable controversy that took place on the death of Ferdinand I., which occurred on the 22nd October, 1383, is also a striking trait in the annals of Portuguese history. He left only a daughter, Beatrix, married to John I., King of Castile, who instituted a claim to the succession, which was rejected on account of her having lost her right of primogeniture, by marriage and residence in a foreign country; by means whereof she became estranged to that which was once her own. The Resolution of the late Lisbon Cortes, above referred to, speaking on this very subject, sets forth that this repulse of Beatrix, arose out of "the repugnancy and resistance of the people. They knew," adds this memorable document, "the Portuguese Laws; and the real meaning of a natural King, that is, one who was born and lives among those over whom he rules, had its just value in the opinion of those true lovers of their country. Their generosity," adds the paper in question, "rejected with horror the danger of a foreign dominion." This case is on a complete parallel with that of D. Pedro; but, as a further illustration of this laudable and national feeling, it may be remarked that the Cortes of Coimbra, assembled in 1386, to settle the Succession to the throne, after hearing the respective claims of the several Pretenders, elected John I. known as the Grand Master of Aviz, the illegitimate son of Peter I.; thus sacri-

ficing one important principle in the Statutes of Lamego, in support of another, equally established in the same; but still dearer to the hearts of Portuguese. These Cortes were, in another respect, memorable. At them, Joaõ das Regras, who was considered as the most eminent jurisconsult of his day, assisted and took a leading part.

The Three Estates of the Realm, in their late Resolution, already repeatedly quoted, reason at some length on the inexpediency of non-residence, unknown in the Kings of Portugal, till the time of the Spanish Philips, and mention, as a proof of this national and prevailing feeling, evinced in all ages of the Monarchy, that the Cortes of Thomar, at a moment when the Castilian yoke was firmly established, had the courage to petition the first Philip “to reside among them, as much as he could,” to which he gave answer, in these words; “I will endeavour to satisfy you.” Even the same haughty and aspiring usurper was himself required to take a special oath, when he went to Portugal, in order to consolidate his seizure, “to keep unimpaired all the rights, privileges, &c. of the Kingdoms of Portugal and Algarves; that the Cortes should not be assembled out of the territory thereof; that no other than a Portuguese should hold the rank of Viceroy, or any other public trust; that they should retain their national arms; that no imposts should be assessed on church-lands; that no benefice should be bestowed upon a foreigner,” &c. And, has D. Pedro passed through this ordeal to the throne? Did he ever take a coronation oath, in reference to Portugal? Fortunately not, as his perjury in regarding his Brazilian oath, would have

been much more flagrant than it was since, as, instead of "upholding the grants, liberties and exemptions, made and confirmed to the Portuguese by the past Kings," and as regulated by law, he endeavoured to strip them of all, by a single dash of his pen.

As regards the masked hostilities, carried on against Portugal by D. Pedro's agents, the late Cortes very feelingly observe thus. "Neither have the civil wars—the shameful violation of the country's laws—the unjustifiable and even despotic seizure of power, escaped them. In a word, they do not forget their venerable country, either attacked with hostile fury, or else insulted in its rights and dignity. But," add they, "we feel a repugnance to touch only half closed and delicate wounds, on which account, we leave the vindication of an offended and outraged country to the justice of divine Providence, and next to the confusion of the guilty themselves, as well as to the severe censure of a cotemporary world and posterity."

Should it be asked how the Brazilian agents have waged war against Portugal, I should answer, by sending out the Belfast Steamer and other vessels to Oporto, and supplying money to raise and carry on a revolution, as is fully proved by Count Saldanha, in his late Manifesto, and himself one of the parties employed; in lavishing money to propagate libels and incendiary papers; and be it not forgotten, as previously stated, that one Brazilian envoy and one Captain of a frigate were dismissed, for acts of interference. If more evidence were wanted, I should refer to the fraudulent clearances of arms, &c. sent to Terceira; to other numerous and avowed acts,

and, finally, to the lucubrations of several of the London Journals.

At first, Donna Maria's right to the throne of Portugal, was stated to rest on her father's abdication, in her favour, and, in support of this plea, almost all the Portuguese writers on her side of the question strenuously contended. From all that is extant upon this point from the late Mr. Canning, this seems also to have been his opinion; for, in his ever memorable speech, he told the House that, in the plenitude of his foresight, he had advised the measure of *abdication*. Our "Portuguese Lawyer," however, dives deeper than his predecessors, and, bringing up an infinitely larger and more valuable pearl from the treasures of the ocean, he now tells us that she claims "by the right of inheritance;" consequently, the act of abdication must be cast to the flames. His argument is novel and curious, and its chief object is to evade that part of the Statute of Lamego which operates to the exclusion of foreigners.

After a long and elaborate exposition of the genealogy of the Braganza Family, at the head of which every one knows that D. Pedro stands, he agrees with the Manifesto of the Oporto Junta, in declaring that the children of that Prince, although at the death of his father he was himself Emperor of Brazil, have rights to the Portuguese Succession, provided only they were born previous to the acknowledgement of the independence of the new Empire; that is, prior to the 25th November, 1825, the position in which the eldest daughter, Donna Maria, and three others are placed; that very circumstance preventing them from being considered as foreigners, avow-

ing at the same time that all others, although male, are excluded. He then goes on to argue that D. Pedro's eldest son having died in early infancy, the succession devolved on his sister, the Princess de Beira, Donna Maria da Gloria, her claim, as a female, being sanctioned by the Statute of Lamego, &c.

The first question I should feel disposed to ask our learned advocate, is, why he does not date the interval during which D. Pedro's children, according to his own argument, might lose their right to the Portuguese succession, from the beginning of January, 1824, when the Brazilian Constitution was adopted and all the above mentioned clauses enacted, and consequently made binding on D. Pedro and the whole of his issue; or, even from the first declaration of independence, instead of the period when the treaty was signed by the father, which can be considered as no other than an adventitious circumstance in the affair? When the independence of Brazil was achieved and D. Pedro raised to the throne, as previously shewn, he abandoned all his European rights, on his own behalf and that of his offspring, at the time minors—nay, infants. The "Lawyer" talks to us of the Princess de Beira, because this is an imposing style and title suited to his purposes; but, is he not aware that it is one unknown in the Brazilian nomenclature? There, Donna Maria is known only as the Princess de Graõ Pará, and, as such, has received her allowances, or *alimentos*, corresponding to that title, by yearly grants, ever since the Legislature was organized. She was born on the 4th of April, 1819, and her brother Pedro on the 2nd December, 1825, and, consequently, re-

mained heiress apparent to the Imperial throne, nearly six years—nay, was actually looked up to, as such; and, as before established, by law, a foreigner not being allowed to succeed in Brazil, in what light, let me ask, was she then considered—a Portuguese, or a Brazilian? If, as a Brazilian, she must have lost her rights to the Portuguese Succession; in which case, I would again gladly ask our profound expounder of the law, how the birth of a brother, nearly six years afterwards, could restore them to her? If she had died previous to the arrival of her turn, the same rights would have successively devolved on the Princesses Januaria, Paula and Francisca, whose contingent rights to the Crown of Portugal our “Lawyer,” nevertheless, also advocates, as it were, totally unaware of the gross contradiction into which he is falling!

Let us, however, push our researches a little further, and ascertain what constitutes a foreigner, or rather, how a native loses his rights of citizenship, according to the common law of Portugal; an inquiry of which certainly the “Lawyer” ought to have saved his readers the trouble, if he was really writing for their instruction. On this subject, the law stands thus.

The *Ordenações do Reiuro*, Liv. ii. Tit. 55. § 3, establish, “*Se alguns naturaes se sahirem do reyno e senhorios d'elle, por sua vontade, e se forem morar a outra provinciū ou qualquier parte, sós, ou com suas familias, os filhos que lhes nascerem fora do reyno e senhorios d'elle, não serão havidos por naturaes; pois o pai se ausentou por sua vontade do reyno en que nasceo, e os seus filhos não nascerão nelle.*” (If any natural-

born subjects should leave the kingdom and dependencies thereof, of their own free will, and go and dwell in another province, or part, alone, or with their families, the children who may be born to them out of the kingdom and dependencies thereof, shall not be held as natural-born subjects, because the father absented himself, of his own free will, from the kingdom in which he was born, and his children were not therein born.) The *Code Civil* of the French, enacts that "it is impossible to have two countries, so that the man, who is naturalized in a foreign or rival nation, and accepts public trusts and service there; he, who abjures the most sacred principle of our social compact, &c. and has abandoned France for ever, cannot retain the title of a Frenchman."* This same principle of public law prevails on the continent, and is adopted in Brazil.

In cases of naturalization, the Continental rule and law is, that minors, and more especially infants, follow the fortunes of their parents, and much more so is this the case, when treating of kingdoms. D. Pedro had made his choice, and the act of a child, 9 years old, could not alter it; nor was it left in the power of the Emperor to retrace his steps. Such casuistical theories as these, neither D. Pedro, nor his partisans ever dared to avow in the hearing of the Brazilian Legislature! The father himself had ceased to be heir to the throne of Portugal, consequently, through him no legal rights could descend to either son, or daughter. His charter; his appointment of Peers; his abdication, and, in short,

* Portugal, or Who is the lawful Successor to the Throne?

all his acts in reference to Portugal, were therefore illegal and invalid, and, if only properly examined, it will be found that the spirit which dictated them, really bordered on insanity.

The “Portuguese Lawyer” asserts that “the Junta of Oporto addressed itself to all the foreign ministers, in Lisbon, and especially to the British and Austrian ambassadors, invoking the assistance of Great Britain, as the most ancient Ally of the Portuguese nation,” &c., and then vehemently reproaches them, because “to these appeals no answer was received.” To pen such a proposition as this, and publish it in February, 1830, really excites astonishment; but, granting that the author’s wishes had been gratified, and really, from the whole tenour of his language, one would think that the honour of the Oporto Junta was concentrated in himself, and induces one to suspect that he was a member; supposing, for a moment, that the obsequious ministers of Great Britain and Austria (what a pity Lord Porchester did not then hold an official situation) had answered the Oporto Junta and offered them aid and assistance, &c., as some days—nay, perhaps hours, afterwards, the several members of the Junta were steering their course to England, with the Marquess de Palmella at their head; of what use would these answers have been, unless among so many other pretty things, to grace the dignified columns of the author’s favourite, the *Paquete de Portugal*?

We shall now leave the “Portuguese Lawyer” to his own reflections—the other parts of his pamphlet, and particularly his reproaches and invectives against

our government cannot interest, and much less convince the British public. *Au reste*, it little regards us whether persons who served Buonaparte are among D. Miguel's partisans, as long as the laws are in his favour; and we shall not quarrel about his definitions of treason and interpretations on the profanation of justice. We shall not weigh his allegations of ingratitude; nor examine his discussions on the Lisbon and Oporto papers, the fanaticism of the pulpit, nor the efforts of the police. We shall leave Sir Frederick Lamb to answer for himself for the alleged want of support from his own Cabinet, and the "Lawyer" to meet the complaints and assess the damages, in case the English wine stores at Villa-Nova had been destroyed, through any extra effort of courage on the part of the Oporto army, at the time in full retreat, only recommending to the Author's perusal Count Saldanha's Manifesto, of which he seems unaware. We shall decline entering on the question of the Oporto blockade, or the merits of the brave defenders of the Charter. We shall not investigate whether the "royal almanacks of Europe, are right or wrong, in inserting names; nor shall we support M. Portalis in his discussions on the French budget, of last year; or answer his opponents. We shall not censure M. Hyde de Neuville for his secret views in his feats at Bemposta, in April, 1824; or examine the arguments of those who allege that this was a farce of his own getting up. We will however readily give our author credit for his professional researches into the titles of the Dukedoms of Braganza and Beja; although we question the validity of a guarantee for a new loan

given on the Braganza property and Duchy, in Portugal, by D. Pedro in Brazil. We shall not take a review of the Pombal administration; nor shall we discuss the merits and tendency of the French invasion of Spain, in 1823. We do indeed regret that the “young Queen had not responsible diplomatic advisers with her” and feel shocked that advantage was unduly taken of her tender years.”

It would be a waste of time to argue what is meant by the Article of the Treaty of 1810, which runs thus: “We engage never to acknowledge, as King of Portugal, any other Prince than the heir and legitimate representative of the Royal Family of Braganza,” but, merely ask the question, whether the Cortes of Lisbon were not better judges as to who is the “heir and legitimate representative” than D. Pedro and his lawyer; nor should we feel inclined to labour any further along such an intricate and tedious labyrinth, as that through which the “Portuguese Lawyer” would gladly lead us, over stumbling blocks and stones, in search of Donna Maria’s rights; merely and finally observing, that we feel disposed to do him the justice to say that he has written a most overwhelming volume, filled with erudition and every thing else, and that if any member of the House of Commons, or other Englishman who has any thing else to do, can read the whole of the 102 pages, including notes, we should say that he almost deserves the Crown for which our antagonist has so strenuously contended.

It would however be monstrous, on our part, to overlook a beautiful and impressive passage, borrowed from a speech of Lord Palmerston, containing

ideas, of so exhilarating a kind, as to make the "Portuguese Lawyer's" heart throb with joy, and his friends exult at the supposed triumph. "That a transaction," does he tell us, "in every respect worthy of an ancient and faithful ally, may heighten the gloom in which some other acts are involved, we dwell, with pleasure and with pride, on the circumstances under which it took place;" alluding to a memorable feature in the *Abrilada* of 1824. He then quotes the following from Lord Palmerston; "The seat of the Portuguese government was transferred to a British line-of-battle ship, in the Tagus; on the quarter deck of an English man-of-war, with the hardy sailors of Great Britain as his pages in waiting, and the menacing guns as his guard of honour, the King of Portugal asserted his rights and called upon his faithful subjects to surround his throne. Never," exclaims the noble Lord, "was British interference so effective; never was it so glorious to the power by which it was exercised; never was it so beneficial to the ally for whose defence it was employed!" Great God! do I exclaim, what a delusion prevails on this unhappy question of Portugal! The King did not go on board of the Windsor Castle, till more than a week after the *Abrilada* had happened; during all which time, no one had hurt a single hair of his head, and the Prince, against whom the charge is levelled, was a constant inmate of his palace, and both father and son in almost hourly intercourse with an English nobleman, of the highest rank and character, as well as of the greatest influence, and well able to judge of the passing events. If my Lord Palmerston would only

take a little trouble to inquire into this matter, he would find that the scene in the Tagus, by him described in such glowing colours, was no other than the first act of a farce, got up by Messrs. Pamplona and Hyde de Neuville, and not intended to be played on board an English man-of-war, but a French one; for the French minister just named expressly sent off the Marquess de Bethune to Cadiz, to call Admiral des Retours, who immediately set sail; but, meeting with contrary winds, instead of forty-eight hours, the *Santi-Petri* was eleven days in reaching the Tagus, so that there was no other alternative left than to use the Windsor Castle! It is to be hoped that British tars will always find laurels, greener and more lasting, than those which My Lord Palmerston had prepared for them.

- The "Last days of the Portuguese Constitution," is a lighter, more agreeable and engaging book than that of which we have just taken leave. Whilst, however, the "Portuguese Lawyer" travels all the world over, and seemingly if there had been another terrestrial orb to which he could have had access, he would have equally visited it, with a view to find out acts, precedents and authorities, in order to prove British interference in the internal concerns of other nations, on all kinds of occasions, anxious to shew that we ought to have done the same in Portugal, on behalf of D. Pedro; Lord Porchester, to our astonishment, tells us that "it would be more suitable to the dignity of Great Britain, and far more conducive to the interests of suffering nations, if she would henceforth entirely abstain from interposing in their internal affairs"—adding—"both Sicily and

Portugal attest the fatal effects of British interference," &c. According to the opinion of one advocate in the same cause, we did not interfere half enough; whereas, in that of the other, we interfered infinitely too much. If this point were properly examined, it will nevertheless appear that Mr. Canning's administration certainly did interfere, and infinitely too much, in order to introduce and support the Charter, and consequently D. Pedro's supposed rights; and his rash and unjustifiable conduct unhappily, on that occasion, lead his successors into the dilemma in which they now stand. Of this, however, D. Pedro's partisans ought to be the last to complain, as they thereby acquired a greater moral force in favour of their cause, than they otherwise could have obtained. Their chance of success was thereby strengthened, if it can be said they had any; as this interference at least afforded them the opportunity of a trial, and a fair one too, which, without it, they never could have had.

The manner in which Sir Charles Stuart brought the "Charter of the Portuguese Monarchy," over to Lisbon, in a British man-of-war, is well remembered, and also that this was done by a special order and commission from D. Pedro, to him addressed, dated Rio de Janeiro, May 2, 1826, "instructing and authorizing him to do whatever might be necessary for the execution of his royal orders." Sir Charles reached Lisbon on the 7th of July, and on the ensuing 12th, the Charter was proclaimed and enforced, as the law of the land. This new form of government; these imported institutions were established, to all appearances, at least, under the auspices of the

British government and through the interposition of its agents, notwithstanding Sir Charles, in his letter of the 15th of the same month, and the very first he wrote after his arrival, declares "that he had found out, during the few hours he was in Lisbon, that the illegality of the acts on which it (the Charter) was founded, was the ground on which the Infanta Regent's opponents were determined to make their stand." Mr. Canning, however, "in order," as he says, "that we might inculcate, with more effect, on other governments the duty of abstaining from any interference with the free agency of Portugal, deemed it expedient to remove all grounds of jealousy as to the exertion of British influence, on so momentous an occasion," and, accordingly, under date of the 12th July (1826) he directs Sir Charles "to take leave of the Infanta Regent and return home." Unfortunately, on that very day, as before stated, in Lisbon, the Infanta Regent's proclamation for the establishment of the new order of things was issued; "the Constitutional Charter which His Most Faithful Majesty, Dom Pedro IV. had deigned to decree from his Court, at Rio de Janeiro," was put in force, and severe penalties denounced against those who might oppose, or obstruct it. In the mean while, Sir Charles Stuart continued at Lisbon, as Sir Wm. A'Court, writing to Mr. Canning on the 4th August, says, "making preparation for his departure and intending to sail at the beginning of the next week." He therefore witnessed the organization of the new Government, and was, in every respect, considered by the public as the agent of the British cabinet, for that purpose specially appointed.

That Mr. Canning apprehended that this conclusion would be drawn, is evident from his letter of recal, above noticed, as well as the explanations required of Sir Wm. A'Court, which drew from him the following avowal. "It is impossible to say that there has been no interference, on his part (Sir Charles') in the affairs of this country. There has been interference—a very direct and active interference; but, in no other character than in that which he possesses, as Portuguese Plenipotentiary." But, it may be asked, could the people of Portugal make so nice a distinction in one whom they had always known as a British functionary among them; who reaches their capital in a man-of-war belonging to his own nation, and who, when he told them that the Emperor's orders and decrees, of which he was the bearer, must be enforced, never reminded his hearers that he was acting as a Portuguese Plenipotentiary? Sir Charles, holding the character of a British Mediator, had been employed in the double capacity of a Portuguese Plenipotentiary to go to Brazil and there negotiate the Treaty of Independence with Dom Pedro; but, that service had been completed; the monarch who had invested him with powers was dead, and he had received subsequent ones from the Brazilian Emperor, making him the bearer of his decrees, and "authorizing him to do whatever might be necessary for their execution." From the moment Sir Charles landed at Lisbon, he had all the weight and influence of a British diplomatist, and both did he actively exert to carry Dom Pedro's orders into effect. However Mr. Canning may have afterwards seen the error; and by diplo-

matic explanation sought to repair it ; Sir Charles's recal was clearly too late—the injury had been done, and it is an undeniable fact that, in the eyes of the great body of the people, Dom Pedro's Constitution was established in Portugal, under the direct and immediate auspices of the British government, of whom Sir Charles Stuart was considered the immediate, if not special, organ.

For awhile, the Infanta Regent administered the new laws, and guided public measures without great difficulty ; the Portuguese being partly awed into silence by the name of Great Britain ; the novelty of the case, and the confident expectation that if D. Pedro succeeded to the throne, he would be compelled to return to Lisbon and establish his court among them, conformably to the laws and the known wishes of Austria. At length, however, the Infanta Regent saw herself the victim of designing men ; a civil war raged in the country ; every thing was in disorder, whilst the most meritorious members of her Council were assailed by a flagitious press and forced to abandon her. Wearied with difficulties and animadversions, she grew tired of her own strength, and unguardedly gave herself completely up to the party which had an immediate interest in thwarting the wishes of the great body of the people. In private, she had advisers of the most worthless kind, who had insidiously ingratiated themselves into her favour, and the acts of her public ministers were thereby continually obstructed. Several regiments had already flown to arms, in order to oppose the Charter and establish the rights of D. Miguel, and if it had not been for the timely arrival of a

British force, it was evident that her government would have been overturned, by a revolution ready to break out in the capital.

That a more perfect opinion may be formed of the state of Portugal, at the beginning of September, 1827, as well as of the only alternative left to put an end to the calamities which the nation was then enduring, we copy the following extract from a leading article in the Times of the 22nd of that month; an authority which certainly cannot be deemed suspicious.

“ These frequent changes of ministers, and these capricious acts of folly or rigour, which have brought the government of the Regent into disgrace, and have rendered its history for the last three months more like the annals of a nunnery, than of a body of Councillors, are calculated to be more fatal to the security of the Charter, than a northern revolt; and tend to make us regret less their necessary termination in the arrival of Dom Miguel. No improvement of the administration; no consolidation or development of the constitutional system, can be expected from a cabal of ill-instructed young women, directed by selfish courtiers—from maids of honour who engage to make and unmake a cabinet for a purse or a place—or from a set of *desembargadores*, or captains of dragoons, who agree to take office under the menials of the palace. The reins of government, in the present situation of the country, must be intrusted to A MAN; and as they cannot be beneficially held or directed by a hand on the other side of the Atlantic, the only alternative seems to be, the accession of the Emperor’s brother to the Regency.”

In a word ; all called out for D. Miguel—some in the character of Regent ; but, the great body of the people—the influential classes, as the lawful heir to the throne. At length, by a decree of 3rd July, 1827, signed by D. Pedro, he was allowed to quit Vienna and return to Portugal, as his brother's representative. It is now time to inquire how D. Miguel came to be in Austria, and why he was so long detained there.

It will be well remembered that in May, 1824, and immediately after the *Abrilada*, to which some allusion has already been made, D. Miguel was sent away, in a Portuguese frigate, against his will, and on pretext of going on his travels, escorted to the capital of the Emperor Francis. This afterwards turned out to be the effect of a vile conspiracy, plotted against him by the Minister Pamplona and his colleagues, who had gained a complete ascendancy over the mind of the weak monarch, and whom the Prince had endeavoured to strip of their power, by force. What recommendations, or what kind of character they conveyed to the Emperor Francis, respecting the royal youth whom they were confiding to his care, may easily be imagined from the circumstance of his Imperial Majesty having hesitated to appoint any German to attend his new guest, fearful of his violent character ; till at length, two volunteered their services. Six months afterwards, the Emperor wrote King John VI. that he had been egregiously imposed upon in the character given to him of the Prince, whom he found mild, tractable and amiable, and was anxious to reconcile to his father. The opinion which the Emperor had formed

of the Prince's disposition, during a long residence under his own roof, may be collected from the manner in which he treated him, as a member of his own family; his wish that he should espouse his granddaughter, and the tears which he afterwards shed, on parting.

The Austrian Emperor, however, whose thrifty views are well known, had formed the project of placing a descendant of his own on the throne of Portugal, and the success of the scheme, in great measure, depended on D. Miguel having no communication with his countrymen, and particularly his mother, who was known as the firmest supporter of his rights. His conduct was therefore watched, and no Portuguese allowed to approach his person. At one time, it was wished to send him to Brazil, in order to be more out of the way, and the *Jouão Sexto* man-of-war was actually sent to Brest, to convey him thither; but, he had the good luck to escape this trap through the firmness of his own character. Every thing, however, connected with the affairs of Portugal, was carefully concealed from him; but, whether through chance, or the devotion of a friend, I cannot exactly state, one of the first works written and published in Paris on this question, the one, I believe, called *Examen de la Constitution de D. Pedre et des Droits de D. Miguel* (Paris, early in 1827) fell into the hands of the Prince, when, for the first time, he had an opportunity of having a glimpse of what was going on. Struck with the disclosures this work contained, and roused by the arguments therein displayed, he took it to the Emperor, fondly supposing it would throw new light upon his views

and transactions. The Portuguese Chargé d'Affaires was also made acquainted with the incident. Prince Metternich, sensible how far he and some of his master's allies had gone in the acknowledgment and support of D. Pedro, caused Councillor Geutz to write a Memoir, in order to prove the very reverse of what was contained in the Paris pamphlet; and the principal argument of which the Councillor availed himself was, that part of the Statute of 1649, which, as before stated, ordains *that when the King inherits two Kingdoms and has two sons, the largest shall go to the eldest and the smallest to the younger*; alleging, that this case actually occurred in D. Pedro, through the death of his father, he being the *inheritor* alluded to, and, consequently, according to this sophism, in a situation to do with Portugal as he pleased! If we had no other proof on record, this incident alone would shew how ignorant, even the highest personages at that time were, on the Affairs of Portugal. It is further affirmed that this opinion of Councillor Geutz was solemnly read in presence of D. Miguel, who was induced to assent to its accuracy, and, it is added, was even required to sign a paper to that effect.

By the 1st October, 1827, all the preparations were made by Prince Metternich for D. Miguel to quit Vienna, as Regent of Portugal and his Brother's Representative, and, as such, he was required to take the corresponding oaths. The espousals, required of him, with his niece, Donna Maria and the Emperor of Austria's granddaughter, were also performed. For the specific nature of these arrangements, the writer must refer to the Vienna Protocol of the 30th

October (1827) the limits prescribed not allowing him to go into the subject ; but, it ought to be observed that, on the very face of this solemn record, it is to be seen that, on all occasions in which D. Miguel was called upon to assent to measures proposed to him, he did it with *a reservation of his own rights*. Finally, the Prince quitted Vienna and passed through Paris, where, as a proof of the great care that was taken of him and the dread of any thing like contamination approaching him, every Portuguese who was known to be favourable to his rights, was by the French police ordered to quit the capital ! On the 20th December (1827) he reached London, and on the 22nd of the ensuing February, landed in Lisbon.

Then, for the first time, he became acquainted with the real situation of the kingdom ; then, it was, that he was convinced of the extent and validity of his own rights, and really saw the nature of the general conspiracy of which he had hitherto been the victim. Then, it was, that he embraced his mother, who informed him of all she had done, suffered and sacrificed, on behalf of his claims ; then, it was, that he found himself the lawful heir and the idol of the people ; and saw that the great body of the Portuguese were ready and eager to support his claims, having already carried on a desolating war, in every part of the Kingdom, in order to throw down the Constitution and establish his rights to the throne. As her late Majesty, the Queen Mother, acted a prominent part in D. Miguel's restoration, and has, on this account, been continually assailed by his enemies, and by them loaded with the grossest insults

and vituperations, it may be necessary to say something of her political conduct and public character, in the way of explanation.

Four great, remarkable, and, indeed, bold enterprises marked the public and political life of the late Queen Dowager of Portugal. The first was, to place herself at the head of the Regency of Spain, as soon as the insidious captivity of all her royal relatives, through the invasion and designs of Buonaparte, was made known to astonished Europe. What effect this plan of hers might then have had upon a people, bereaved of their sovereign and struggling for their national honour and independence, it would be difficult to say; nor would the inquiry be of any use, at this remote period; but, most assuredly, her presence would have been encouraging; she would have become a centre of action; her acknowledged talents would have drawn forth resources; her firmness and activity would have given fresh strength and life to the contest, and beyond doubt, it would have been less tedious for us, as auxiliaries, and taking a large share of the war upon ourselves, to have communicated with her, than those jarring Provincial Juntas, the members of which were often objects of suspicion to their own constituents. Her next effort, was, to make herself a centre of union to the South American States, bordering on Brazil, where her fixed abode then was, and for this purpose with some of them she kept up an early and active correspondence. It is well known that she was in close relations with Dr. Francia, the eccentric ruler of Paraguay; he reposed the greatest confidence in her and availed himself of her advice. The third was,

in 1823, when large parties were forming in every part of Spain, for the avowed purpose of overthrowing the Cortes and Constitution, and restoring the King to his ancient form of power; and at a time when, in aid and support of this scheme, although ostensibly under another pretext, a French army, under the Duke d'Angouleme, was advancing towards Andalusia; King Ferdinand VII. had been stripped of his power by the Spanish Cortes, and he and the other members of the Royal Family conveyed prisoners to Cadiz.

In order, however, that a more perfect idea may be formed of the grounds of this solicitous interference on the part of her late Majesty, in the affairs of Spain, at peculiar emergencies, it may be proper to premise that, at the time the contract was passed between the Governments of Portugal and Spain, for the espousals of her late Majesty with the late King John VI., it was specially agreed and covenanted that the issue of the Princess Charlotte de Bourbon should succeed to the throne of Spain, in default of the direct male line, and this right was afterwards formally acknowledged by the Cortes of Cadiz. Count Florida Blanca, who was the principal negotiator of this Treaty of marriage, seemed to have been actuated by a wish, gradually to do away with the enmities and jealousies which had existed between the two nations, ever since the days of the Spanish Philips, and establish a more cordial understanding between two kingdoms, peculiarly situated as regards territory, and almost without any barriers between them. Some little spirit of hostility towards Great Britain, as well as some jealousy of her as-

cendancy in Portugal, might perhaps, on the part of Spain, be mixed up with the considerations which lead to this important measure, so very different to that policy which, in more ancient times, had actuated the councils of Portugal; but it is evident that the principal object was, to unite, as much as possible, and to consolidate the Peninsular interests. This marriage-settlement, in order to render it more solemn, was sanctioned by the Cortes of Spain, in 1788, and, conformably to this arrangement, it consequently follows, that a contingent right of succession to the throne of Spain, is actually vested in the issue of Her late Majesty. Whilst on this subject, it may be proper to remark that, at the death of King John VI., a curious scheme grew out of this provision in favour of the Braganza line, which, when matured by extraordinary events, formed part of the secret views of those persons who were so anxious to support the new institutions, in Portugal, graciously enacted and bestowed by D. Pedro. The union of the Liberals of Portugal and Spain, as well as the tacit league between them for their own general purposes, is too well known to require any specific delineation. Unhappily, of the defeat of this league we have already too many victims before our own eyes, constantly appealing to the benevolent feelings of the British public. Suffice it to say, that the grand project, at one time formed among them, was, to bring D. Pedro over from Brazil; establish him in Portugal, and by an appeal to the popular feelings of both kingdoms and a general revolution, to render him the "Constitutional Emperor and Perpetual Defender of the Peninsula," as he had hitherto styled himself of

Brazil! It is certainly presumable that he was never made acquainted with the real nature, or the full extent of this gigantic and magnificent plan; but, the idea in itself is too captivating and too striking, nay, was at one time too far matured, for one to imagine that some one of his flatterers, entrusted with the secret of what was required of him for the *welfare* of Portugal—nay, of the Peninsula, and who have always had such ready access to him, should not have whispered something of it in his ear, at some unguarded moment, or another; although, he might have seen it surrounded by difficulties which perhaps had escaped his eager and officious friends. He, however, adopted the Constitutional Charter, (and, up to the present hour, it is a query whether the plan and basis of that Charter were not arranged in Lisbon and transmitted to Rio de Janeiro) expressly, as he told Sir Charles Stuart,* “for the purpose of conciliating the affections of the Portuguese; and,” added he, “if the war should turn out unsuccessfully in the South (Buenos Ayres) of obtaining military succour from Portugal, with a view to diminish the burden, already felt in this country,” meaning Brazil. And if, as he thus wished, he had “conciliated the affections of the Portuguese” and abandoned his dominions in the New World, (and even of this, at one time, serious apprehensions were entertained by his own subjects, the discovery of which doubtless gave rise to the act of abdication, not the least of D. Pedro’s inconsistencies in reference to Portugal) God only knows how far his rash

* Vide his Letter dated Rio de Janeiro, April 30, 1826.

friends would have availed themselves of his confiding disposition ; or to what lengths they would have impelled him !* But, after this short digression, we will resume the topic of Her late Majesty's invariable interest in the welfare, national honour and tranquillity of Spain. Early in July, 1823, and

* In order to shew how delicately D. Pedro was situated, at the period alluded to, with his Brazilian subjects, and how much he was early put on his defence, in reference to his interference in Portuguese affairs, we copy the following extract from his speech at the opening of the National Assembly, on the 6th May, 1826.

“ On the 24th of last April, the anniversary of the embarkation of my Father John VI. for Portugal, I received the melancholy and unexpected news of his death, when the most poignant grief seized on my heart. The plan which I was bound to follow, on finding myself, when I least expected it, the Legitimate King of Portugal, Algarves and the Dominions thereof, suddenly occurred to me. Grief and duty alternately swayed my breast ; but, laying all aside, I looked to the interests of Brazil—I kept my word—I wished to sustain my honour, and I proceeded to deliberate on what I ought to do, to promote the happiness of Portugal, which certainly it would have been indecorous for me not to have done. How great was the affliction which rent my heart, in seeking the means of bestowing felicity on the Portuguese nation, without offending that of Brazil, and of separating them, (notwithstanding they are already separate) so as that they may never again become united. I confirmed in Portugal the Regency which my Father had created ; I gave a Constitution ; I abdicated, and yielded up all my indisputable and inherent rights which I held to the Crown of the Portuguese Monarchy and the Sovereignty of those Kingdoms, to the person of our much beloved and esteemed Daughter, the Princess Donna Maria da Gloria, now Queen of Portugal, Mary the Second. This, it was my duty to do, for my own honor and the welfare of Brazil. Let those still incredulous Brazilians thus learn to know (as they already ought to have done) that the interest which I feel for Brazil and my attachment for her Independance, in me are so strong, that I abdicated the Crown of the Portuguese Monarchy, which by indisputable right belonged to me, merely because it might hereafter implicate the interests of Brazil, of which country I had become the Perpetual Defender.”

under the circumstances above alluded to, she forwarded an address to the Regency, then established at Madrid, expressive of her anxious wishes to become instrumental in healing the wounds of her native land; reuniting the Spaniards of all parties and preventing the humiliations, if not horrors, which would inevitably follow the interference of a foreign armed force, as will be best seen from the following copy, never before published.

“The Infanta of Spain and Queen of Portugal to the Regency of Spain and the Indies, &c.

“The calamities which Spain endures, through the captivity of the King, my august Brother, are notorious to the whole world. For some time past, I ought to have addressed myself to the Nation, in order to console it, in its present political orphanage, into which it has been cast by that vertiginous spirit which, in the South of Europe, has risen up. I delayed doing so, till now, because I trusted that intestine and foreign war ere this would have had an end; tending only as it does to ruin a kingdom on which nature has bestowed her best gifts. Finding myself, through the mercy of Divine Providence, in a situation to aid my country, and being, by the Fundamental Laws of the Spanish Monarchy, called to the throne, which by the line of Succession and through the failure of male issue, devolves upon me, I have considered that not only by a political obligation, but also by a moral duty, I was called upon to save the Spanish people from the shipwreck that awaits them. In order therefore to fulfil this sacred obligation, I now address myself to the Regency, established in Madrid, in order to declare to it, that

the King and Infantes of Castile being, at present, morally disabled from exercising the government of the Kingdom, which must be considered equivalent to civil death; according to the laws, the administration of the Kingdom belongs to me, as the first-born Infanta, and I trust that the Regency, faithful to its sovereign, will make known this my character to the Nation, in the mean while that I proceed on to Spain.

“The Regency, in announcing to the Nation the resolution which I have adopted, will take care to cause it to be understood that my heart is exclusively animated with sentiments of good-will and love to the Spaniards, and that my only solicitude will be to cure the wounds of all, opened by intestine wars, and to remove the party-spirit rankling in the bosom of one and the same family. In my eyes, all are Spaniards, and Spaniards deserving of my protection and solicitude. In me, therefore, will they all find a Mother who will dry up those tears, without any distinction to persons, or opinions, which the fatality of the times has caused to flow among all classes; and since Divine Mercy has preserved me from the terrible dangers by which the whole of the Royal Family are now surrounded in Cadiz, the Spaniards of both Worlds ought to unite around my person, as under the shadow of a Princess, ever attached to Spaniards, in order to save the Crown of their King, my august Brother, and, by this means, place a barrier to the inroads of foreign ambition.

“With this view, and in order to preserve the Monarchy unimpaired, I have, with pleasure, consented to furnish all the supplies required of me by

the Officers who came here to seek the means of raising and organizing a military division, destined to restore the rights of King Ferdinand VII. The unceasing supplications of so many good and loyal Spaniards who are daily arriving in this Kingdom; and the solemn declaration of some of the Ultramarine Provinces, in proclaiming me as their Protectress, have convinced me of the love which they profess towards me, on which account, it is the dictate of justice and gratitude not to abandon them, or to allow them any longer to remain the victims of delusive passions.

“This supreme duty obliges me to renounce the retirement and consolations of private life. No other interest and no ambitious view could impel me on to this sacrifice, in the present weak state of my health. The mournful accents of my beloved Spaniards, butchered by each other, excite my compassion and prevent me any longer from being deaf to their call, and the fulfilment of this my royal will is entrusted to the Regency, at present governing in Madrid. Palace of Quelez, July 10, 1823.

“Signed Da. Carlota Joaquina de Bourbon.”

This address to the Regency of Spain, established at Madrid, as before noticed, was made at the time the French army was marching on Andalusia, and the Cortes, assembled at Seville, had dispossessed the King of his power and actually conveyed him and the other members of the Royal Family prisoners to Cadiz, where, it was apprehended, they would either be conveyed to the Havanah; or, in case of an emergency, made away with. M. Villa-Alva, at present the Spanish Chargé d’Affaires in Paris, had

just arrived at Lisbon from Seville, with an account of all the tumultuary proceedings which had there taken place, and on them, as well as the straits to which the Constitutionalists were at that time driven, the apprehensions above alluded to were founded. The Spanish division, mentioned in the address, was that of Borba, to the officers of which Her Majesty gave 15000 dollars out of her own privy purse; confirmed their respective ranks, and also distributed orders and medals among them, all which was afterwards approved by King Ferdinand VII.

The fourth remarkable period of Her Majesty's chequered life, was during the late competition for the throne, throughout which she stedfastly asserted the rights of her injured son; and her combinations and sacrifices in his favour were of the most essential service. Urged on by affection and the tie of blood, she became a centre of union for the scattered interests of the whole Kingdom; when, even in the face of insults and danger, she collected and guided them, till they gathered into a direct design against institutions which, at first, had only excited an ill-directed, although general indignation. Her enemies tell us that she was ambitious, and my Lord Porchester talks of "maternal vengeance;" but, if the first trait in her character be correct, it will be seen that the objects, at which she aimed, were laudable and just; and as regards the second charge, it does not require a favoured residence in Lisbon to know that few women have had to endure more wanton insults, or more severe mortifications. She is accused of eagerness to disturb existing governments, and perhaps the charge may be somewhat true; but

when her energies were so directed, the institutions, against which she raised her voice, were illegal, oppressive and unpopular; and it must not be forgotten that, under this very charge, she has gained two triumphs, to which the whole of Europe has given assent.

She was stirring and her active mind knew no repose; but, if what may be called a strong feeling can be laid at her door, it was tempered by judgment and displayed with talent. She was firm and persevering, and, to a highly cultivated mind, she added a perfect knowledge of the human heart. She made many enemies; but, how could that be otherwise, when she stepped forward with a fixed determination to recover her rank in the State, of which she had been deprived, and to establish the just rights of her son? It was not that she regretted the pomp of royalty, or the allurements of a court—she felt that her honour had been wounded by reiterated indignities. The solitude in which she had been long kept at her estate of Ramalhaõ, was not irksome to her, in any other respect, than as indicating punishment, which she had not deserved, and as being derogatory to her rank, as a Spanish Princess and the Queen of Portugal. She had besides sufficient resources within herself to experience nothing of the tedium of time. Her acquirements and a charitable disposition furnished her with ample occupation in retirement, and after gaining a double triumph, by the accomplishment of all her wishes, she died, full of confidence, happy and respected, relying on the divine mercies of her Saviour and the justice of posterity. But, we will return to D. Miguel.

He saw himself the lawful heir to the crown, and he rightly judged that any other title than that which he could claim of right, would be a degradation to his rank. He therefore resolved to fulfil the prophetic hopes of his mother; and, when he looked fairly round, he discovered that to the validity of his claim to the throne, were added sentiments of national honour and a cheering attachment to his person, heightened by a sense of those continued and flagrant acts of injustice, to which he had been so long exposed. He found that his juvenile errors, which his enemies would gladly have converted into crimes, forgiven, and the people ready to resent his wrongs. He did not, however, act with precipitation—he duly and maturely weighed the position in which he was placed, and this fact is fully attested in Sir Frederick Lamb's letter of March 1, (1828) in which he reports thus: "His Royal Highness is incessantly assailed with recommendations to declare himself King, and reign without the Charter." He then adds, "it entirely depends upon his will to do so, the Chambers would offer no opposition, and the measure would be popular with the great majority of the country; but, as yet, he remains firm; and says it would be a breach of faith, of which he would not be guilty." Could a British diplomatist, on the alert and by duty bound to watch the Prince's public acts, have penned a more complete panegyric of his character and principles? At the very moment alluded to, addresses from every part of the kingdom; from corporate bodies—the Nobles, Clergy and other classes, praying him to grasp the sceptre, as his own right, were pouring in. At that precise

period, the Clergy, and My Lord Porchester is among the foremost to assure us "that in Portugal, the priests, and all that numerous class of persons over which their influence extends, were actively opposed to the Charter," had also awakened the popular ardour, by pointing out resistance to an act of usurpation by a foreign Prince, as a duty, and submission as a crime; prelates of great power and probity, through their dependants, had already ascertained the spirit and the fidelity of three parts of the Kingdom; Spain was armed in his behalf; and a large body of Portuguese military, who had early risen in his favour, and subsequently sought an asylum beyond their own frontiers, were ready to fly to his aid. He could, besides, rely upon the fidelity of the largest portion of the troops which had been opposed to his claims, until he personally appeared among them. In a word—if he had so wished it, then could he have taken the Crown by force.

He however paused, and evidently, at that critical moment, he was guided by the best counsellors. A crisis however had arrived that was to crown, or blast the expectations of all his friends. He stood upon the brink of a precipice, as awful, if not so deep, as his ancestor, John IV. did, when he resolved on the glorious effort that broke the Castilian yoke and raised him up to a throne. Doubtless, he hesitated at the idea of the scowling tempest that was about to howl around him. It was clear that he could not avoid stirring up intestine wars; and he already saw the impending anger of the Allies of his own Family who, in deceiving themselves, had also deluded him.

Undismayed by the cabals about to be raised up against him, he nevertheless pressed onwards to the completion of his hopes and the attainment of his just rights. He disregarded the reproaches and re- criminations of his enemies ; trusting to the justice of the people and the firmness of his ministers. The prospect brightened, as he advanced. He was aware that he had been stripped of his birth-right, and that he had arrived in the capital of his ancestors, invested with a mockery of power, and instructed to administer the new laws, as they had been enacted and enforced, and commanded to report progress to Rio de Janeiro. Still he saw himself entangled by past pledges, which, in the situation in which he was placed, when they were given, and the ignorance in which he had been kept of what was passing in Portugal, could be considered in no other light than unjust extortions ; for, who shall say that aught but crimes, and then not until they have been established according to the usual forms and solemnities of law, can deprive a common individual, and much less a Prince, of his just and legal inheritance ? He was also embarrassed by arrangements, obviously made to his exclusion ; yet, on the other hand, he felt that those arrangements could not fail to be set aside and deemed as nought, from the moment the laws took their course and the Portuguese were determined to assert their independence. He was further convinced that the wavering and irresolute conduct of his rival, which had already palsied all his efforts in an unjust cause, had materially strengthened the party on whose support he himself could confidently rely. Once determined to act, he trusted to the

steady judgment of his ministers, and set the first example of obedience to the laws, by convening the Cortes, or Three Estates of the Realm, which his rival had not dared to do. In a word, the forms of law and the other solemnities, usual on such occasions, were strictly adhered to, and My Lord Porchester himself, who probably witnessed the ceremony, has assured us that “the validity of D. Miguel’s claims to the sovereignty was established by an unanimous resolution of the States, and he immediately assumed the titles and powers of Majesty;” and that “The Charter was finally suppressed, and D. Miguel universally proclaimed King of Portugal.”

Such was the consequence of the award, legally and constitutionally given in favor of His present Majesty, and, with all his eagerness to have it reversed, Lord Porchester expresses his approbation of the means by which it was obtained, when he confesses that D. Pedro “ought to have submitted the Charter to the consideration of the States, and should have obtained their assent to the promulgation, before he established it as the law of the land. The Constitution,” does he then subjoin, “would have stood on a more solid basis; the stamp would have been indisputably valid; faction would have had less excuse, and the allegiance of the people been less divided.” The avowal, contained in these few words, in fact, amounts to a full and complete approbation of the means which the present sovereign of Portugal adopted in order to ascend the throne of his ancestors, and is uttered by one who, whilst sketching the grand plot, at the moment hatching against his accession, inadvertently, I should think,

at least, uses these words—"I speak with more confidence, because I was acquainted with the hidden transactions of that time; living in habits of intimacy with some of the principal actors on that eventful stage, I saw the secret springs of action, and could form a tolerably accurate estimate of their actual resources, from personal observation. I could bring," adds he, "incontrovertible proofs of the statements I have advanced; but every honourable mind will feel that, in the existing state of Portugal, it would not only be injudicious; but unjustifiable to enter into details by which many estimable characters must of necessity be compromised." So feeling and impressive an utterance, would have been worthy of one of the Italian Carbonari, towards whom some of our English travellers have expressed so much sympathy! It clearly does credit to the author's heart; proves his ardour and discretion, and, most assuredly we should be the last, under the circumstances described, to call him to proof; but, without stopping to inquire whether His Lordship was already booted and spurred for the occasion of the plot to which he alludes, and his sword girted by his side, does it not very naturally occur that he could not be the only British subject who, impelled on by his feelings, rather than guided by his judgment, was mixed up in this grand scheme of reaction; if so, why are we to be astonished that some of our countrymen have been implicated with the present government of Portugal?

Lord Porchester is however pleased to inform us that with all their ardour, his friends "wished not to revive any democratic institutions; but simply to

maintain that excellent Constitution which had emanated from their sovereign; had been approved by Great Britain, and sanctioned by all the political wisdom of their country. They desired to preserve their freedom, by their own unmerited exertions, and only required an assurance from the British Ambassador that the British troops should observe a strict neutrality, during the impending struggle. This pledge was unfortunately refused; they were informed that British bayonets would defend the Royal Oppressor, and were only prevented by this intimation from upholding, sword in hand, their violated Charter. Not Miguel," does he add, "with his magic name; not the Queen Mother, with all her passions and talents, directed to a single object; nor yet the absolute party, with their various resources; but the mistaken measures of a friendly embassy, destroyed the Constitution."

His Lordship, it is presumed, here speaks of a period corresponding to March, (1828) and what the state of public feeling then was in the Portuguese capital, as well as throughout the Kingdom, has already been recorded in Sir Frederick Lamb's own words, taken from his letter of the 1st of that month, and addressed to Earl Dudley, in which he says "that the measure (meaning the assumption of the Crown and precisely the one of which Lord Porechester complains) would meet with no opposition from the Chambers, and would be popular with the great majority of the Kingdom." What a contrariety of opinions do we find here! Our travelled Nobleman however afterwards lets us fairly into the secret how the "excellent Constitution," (and he had previously

proved that it was defective and opposed to the wishes of all the influential classes, by a careful, although not always correct enumeration of the reasons, in fact, constituting the best part of his book) was to be rescued from impending danger and preserved for the benefit of the Portuguese! "A revolt was completely organized"—does he enthusiastically tell us—"was on the eve of breaking out in the heart of Lisbon, and as far as it is possible to foresee the result of human understandings, I am justified in averring that it could hardly have failed of success." He then concludes that he may "safely maintain that British interference alone prevented an immediate and successful revolution."

Yet, after all—what is it that this *recent* "interference," and I call it recent, because, in the interval and since that of Sir Charles Stuart, as previously adverted to, the administration at home had changed, in reality, amounted to? According to the complainant's own words, it was no other than a refusal on the part of the British Ambassador to pledge a neutrality, inconsistent in itself, and which besides evidently involved delay in the departure of the British troops, until the Constitutionalists (I should rather have said "Imperialists," as His Lordship has given them a new cognominal distinction, for which he deserves much credit) had matured the plot, confided to his Lordship's discretion; nay, until it had actually burst forth, and destroyed the palace of Queluz, overwhelming its inmates in the ruins. The Ambassador certainly by this refusal seems to have incurred his Lordship's grievous dis-

pleasure, and evidently his most sanguine hopes were thereby disappointed; but, as the motive of the British troops going to Portugal was public and avowed, and as the King's Speech, pronounced at the meeting of parliament, in that year, distinctly stated that "the obligation of good faith having been fulfilled, and the safety and independence of Portugal secured, His Majesty had given orders that the forces now in that country should be *immediately* withdrawn," would it have been any thing more than common charity to suppose that it was not in the Ambassador's power to give any such pledge, or delay the troops, however disposed he might have been to please the Conspirators, beyond the period fixed in the commands transmitted to him? The request, under all circumstances, was certainly a curious one to make to an Ambassador; and our readers may think with us, that, as My Lord Porchester pledges his word for what he relates, he ought to have stated whether he was the bearer of the message and received a refusal, with the particulars of which he seems so fully acquainted. At all events, Sir Frederick Lamb, whom we suppose is meant, says nothing of the invitation which he is thus stated to have received to patronize the "Lisbon Conspiracy," at least, as far as parliament and the public know; nevertheless, from this want of compliance, his eager accuser draws the most ominous conclusions. "The character of Great Britain" does he exclaim, "has been lowered among a people who, for ages, esteemed her the model of all that is just in policy, or high in feeling—who seemed to drink, with their

mother's milk, sentiments of love and veneration for their powerful ally."

Mr. Canning's administration was certainly to blame in their first measures adopted and pursued towards Portugal; and for nothing so much so as the excitement of those very causes which lead the British forces thither; but the withdrawal of them at the precise period above alluded to, was evidently intended as a reparation of at least one of the early errors committed. These errors originated in four essential causes, equally powerful in themselves. The first was, the total ignorance prevailing in the foreign minister's office, as well as among the agents by him employed, of the real nature of the institutions of Portugal and the state of public feeling; from which followed a perfectly wrong conception of the peculiar crisis in which that country was placed through the death of the King, and, consequently, the adoption of a remedy which, in the end, could not fail to defeat its own purposes. No one, without astonishment, can read Sir Charles Stuart's letter of the 30th of April, 1826, dated Rio de Janeiro, in which he describes the conference he had just had with D. Pedro, respecting his intentions towards Portugal, which he reports thus—"merely to accept the Crown for the purpose of giving to that Kingdom a Constitutional Charter, suited to the circumstances of the times," &c. To this our diplomatic functionary observed "that since his Majesty was reluctant to depend upon the ancient institutions of the country by convoking the Cortes of Lamego, it was necessary to announce the Constitutional

changes which he meditated, in such a manner, that they should not appear to emanate from the councils of his Brazilian advisers, and that he therefore hoped he would not wait for the meeting of the Chambers in Rio de Janeiro to publish his decrees;" adding "that although the same argument did not apply to the Constitution of which the tendency might be misinterpreted in Brazil, he implored him to bear in mind the possible hesitation of the people of Portugal to receive a boon which should be calculated to involve them in disputes with their neighbours, and not to allow the Constitution to transpire, before he should be certain that it had been accepted."

I leave the British envoy to tell us whoever heard of "convoking the Cortes of Lamego" since the days of the good old Alonzo Henriques! but, was there nothing more pointed—nothing more impressive, that he could have said to the Emperor, on so extremely an important an occasion as this? Could he not "have prayed the liberty to implore him" to pause a moment, as he was then taking upon himself the highest and most perilous act of sovereignty in reference to Portugal, without having been received as her monarch, or previously complying with any single one of the formalities required by law? Could he not have said, beware—at one blow, you are seeking to overturn institutions engrafted on the affections and prejudices of a people, from the very foundation of their monarchy, and naturally they must resent it? Could Sir Charles not have recommended caution, by telling the hurried Legislator that he himself had not ventured to enforce the Brazilian Constitution, according to his own

commands drawn up by a committee of select and distinguished men, known to their fellow countrymen, until the Project had been formally approved of by every provincial assembly, municipality and corporate body in the Empire, notwithstanding he was then constitutionally seated on his own throne? Could it not have been whispered in the ear of this willing Benefactor of Portugal, that his former countrymen were not less high-minded than his new subjects? The British Representative did indeed seem a little afraid that the Portuguese would be jealous of Brazilian interference, as he tells his government that he had expressed to His Majesty "his hope that he would not wait for the meeting of the Chambers in Rio de Janeiro to publish his Decrees," as he insinuates, "lest they should appear to emanate from the Councils of his Brazilian subjects;" but, is it possible that a minister plenipotentiary, writing for the information and guidance of his government at home, on the 30th of April, should have been so totally unaware of what was passing in Brazil, as not to anticipate that, on the ensuing 6th of May, that is, a week afterwards, those very Chambers, of whom he stood in such great awe, when the subject of Portugal and the arrangements made by the Emperor were submitted to them, in his speech from the throne, would treat the whole with contempt and vote a silent address in return? Was he not lynx-eyed enough to discover that the Act of Abdication was a complete farce, performed by the Emperor in order to prevent the clamour of his own subjects, who had already taken the alarm? Was he, besides, so totally in the dark respecting

the nature of D. Pedro's pledges to the Brazilian people and the provisions of their Constitution, binding him and his issue to their destinies, as not to see that by placing on his head the crown of another realm, even only for a week, which seems to have been the extent of his furlough, that he was destroying the essential basis of his own right and power in Brazil, and preparing the elements of his own overthrow. Sir Charles did, however, anticipate some hesitation, on the part of the Portuguese, "to receive a boon which should be calculated to involve them in disputes with their neighbours," and this is the only act of foresight testified in the whole despatch. Clearly he was sensible that the establishment of such a Charter as the one, intended by D. Pedro for the Portuguese, would not be tolerated by the Spaniards, who would consequently arm against it; and in this case that we should be compelled to send troops over to Portugal, as in fact was done, on a requisition of the Infanta Regent, no longer able to contend with the domestic and foreign enemies of the Charter.

The second great misfortune, in reference to Portugal, was, the difficulty experienced in the choice of a remedy, suited to the emergency in which that country was placed. Evidently, Mr. Canning was at a loss what to do, and in his letter of the 12th July, addressed to Sir Charles Stuart, when reasoning on the two modes of settlement, or "the substitution of a Representative Constitution for the more ancient form of National Assembly," he seems to have thought that this important point was entirely "at the Emperor's option." He, in fact, completely

leaned to his side and consequently approved of his act; since, in discussing the question of the convocation of the Cortes, he adds thus; “it is not to be denied that there is much weight in the remark of His Imperial Majesty that the convocation of an Assembly, which has been so long disused, that its very composition and modes of proceeding might be liable to doubt, would be even more likely to lead to the stirring of difficult questions, and to the excitement of excessive popular claims; more likely, in short, in the Emperor’s own words, to degenerate into “a Constituent Assembly,” than a New Code, defining at once the rights and duties of all ranks and orders of the State, and prescribing the forms of their deliberations and the limits of their respective powers.”

A greater mass of ignorance was perhaps never put forth in the same quantity of words. To argue that the convocation in Portugal of the Three Estates of the Realm, “was so long disused that their very composition and modes of proceeding might be liable to doubt,” evinces a total want of knowledge of what had happened there, even in our own times, and an utter disregard of attractive and ancient prejudices. Such an avowal betrays as gross a delusion as ever bewildered the mind of man; and it is astonishing that so many experienced agents, employed in this affair, should not have sent home better information on the subject.

It is a well known fact that, during an uninterrupted period of more than 550 years, the Portuguese enjoyed the right and felt the advantage of being represented in Cortes, invariably convened on great emer-

gencies, and the period here alluded to has ever been the pride of their Chronicles and the favourite topic of their national chaunts. The records of those times are also filled with the most cheering recollections, never for a moment effaced from the memories of any generation that has intervened since the suspension of the Cortes. They sat, for the last time, during the reign of Peter II. about the year 1698, by whom they were suspended, although himself a descendant of the first Braganza, whom they had raised to the throne. The Portuguese ever since have however unceasingly sighed for the restoration of this proud portion of their national Constitution, and the events passing in Spain, during the invasion of the French, owing to the great analogy to their own institutions, with redoubled force brought the subject under their more immediate notice. The French under Junot, at the time established in Lisbon, in deference to public opinion and as a means to call forth the resources of the country, revived a shadow of the Cortes; and the Regency of Portugal, appointed by King John VI. to govern the Kingdom during his absence, also endeavoured to assemble the Cortes in 1820, as a means of forestalling and counteracting the effects of the Oporto revolution, seemingly called for by the pressure of the times.

The precedent, however, which, of all others, ought to have struck us with most force and fixed our attention, was that afforded by the late King John VI. who, in the exercise of his full sovereignty, on the 18th June, 1823, that is, eighteen days after

the democratic Constitution had been put down, appointed a Committee "in order to prepare the Project of a Charter, or Fundamental Statute, conformable to the ancient usages, opinions and habits of the nation, and regulated by the soundest principles of public law on which the monarchy, pure and independent, was established and moderated by wise and just Statutes," &c. Persons of the highest character and learning were appointed to this Committee, and among them the Viscount de Santarem, at present one of the ministers of His Most Faithful Majesty, when the researches of the several members were pursued with unwearied ardour, for the period of upwards of a year; the archives ransacked, and a perfect system of assembling the Cortes and therein transacting the public business, according to the ancient forms, was established.* All the preliminary labours being completed, His Majesty, King John VI. on the 24th June, 1824, issued his Royal Letters Patent in which are the following remarkable passages.

"Having, with deep and mature reflection, medi-

* The Viscount de Santarem who took the principal part of these researches upon himself, afterwards formed a resolution, resulting from long and conclusive experience, of publishing a regular series of the Precedents and Authorities then obtained, confessedly the most interesting production upon this subject that ever issued from the Press in Portugal. It is entitled, "*Memorias para a Historia e Theoria das Cortes Geraes, que em Portugal se celebrarão pelos Tres Estados do Reino, ordenadas e compostas no anno de 1824, pelo 2o Visconde de Santarem, &c. &c. Lisboa, na Impressão Regia, 1827.*" This work was afterwards translated into German and printed at Vienna, 1828.

tated on an affair of such great moment, and observing also that the above are the principles which formed the ancient Constitution of Portugal, in which was found the most wonderful concert and the most wise combination ; the experience of so many ages having besides proved the incalculable advantages which therefrom resulted to the Portuguese Nation ; Finally, reflecting that, according to the maxims of the most experienced politicians, no form of government can be useful to a nation that is not strictly conformable to its character, education and ancient usages ; and that it will ever be extremely dangerous, as well as almost always impracticable, to attempt to introduce any other system, or to wish to reduce to a general custom the particular habits and usages of a nation, he was of opinion that it was not expedient to demolish the noble and respectable Edifice of the ancient political Constitution, founded on wise and written laws and traditions, and which is besides sanctioned by the oath which all the Sovereigns of these Realms take, and which I myself took, to maintain the Rights and Privileges of the nation," &c. The King then goes on to say that, " As by convening the ancient Cortes and maintaining the ancient Constitution, it was evident that the ancient habits, opinions and usages of the Portuguese Nation would be preserved ; that the Majesty and Grandeur of the Throne would remain unimpaired, in all its rights ; that in the same Cortes there existed a truly National Representation, in which the People are represented by their Delegates ; the Clergy and Nobility, by those of their own Class, entitled there-

in to vote, and finally, that it would promote the public felicity, not by new, uncertain and dangerous forms; nor by means, precipitate and destructive, which easily lead to the most fatal subversion, as experience has unfortunately shewn us; but by roads already known and trodden, and by progressive improvements in the administration of the State." He then adds, "It being also visible that as the Portuguese rose to so high a rank among the other nations of the earth; were great, respected and prosperous under their ancient political Constitution, by its entire restoration, I shall now undoubtedly seal the glory with which I covered myself, by crushing the revolutionary monster, and thus amply redeem my Royal Promise which, through the effects of my generous love towards my faithful subjects, I was pleased to make to them, when I pledged to promote their happiness by a good Fundamental Law; and I am besides convinced by the general opinion manifested, in so many modes, on the occasion of my late restoration to all the rights of Sovereignty, that no other means can be so satisfactory and suit my people so well, as the one above-mentioned, since under its auspices these realms, once became alike respected, happy and prosperous; wherefore, having duly weighed these and other judicious reasons, submitted to me with so much judgment and maturity by the Junta, and also having before me the opinions presented to me, on this important object, of many persons fearing God, faithful in my service, and zealous for the welfare of these my realms, &c.; and having further heard my Council of State, I

have thought proper to decree the ancient Political Constitution to be in full force and vigour, [and that the Three Estates of the Realm be forthwith called to Cortes," &c.*

And can it be possible, for a moment, to suppose that Mr. Canning was ignorant of all these labours and researches? Had he no friendly monitor to inform him of them? No agent, or travelled *curioso* to tell him that the archives of the *Torre do Tombo*, rich in ancient lore, were still in a state of perfect preservation—that such a man as the Viscount de Santarem existed!

Every subsequent transaction, connected with the Affairs of Portugal, has distinctly shewn that in the onset, the great error committed was, the omission on the part of the Regency, appointed by King John VI., on the 6th March (1826) and a few days before his death, in not convening the Cortes, at so critical a moment. Wishing well to Portugal, this was, of all others, the measure which we ought to have supported, with all our might; and if we had not then openly taken a different course, we should have found numbers to suggest the expediency and the whole population at the time would have applauded the choice of the alternative. This was the only mode of settling the question of a dubious succession; thus would all the confusion, anarchy and desolation, which Portugal has since endured, have been spared, and thus also should we have been relieved from the necessity and expence of sending a large armed force to Lisbon, under circumstances,

* Portugal, or Who is the lawful Successor to the Throne?

by no means creditable to either our judgment, or foresight. Of these errors, Lord Porchester might justly have complained; but they are not attributable to the present administration, on whose necks the Affairs of Portugal have hung as a mill-stone, ever since they entered into office. The other two unfortunate ingredients, early mixed up in the question, were, the *liberalism* which we sought to infuse into others, and the blind deference paid to Austria; topics on which, ere this, the reader is competent to form his own opinions.

Still, however, amidst all his chagrin, it must have been some consolation to My Lord Porchester, after seeing his hopes of saving the Charter in Lisbon, dashed to the ground through “the calamitous issue of British interference,” to find them so soon revive by the revolution of Oporto, indicating only a change of theatre, and, at the moment, one would have thought, more likely to have “succeeded” than if it had broken out in the capital. Contrary to the expectations of at least the intelligent portion of his readers, his Lordship is however extremely sparing on this subject, although it is the one which, of all others, required most elucidation, owing to the great pains invariably taken to keep the real occurrences which accompanied that sad catastrophe out of public view. Of that tremendous and long prepared effort which, at first, we were told, was intended to retrieve the fortunes of the Charter; avenge the insult of British interference, and drive D. Miguel, the Silveiras and all their partisans into the sea, the noble author only favours us with the following laconic description. “It is true the spirit of dis-

affection, repressed at Lisbon, broke out at Oporto ; but, the attempt that would have been decisive in the capital, was ineffectual, ill-timed as it was, and at a distance. The leaders in whom the hopes of that ill-fated enterprize centred, were already exiles. Had they arrived at Oporto a few days earlier, the result even then might have been different." Thank you, My Lord Porchester, for your valuable elucidations on this interesting topic—what pains you must have been at to collect such a valuable mass of information respecting the Oporto affair ! The want of time ; or perhaps the dread of rubbing up old sores, prevented you from adding more ; but, My Lord, is not the denouement at Oporto, by far the most prominent and interesting feature in the "Last Days of the Portuguese Constitution ?" Did not your Bookseller tell you that it was this the British public wanted, more than any thing else ? Fortunately, another has performed the task which you seemingly declined, and having himself been an eye-witness and a secondary actor during the crisis of that eventful revolution, his evidence is the more valuable, particularly as it is given with the fire and frankness of a soldier, and breathes truth and the indignation of insulted honour throughout every line.

The authority of which I am about to avail myself, is that of Count Saldanha, long attached to the Constitutional party and, when the Charter arrived from Rio de Janeiro, holding the rank of General and afterwards Minister in the service of his country. He emigrated to England, soon after the events which occurred at Lisbon in March, 1828, and was

one of the leaders who went out in the Belfast Steamer. Having been severely attacked by some of his enemies, and his honour, as a soldier, wounded, in his own defence, he has just published an Exposition,* from which the following analysis is taken.

The General sets out by telling us that, towards the beginning of May, 1828, that is, when it was evident that D. Miguel would assemble the Cortes, Viscount Itabayana and the Marquess de Rezende, two Brazilian envoys in London, agreed with him, in order to avail themselves of the public spirit prevailing in Portugal, and particularly in the army, that he should go to Genoa, where the Brazilian frigate Isabel then was, and thence on board of her to Madeira, or Oporto. The execution of this plan was however delayed, and, in the mean while, the news of the revolution at Oporto reached London. On the next day, the General was invited to a conference at Itabayana's house, where, to his astonishment, he met the Marquess de Palmella, Counts de Villa Flor and Taipa and Councillor Jose Xavier, and all acknowledged the Junta of Oporto as the supreme authority in Portugal. After some altercation and demonstrations of pre-existing jealousies, it was agreed that all should immediately proceed to Oporto, with such other officers and persons as might be useful to the cause—Itabayana pledging to provide the means. The Belfast Steamer was chartered;

* *Observações do Conde de Saldanha sobre a carta que os membros da Junta do Porto, dirigiram a S. M. o Imperador do Brazil, em 5 d'Agosto de 1828, e mandaram publicar no Paquôte de Portugal, em Outubro de 1829.*

but, owing to the badness of the vessel, delays and other disasters, the party did not reach Oporto till the 26th June. The Junta and inhabitants received them with open arms, when the first step taken was the appointment of the Marquess de Palmella, as Commander in Chief, and the election of some of the newly arrived civilians, as additional members of the Junta, among whom was a brother of the Marquess.

It is here necessary to present a short sketch of the situation in which the Oporto revolutionists stood, at the period when the Belfast Steamer party joined them. The 8th regiment of infantry and 10th Chasseurs, it will be remembered, first raised the standard of revolt at Oporto and were afterwards joined by other military, amounting to about 6000 men, besides militia, volunteers, &c. Almeida, Valença and a few other places, had also declared in their favour. The Junta was established, in the usual way, that is, by the acclamation of the troops, and Oporto made the seat of government. The principal division, consisting of about 5000 men, under General Saraiva, had advanced towards Coimbra, whence, after a smart action, it was driven back by D. Miguel's troops under General Povoas, and compelled to take up a position on the safest bank of the river Vouga, $45\frac{1}{2}$ leagues from Lisbon and 10 from Oporto. There the army was posted at the time the London party landed on the banks of the Douro. General Azevedo, with the other portion of the troops and some militia, occupied Braga and Guimaraens, in order to cover the city from any attack from *Tras Os Montes*.

Saldanha states that he urged the new Commander in Chief to join the army on the 27th; but, that all he did was to send Count da Taipa to the Vouga position. On the 28th, he went to Palmella's residence and after earnest solicitations, only succeeded in obtaining his consent to set off at 7 in the evening, although information had been received that the position on the Vouga had been attacked that morning. Saldanha accompanied Palmella, and on reaching Carvalhos, they met da Taipa, who informed them that the cavalry of D. Miguel had crossed the Vouga at Angeja and intercepted the road along which they were proceeding. Saldanha says that this information struck terror into the Marquess, who with difficulty was prevailed upon to proceed on; but that soon afterwards meeting a sergeant of the 10th and two militia-men, and their report in great measure agreeing with that of da Taipa, the Marquess determined to return to Oporto, and his unexpected arrival there spread a general alarm. Saldanha, however, rode forward and soon afterwards began to meet the baggage and wounded, retreating with an escort on Oporto; as well as the members of the Junta who had accompanied the army. The troops halted at Oliveira d'Assencins, 4 leagues from the Vouga, and Saldanha sent an officer to tell the Marquess their situation, and that the retreat that night would be continued as far as Grijó, 3 leagues further on, where in the morning of the 30th they encamped. Here the Marquess came and passed a rapid review, afterwards returning to the city. The army continued their retreat and, on the 1st July, encamped

at St. Ouvidio, near Villa-Nova, leading towards the bridge that crosses the Douro to Oporto.

Hitherto, Saldanha acted only as a volunteer, having no specific command, the whole direction of the army being concentrated in the Marquess de Palmella, as Commander in Chief. As such, having visited the posts at St. Ouvidio, he assembled a council of officers, among whom were Generals Saldanha, Villa Flor, Councillor Jose Xavier and Colonel Pizarro. Saldanha says that at this council the Marquess "drew a gloomy picture of their situation; blamed the Junta; declared that the revolution was lost; that those who had accompanied him from England were not implicated, and, being himself determined to go on board of the Steamer, that night, he invited the rest to follow." The proposition was rejected, and the Marquess returned to the city, whilst Saldanha remained with the army, and having obtained permission from the Marquess to make a reconnoissance, in order to ascertain the enemy's positions, of which they were totally ignorant, he went out with 800 men as far as Grijó, and finding that the enemy extended himself from Ovar to Oliveira de Assemeins, they returned to their own camp, about 11 o'clock in the day, where they met the Marquess. A second council was summoned, and besides the officers above named, General Stubbs attended, having purposely come from his own post on the other side of Oporto. "The Marquess repeated his determination to embark that night, adding, that those who had come with him to Oporto ought to embark also, as every thing was lost." The party were then interrupted by a summons to a confer-

ence with the Junta, when Judge Sarmento, one of the members, in a long speech, told the assembly that “Valença had fallen, and it was presumed the same had happened to Almeida, as no news had been received from that place; that the troops commanded by General Azevedo had been compelled to retreat from Braga and Guimaraens; that the Lisbon troops exceeded 12000 men, and the others marching against them amounted to 9000; adding, that if their own troops continued at Villa-Nova, nothing could prevent the enemy from entering the city the next morning; in consequence of which mature deliberations, the Junta had resolved to dissolve, first ordering the troops to withdraw to Galicia.”

Saldanha says that he was shocked at such a proposal, and offered to defend Oporto after the manner of Zaragoza, until accounts were received from D. Pedro. The offer was refused, the Junta not wishing to take the responsibility upon themselves, of bringing the horrors of a siege on the second city in the Kingdom! The Marquess afterwards repeated his determination to embark, in the Steamer, and added that there would be room for some members of the Junta. Dr Magalhaens then reminding them of the necessity of communicating their resolution to the inhabitants, he was overruled and told that “the people would assassinate them, if they were made acquainted with any such determination.” The most rigorous secrecy was therefore required and given by the parties present. As a kind of after-thought, the difficulty of securing the retreat of the troops to Galicia occurred, when Saldanha was requested to head them, to which he assented, “feeling an in-

terest in their fate." This, he pledges, upon his word, was the only command he took upon himself at Oporto. He further observes that the Marquess de Palmella counselled him "not to implicate himself with this duty, unless the Commanders of corps would be answerable for the discipline of their men." On reaching the camp, Saldanha assembled the officers, and communicated to them the nature of the retreat, ordained by the Junta; keeping the dissolution of the Junta secret. To a man, they refused to comply, adding that they "preferred to die in Portugal to the laying down of their arms in Spain."

Saldanha next remarks that then, it was, his embarrassments commenced. If he had told the officers of the dissolution and flight of the Junta, as well as of the others who had figured in the affairs of Oporto, confusion and vengeance must have been the inevitable result, as on the previous 29th (June) when stationed at Oliveira d'Assemeins, they had proposed to him to head them, "disavow the authority of a servile Junta and shoot a Commander in Chief who ran away." The cry of treason was in fact abroad, and not judging himself authorized to alter what had been determined by the Junta, he returned to the City, in order to consult the Marquess and the several Members. On arriving, at 10 o'clock at night, he learnt that they were already on board of the Steamer, and thither he went in pursuit of them. There, he says, he found "the Marquess, the President, and six members of the Junta, as well as the generals and other personages who had accompanied him from England." He solemnly avers

that the Marquess told him that, "as the commanders refused to fulfil the orders of the Junta, he (Saldanha) without being wanting to his pledge, given in London, could not return to the camp and rejoin the army." Six nights, he then adds, had he passed without repose, and retiring into the cabin, he sunk into a lethargic state. In the night, a deputation of officers came on board from the army, offering to serve under Generals Palmella, Villa-Flor and Saldanha," but their arrival was concealed from the latter. The next day, at day-light, the Steamer left Oporto with the parties above mentioned on board, the deputation included, leaving the army to its own fate. Towards the close of this Exposition, General Saldanha further observes that "he was not authorized to command the Island of Terceira, in last June; nor until after the Marquess was aware that he and the whole of the Plymouth depôt would not pass by without attempting to succour the loyal, gallant and ever distinguished garrison of that island."

It would not be possible to follow the writer of this Exposition of the Oporto transactions through the series of recriminations, charges and threats which he pursues in order to cast from his own shoulders the odious weight of the successive disasters which occurred there, in the space of one single week; but, most assuredly, even when divested of personal feelings, and every allowance made for the wounded honour of a soldier, the recital exhibits the most perfect picture of cowardice, imbecility, false ambition, and, it may almost be said, treachery, that ever was sketched; and to it the author affixes his

own signature and challenges contradiction. The petty jealousies, meanness, intrigues and cabals, which marked the onset and progress of this seven days campaign, are really revolting; and even at the period when the *denouement* of the catastrophe reached England, that is, about the middle of July, (1828); and, consequently, the contents of General Saldanha's Exposition were unknown, as well as many of the facts on which it is founded; when every artifice and deception were employed to conceal the real nature of the occurrences; when the leading portion of the London press was either passive or spell-bound, and no one dared to drag the naked truth to open view, I do not hesitate to say that there is not a single Englishman, of judgment and penetration, capable of forming a correct opinion of his own on Portuguese affairs generally, and judging only from the weak materials then before him, who did not at the moment exclaim, as the Marquess de Palmella did, (and General Saldanha is my authority) on the 1st July at St. Ouvidio, and on the 2nd in his quarters at Villa-Nova—*that the revolution was lost*. He even went further—he confirmed this declaration on the same day in midst of the Junta, and as further proof of his conviction, immediately embarked with the principal leaders, all fearful of being made the victims of popular vengeance; concealing the dissolution of the Junta, and, as before stated, abandoning the army, stationed at St. Ouvidio, to its own fate. It was not the soldiers of D. Miguel from whom they were then flying; it was not their vengeance they dreaded; but rather that of their own deluded troops and the inhabitants. It

was not the musquetry of the Lisbon troops that already sounded in their ears; but the thunder of their own forts, facing the sea, which they imagined, at every instant, would open upon them.

Such are the facts to be collected from General Saldanha's statement—such is the picture he draws of the close of the Oporto revolution, which certainly ought to have formed a prominent feature in the “Last Days of the Portuguese Constitution,” if it was intended that we should know the real truth. Perhaps the noble Lord who professes “to have spent so considerable a portion of his life abroad, amid the stormy scenes of civil commotion,” will deem this no mean authority, even when compared with his own. The tale here told, is very different to the one His Lordship has favoured us with; and the conclusions to be drawn from the two statements, are completely at variance.

After the description of the Oporto revolution, as before quoted, in the way of a palliative, His Lordship remarks thus: “A disastrous navigation prevented their (Belfast Steamer expedition) reaching head-quarters, till after the nominal retreat and real rout of their forces commenced; and no exertions could then retrieve the cause. For more than a month,” does our author add, “however, the Constitutional army remained opposed to the troops of the established government, commanded by officers with whom they were little acquainted, resisting the solicitation of the priests and the general disaffection of the peasantry.” We do not stop to ask our noble informant what he means by “nominal retreat and real rout,” in counterposition to each other, but we

do, to enquire whether he finds any thing like “ exertions to retrieve a cause” in Saldanha’s narrative. As a sample of courage, or as a specimen of the *wise* combinations of the Junta, he does, nevertheless, assure us that, “ for a month, the constitutional army opposed the troops of the established government ;” but he forgets to add that the period lasted no longer, because at its expiration the Lisbon troops, of whom they had hitherto heard something but seen nothing, advanced, and after a few demonstrations and a trifling trial of strength, His Lordship’s friends thought it more prudent to retire, and quickly too, if General Saldanha’s report is to be believed. I must however myself take the liberty to correct His Lordship on one point. The Constitutional army, in their advance to and retreat from the vicinity of Coimbra, far from being “ commanded by officers with whom they were little acquainted,” had actually their own officers—those who raised the revolution and had most at stake ; and it must not be forgotten that ambassador Palmella was only appointed Commander in Chief at Oporto, on the 26th July ; set out to join the forces on the 28th, in the evening ; went only a little beyond Carvalhos and then returned, without even seeing the army which he was selected to command, and much less the enemy. For the subsequent reviews, I should be inclined to think he himself would not wish to claim much merit. The Lisbon army, under General Povoas, was, most assuredly, in that predicament, as it was made up of shreds and scraps—principally volunteers from all quarters, hastily organized and badly equipped ; whereas the others were principally regulars,

considered as the flower of the army, and supported by Oporto volunteers, proud of the title of patriots. The principal part of the troops in D. Miguel's interest, long before his arrival in Portugal, it is well known, had been disarmed and placed in depôts by the Spanish government, as it will be remembered, at the earnest solicitation of our envoy in Madrid, and consequently in no situation to help him in such an emergency.

It is, however, acknowledged that "the disaffection of the peasantry was general," and it is also insinuated that "the solicitations of the priests" were dangerous; but, supposing that all these difficulties had been overcome and the Oporto troops had even maintained their positions on the Vouga, or at any of the other eligible points, intervening between that river and the Douro; even granting that "the disastrous navigation" of the Steamer had been otherwise, and the party "had arrived at Oporto a few days earlier;" presuming even that D. Miguel's troops had been beaten and their enemies gained a complete ascendancy, would that have tranquillized the country; prevented further bloodshed; united parties and tended to establish what our noble traveller himself would call a preferable government? Supposing that the little band of the Belfast heroes had *liberated* their country, as they would have called it, had they been successful; could they afterwards have *regenerated* it? General Saldanha, when on the spot, does not seem to have thought so, since of those very persons who took the lead at Oporto and were destined to be placed at the head of the government, when they arrived at

Lisbon, he has recorded his own opinion in the following words.

“In the mean while, I do not excuse my own irresolution—my precipitate error; but I cannot endure that men who never saw a battle in their lives; who to their country never rendered a single hazardous, generous, or disinterested service; who never performed any other than acts of cowardice, as long as they governed, or held command, should confederate together for a whole year, at the expence of an extraordinary authority and the public treasury, unguardedly trusted to the keeping of the Marquess de Palmella, in order aspersionally to impute to me the effects of disastrous errors, long before calculated upon; errors which were the result of the incapacity and base servilism of some persons; the ambition and frustrated projects of one who, trusting to his own powers and fully prepared to raise himself upon the ruins of the Constitutional Charter, delivered his country over to the yoke of tyranny and destroyed the throne of Legitimacy which the reaction of Oporto would have successfully raised up in Portugal, if the gallantry and loyalty of the troops had not *been* paralyzed by the inert government which they elected.”

Whatever was the information which My Lord Porchester brought from Lisbon, whether now given, or withheld, and however superior the sources from which it was obtained, it is evident that every combination that has hitherto appeared in action against the existing government of Portugal, has been paltry and ill-judged. The Oporto revolution and Morciras plot were of this kind, and it is more than presum-

able that the projected "Lisbon Conspiracy," on which His Lordship once built his hopes, would have partaken of the same character and met with similar results. In every country, idle and disaffected persons are always to be found, ready for any service that can retrieve their circumstances, or indulge their passions; but, are plots and conspiracies proper instruments to promote the claims of one brother against another? Parties engaged in such schemes, may, for a while, commit partial and obscure deprivations, as the Oportonians did; but, can they subvert the power of the laws, or change the current of public opinion? Such efforts as these, any impartial man will be disposed to allow, can have no permanent effect in a country where there is even the semblance of a government; but unhappily they swell the list of victims, and ringleaders, in all such cases, must atone for their offences.

Would not D. Pedro therefore do better to make an open and manly declaration of his claims and wishes, in the way of an appeal to the sense of Europe; or, at once lay his position before the Brazilian people, in order to ascertain whether they can and will help him, instead of allowing his agents to organize and encourage plots? Is this the way either to prosecute, or repel a war? Predisposed—nay, deluded and implicated, as most of the leading States of Europe were, at the commencement of the contest, had truth and justice been on his side, and he had proved the validity of his rights, he never would have been driven to the awful alternative of carrying on a war by the aid of treasons, stirred up among the lawful subjects of the sovereign whom he

seeks to supplant; or teasing his rival into defeat, by expedients of the most revolting kind. The machinery of the plots which have successively broken out in Portugal, is besides now so completely understood, that every one is fully aware that they had their origin in England and were paid for by Brazilian agents; and it may be asked, what proper impulse or direction could they receive from leaders residing in London? Could even temporary advantages be obtained in this manner? D. Pedro's own government has hitherto appeared under a liberal and benign form, and he has proudly boasted that his own right to the Brazilian throne, rested on the choice of the people; why then does he not bow to the award in Portugal which has rejected his claims? By thus persisting in an act of injustice to his own subjects, as well as to the people from whom they derive their origin, and to whom they are ready to accord every right and blessing which they themselves enjoy, does he not see that, in the end, the experiment may prove doubly fatal? Besides, what atonement can he ever make for the injuries already inflicted on Portugal, as eventually he must be answerable for both the errors and follies of those acting in his name?

What is it then D. Pedro seeks at this late hour? Is it not evident that, if by plots and conspiracies he had even been raised to the throne, he would have had to defend it, by force of arms? Have his advisers not yet seen the folly of their ill-judged experiments? If they are not ashamed, are they not tired of schemes, plotted in the dark, and intended only to encourage the ambition of a few restless and

interested leaders? In more than one respect, the father himself has already paid dearly for the precarious rank his daughter enjoyed in England. Besides the sacrifice of treasure, still of dubious reimbursement, and in some instances obtained by means the most unwarrantable, so many follies and inconsistencies, renewed and repeated, must lower him in the eyes of Europe, as well as in the estimation of his own subjects.

After all the gloomy presages, desponding scenes, and disappointed hopes which Lord Porchester enumerates in his "Last Days of the Portuguese Constitution;" after telling us that "the failure of the Oporto expedition destroyed the last hopes of the Imperialists;" after leading us to believe that all was lost and irretrievable; burning with fresh ardour and invigorated by a new prospect, he suddenly rises up, and, as it were, scarcely able to guide his pen, loudly exclaims—"Let it however be remembered, that the strife is not yet concluded; D. Pedro has not yet abandoned his daughter's pretensions. It is true that her power is restricted to the narrow limits of a rocky island; but the loyalty of her nobles is not yet extinct and she is still supported by the flower of the Portuguese chivalry," &c. This certainly is a short, and perhaps to some persons a cheering outline of the present plan forming by the Portuguese Carbonari, or, as his Lordship more properly calls them, "Imperialists;" but, let me ask, did not the nobles and chivalrous heroes, of whom His Lordship here talks so fast, go out to Oporto in the Belfast Steamer? Are not the present directors and leaders the same persons of whom

General Saldanha has so solemnly recorded his opinion? Does His Lordship know, or does he reflect on the situation in which Terceira, the "rocky island" to which he alludes, at this moment stands? Is he aware that a military revolution, similar to the Oporto one, originally placed that island in the hands of D. Pedro's partisans? "Let it be remembered" do I, in my turn, exclaim, that the Island of Terceira was happy, tranquil and united to the parent state, till the inhabitants, like those of Oporto, became the victims of a military faction, actuated by delusive schemes. On the 15th May (1828) news from Lisbon reached Angra, the capital of the island, stating that on the previous 25th of April, D. Miguel had tumultuously been proclaimed King in the Portuguese capital, and that the cry would be immediately seconded throughout the Kingdom. This incident roused the inhabitants; the municipality first met and afterwards the representatives of the clergy, nobility and people, when by the public voice the cry of Lisbon was repeated, and a solemn act of adherence to him as sovereign was forthwith drawn up. No dissentient voice was heard; the inhabitants congratulated each other, and the illuminations and festivities, usual on such occasions, took place.

On the 21st, a battalion of the 5th Chasseurs, headed by their own officers, mutinied against the constituted authorities, and after some resistance, seized on the person of the governor and took the whole command of the island into their own hands. Many opposed to them, were deported, whilst others were plunged into the dungeons of the castle. Horrors and outrages ensued, of the most flagrant kind.

The inhabitants rose up towards the close of September and posted themselves at Villa-da Praya; but being unprovided with arms, were unable to make an effective resistance; the numbers of their opponents having, in the mean while, increased. A rigorous search was afterwards made for arms, and the islanders were dispossessed of even some of their agricultural implements. Since that period, the island has been swayed by martial law, and the inhabitants, deprived of their traffic, were plunged into a complete state of wretchedness. The manner in which the garrison has since been increased by the troops and officers driven from Portugal, is well understood; and most assuredly the island was, on the 11th of last August, when the attack by the Lisbon forces was made, in the most efficient state, for purposes of defence. The position is however almost inaccessible, and consequently easily defended. It is guarded by steep and craggy rocks, and the Atlantic surf beats heavily on the shore. When Philip II. established his dominion over Portugal, this island, succoured by his enemies, long resisted his power, and his first expedition sent against it failed. The following year, he sent another, more formidable one, to reduce it, when the island surrendered; but this only proves the facilities of defence. The great question, however, is, can the possession of this island by Count Villa Flor, with a garrison of 5000 men, overawing a disarmed population of 40,000 souls, have any ulterior effect on the destinies of Portugal?

My Lord Porchester has already answered this question by expressing his own opinion, and, it is

presumed, another experiment is to be made. Doubtless, the plans are all organized by the London Regency and the prospective operations already reduced to system. In a word; Terceira is to be made the grand pivot of all the projected movements of the Imperialists against Portugal! Possessing a rocky and sea-girt spot, as a rallying-point, they there hope to mature their plans, and, ere long, it is expected that Count Villa Flor, descending from the heights of Angra, as Pelayo once did from the mountains of Asturias against the Moors, will effect a descent on Portugal and drive his enemies beyond the Spanish frontiers! For this grand enterprise, the Barbacena Loan has been long preparing, and as the British Bondholders, almost without repining, were stripped of their two years dividends to pay for the Belfast expedition to Oporto and other similar projects, what matters it if they are now dispossessed of their whole principal, as long as money can be obtained to meet the wants of Terceira? This difficulty once overcome, the South Audley Street Regency would most probably establish themselves at Angra, and a scene of activity ensue. That port would be crowded with frigates, bomb-ketches, torpedo-boats and steam-gun-brigs; in a word, all the missiles and other weapons of annoyance, ever invented here, or in the United States, would be collected there, and possibly a redoubtable Admiral might be reconciled to his old master and secured, in order to take upon himself the naval command.

But, in the mean while, awaking from this pleasing dream, and for a moment reasoning dispassionately with My Lord Porchester and the Imperialists,

might they not be asked what the British government, who have declared "Terceira to be as much an integral portion of Portugal as Oporto" say to all these warlike preparations? Would they not apprehend a visit from another Captain Walpole? But, supposing even this, among other things, was winked at, and the Imperialists were once formidably established in Terceira—what could they effect against Portugal, worth the risk and expence they would incur? They might, for the moment, keep alive the embers of war, in order hereafter to fan them into a flame, as suited their purposes; the freebooters of every nation on the earth might flock to their port, or cruize and maraude round their enemy's coasts. They might even make predatory incursions on isolated points; ruin the agriculture and frighten the inhabitants; but, would this enhance D. Pedro's glory; further D. Maria's claims, or enforce the pretensions of either? Would a warfare of this kind benefit those who have hitherto reposed, with a degree of confidence and complacency, on the hope of soon resuming their late functions and again wielding yower? Besides, it must be remembered, that the Terceira islanders are tired of the contest; are wearied out by the insults of a licentious soldiery; their vessels laid up; their commerce and agriculture ruined, and their families surrounded by misery and want.* Under such circumstances, it may, therefore be presumed that if it were in their power,

* Narrative of the Political Changes and Events, which have recently taken place in the Island of Terceira.

and a suitable opportunity offered, they would not hesitate to rise up, in order to dislodge the odious and galling yoke of their present oppressors. Lisbon is the only market they can find for their surplus produce, and when deprived of that, they are driven to the extreme of wretchedness. It is therefore more than presumable, that the same causes have in them produced the same sentiments as in the Oportonions, and what these were when the Junta fled away, General Saldanha himself has not hesitated to tell us.

This is not however the most melancholy part of the story, and it may yet justly be feared that the sequel will still be infinitely more tragical, than if the inhabitants were in a situation to redress their own wrongs. Of course, such an immense establishment as the one now kept up in a small island, bare of resources and with an oppressed and impoverished population, entirely cut off from external intercourse, must occasion an expence, far beyond the precarious means of the party interested in its preservation to the "legitimate Queen," the avowed object of the Imperialists and their friends. It is indeed calculated that the year's local revenue does not at present cover more than a month's expenditure, including confiscations, seizures, &c. The coffers of several corporate bodies belonging to the island, which had been conveyed up to the castle for safety, have been emptied; church bells and ornaments melted down, and, under the plea of precaution, numerous seizures of various articles made upon the defenceless inhabitants. The garrison is doubtless receiving considerable supplies from England, and

consequently has not been exposed to the same privations as the inhabitants ; but, this has only served to enhance their sufferings, by affording the opportunity of an invidious contrast. The scarcity of salt, for example, very lately has been so great, that the islanders were obliged to cook their vegetables with sea-water, which occasioned a partial distemper among them. Hitherto, Count Villa Flor has supplied his deficiencies by drawing bills on the Marquess de Palmella, and the expedient answered for a while. The crisis is however at length arrived. The new loan on which the Imperialists, the Regency, and most likely My Lord Porchester also, built their sanguine hopes, has not been sanctioned, and a considerable amount of "Terceira Service" bills were last week protested for non-acceptance ! The loan, of which so much has been said, it is now understood, was negotiated by Barbacena at 52 ; but, in the meanwhile, the exchange at Rio de Janeiro having advanced and the other government stock risen to 70 and 72, the operation in itself was too glaring and scandalous to meet with the concurrence of the Brazilian cabinet, who besides, perhaps, felt a delicacy in appropriating a vote of credit constitutionally given on behalf of the Holders of Portuguese Bonds, to the disposal of the Regency of Portugal, resident in London, in order to lay out in Terceira schemes and printing libels for circulation in Portugal.

Having said this much on Imperialist plots and conspiracies, as well as respecting our noble Lord's views on Terceira, I shall proceed to examine a few of the minor points, touched upon in his publication, before I bid him a final adieu. The first topic I shall

select, is the manner in which he accounts for the downfall of D. Pedro's Charter. He very confidently tells us "that we must, in great measure, attribute that resistance which paralyzed the Constitution and prevented its real excellence from being duly appreciated, to the animosity of bodies who conceived their interests to be endangered by its continuance." This is a most egregious error. The "resistance which paralyzed the Constitution" and most contributed to its overthrow, commenced with the military, and certainly they never stopped to study "its real excellence," or balance its demerits. Being the act of D. Pedro, they took it as a foreign aggression and a public wrong done to them, as a nation, and this feeling alone drove them to arms. The expression of this feeling was alike strong and simultaneous, in various parts, distant from each other, and consequently, uninfluenced by any previous concert. No sooner was the Charter promulgated, than the 24th regiment, stationed at Braganza, beat to arms and passed the Spanish frontiers, under Viscount de Monte-Alegre, and was followed by parties of the 12th Cavalry; whilst the 2nd regiment of Cavalry, quartered at Villa-Viçosa, in Alemtejo, at the same time proclaimed D. Miguel. The 17th infantry posted at Estremoz; the 14th in Algarves; the 4th battalion of Chasseurs and some companies of the 2nd Artillery, although so widely scattered, were instinctively actuated by the same impulse. The 7th battalion of Chasseurs, although stationed in Lisbon, and consequently overawed by the presence of the government, was prepared to follow

their example and would have done so, if the war minister of the day had not changed all its officers, except two ; a charge of the most criminal kind which My Lord Porchester levels against D. Miguel, for having afterwards followed this very precedent. Nevertheless, the same battalion, being afterwards sent first to Oporto and thence to Tras-Os-Montes, in order to suppress the insurrections which there began to shew themselves, on arriving at Villa-Pouca de Aguiar, politely dispensed with the further services of their officers and marched off to Spain, with flying colours, under the command of a Sergeant. In September, the 11th regiment of the line, forming part of the garrison of Almeida, the 9th cavalry and a squadron of the 6th, also declared for D. Miguel and joined their comrades in Spain. At the period alluded to, it is estimated that not less than 10,000 regulars were arrayed against the Charter, besides a large portion of the population, in various provinces, headed by corporate bodies. His Lordship also informs us "that the Marquess de Chaves emigrated into Spain, on the arrival of the Charter," from which his readers would infer that he set the first example, Here again is His Lordship wrong. The Marquess did not leave Portugal for Spain, till two months after the first regiments, above-named, had crossed the frontiers. In a word, Sir Charles Stuart himself acknowledged, as previously noticed, *that he had only been a few hours in Lisbon, before he discovered that the alleged illegality of the different acts received from Rio de Janeiro, was the ground on which the Regent's opponents were determined to*

make their stand. And yet His Lordship gives his readers to understand that he was residing in Portugal, at the period alluded to!

One of the leading features in the composition of the “*Last Days of the Portuguese Constitution,*” is a disposition to exaggerate every thing that can at all affect the character of the principal actor in that eventful scene. The author assures us that “the revolution overwhelmed half the families in Portugal; whereas he had previously assured us that the influential classes, with few exceptions, were adverse to the Charter, and therefore could not become the victims of the revolution. We are further to believe that “20,000 persons have emigrated, or are concealed.” Of the first, some tolerably correct estimate certainly may be formed, from the number arrived in England, the chief place of asylum, which I have always understood never exceeded from 3500 to 4000, of all ranks and classes, and many of the principal personages came away with regular passports, clinging to the Charter, as their only hope. Of the “concealed,” we must leave His Lordship to supply the numbers; but in what he states of this particular class of sufferers, he does not pay any great compliment to the vigilance of the Portuguese police, of whose severity others are so ready to complain. In common candour, he ought, however, to have told us, by note or otherwise, whether his estimates were obtained in Lisbon, or London. His next round numbers startle us still more, as he goes on to say that more than 15,000 confiscations are known to have taken place.” This is about three times the number of what we should consider the

total amount of the emigration, of which 3000, at least, were common soldiers, and consequently left little behind them to be confiscated ; but, is not His Lordship, who professes to be so well informed on Portuguese Affairs, aware that no confiscations have taken place without a previous judicial inquiry, and he himself perhaps will also be inclined to allow that it would take an immense long time to get through 15,000 cases, in a Portuguese court, barring holidays, or indeed before any other Bench of Judges on earth. It is a query whether the *Alçada* has yet met fifty times ! but, as His Lordship has made elaborate researches in “ the tenure of property in Portugal,” perhaps he can tell us whether there are as many as 15,000 proprietors in the whole kingdom, whose property could fall within the grasp of the law ! Really, if the “ Last Days of the Portuguese Constitution” should go into a second edition, we trust these points will be retouched. As the author however places some reliance on “ Lisbon Letters,” we would gladly put him on his guard as to their contents, unless he knows from whom they come, since they have clearly deceived him, both as regards imprisonments, deportations and confiscations.*

* In a note (page 108) Lord P. asserts that “ there are no less than 16 grandees in emigration,” and, in his belief, “ no doubt exists as to the number of confiscations ;” since, according to “ Lisbon letters, 20,000 royal orders of confiscation have been issued ; but,” adds he, “ I cannot be guilty of exaggeration in computing them at 16,000 !” Really and in the first place, one would have thought that His Lordship would have inquired what was meant by a “ grandee,” in either Spain, or Portugal, before he hazarded such an assertion as the above ; but, granting that the number of nobles thus stated is correct, is the amount of pro-

There is little more to be said on the work of our travelled nobleman before us. He has treated the *right* of succession sparingly, and we think very fortunately so for himself, for if he had said more upon it, he would only have afforded us further proof that the constitutional history of Portugal with him

perty vested in them great ; or do not several of them find it more convenient to reside] in England, or Belgium, receiving, as it is presumed they do, some allowance, or other, than in Portugal ? Besides, has His Lordship ascertained whether, with the present prospect before them, (and perhaps they have not yet heard any thing of Count Villa-Flor's protested bills) one half would not be gladly reseated in their own homes, if they consistently could manage it ? Have not the hopes of all been cruelly disappointed ? Has he moreover ascertained whether all are absentees, on account of political opinions ? If he will inquire a very little further, he will find that this is by no means the case. Granting, however, that there are 16 nobles now out of Portugal, in the character of emigrants, and seemingly it is wished that we should take this as a specimen of either the feeling of that class, or of the public, what proportion, let us ask, does that number bear to 20 church dignitaries ; 121 nobles and persons of the privileged orders, and 153 delegates, representing 84 cities and towns, in all 294 persons, who in the Cortes declared that the crown belongs to D. Miguel ?

As regards the alleged number of "royal orders of confiscation," it would only be necessary to remark that some of the departments of government must have had rare busy work of it, and the King also enough to do to affix his sign manual, so many times over ; or else the Lisbon correspondent must have seen this matter through a magnifying glass, of an immense power. The principal punishment hitherto awarded against the emigrants, after a judicial inquiry, was to strip them of their crosses, commendaries and other distinctions which they had received as special favours from the Crown ; and yet this right, or the expediency of using it, His Lordship himself, under all circumstances, will scarcely dispute. Whilst on the topic of confiscations, I do not hesitate to assert that those which have taken place in Terceira, in proportion to the population, have been more numerous than in Portugal, and extended also to persons who were absentees before the present contest commenced, consequently not implicated, and not even distinguishing sexes.

has not been either a favourite, or successful study, for he wishes us to believe that the Statute of Lamego; regarding the Succession, was not in force longer than till the time of Ferdinand, the ninth king of Portugal, or till about the year 1369; whence he argues that it therefore could not exclude D. Pedro in 1826! Why did he not go the readier way to work and altogether deny the authenticity of the Lamego Statutes, as some of the Portuguese writers on his side of the question, had previously been bold enough to do? Nevertheless, His Lordship's ardent mind induces him to wish and hope that there may be still another *Constitutional* experiment in Portugal. He is not in the least disheartened at the successive failures which, if I understand him right, he has witnessed there, as well as in Spain and Sicily; for, having discovered the real causes of these disappointments, he can now point out the mistakes to which they may be attributed. He indeed seems to think that if the promoters of a new scheme would only avoid the errors which he is enabled to point out, and adopt the modifications which he is prepared to recommend, their success is inevitable, and their cause consequently would be triumphant. Whilst however we leave His Lordship to settle this point with the Imperialists, we shall content ourselves with expressing our confident hope that the British government, directly, or indirectly, will never become a party to any such schemes; and we further tender our sincere and respectful advice to such of our countrymen as may be residing, or travelling in Portugal, when the third experiment is tried, to stand aloof and not mix themselves up

in the contest. A feeling mind will always pity and regret the sufferings of fellow beings, whatever may have been the causes which led to the infliction of punishment; but My Lord Porchester must be sensible that calamities of the kind of which he so bitterly complains, are usual—nay, inevitable, in all countries convulsed by such a shock as is created by the competition for a throne, and, one would think, cannot astonish, or appal a traveller who sets out by saying that “he has spent a considerable portion of his life abroad, amid the stormy scenes of civil commotion.”

In looking to the general class of works, written on Portugal since the present contest commenced, we find the authors too eager to complain of institutions which do not resemble their own, and by far too ready to suggest salutary reforms, because they themselves are satisfied with their expediency, and deem this plea amply sufficient. My Lord Porchester seems to have a strong itching this way, and out of the two Chapters into which his “Last Days of the Portuguese Constitution” is divided, one is exclusively devoted to the enumeration of defects which he would gladly see the Portuguese liberal and enlightened enough to remedy on his recommendation. It would however carry us too far out of our way to inquire whether it would be advisable to abridge the power of the clergy, or abolish the Oporto Wine Company; nor do we conceive that we can be as competent judges upon these and many other points as the Portuguese themselves. Reforms, to be lasting, must be gradual and progressive, and of this the Portuguese have an instructive example



in their neighbours. Spain has slowly extricated herself from civil commotions and overcome her revolutionary difficulties. The consequence has been a gradual improvement in her commerce and revenue. The subordination of ranks is properly restored, and the arm of power has already resumed its proper action. Without any material changes in the national institutions, and merely through the zeal and activity of those entrusted with the administration, confidence is restored and the real interests of society promoted. The people are tired and disgusted with past experiments; they have long felt the necessity of repose, and after all prefer following the plodding footsteps of their ancestors. They shudder at the idea of theoretical changes, as always will be the case, where the characters and habits of a people are not previously formed by time and circumstances for the adoption of a new and untried system of legislature and jurisprudence. Precisely the same happens in Portugal, and why may not similar results be expected there, if the Portuguese are only left to themselves?

The taxes in that country may be injudicious; the forms of assessing and collecting them may be different to those established in other countries; or may operate as restraints on industry and commerce; but this does not prove that a Constitutional form of government, in the modern sense, can alone remedy these defects and suddenly substitute other more eligible expedients. In every country, abuses have always been made a favourite topic of complaint among reformers; yet no travellers have cried out with such loud earnestness that they must be eradi-

cated, as our own. They tell us that suits linger in the Portuguese courts of justice—and then conclude that they must be shortened by the introduction of a new system, otherwise, the country to which they are devoting their observations cannot prosper. Among them, there is a constant temptation to empirical changes. They would pull down one form of government, before they are certain that they can replace it with another. The present system of finance in Portugal may also be founded on a sacrifice of ultimate advantage to temporary convenience; but, even in that case, is it right for us to suggest its overthrow? Defects and abuses doubtless exist in Portugal, as well as elsewhere; but they are not chargeable to the present government, nor does their continuance prove that there is a disposition to prolong them. Pombal found in king Joseph a monarch, sufficiently firm and enlightened to suppress the Jesuits, and the ministers of his present Majesty, with whom the wealth and talent of the country are coalesced, have hitherto experienced his readiness to suppress abuses, whenever the welfare of the country has demanded it. The administration of justice, for example, in the opinion of British residents, has improved more within the last year, than it did during the whole of the preceding reign; not from the adoption of any new theories; but merely by the manner in which the judges are now made to perform their duty. The Portuguese have laws, of a venerable and efficient kind, however cumbersome, or grotesque, the forms in which they are recorded; but unhappily, they were not properly observed, or their ends were perverted. The monarch

therefore who may watch over their execution and insist on their observance, will be deemed the real benefactor of his people. The saving in the household and civil list of his present Majesty is nearly equal to one fourth of the total revenue! Lord Porchester himself acknowledges that "the army has been the chief instrument of the successive revolutions in Portugal, and it had in fact become completely demoralized. Recently, it has been reorganized, placed on a new footing, and the old distinctive and proud names of the regiments restored. During the whole of the reign of King John VI., the court of Portugal wore a sombre aspect; the fiery spirit of the nobles seemed extinct, and a degree of sloth pervaded every rank of society. The reappearance of the young and stirring Prince gave a new stimulus to action, and he is gradually reviving the old chivalrous spirit which once constituted the pride of the Portuguese nobles. If he has not done more; if he has not reassembled the Cortes, in order to introduce some essential reforms into the State, in a Constitutional manner, it is because civil dissensions at home and subversive conspiracies, plotting abroad, have hitherto prevented him. The personal activity of the new sovereign also gives fresh life and vigour to every department of the State. Where shall we find in a sovereign an instance of greater solicitude for the well-being of his subjects, than the one he evinced, but the other day, when an alarming fire broke out in a valuable part of Lisbon? Being informed of it, he instantly went to the spot and, by his presence, encouraged the exertions of those who were endeavouring to confine the threatening ravages.

So far had I written, when the reported debates of the 18th instant (February) in the House of Lords respecting Portugal, came into my hands, and I certainly was astonished at the severe, if not unguarded expressions, (if newspaper versions of Parliamentary speeches can be relied upon) which escaped a distinguished and amiable nobleman, respecting the character of the King of Portugal, and from whom, most assuredly, more accurate information and the absence of prejudice might have been expected. Random accusations, uttered in the heat of debate, and imperfectly recorded, scarcely wear a tangible shape; but, when preferred by one holding rank and influence in the country, and for this very reason likely to lead to wrong impressions, it is but fair that they should be subjected to an impartial scrutiny, and consequently their spirit at least may justly be made a topic of inquiry, if it is thought that they do not rest on substantial grounds and cannot meet the test of evidence. The writer of these pages, having his pen still in his hand, has therefore felt himself called upon to offer some reply, which necessarily extends and alters the original design of the present effort; and whilst he follows this impulse of his own breast, he will do it with all the respect and deference due to the illustrious individual with whose opinion he cannot coincide; but yet with the manly and unbiassed feelings of an Englishman, proud of his country's honour and ever ready to pay homage to its brightest ornaments. He will perform the task which he has thus voluntarily taken upon himself, fearlessly and without reserve, confident that he

shall have thus acquitted himself to God, to his conscience, and to an injured man.

The King of Portugal has been accused of cowardice and by implication of cruelty, by a British Statesman; but no single instance of either has been alleged in support of the double charge. We are therefore obliged to institute an inquiry into the past life and actions of the party thus arraigned before the tribunal of public opinion, in order to ascertain on what possible grounds such a presentiment, or such an ebullition of prejudice may rest.

Prince Miguel was scarcely known to the public of Europe, till the month of May, 1823, at which period he had only just passed his twentieth year. The Cortes, after the modern manner and on the completion of the Oporto revolution, were assembled in Lisbon, and the King apparently upheld their views and supported all their measures. The government by both jointly instituted, at the moment wielded the resources of the whole Kingdom, and the army and navy were at their disposal. The offices of trust and control were in fact held by persons of their own immediate choice. The public voice had indeed long been opposed to the continuance of this form of government; and there was a prevailing disposition to resist it by force of arms; but it had hitherto been repressed by an overwhelming power, always ready to act. The King was considered as being under restraint, and by the natural timidity of his character, prevented from extricating himself; yet no utterance of complaint had been heard from his mouth. To all appearances, he was identified

with the men by whom he was surrounded, and scarcely any others had access to him. To overturn a government, thus intrenched, seemed an Herculean task, and the very wish to do it fraught with danger. Prince Miguel, with a courage, devotion and presence of mind, almost incompatible with his years, resolved to hazard his life on the attempt, and having prepared a few followers and a small body of troops, in all not exceeding 1000 men, on the 27th of the above-mentioned month of May, he collected his party in the capital, unfurled the standard of opposition to the Cortes and their Constitution, and immediately marched off to Villa-Franca, a short distance from Lisbon. Consternation and alarm spread throughout the capital, and for the first time the Cortes were made sensible that they had drawn upon themselves the public indignation, which deprived them of all support on which they could place reliance. The King was roused from his lethargy, and instantly joined the Prince, who, after this first demonstration, remained stationary at the head of his troops. The sequel is well remembered. The Cortes and Constitution were thrown down, and matters restored to their ancient regime. The Prince received the thanks and embraces of his father, accompanied by the grateful benedictions of the whole kingdom. The congratulations of several European Courts were forwarded to him, of which those of the Emperor of Russia were perhaps the most prominent. His heroism was praised and the principles of his conduct extolled. Not a drop of blood was shed—no triumph was ever more complete ; but, had he not succeeded,

public and avowed as his motives were, most probably he would have been branded as a traitor.

The next time the Prince was brought into public view, was at the close of the month of April, 1824, and the interpretation then given to an effort, according to all known evidence on the subject, undertaken with views equally as honourable and patriotic, as the previous one, although not alike successful, has since affected his private character in the opinions of those who have had no opportunity to look into the real merits of the case, and in the sequel he was unhappily placed at the immediate mercy of his enemies. King John VI., in the interval, had formed an anti-national cabinet, and at the head of it placed Pamplona, who had betrayed his country to the French, and recently returned to it under a pardon from the late Cortes, by whom also he had been employed. He was joined in his ministry by colleagues, equally suspected and alike detested. The public indignation was unequivocally expressed against them, and the weak monarch viewed as the dupe of their ambitious and designing machinations. The Prince and Queen Mother had also received the most marked indignities from them. They had widened the preexisting breach between husband and wife, and dreading the talents and resolution of an isolated female, although the Queen Consort, they had shut the palace gates against her; kept her confined to her own residence of Ramalhãõ, and there loaded her with persecutions.

That all these acts should have roused the ardent and aspiring mind of a youthful and impetuous

Prince ; that he should have burned with resentment at a mother's wrongs ; that he should have been elated at his former success, and even misled by the late compliments passed upon him ; or, finally, that he should have again considered himself called upon by the public voice to redress a national grievance, may readily be imagined. In brief—finding that remonstrances with the King were of no avail, and that he was completely swayed by the worthless beings in whom he had unhappily placed his confidence, the Prince vowed to rescue him from the grasp of men, already loaded with public execrations, by an effort, equally as imposing, and, as he trusted, would be equally as successful as the one which had liberated the monarch from the alike odious power of the Cortes. The peculiar situation in which he stood, coupled with the absence of any other alternative within his reach, in an unguarded moment, possibly led him to resort to means, clearly unjustifiable in themselves ; but yet some allowances are to be made for the predicament in which he was placed, and the irritated feelings by which he was impelled.

As a reward for the signal service, as above performed, he had been entrusted with the command of the army, a distinction that certainly did honour to his age, and it is an acknowledged fact that he soon became its idol. Imprudently, he relied on his influence over the troops, and determined to enlist them in what, when dispassionately viewed, could only be taken as a quarrel of his own. He might have been ill-advised ; designing men might have taken advantage of his youth and inexperience ; at

least the King always thought so; at the same time that he acquitted him of all criminality. Some public pretext is also said to have been mixed up with the affair, arising out of denunciations against secret and subversive societies which he had determined to suppress. Judging, however, from all the facts, inquiries and testimonies before the public of Portugal, as well as the reports of persons on the spot, it is pretty clear that enmity against Pamplona and his colleagues, was his principal, if not his only, incentive. On the 30th of April, (1824) the Prince left his apartments in his father's palace, early in the morning, and proceeding with his staff to the barracks of the principal regiments, ordered them forthwith to assemble in the main square. The Prince joined them as soon as they were drawn up in line, and held a council with his officers, at which the arrests of Pamplona, his principal colleague and a few others were determined upon. This was his first measure, and certainly proves the primary object he had in view. An alarm being spread in the city, he sent a guard to the palace, to protect the King, and by the officer commanding it, wrote a letter to his father, begging him not be "uneasy;" at the same time issuing an order that no one should have access to the palace, except four persons, specially named, and all favourites and confidants of the King. He also published an explanatory proclamation, and at ten went to the palace and there, in the presence of the *corps diplomatique*, who, in the mean while, had obtained access to the King, he assured the venerable monarch "that what he had done was with the very best intentions and for the welfare of the State, hav-

ing discovered a conspiracy which he was determined to suppress; but that, even as the matter then stood, he was ready to obey His Majesty's commands, if he would be pleased to make them known," &c. The Prince then proceeded to his own apartments; took some refreshments; returned to the square and, about two o'clock in the day, ordered the troops back to their quarters. During all this time, the King did not offer to adopt a single energetic measure; he did not once reproach his son, although constantly near his person. On the 3rd May, that is, the fourth day after this strange occurrence happened, the King issued a decree, in which he uses the following remarkable words; "that his much beloved and highly esteemed son and Commander in Chief of his royal army, having obtained vehement indications that a black conspiracy was plotting against him, the Queen, and his own royal person, &c. which placed him under the unavoidable necessity of recurring to arms, &c; and being well aware, from the solemn assurances and declarations by him made, in his own royal presence, of the motives which determined him, by means of an armed force, to counteract crimes, so absurd and execrable," &c.*

In this document, the King is very far from making a criminal charge against the Prince, and clearly his conduct, although rash, in this transaction, evinced the very reverse of a want of courage. But, I will proceed. Pamplona, evidently the principal

* A general outline of this affair, with the accompanying documents, will be found in "Walton's Letter to Sir James Mackintosh," &c.

personage against whom this attempt was made, in the mean while, had taken refuge in the French Ambassador's house, M. Hyde de Neuville, whose political conduct in Portugal has always been duly appreciated by the British residents. Pamplona had long been in the pay of the French, and of his old and inveterate hostility to Great Britain, he has left behind him ample proofs. Sensible that a *coup d'etat* alone could save himself and his colleagues, who saw that the Prince's popularity had materially increased, even by this last injudicious act, he constantly preyed upon the fears of the old King; availed himself of the weak points of his character; and, supported by diplomatic aid, persuaded him that his life was not safe, and that it was expedient for him to go on board of the French squadron, daily expected in the port, as on the first signal of alarm, the officious and wily M. Hyde de Neuville had sent to Cadiz for Admiral des Retours; but, owing to contrary winds, instead of 48 hours, he was 11 days in reaching the Tagus, as previously noticed. Time pressed, and there being no other alternative, the Windsor Castle was chosen as the theatre of the farce which was about to be played off. On the 9th (May) that is, ten days after the *Abrilada* had happened, and during all which time the Prince had been a constant inmate of the palace, the King went on board of the Windsor Castle, and issued a proclamation, withdrawing the command of the army from the Prince and summoning him to his presence. On the 10th, the Prince, unconscious of crime and trusting to the previous assurances of a parent, went on board, in opposition to the prayers and intreaties

of an immense concourse of spectators, who told him to be on his guard against the malignity of Pamplona and his colleagues, in the mean while, reinstated in their several offices by the King. After some admonitions, but without a single reproach, or charge preferred, from the Windsor Castle the Prince was sent on board of a Portuguese frigate, and hurried away to Brest, without being allowed to have the smallest communication with any one on shore. From Brest he was removed to Vienna, and, as previously stated, kept under restraint and really made the victim of his enemies in Portugal.

In all this, however, no charge of cowardice arises against the Prince. His own father absolved him of the charge of criminality which his enemies endeavoured to raise up against him, and I can pledge my word that, after a careful examination of all the papers published in Portugal upon this subject, among which is a *Devassa*, or judicial inquiry, purposely instituted in the Prince's absence and during Pamplona's plenitude of power, and also containing the depositions of all the witnesses, I do not see grounds for any charge whatsoever beyond that of rashness. The Prince was, as easily may be collected, during a period of ten days, constantly under his father's roof; in command of an army devoted to him; the population of the Capital, nay of the whole Kingdom, in his favour, and had he then been disposed to dethrone the monarch, the crime it has been sought to allege against him, he had evidently full time and ample means to execute his designs. Had he been conscious of guilt, or even dreaded his father's resentment, he would not have gone on

board of the Windsor Castle to face his enemies; and much less would he have disregarded the supplications of assembled multitudes who, on their knees, warned him of the danger of risking his person in the hands of men who would not act with the same generosity as he had done. The disgraceful intrigues which accompanied and followed this unjust expulsion of Prince Miguel from Portugal, and it is deserving of no better a name; the manner in which he was sacrificed by the ascendancy of Pamplona and his colleagues over the mind of a weak and timid monarch; the vile stratagems and falsehoods resorted to in order to predispose and poison the mind of the Emperor Francis, to whose care he was about to be confided; the industrious means since adopted to prejudice other foreign courts against him; the calumnies invented and the malicious machinations carried on, during a period of nearly four years, without a single voice being heard in his favour, have not only tended to injure his character; but also led to the principal misfortunes and misunderstandings which have since unhappily occurred in Portugal.

If His present Majesty of Portugal has faults, they are the result of education and easily corrected; but they partake of nothing that indicates a badness of heart. He was, at a very early age, thrown on his own resources for amusement, and always preferred those pursuits which render the frame robust and the mind intrepid; and although unguarded expressions; the ebullitions of party-spirit, or the angry accents of prejudice can in reality injure the character of no one, much less a Prince, constitutionally

seated on his throne and shielded by the approbation of his people, when uttered in such a place as the British House of Lords and by a minister of the Crown, the party arraigned, as well as those over whose destinies he presides, cannot fail to regret the injustice done to his actions, by their motives being mistaken and misrepresented. If there is a man in Europe, better than any other acquainted with the King's real character; the propensities of his heart and the bias of his mind, it is the Emperor of Austria, and doubtless he will be among the foremost to regret the unjust accusations levelled against him, in quarters where better information might have been expected. Even D. Pedro, amidst the workings of a heated imagination and the dreams of ambition, never yet allowed an expression, derogatory to the private character of his brother, to be uttered in his presence; and were he now acquainted with the unmerited calumnies to which his own partisans have resorted, in order to further their ends, he would be the first to condemn their intemperance. No one knows better the situation in which D. Miguel has been placed; no one has oftener and more sincerely regretted the dissensions prevailing among the Royal Family, as well as the weakness of the late King, often swayed by worthless men, and the real origin of misfortunes of which both have alternately been the victims. If the private character of the youthful monarch is therefore only well considered and carefully examined, from the very tenderest age, it will be found that, with the exception of the present King of Sweden, there is not a monarch, seated on any throne in Europe, who has

given more proofs of personal courage ; or evinced a greater disregard of danger. Two remarkable events of his life have already been scrutinized, in proof of this assertion, and there are numbers who have seen him mount the fiery steed ; face an infuriated bull in the public arena, or pursue the wild boar in the entangled thicket, ready to confirm the fact. On inquiry it will equally be found that his private character is divested of every indication of cruelty.

Traversed and wearied out by insults and machinations, the summary punishment of some individuals, in the administration of his government, might have been expedient and justifiable, when treason of the most flagrant character was stirring and military law in force ; yet he left the crimes of all persons implicated to the formal process of judicial investigation, and there is not a single instance on record of one individual having undergone condign and exemplary punishment, without a previous trial and condemnation, according to the laws and usages of the country. In various cases, when sentences have been referred to him, in the way that a Recorder's report is to our Sovereign, he has commuted capital punishment into transportation, a merciful choice which the law left in his hands. On many occasions, his clemency has been abused, and, on others, has only served as an encouragement to treason ; relying therefore on the justice of his cause, he has been satisfied with repressing rebellion in the best way he could, and exhorting his people to patience, perseverance and fidelity. What ! when plots were forming in his very capital ; when masked expeditions were fitting out, even in the ports of England, and the

North of Europe against his authority; when Brazilian agents in London were constantly remitting money to Lisbon, to pay conspirators and agitators; when British vessels were known to enter his ports with bales of incendiary papers and proclamations on board, filled with all kinds of encouraging delusions and printed in London and Plymouth, for the purpose of exciting rebellion and civil war in the dominions of which he had been declared the lawful sovereign, was he to wait till the flames reached the threshold of his own palace, and not avail himself of the justifiable means of retaliation which were placed within his reach? Had he so done, what would his subjects and the immediate supporters of his throne have said of him—those who had risked their all in defence of his rights? Would they not have loaded him with their contempt? In mind and body, no one can have suffered more than he has done, during the whole of the calamities which have marked the short period of his reign; but, he felt that his country claimed a sacrifice at his hands and that it was his duty to endure, hoping still to have it in his power to repair the ravages which his own enemies had caused. In exercising the trust confided to him; in contending for his own honour and shielding his people from the evils into which it was wished to plunge them, numbers could not fail to become victims of the strife; but, it does not follow that he swayed with the iron mace of persecution; or that he did not in his own heart deplore the lengths to which he and his ministers were driven. Situated, as he was, could any monarch have done less? Let us be just, before we are severe, at the expence of another's

reputation. Let us look at the question of Portugal, in all its bearings—let us know what really has occurred there, before we hazard conclusions which cannot stand the test of proof.

I do not speak lightly, or at random; few exceed me in independance of mind—but fewer still are better prepared to handle the subject under consideration, and certainly I should not now have gone out of my way to notice the late discussions in the House of Lords, if I had not felt an honest indignation on seeing the strong prejudices and delusions which still unhappily prevail in the minds of men who did not go to the House with dispassioned feelings. I may perhaps claim some indulgence and expect some credence, when to this I add that I would not certainly exchange my knowledge on Portuguese Affairs for that of My Lord Porchester, notwithstanding his residence in Lisbon has been more recent and more favoured than my own; and I do not hesitate further to say, on the authority of old residents and experienced persons; on that of eye-witnesses and individuals capable of appreciating the conduct of the Portuguese monarch and his ministers, that, under all circumstances, greater moderation was never displayed. Had the most perfect model of Princes—a second Alfred, been placed in the situation of his present Majesty, he must have done the same, if he sought to retain his throne and preserve his life, as well as that of many other of his faithful adherents. If he wished to guard the empire of the laws, he was bound to crush rebellion, and this could only be done by opposing force to force. No sooner was one conspiracy suppressed, than another broke out: and a

A destroying angel seemed specially commissioned to spread desolation through an unhappy and convulsed land. His enemies not being able to establish his rival's claims by legal means, and thereby retain their own rank and power, saw themselves compelled to resort to plots and calumnies of all kinds, in order to attain their purpose; and being once resolved to resist, had he, like a demi-god, been able to scatter bounties around him, or emulated the example of Deniz, he would have been alike exposed to all the envenomed shafts levelled against him; equally the victim of the exaggerations of inveterate animosity. Those who sought his downfall, had early obtained possession of the public press, in several of the leading capitals of Europe, and their agents were stationed at various courts. The calumnies, by them published and whispered, received currency and were very generally believed; because no one was at hand to contradict them. His enemies thus enjoyed a temporary triumph and their eagerness was redoubled; for men, situated as they were, could never bring their minds to investigate the absurdity of their pretensions, or the heinousness of the crimes to which they were resorting,, in order to give effect to their plots.

There is not indeed a charge, hitherto raised against the private character, or public conduct of the Portuguese monarch, that will bear the test of dispassionate inquiry; there is not a prejudice, entertained against him, that cannot be traced to the animosity of his personal enemies, or the interested views of a party, anxious to avenge themselves for alleged injuries. That party shewed itself with a bold front in

1824, and its leaders have ever since persecuted and reviled the absent Prince, even when he was in no situation to defend himself. The manner in which he was ignominiously driven from Portugal (and be it remembered that the *Lively* frigate accompanied him to Brest) will ever stand as a monument of the weakness of the monarch and parent, and remain as an indelible blot on the character of men who then became the secret springs of every movement, and the authors and advisers of every measure of hostility pursued against him. He was then given in charge to a being, of the most worthless character, who endeavoured to lead the unwary youth into scenes of dissipation and disgrace, in order to serve the ends of his employers, and deprive his victim of the esteem of the foreigners among whom he was about to reside. It is even a fact that the Emperor of Austria himself was the first who discovered the ill-treatment, practised towards his guest, and ridded him of the ruffians who had been sent to watch over his conduct; from that moment receiving him into his confidence and esteem. These men, it was, who prevented the father from being reconciled to his absent son, at the time when the Emperor Francis, struck with the injustice with which he was treated, made the necessary overtures, so favourably received by the deluded parent. It was they who impeded the settlement of the Crown from being made in his favour, conformably to the laws, when the Treaty of Brazilian Independence and Separation was negotiated, in 1825, and as the king was fully prepared and willing to do; it was they who afterwards endeavoured to have the injured Prince conveyed over to Brazil, in the *Joaõ Sexto* man-of-

war, expressly sent to Brest to receive him; judging that they themselves were not safe, as long as he was at Vienna; and, finally, it is they who have ever since poisoned the public mind with calumnies and convulsed Europe with plots.

This they have effected by busy intrigues; by the sacrifice of treasure, as well as by noisy solicitations and confident promises, the usual expedients of refugees, struggling to regain their power. From places of security, they have ranted and reviled; they have railed against injuries which they pretended to have received, without once endeavouring to redress them, in a becoming manner; thus making themselves not only answerable for the falsehoods and malignant stories which they uttered themselves; but those also which they put into the mouths of Englishmen to utter for them.

In looking into the affairs of Portugal, if there is any one thing that excites astonishment, it is the blind infatuation with which these leaders still pursue their guilty projects and cling to schemes which, after so many failures, wear the appearance of folly. But, it is time to put an end to this long and vehement controversy, carried on with acrimonious rigour. The expedients resorted to are worse than speculative errors: they are falsehoods, levelled against the sovereign; but affecting the whole Portuguese nation, as well as ourselves, before whom they are uttered. Were we to believe them, the present sovereign of Portugal wields a despotism which no barrier can check—no circumstance can moderate. According to them, he disposes of the lives and property of his subjects, as suits his whim,

or answers his purpose, and we are soon to see the effects of his arbitrary power, imprinted on the desolate tracts which will extend before our aching sight! Their meanness, if possible, exceeds their malignity, for the very men who thus describe their personal enemy, would have worshipped him, had he been in a state of prosperity, at the time they raised the standard of rebellion against him; or had they even dreaded the failure of their own cause. The very Prince whom they loaded with praises, as long as they thought him a ready and willing instrument in the execution of his brother's designs—before whom they bent with awe and submission, from the moment he tells them that he is determined to have a will of his own and to listen to the public voice, they revile; treat as an outcast of society, and seek almost to reduce below the level of humanity!

The day is, however, come when these delusions must cease; when the agitators of plots must be stripped of their transient importance, and satisfied to bear the obloquy that inevitably awaits visionary and neglected projectors, at length divided among themselves. We have been deceived and grossly imposed upon throughout the whole of the late contest, and by our silence and forbearance, it may be said instrumental in prolonging a warfare that affects the interests and happiness of a people, with whom we have been allied for centuries, and among whom our countrymen have long carried on advantageous pursuits of commerce. Our neutrality has been abused, and grossly too, and expeditions, according to the avowals of parties themselves employed, have been fitted

out by Brazilian agents, in order to excite rebellion and spread desolation in the territory of an ally.

We are therefore imperiously called upon to act. This can no longer be considered as a question of personality; it is one that immediately affects our political and commercial interests. The Portuguese, as a nation, condemn our conduct, as being not only unjust to their government; but also grievous to themselves. They consider it as an abuse of power, exercised against the weaker party, and derogatory to the character of an enlightened and high-minded nation. Already has it revived old animosities and given a triumph to our enemies, who have always been ready to rail against our ascendancy in Portugal. It carries them back to the times of a Pombal,* and weakens the hopes of future cor-

* As a proof of the feelings and situation of the Portuguese, at the period above alluded to, I have subjoined extracts from three Letters, high-toned, it must be acknowledged, but nevertheless extremely curious, which were written by the Marquess de Pombal, when Count de Oeiras, to Lord Chatham, demanding satisfaction for the destruction of a French squadron, near Lagos, on the coast of Algarves, by Admiral Boscawen; which Letters I never yet saw in English. The satisfaction required, was given by an envoy extraordinary, specially appointed to go to Lisbon.

Letter 1.—“I know that your cabinet has assumed a dominion over ours; but, I also know that it is time to put an end to it. If my predecessors had the weakness to grant to you all that you required, I never will grant to you beyond what I ought. This is my last resolution; regulate yourselves according to it.”

Letter 2.—“I beg of your Excellency not to remind me of the condescensions which the Portuguese Government has had towards the British Government; they are such that I do not know that any power ever evinced similar ones to another. It is but just that this dominion should have an end, some time or other, and that we should shew to the whole of Europe that we have shaken off a foreign yoke. This we cannot

diality. The Portuguese have need of repose, and con-

prove better than by demanding of your Government a satisfaction which, by no right can you refuse to us. France would consider us in a state of the greatest weakness, if we did not give her some atonement for the destruction which her squadron has experienced upon our maritime coasts, where, according to every possible principle, it ought to have been considered in safety."

Letter 3.—“ Within the last fifty years, you have drawn from the commerce of Portugal, 1500 millions (cruzadoes) an enormous sum, and such a one as history does not record an instance of one nation having contributed to enrich another. The manner in which you have obtained this treasure, has been still more favourable to you than the treasure itself; as it was by means of the arts that England became the mistress of our mines and regularly despoils us of their produce. A month after the Brazil flota arrives, scarcely is there a golden moidore of it to be found in Portugal; which must be of great utility to England, as she is thus continually increasing her metallic wealth, and the best proof is, that the greatest part of her Bank payments are made in our gold, through the effect of our stupidity, of which another example is not to be found in the universal history of the economical world. Thus is it that we allow you to send over to us our very clothes, as well as every article of luxury, which is not inconsiderable; and thus also is it that we give employment to 500,000 subjects of King George, a population which at our expence is maintained in the capital of England. Your fields also feed us and your farmers take the place of ours; whereas in ancient times, it was we who supplied you with provisions; but the reason is that, while you were grubbing up your own lands, we leave ours uncultivated. Nevertheless, if it is we who have helped to raise you to the high pitch of your grandeur, we also are the only ones who can cast you down from it. Much better can we do without you, than you without us; a single law can overturn your power and diminish your empire. We have only to prohibit the extraction of our gold, on pain of death, and it will not find its way out.

“ True, it is, that to this you may answer me that, notwithstanding all our prohibitions, it will go out, as it always has done, because your ships of war have the privilege of not being searched at their departure; but, on this subject don't deceive yourselves. If I undertook to have a Duke d'Aveiro beheaded, because he made an attempt on the King's life, more easily will I have one of your captains hung for carrying away his

clude that we hesitate and hold back, because we are under an impression that it will be again disturbed. The separation of Brazil, which the people attribute to our influence, had created a new æra in Portugal, and to repair this loss, they required the develop-

effigy, contrary to the enactments of a law. There is a time in monarchies, when a single man can do much. You well know that Cromwell, in the character of Protector of the English Republic, had the brother of an Ambassador of His Most Faithful Majesty put to death; without being a Cromwell, I also feel myself empowered to follow his example, in the character of minister-protector of Portugal. Do you do what you ought, and I shall not do all that I am able.

“A million of English subjects would instantaneously lose their subsistence, were they deprived of the work of their hands which supports them; and most assuredly the kingdom would experience great privations, if this source of their riches were dried up. Portugal needs nothing more than to regulate her consumption, and a fourth part of England would want bread. You may tell me that the established order of things is not so easily changed, as is thought; and that a system in force for so many years, is not to be transformed in an hour; but, I can answer you that by not allowing any seasonable opportunity of preparing these changes to pass by, it will not, in the mean while, be difficult to establish an economical plan that may lead to those ends. France, for a long time past, has been inviting us to receive her woollen manufactures, and if we do receive them, what will become of yours? Barbary also, abounding in wheat, can supply us at the same price, and you will then see, to your regret, that your navy will be injured. You who are so well versed in ministerial policy, know full well that the mercantile navy is a school for the officers and men of the royal one; and that by both united it is that you have attained your present grandeur.

“The satisfaction that I demand is conformable to the rights of nations. It frequently happens that both land and sea officers, through zeal, or ignorance, do that which they ought not to do; it therefore devolves upon us to punish them, and to see that the injuries which they have caused are repaired and remedied. Nor is it to be thought that these reparations injure the State by which they are made; on the contrary, that nation is always most esteemed that readily consents to do that which is just.”

ment of their own local resources, as well as the consolidation of their remaining Colonies ; all which they consider impossible, as long as their destinies are left uncertain. In their opinion, the nation and the monarch are inseparable, and they wish us not to forget that the ministers who have heretofore been the steady safeguards of their sovereign's crown, will always be the zealous champions and firm supporters of his authority. Justice and loyalty will continue to urge them on to the performance of their duty, from which they cannot be deterred by the indignities offered to them by a foreign nation, on whose friendship they had every reason to rely. They beg us to bear in mind that their sovereign is upheld by the wealth, rank and talent of their country, and that no disappointments can now defeat their hopes, It was through the courage, circumspection, and perseverance of those men in whom the Prince placed his confidence, that both he and themselves have been saved from the calamities which the restless ambition and views of a party would have brought upon them; and the award of the law being given, they cannot now recede.

Were it possible to collect and repeat the sentiments of the Portuguese people towards us, at the present moment, more minutely, we should find that they argue and address us thus :—The same caution, fears and suspicions do we now feel, as your government once felt in the case of the Pretender, and it has always been allowed that the principle of self-defence is equally as justifiable in a nation, as it is in an individual. Mistake us not. Religious zeal is not mixed up in our question ; it is a sentiment of

national honour, equally as strong in us as it was in you, at the period alluded to, which dictates to us the same precautions; inspires us with the same dread of a foreign ascendancy, and drives us to similar lengths. Look to your own history, and you will find that the present case of our sovereign has there another striking paralel, which is to be found in the opposition evinced by foreign powers to acknowledge your new dynasty, constitutionally raised to the throne of England, and of which, at the time, you had such just reason to complain; an opposition which led you to seek expensive and even humiliating alliances abroad, when France and Spain were disposed to second the pretensions of one whose claims you had yourselves rejected. You then considered the support of your reigning family, as essential to the liberties of your country, and the triumph for which you were contending, as allied to order and good government; nay, you even still boast of it as the foundation of your present grandeur. The Portuguese of the day equally view the consolidation of their new sovereign as indispensable to the peace, prosperity and honour of their country, and they are consequently prepared to make every sacrifice in his defence. It was not the scattered murmurs of individuals; do they add, but the public voice of the whole nation which expressed its abhorrence of a foreign yoke and demanded the observance of the laws; and that feeling can never be obliterated from our hearts.

No Englishman can turn a deaf ear to this mode of reasoning; no impartial mind can blame the Portuguese for what they have done. They resisted

the overthrow of institutions, venerable in their origin, and endeared to them by time and experience. They saved themselves from becoming a dependency of Brazil, and it ought not to be forgotten that D. Pedro's first idea was, to govern them as Great Britain does Hanover; and amidst all his boasted liberality, he still very frankly acknowledged that he intended to make them subservient to his views in Brazil. With the feelings of men, the Portuguese could not have done otherwise. The most slender knowledge of human nature—the most imperfect estimation of the national character of the Portuguese—even the slightest reflection, would have led to the conclusion that no other alternative was left—that D. Pedro and his issue never could reign in Portugal.

It is therefore not only our interest to acknowledge the present sovereign, constitutionally seated on his throne; but it is also our duty to see that his government is not again disturbed by any of those plots and conspiracies which have been going on in England, for the last eighteen months. Already have Spain, Rome and the United States acknowledged him, and who can say that other nations, opposed to us, in both political and commercial interests, are not preparing to do the same? Who can affirm that Russia is not of that number? Who can say that she is not desirous of becoming a favoured nation in Portugal? Who can pledge that overtures have not already been made by her?

Besides, what confidence, or amicable intercourse can exist between Great Britain and Portugal, under the present order of things; or, is not the time of

probation ended? Are there still any doubts as to His present Majesty's right to the throne? In the assembled Cortes of Portugal and after a solemn investigation, have we not seen his rights fully confirmed and established; at the same time that those of his competitor were pronounced inadmissible, on the score of their illegality, and as being opposed to the laws and institutions of the Kingdom; and since that period, one year and eight months have elapsed, and yet, we are silent! Have we not, in the meanwhile, also seen the Brazilian Chambers virtually condemn D. Pedro's pretensions to the throne of Portugal, as being at variance with the object of their own independence, and incompatible with the pledges and oaths by which he is inseparably bound to their destinies? Why, then do we hesitate?

From the discussions which have taken place in Parliament—from the reproaches and invectives there uttered and since re-echoed in a portion of the public press, it would seem that we are offended, because the Prince, on arriving at Lisbon, did not keep the engagements entered into with us, during his stay in London, and which were, to maintain the Charter. We also blame him for not keeping his oath, taken at Vienna! But, what minister, or nation, had a right to require an oath from a Prince that was intended to strip him of his birth-right—his lawful inheritance, and prevent him from ascending a throne to which he was called by the laws and the voice of the people? For more than three years, he was kept under restraint at Vienna, and from the very manner in which that oath was required and administered, it is clear that it was the price of his liberty. Doubtless,

he took the oath at Vienna, in all the sincerity of heart and, to all appearances, with a full intention to keep it; because it is more than presumable that he was unaware that the object for which it was asked and given was illegal, and diametrically opposed to the laws and liberties of his own country. He had fallen into the diplomatic nets of Prince Metternich, and in them he was at the moment completely entangled. The respect which he felt towards that minister; the veneration in which he held the Emperor Francis, coupled with his own youth and inexperience—nay, his ignorance of what was passing in Portugal, evidently led to his compliance. As before noticed, he had been so carefully trained upon the question of Portugal, as actually to conclude that he had no direct claim to the throne, and he was more firmly strengthened in this opinion, when he saw that every thing, said and done upon the subject, first in France and next in England, tended to confirm this same impression. Nevertheless, whatever the nature of those engagements were; or however often repeated, they cannot be considered as made by any other than an individual, in his private character; for neither the Prince, nor the representatives of the allied powers, acting with him, could decide the question of Portuguese Legitimacy, whether their court was held at Vienna, or in London.

It is indeed clear that, at the time alluded to, both the Prince and his allies were completely in the dark; nor had either the least idea of the turn the affair was about to take. There is, however, one trait observable in the Prince's character, and which when dispassionately viewed, certainly places his integrity

under a yet broader light. On his return to Lisbon, he evinced no resentment for the aggravated injuries which he had received, during a protracted and humiliating absence; and seemingly mindful of the pledges which had repeatedly been exacted from him, he proceeded slowly; he ascertained the state of the law and of the public feeling, and then dared to submit his claims to a competent tribunal, which his rival had not ventured to do, as it were, disdain- ing to take advantage of his brother's absence, or of the commanding position in which he himself stood.*

It has always been our best preventive policy to maintain Portugal in a state of relative sufficiency, and bound to us by interest and good-will—this is the spirit that distinguishes the oldest known alliance between two nations. We also now require a new Treaty with Portugal, as that of 1810 is rendered of no avail, by the independence of Brazil, and it has besides expired in the order of time. Our commercial relations with Portugal at present, rest on a most uncertain and discouraging basis, notwithstanding,

* As far as regards the oath, of which such loud complaints have been uttered, if the truism of the English Cervantes can be fitly applied, it clearly is to the case in question.

————— “A breach of oath is duple,
 And either way admits a scruple,
 And may be *ex parte* of the maker
 More criminal than th' injured taker;
 For he that strains too far a vow,
 Will break it, like an o'er-bent bow;
 And he that made, and forc'd it, broke it,
 Not he that for convenience took it.”

the annual amount is considerable* Such a state of things must evidently be destructive of confidence. In approaching the re-construction of our commercial relations with an old ally, let us also go in the true spirit of liberality, the only means of cementing a good understanding.

Never let us forget what loud and reiterated complaints we have had respecting the operation of the Treaty of 1810 from the Portuguese; complaints which have more than once drawn from the British minister pledges that such alterations should be made, as justice required; complaints which became weekly topics of reproach in Portugal, at a time when the press was not subject to restraints. That Treaty is said to be founded on "a reciprocity of interests," and pursuant to its stipulations, Portugal agreed to receive British merchandize into her ports, at a duty of 15 per cent., which, after deducting the 10 per cent. on the Custom House valuations reduced it to $13\frac{1}{2}$; whilst in compensation thereof, England agreed to receive the productions of Portugal on the same footing as those of the most "favoured nations;" but, when the proffered advantages of this clause came

* In 1824, our imports from Portugal were £566,353 and exports £2,146,472. In 1825, the imports were £450,730 and exports £2,670,191. At the two periods above alluded to, Brazil was independent of Portugal, and the amount of trade carried on with the new Empire, within the same years, was, 1824, imports £1,053,327 and exports £2,425,324; and in 1825, imports £1,289,513, and exports £3,750,043. The returns of imports and exports from and to Portugal and Azores, corresponding to the year 1828, were, imports into Great Britain £512,634 and Ireland £74,719; exports from Great Britain £2,506,731 and from Ireland £74,936.

into operation, it resulted that our principle of laying heavy duties on all articles of luxury or such as may tend to diminish our own national industry, converted it almost into an act of prohibition.* And yet we are now making so interested a distinction between our commercial advantages and political obligations, as to claim all the former and reject the latter.

The concurrent voice of interest and duty therefore call upon us to acknowledge the new order, lawfully established in Portugal; this is also the best means of guarding against the excesses of a faction, whose constant aim has been to implicate our neutrality. If D. Pedro considers himself aggrieved, and that he has yet claims to his father's crown; if he still views Portugal as a fief of Brazil and consequently at his own disposal; if he argues the plea of possession and undue ejection, why does he not publish a Manifesto, as king James's Ministers did, when he arrived in France, enumerating his complaints, expressive of his wishes and setting forth his rights? Hitherto, he has observed a profound silence, which

* It is a fact that, in 1818, Portugal exported to Liverpool to the value of 141,330*l.* and thence received in return as much as one million sterling in merchandize, principally of what kind may be concluded from the vicinity of Manchester. The above small amount of importations from Portugal, nevertheless paid in the Custom House of Liverpool duties equal to 98,355*l.* almost equivalent to 69½ per cent. By alterations in the rate of duties this charge has often been higher, as for example when soon after the period above alluded to, the duty on wool was advanced to 6*d.*, which would render it equal to 100 per cent.; notwithstanding the invariable standard for us in Portugal continued to remain 13½, whilst every other foreign nation pays 30. It is this enormous balance of trade against Portugal that has drained that country of so large a portion of its metallic currency.

he has not deigned to break, after a two years contest. Nations generally, and more particularly the immediate allies of Portugal, cannot continue to be treated with this indifference. Besides, from all appearances, even if his claims were ever so good, it is clear that he does not possess the means to enforce them, and no European nation, not even Austria, will do it for him. Possibly, he may not be disposed to renounce those claims, for the present; obstinacy and a false point of honour may render him deaf to the voice of reason and justice; the delusion under which he has laboured throughout the whole contest, may still afford him hopes that the intrigues and machinations of his partisans and adherents, or a lucky contingency, may at some future period enable him to gain an ascendancy; but, will the States of Europe be abettors of such visionary schemes; will they listen to caveats, or wait for a process so tardy, as this? Will they stop, till his recriminations and those of his agents are exhausted? He may still think that he can raise the splendour and importance of his own empire, by the annexation of Portugal; but, does he calculate on the interests and dispositions of the European nations—does he forget that England still exists, and in terms of alliance and confederacy with the country which he seeks to oppress? Nay, is he unmindful of the state of Brazil, where, if not carefully counteracted, the elements of destruction abound? Does he still persist, in spite of indications which, if neglected, forebode misfortunes to his own prosperity?

If the preservation of the monarchical principle has hitherto reconciled the European States to the

establishment of D. Pedro in Brazil, and not the general nature and tendency of his own institutions, although he seeks to extend them to other dominions, it is evident that they cannot approve of his late acts; and to them the tranquillity of Brazil never can be an object of indifference. If we saw him disposed to act justly and prepared to listen to reason, as a nation, we might still pause, under a hope that he was about to repair his errors, and any feeling of reconciliation might tend to mitigate the severity of the judgment which posterity will be inclined to pass upon him. But he has already heard the opinion of Portugal; of his own subjects, and, ere this, of Great Britain, upon his pretended claims and the manner in which he has endeavoured to enforce them. He has also seen that his pretensions have passed the scrutiny of the only two tribunals, competent to sit in judgment upon them, and it is time that he should know that Europe can no longer be disturbed by his follies. The voice of England ought to be heard. He may be little pleased with either the tone, or the frequency of our admonitions; intrigue, or diplomatic chicanery may hitherto have put off the day of reckoning, and all our remonstrances may have failed in bringing him to a reasonable disposition; but the delusion is now past; the experiment has failed, and it is evident to the whole world, has served only to sow dissensions in the country which he sought to retain within his grasp, and aggravate the other public calamities, which have so long preyed upon its vitals.

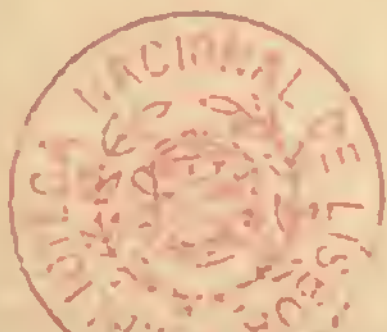
The justice of the cause and the importance of the object admit of no further delay; and when the day

of recognition comes, it is to be hoped that we shall be guided by a liberal policy. This is the only means of establishing a mutually satisfactory covenant between us. We have more at stake than other nations—to Portugal we are bound by a stronger tie.

FINIS.

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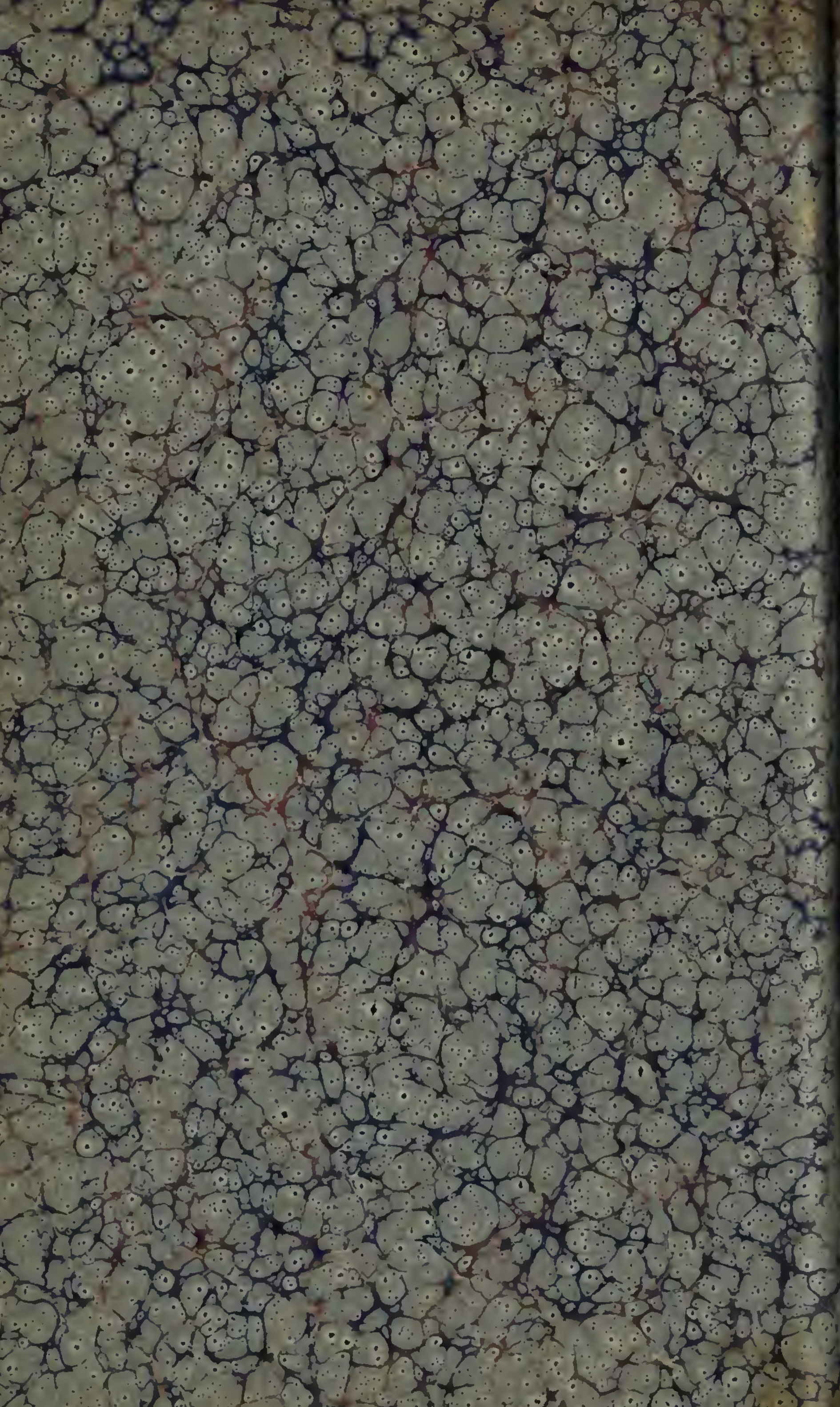
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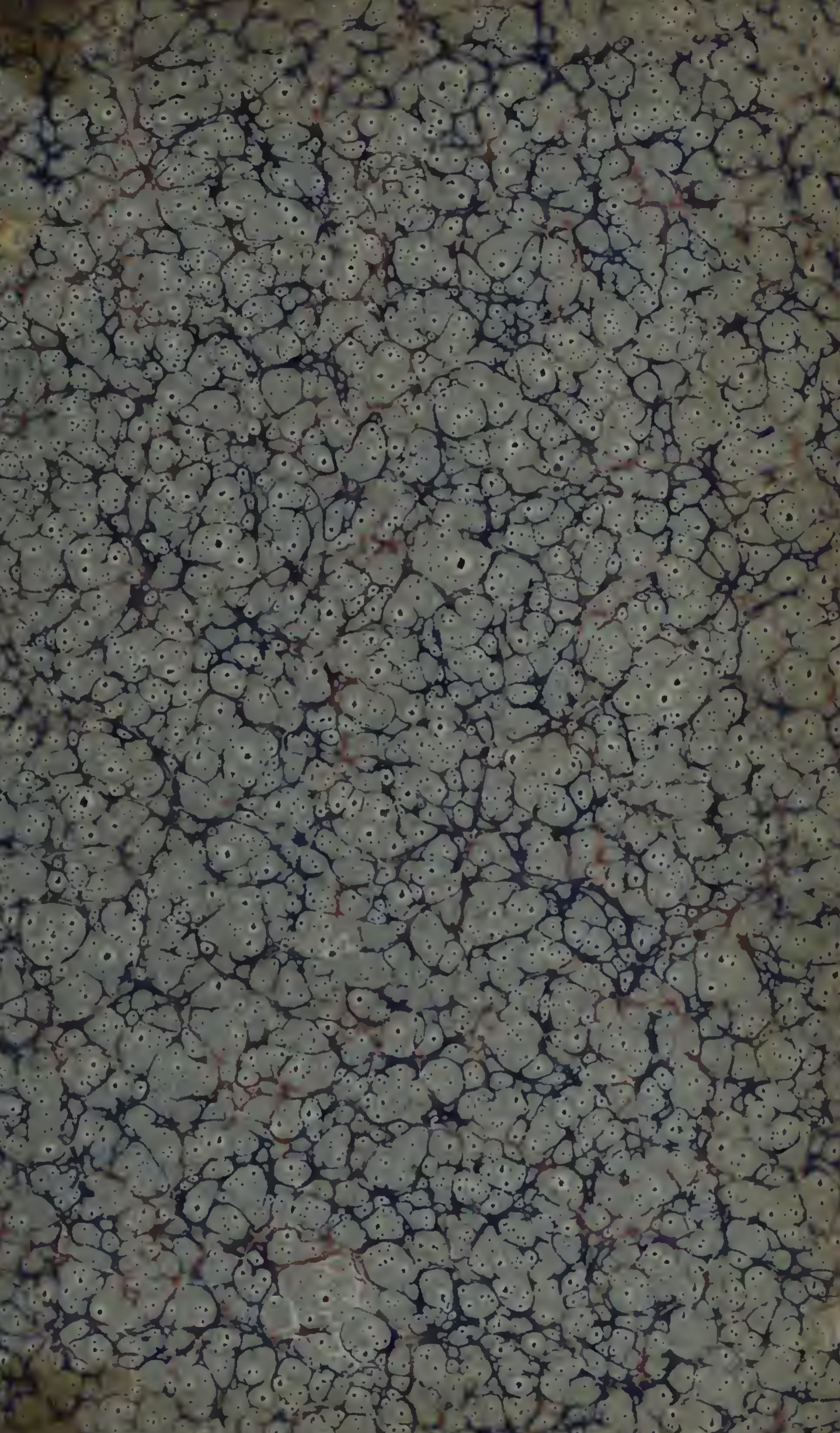
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