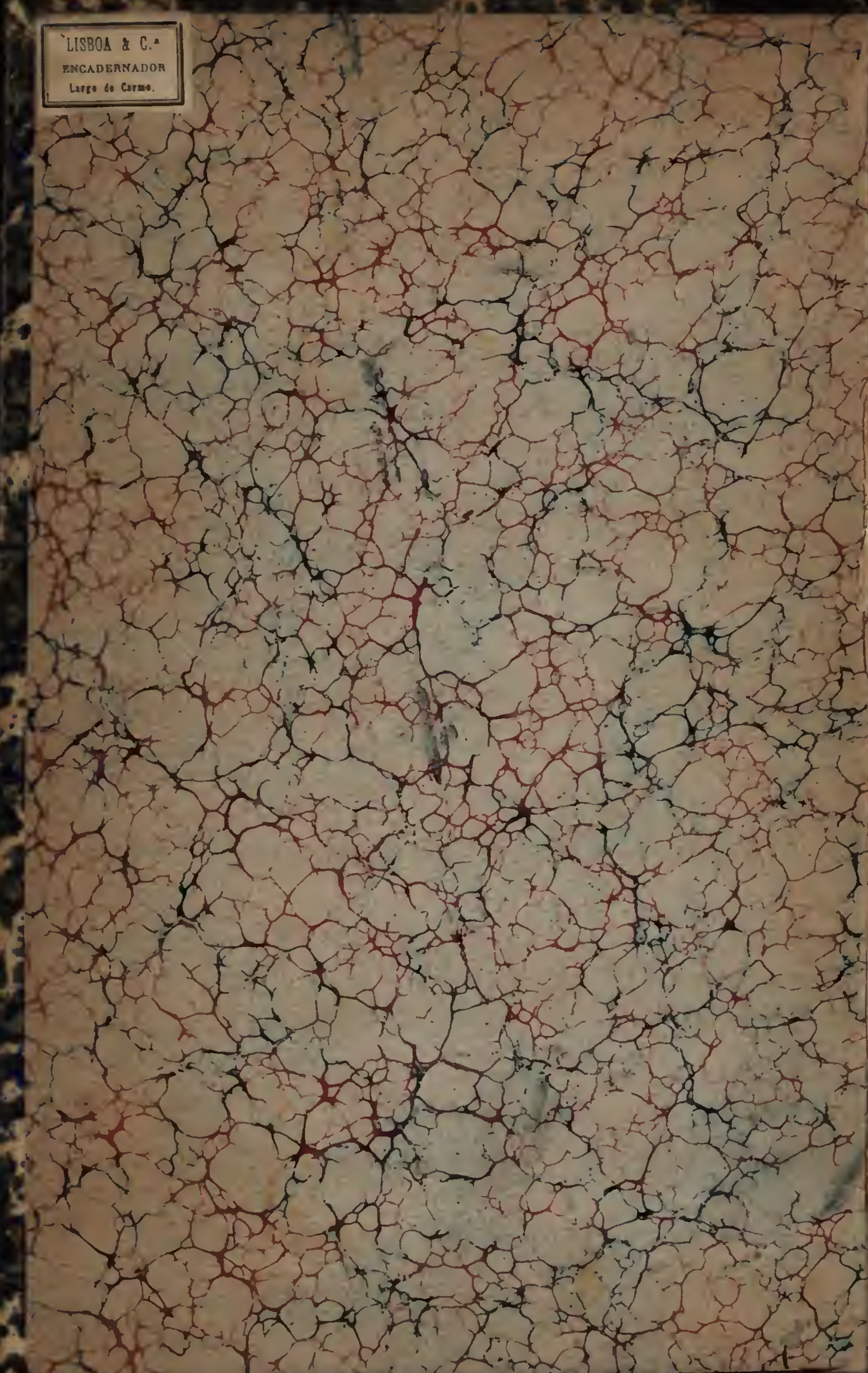
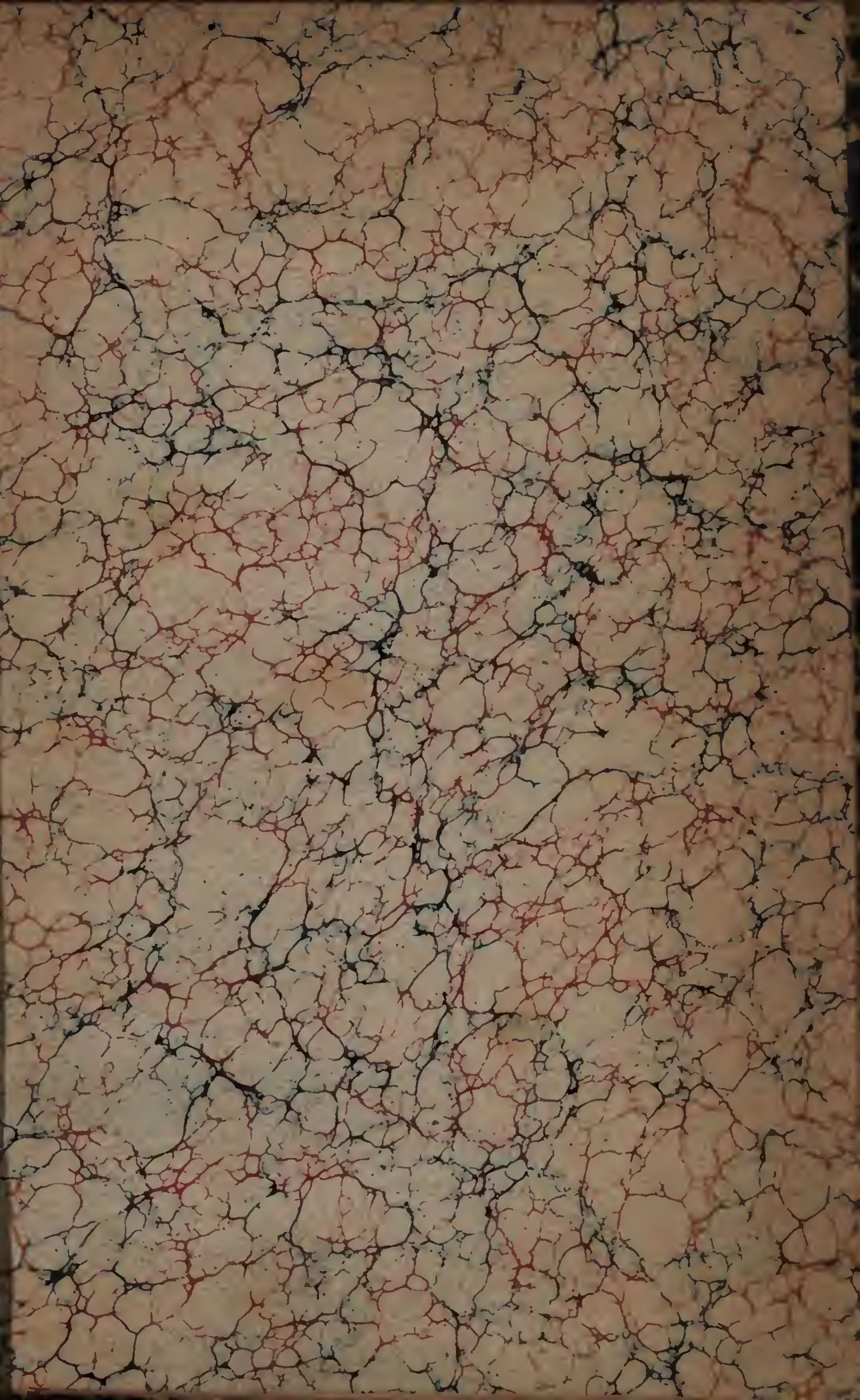
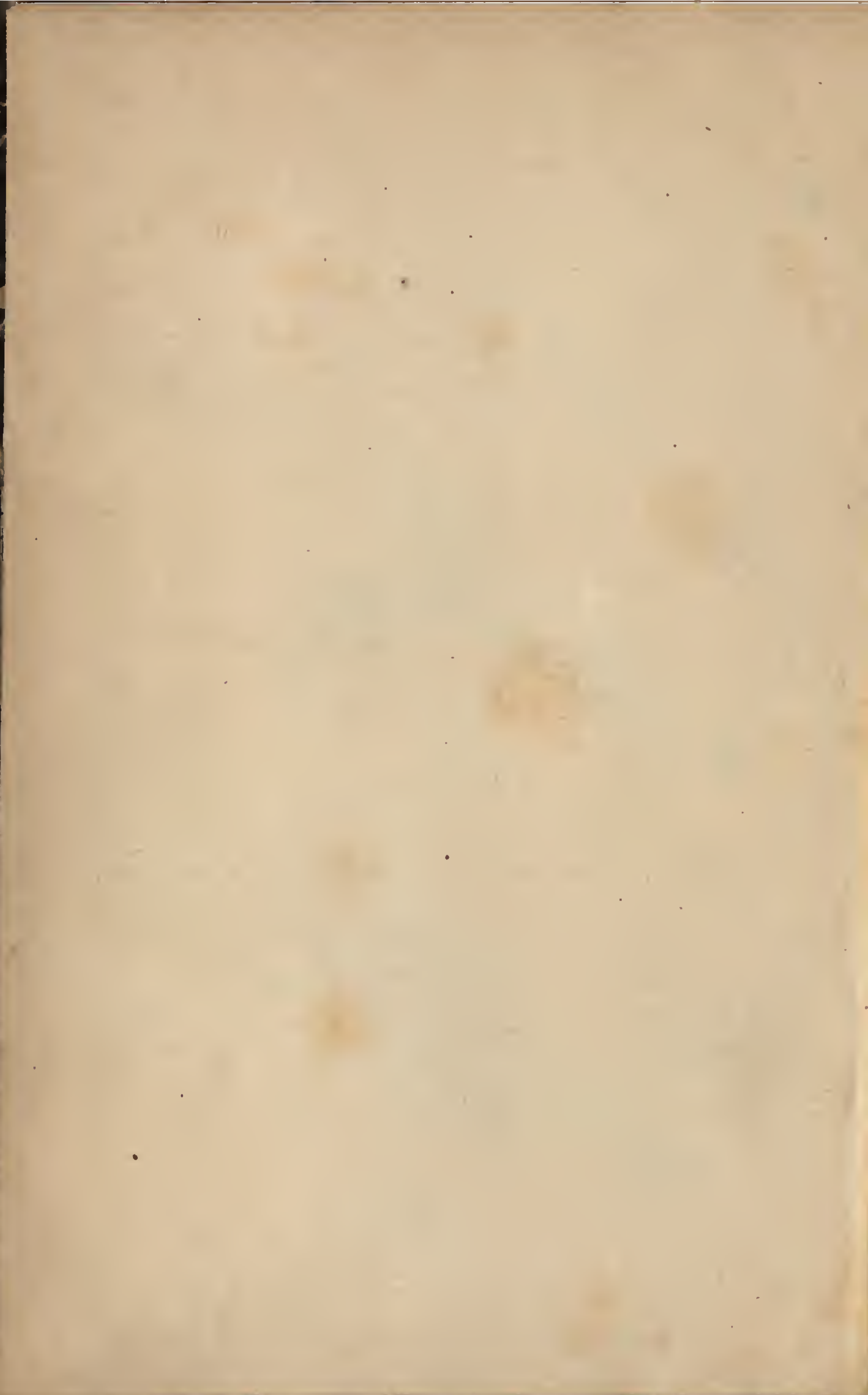


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A LETTER

TO THE MOST NOBLE,
THE MARQUESS OF LANSDOWN,

ON THE AFFAIRS OF
PORTUGAL AND SPAIN;

MORE PARTICULARLY AS REGARDS

The Imperious Necessity

OF

SUPPORTING THE CONSTITUTIONAL CHARTER
IN PORTUGAL,

BY EVERY MORAL MEANS IN OUR POWER.

By WILLIAM WALTON.



“ Never, from the accession of the House of Braganza to the Throne of Portugal, has the independent Monarchy of Portugal ceased to be nurtured by the friendship of Great Britain.” Mr. Canning’s speech in the House of Commons, Dec. 12, 1826.

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1827.

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TO THE MOST NOBLE,
THE MARQUESS OF LANSDOWN,

&c. &c. &c.

MY LORD,

THE high rank your Lordship has attained in the estimation of your countrymen and of Europe; the freedom and manliness of your Lordship's mind; as well as the important part which your Lordship has been called upon to take in his Majesty's councils, on which the future destinies of this great empire necessarily depend, are the chief inducements which have led me to address the following Letter on the Affairs of Portugal and Spain to your Lordship, trusting to your Lordship's known urbanity and condescension for an excuse. My object is to call the attention of His Majesty's Government, and of the Country at large, to the state of the Peninsula, particularly of Portugal; at the present moment, infinitely more critical than is generally imagined.

In my humble attempt, I shall not hesitate to express my sentiments frankly, yet respectfully, on a subject of vital importance to us, as a nation,

and one in which a large portion of our countrymen have besides an immediate and personal interest; altho I am fully aware, that no topic was ever so much agitated as this has been, within the last ten months. Writers of all kinds have submitted their sentiments to the public, upon it, often blending with their remarks a variety of irrelevant, perplexing and discordant details. Hence, is it, that the public opinion, on many points, has been misled, and conclusions, of an erroneous nature, have been hastily, or unwarily drawn.

It would be an endless task to attempt to answer, or discuss, the various writings on the subject of Portugal with which the London press has recently teemed, nor would it be possible to form any standard by which truth could be distinguished from that which is diametrically opposed to reason and fact. Political matters, and the acts of statesmen connected with them, when described from afar, are so often blended with fiction and extravagance, as to border on romance; or so distorted by the national prejudices of the writer, or partake so much of the influence and party-spirit under which he writes, that the reader is confused, and frequently left more perplexed than he was before. Erroneous statements, when made with any thing like sarcasm, contempt, or a sceptical and splenetic feeling, do a double injury, since, when carried back to the countries from which they are transmitted, they impair the confidence of those whose portraits

they profess to be, damp their ardour, and give rise to impressions of a hostile kind.

This has particularly been the case in Portugal, where, under the present freedom of the press, every thing is read with the greatest avidity and leaves lasting traces behind. To dwell upon the bad and seldom touch upon the good, is besides unfair. According to the complicated politics of so highly civilized a country as our own, we are not to judge of the state of either Portugal or Spain. Both have been debased and enslaved, for a long period of years, and the ingratitude of the governments by which they were respectively ruled, too often embittered the oppression endured by the individual. Their modern history is a calendar that records the most atrocious enormities. Their happiness was confided to ministers who persecuted, after having injured. This has given rise to an apparent apathy, which ceases the moment their welfare is secured, or the people are stimulated into action by any great and national object held out to their view.

I have, myself, always found the Peninsulars alive to their wrongs, and anxious to redress them. They are indeed distrustful, because they have been frequently deceived and egregiously disappointed. I am ready to acknowledge that there is a want of public opinion among them, and a degree of weakness and superstition not unfrequently mixed up with their national character; yet these are the defects of education, and counterbalanced by many valuable traits. The people

of the Peninsula, when only properly managed, are tractable and docile—they are, besides, quick and persevering. Their rulers have usually been rotten, yet the people were sound. They have long been sensible, that a change in their political institutions was necessary to their future happiness and prosperity; nay, that they were entitled to ameliorations in their lot, as a recompense for their late privations and sacrifices. The glorious periods of their own history, even in darker ages, were remembered; and in looking round they observed that other nations had prospered and become great, by the adoption of institutions similar to those of which they had been unjustly stripped by their despotic rulers.

How far these preliminary remarks are applicable to the people of Portugal, that section of the Peninsula to which we are more closely bound and more intimately connected, and a country in which I think, no one is hardy enough to say that a change was unnecessary, at the commencement of the present century; it is for your Lordship and my readers to judge, from such premises as I feel called upon to establish. In order to do this, it is necessary to retrace the principal events which have marked the recent efforts of the Portuguese to promote the regeneration of their unhappy country, and it shall be my particular study to present a faithful outline.

At the commencement of the present century, the political situation of Portugal was really deplorable. That country, once so interesting for

her enterprise and martial spirit, had sunk under the sullen torper of unresisted oppression and unfuted obloquy. Her people had acquired habits of inertness, whilst contempt and oblivion seemed to hang on her destinies. Scarcely did she hold a place in the rank of nations. The vestiges of her former opulence were fled; her national resources exhausted; her navy dismantled; her arsenals stripped, and the proud spirit of her sons humbled and dejected. Corruption pervaded every class, and the nobles no longer retained those manly virtues and austere principles, which laid the foundation of their country's glory. Treason was no longer a crime, and, in 1807, Portugal lost her sovereign and tamely submitted to a French army; nay, even beheld the flower of her youth marched away to fight the battles of the usurper in the North of Europe, and the remainder of the national troops disbanded, evidently, with a view to render the country an easier prey to his ambitious designs. Lisbon, like Madrid, was then in the power of the enemy, and the whole of the Peninsula lay, as it were, at the feet of the usurper, whose cause had been joined by many of the leading natives.

The people alone beheld their chains with horror; they alone seemed sensible of the degradation into which they were plunged. They saw themselves betrayed by their leaders, and for a time silently bewailed their countries wrongs. Soon, however, a public spirit burst forth, responsive to their insulted and outraged feelings, and at

Oporto, it will be remembered, in June, 1808, they rose, with the Bishop at their head, firmly resolved to repel the lawless invaders of their soil. As the dawning prospect opened on Portugal; as link after link was knocked off her chains, she was roused from apathy; her faculties strengthened, her powers revived, and gradually she again rose on the political horizon of Europe. Her sons were staunch to their new cause, and manfully sustained it, through a long and arduous struggle. They fought for their nation's freedom; yet they were impelled by a confident hope that their political grievances would be redressed, and that their country would never again be plunged into that same state of degradation in which it was so lately sunk. The momentous contest ended successfully; their army returned home, and all their views were turned to internal improvement. They anxiously looked for some decisive measure from the government; still, year after year, their sanguine expectations were foiled. At length, the people of Oporto raised the standard of reform, in like manner as they once before did that of freedom; but, alas! their efforts were not equally successful.

However unfortunate the result, no revolution was ever more necessary and just in its principles, as well as more moderate in its outset, altho perhaps subsequently alarming to some of the continental powers, from the peculiar situation in which they themselves are placed, than the one which broke out in Oporto, on 24th, of August, 1820. It did not originate in any wild or vision-

love of change—no undue impatience of restraint; nor was it accompanied by any wish to alter the essential form and basis of the monarchy. It seemed to be a spontaneous and serene effort on the part of the people, to reform the government under which they lived; or rather, to restore it to what it was in the early and proudest periods of their history. The military and people embraced each other, and mutually pledged to support a cause in which all were equally interested. The advance towards the capital of the Oporto Junta, and of the troops by which it was preceded and accompanied, was a national festivity, in which every one, from the highest to the lowest, took a part. The corporations of every town hastened to present their congratulations; the youths, from the most distant quarters, flocked to witness the invigorating scene, whilst every tongue was employed in calling down the benedictions of heaven, on an enterprise which they fondly expected would raise them from the degradation in which they had so long been sunk.

The arrival at Lisbon and the subsequent events which occurred there, on the ensuing 15th and 17th of September, as well as on the 1st of October, distinctly prove that the measure of reform was popular, and that the capital was animated by the same sentiments as Oporto. Not a dissentient voice was heard; and if any disappointed or envious individual, whether noble or clergyman, in his heart, repined at the national triumph, he hid his head in confusion; or poured forth his rancorous feelings

in secret. All classes in the community cordially joined, and an important revolution was, in short, effected, without a popular excess—without a single drop of blood, and in Great Britain at the moment hailed as the harbinger of better times to a country, to whose welfare we were bound by innumerable ties.

The demonstrations above noticed are unquestionable—they are on public record. They were at the time considered as evincing the real sentiments and wishes of the large mass of the Portuguese people, dictated by the unerring impulse of self-conviction and expressed without restraint. The Portuguese had been promised relief as a reward for their faithful energies against the French—as an atonement for the losses and sacrifices to which they had been exposed. They were unfortunately disappointed in their hopes, and their situation rendered infinitely more wretched and appalling than before, by the absence of a paternal monarch, whose power and beneficence were often wont to moderate the despotic and extortionate acts of the rapacious minions to whom he was obliged to delegate part of his authority.

Writhing under aggravated wrongs and grievances; deluded in their most confident hopes, and besides eager to repair the ravages of a desolating war, from which they had just emerged, the Portuguese people, with few exceptions, heartily joined the standard of reform, and, I may venture to say, the whole nation adopted, nay even applauded, the means of regeneration held out to them.

That they were, in the sequel, a second time, disappointed in the expectations which they late so fondly cherished, is not a proof of their apathy, or an indication of any indifference to the possession of those civil rights and political benefits which they then endeavoured to secure. At the time alluded to, they indeed lost the golden opportunity; but that loss is not attributable to them, as may be shewn by a closer recurrence to the leading events of the day.

Unfortunately, the men who first entered the path of reform, were either not competent to the task they had undertaken, or not sufficiently united to carry it into effect. They seemed to be appalled by surrounding difficulties. They indeed enacted many wise and judicious measures, to correct prevailing abuses, and the people were grateful to them for their efforts. Highly respectable, as individuals, and many of them patriotic, in the extreme sense of the word; nay, some of them worthy of the proudest days of Rome, as a body, they rushed into wild and visionary theories in the formation of a Constitution, opposed to the habits and wants of the people, which afterwards they were unable to reduce to practice. They hastily demolished the whole edifice, perhaps unaware of the difficulty of rebuilding it. Sound as were the principles of local reform on which they acted; zealous, and even successful, as were their efforts, in the correction of abuses; eager and interested in the reformation of their country, and fully sensible that the

influence of public opinion is the main spring that moves the political machine, they nevertheless erred in their general plan, as well as in many of the details, for the formation of the new Constitution. In this respect, every measure they enacted, savoured of inexperience, or was founded on principles disavowed in the old established monarchies of Europe. No doubt they meant well, and their eagerness to succeed, perhaps hurried them to the brink of that precipice into which they afterwards fell. Without reflecting that the continental monarchs, in the plenitude of their power and acting in concert, had adopted, or in practice were prepared to enforce, the maxim that Charters and the definitions of such rights as the people are entitled to, can only be derived from themselves, the Portuguese legislators adopted the Constitution of a neighbouring State, trusting to time and their own subsequent efforts for the cure of its defects. They in short, erred in the means, although their intentions were good.

In the mean while, the people implicitly trusting to the labours of their representatives, were unconscious of the course the latter had taken in the performance of their legislative duties, and alike unaware of the intrigues and opposition by which their new order of things was beset. The nobles had hitherto monopolized the chief offices of trust and emolument in the State, and besides enjoyed many privileges and distinctions, from the nature of their habits and education, flattering to

their vanity and self love, yet only specious and empty in the opinion of other nations, where merit is the true standard of preeminence. They and their families held the chief judicial, colonial, diplomatic and military appointments; and moreover the largest church benefices and crown property were at their disposal. To distinguish them from the other orders of the community and convert them into beings of a superior nature, they were decked with stars and crosses, on which the people were accustomed to look, with a degree of awe and veneration. If any one, from the middle ranks in life, was allowed to join this phalanx by which the throne was continually surrounded, it was some flatterer who had gained the ear of the Sovereign, or some reptile who had crawled his way through the various intricacies of the palace. It was natural therefore to expect that the nobles and their immediate dependants, with some exceptions, would oppose a Constitution which opened the door to merit, and did not distinguish them as a particular and separate body in the State. The high clergy, that is, the bishops and canons, were also unfavourable to a change, so sudden and important, which curtailed their revenues and loosened the hold they had hitherto had on the credulity of the people. The judges of the upper courts, no longer able to sell their verdicts to the highest bidder, and stripped of privileges which rendered them the disposers of life and death in the districts entrusted to their administration, repined at innovations which

made them amenable to justice, and answerable to the tribunal of public opinion.

These are the three classes chiefly opposed to the consolidation of changes which could not fail to affect them most materially; yet the people at large by no means shared either their sentiments, or partook of their apprehensions. In these three classes themselves, there were besides some exceptions. Many of the nobles, residing in the provinces and unaccustomed to court intrigues, disdained the petty strife in which their town colleagues were engaged. The operative clergy, those entrusted with the care of souls, generally speaking, were also favorable to reform. The local magistrates and those invested with municipal power, were perhaps among the most strenuous supporters of the constitutional system, being the best judges of the incipient advantages it produced to the people, notwithstanding its glaring defects. They had the fairest opportunity of contrasting the past with the present, and their conclusions were the result of conviction. The merchants and land-owners; the artisans and manufacturers, as well as the literati, unconnected with the University of Coimbra, or independent of endowments in the gift of the crown, were also anxious to enjoy the benefits of civil and political freedom, and with these hopes many exhilarating recollections, derived from their national history, were moreover exultingly blended.

The King returned from Rio de Janeiro and the first acts of the Cortes were carried into full

effect, without any thing like an organized opposition having shewn itself. Retrenchment, however, was the touchstone that soon served to mark the real state of public opinion; this was the firebrand which set the whole community in a blaze; yet retrenchment was unavoidable, if the regeneration of the country was intended, and it could only commence where it was most wanted. From the Treasury returns, it had been seen, that the Army alone consumed one half of the annual revenue of the state; that the system of its administration was extremely defective, and the establishment out of all proportion to the wants of the country, in times of peace. Thus it happened that the army which had been created to repel the aggressions of the French, and through the whole of the struggle, had faithfully and courageously cooperated with us, became a dead weight on the State, and, in the sequel, a large portion of it unhappily covered itself with disgrace. The number of officers was, moreover, exorbitant and continually pressing heavier on the public purse, in consequence of the quick and extravagant promotions, so frequent in the course of the year, and periodically resorted to in order to commemorate the birth-days of the several members of the royal family.

This, therefore, was the department which called for the earliest reform; and, as a public question, infinitely more urgent and interesting than that of the monks and friars; yet, no sooner was it known that the government contemplated

a reduction, than an *esprit de corps* was roused, and actually the army threatened and overawed the Cortes, to such a degree, that they did not dare even to propose a measure for the purpose.

A few regiments had aided in the Oporto revolution, and this support served to enhance the demands of the whole army, and taught it to know the importance it was of in the State. So imposing, in fact, was the attitude the army then assumed, that the most popular speakers in the Cortes—those who were unceasingly declaiming against abuses, demanding retrenchment, and attacking the other classes in the State, never once dared to lift up their voices against an overgrown military establishment, which was preying on the very vitals of the country. In justice to some regiments, it must, however, be confessed, that they stood firm to the Constitutional system, to the very last, and when the troops belonging to the province of *Tras-os-Montes*, for the first time, at the instigation of the *Silveira* family, raised the standard of rebellion, in February, 1823, these faithful troops and the gallant officers by whom they were led on, hastened to repel the enemies of the new order of things, and did not cease the pursuit until the mutineers had found a sure asylum within the Spanish territory. Nevertheless, from the moment the Cortes were unable to pursue their plans of retrenchment, their efforts were paralyzed, and their deliberations marked by a wavering and unsteady aim. Writers were hired to cry down the new institutions—every en-

gine was, in short, set to work to bring them into disrepute. The separation of Brazil, brought about by the fulness of time, and an event which it was not in the power of any government in Portugal to control, or delay, tended to alienate many merchants and manufacturers who had hitherto been strenuous in their adhesion to the new government, because they were themselves disappointed in the erroneous calculations they had made, and in the narrow-minded views they had taken on the subject. Still a public spirit remained firm and favourable to the new order of things, which bid defiance to all its enemies, and even resisted the foreign intrigues which the latter had called in to their support. Defective as the adopted Constitution had been in its origin, and little improved by the modifications through which it afterwards passed; great as was the clamour of the privileged orders, and alarming the attitude assumed by some of the Pretorian guards; bleeding at the moment, as was the wound occasioned by the loss of Brazil, and great the activity of the numerous agents spread by France to create discontent and further her own schemes of political and mercantile competition; roused as was the power of the nobles and clergy, blasphemously invoked as was the name of religion, on this occasion, and immense the sums of money expended to bribe and corrupt; weak and spiritless as was the government and the Cortes, by the errors into which they had both fallen; unmasked, as had been, in the course of time, the interested views or incapacity of several

of the leaders of the late revolution, and treason and desertion staring the people full in the face; plotting as were the principal members of the royal family, and a weak and timid monarch at the head of the executive—still the Constitution was triumphant, because the people had already begun to partake of its benefits; they had been relieved from many burdens; their confidence, although shaken, was not destroyed, and God only knows what would have been the result, if it had not been for a variety of events which filled the friends of liberty in Portugal with terror and dismay.

War had, for some time, been proclaimed by the Bourbons of France, directly against the Constitution of Spain, and indirectly against that of Portugal, when the Silveira revolt, as forming part of the general scheme, broke out in *Tras-os-Montes*, and the engines of bribery were already in full play. Soon the French army crossed the *Bidassoa*, and a division reached *Valladolid*. The King and Cortes of Spain were already on their road to *Seville*, and the utmost consternation prevailed throughout the whole Peninsula. Encouraged by the approach of an army, advancing to their aid, and doubly so by the professions of the chief members of the Holy Alliance, by which it had been preceded, the Serviles in Portugal redoubled their efforts and seized the golden opportunity before them. *Sepulveda*, like the traitors of Spain, *Abisbal*, *Morillo* and *Ballesteros*, joined a counter-revolution, plotted in further-

ance of the general scheme, and in conformity to a preconcerted plan. This was the signal for the 23rd regiment to desert, and two days afterwards the regulars in garrison, with Sepulveda at their head, followed its example and marched off to Santarem.

This, my Lord, is a faithful outline of the great crisis which brought the Constitution of Portugal to the ground, and subsequently converted Spain into a Colony of France. The errors of the Cortes certainly served as a handle to their enemies; yet the wishes of the Holy Alliance would never have been realized, if an army of 100,000 Frenchmen, with the Duke d'Angouleme at their head, and ample funds for all kinds of purposes, at his command, had not crossed the Pyrenees. Without this powerful—irresistible aid, as well as the immense moral means by which it was accompanied, there were still sufficient energy and devotion left in Portugal to support the new order of things, notwithstanding the defection of the troops and the hostility of the leading members of the royal family. As already stated, in February, 1823, the Silveira revolt, concerted in Paris and supported by five regiments, purchased in Chaves and Braganza, as well as aided by abundance of money and great family connections, was nevertheless defeated by the Constitutional troops, its abettors driven from the Portuguese territory, and this fresh demonstration celebrated as a national victory, throughout all the faithful provinces of the kingdom.

To the very last, Lisbon and Oporto remained true to the representative system, and, in the extreme emergency, had the king only sided with his people; had he followed his own feelings and consulted his real honour and the prosperity of his realm, he would never have become the instrument of Pamplona's vengeance and ambition, or the victim of so many subsequent calamities. The volunteer corps and national guards alone, seconded by the efforts of the people, would have saved him from disgrace, and spared him the agonizing pangs he was afterwards compelled to endure.

In a word, King John VI, yeilding to the persuasions of courtiers, quitted the capital; forsook the path on which he had entered, and from that moment, every thing was reversed. On the 2nd of June, 1823, the Cortes assembled for the last time and signed a declaration, purporting that "as they had been abandoned by the Executive Power, and were no longer able to carry into effect the wishes of their constituents, they deemed it most expedient to suspend their sittings," &c. &c.

Where, in all this, do we find, my Lord, that the people of Portugal were the forgers of their own chains; or, in other words, that they then spurned the benefits which they had began to reap from the regeneration of their country? Whence is it the conclusion is drawn that they are unfit to enjoy the blessings of civil and political freedom, adapted to their wants; or disposed to hug the fetters to which unhappily they have been habituated? How such opinions as these can be enter-

tained by Englishmen, whose liberality usually leads them to wish that the blessings of which they themselves partake, should be diffused to the most distant divisions of the globe, is matter of real astonishment. A formidable league is brought to act against the Portuguese ; they are betrayed by their own troops and deserted by their princes. They are compelled, in short, to yeild to a Continental system, already successful in Naples, triumphant in Spain, and in full operation among themselves. No friendly power, or ally, aids them by its advice—no moral influence even is wielded to save them from disgrace. They are abandoned to their own fate, and the old and degraded despotism, as a natural consequence, quietly resumes its place.

Endeared to Portugal and Spain from an early age ; accustomed, with a steady eye and anxious heart, to watch the events passing in both countries, from the year 1808 up to the present moment, and long known as the channel through which a large portion of the papers connected with the Peninsula have passed to the British public, it may not be deemed altogether presumptive in me, if I hazard the assertion that, at the close of the war, the destinies of Spain and Portugal entirely depended on us. We could then have moulded both kingdoms according to their real wants and our own wishes, by properly using the influence we had gained, and by resorting to a provident and enlightened policy, such as circumstances required. We might have prevented the horrid scenes of which Spain, particularly, has

since, so frequently, been the theatre, and at the same time secured the affections of a grateful people, our natural allies. The assertion to your Lordship may appear bold—it is nevertheless true.

No one can now recollect, without feelings of mingled awe and gratitude, the situation in which Great Britain was placed in the year 1808, and no one, I am sure has forgotten the spontaneous and noble rising of the Spanish and Portuguese people, at that critical moment, resolved to resist the galling yoke of a foreign usurper. This memorable event spread joy and hope through the whole of this kingdom, and totally changed the policy of the war in which we were then engaged. It was the theme of public and private exultation. Mr. Sheridan, in the discussion which took place in the House of Commons, on 11th of June, (1808) respecting the application for aid solicited by the Principality of Asturias, declared, that “if the enthusiasm and animation which then existed in a part of Spain, should spread over the whole country, he was convinced that, since the first burst of the French revolution, there never existed so happy an opportunity for Great Britain to make a bold stroke for the rescue of the world. This, “added he,” is an important crisis. Never was any thing so brave, so generous, so noble, as the conduct of the Asturians.” Our late lamented Premier, at the time Secretary of State for Foreign Affairs, agreed with Mr. Sheridan in his views on the subject, and declared that “His Majesty’s government was ready to afford every practicable

aid, in a contest so magnanimous ;” further adding that “one of the chief objects in view was to direct the united efforts of both countries, in a way that should *be most beneficial to the new ally.*” All the official papers, chiefly penned by the same hand, at the time transmitted to Spain and Portugal, were appeals to the energies and patriotism of the people and their leaders, and conveyed to them the sentiments of a deep interest in their future political welfare. The assurances made by our officers, specially commissioned, as well as our diplomatic agents, to the popular governments, formed in the several provinces, encouraged them to organize such a system as would preserve order, be most *beneficial* to the country, and aid the development of its resources. At the time, we admired the bold, though irregular, efforts of our allies against a foreign tyrant, unweariedly maintained in spite of every adversity, and in the end successful. We then boasted of the patriotism we found in them, and soon discovered that the energies of a people, long depressed, when recalled into action, possess a power superior to their apparent strength. Our object was to destroy the political power of the enemy in the Peninsula, and this we were unable to attain, by the employment of a mere military force. We were compelled to rouse and unite the people with whom we were acting, and to do this, we held out to them benefits beyond those of freeing their territory from the presence of an invading army—benefits of a more

lasting and consoling nature. We had been accustomed to behold the two governments of the Peninsula, tottering under the weight of their own corruption and miserable policy, the effects of which had been that very aggression we then hastened to repel. It consequently, became necessary to establish a new order of things, and prevent the repetition of calamities we had every reason to deplore. To do this, we encouraged the inspirations of heroic ardour; we were pleased with the temper of the times, and rejoiced to find that the Peninsula was returning to the state which marked its more happy days. The people of England gloried in seeing Spain and Portugal awake from the lethargy of ages, and fondly cherished the hope that they were aiding to give another region of liberty to mankind.

With the example which Napoleon had set us in Spain, we, in fact, could not have done otherwise. He early saw that in order to succeed, it would be requisite to hold out some boon to the people, whom he had undertaken to conquer and annex to his own empire. He began by dashing the Inquisition to the ground, and as far as he could, relieved the people from burdens. He was early sensible that it would be necessary to treat the Spaniards, in a peculiar way, different from what he had been accustomed to pursue, in other parts of the Continent. He assembled their Cortes at Bayonne, for the double purpose of obtaining from the Royal Family of Spain a sanction to his plans of usurpation, and flattering

the people. When his armies first entered Spain, and, under the feigned character of friend and ally, Napoleon obtained possession of the fortified towns and occupied the most commanding positions in the country, his generals and agents assured the people that they were coming to rid them of that debased and revolting system of favouritism, pursued at court, and that the political and civil improvement of the Spaniards was the main object in view. These professions and assurances gained Napoleon a number of partisans, among the higher classes, who, once implicated, found themselves unable to recede. Their conduct, no doubt, was treasonable; but they expected that their country would be the gainer. In the sequel, they found their hopes disappointed; yet, now, the late partisans of Joseph point to the fetters in which their unhappy countrymen are bound, and say that they were right at the time in joining his cause. In a word, Napoleon had sagacity enough to know that, in Spain, he must have some strong tenure beyond the sword—some other pretext than that in which the people find no obligation but fear—no duty but obedience. He aimed at popularity, and to attain his ends, if he had no other example to follow, that of Ferdinand would have sufficed. He saw that the enthusiasm early displayed in favour of this Prince, did not arise from any peculiar virtues or talents he possessed; but from his having joined the popular cause, and pledged to put down the infamous Godoy. We had no alter-

native left us than to follow the example then held out to our view. Could it have been foreseen that Spain, after expelling the invader, was to return to a state of degradation, injustice and misrule, even infinitely worse than in the time of Charles IV, Maria Luisa and Godoy, the Spaniards would never have joined our cause, and we should never have had their country as a theatre for our military operations

It is on public record, My Lord, that when the Marquess of Wellesley, at the time our ambassador in Spain, was anxious to create an uniformity of action, and give efficiency to the whole scheme of resistance, he decidedly expressed, as his opinion, that this could only be done by assembling the Cortes—an essentially legal and national form of government, and the pride of an enthusiastic people. It was done—we experienced the advantages of the measure, and formally acknowledged the Cortes of Spain as the lawful Legislature of the nation, although many of the leading members of the community, were at the time fighting in the ranks, or aiding the councils of the invader. Our diplomatic agents were accredited near the new government, and those of the latter were duly received at our court. No relations, in fact, could be more intimate, sincere and reciprocal, than those we then had with the Peninsula. We found the mass of the people, uncontaminated by the base intrigues and immorality of their late rulers; they were staunch to their cause, and we identified our interest with theirs. We were the principals

in a war, not undertaken with views of aggrandizement—not pursued as a means to humble, or dismember, the French empire ; but a war of self-preservation and necessity, waged in our own defence, and in support of the oppressed. Our vital interests lay in Europe, and there was no part of it which we were then able to use, as the theatre of action, so eligible—no section abounding with so many physical, as well as moral, advantages, as the Peninsula. We did not enter the lists in alliance with two nations which, when nearly conquered, submitted to the enemy ; or declared war against us, as the price of a separate peace. They stood firm to the last, and in the whole course of a protracted and disastrous struggle, evinced an energy and constancy which even the lynx-eyed Napoleon neither foresaw nor expected. The result is well known. Seconded by our faithful allies, we then rescued from the grasp of the usurper that fair and valuable gem, whose weight and brilliancy, if he had then succeeded, would have overpowered and eclipsed all the other jewels of his Imperial diadem. We, in short, saved Europe.

And, for the co-operation we then experienced, do we owe no debt of gratitude ? Have we so soon forgotten the aid we received from our Peninsular allies, at a time when their rulers had deserted them, and abandoned them to their own fate ? Have we, in so short a time, lost sight of those sacrifices and that perseverance which so materially contributed to our eventual

triumph? The country, where resistance was least expected, was then the only one in Europe to make a stand against the usurper of Continental empire; and if we now forget these truths; if we turn our backs on the people whom at the time we encouraged with hopes beyond the freedom of their native land, posterity will do them justice, and tear the half-earned laurels from our brows.

Alas! I do not, for a moment, hesitate to repeat to Your Lordship that, in my opinion, we pursued a mistaken policy with regard to Portugal and Spain, at the close of the Peninsular war, attributable at the time perhaps more to our Continental connection and the tone of our administration, than to any wish to see them degraded and rent assunder by anarchy, as they have subsequently been. Yet lamentable is the fact, that we then lost the opportunity of uniting the Peninsula to us by the double bond of interest and gratitude. Then, it was, that we disregarded the golden harvest, spread before us—a harvest not confined to this side of the Atlantic. With the popularity and influence we had gained—with the moral means alone we had at our command, we might have guided the councils of Spain and Portugal, balanced the contending parties, and thus gradually regenerated them, in such a manner, as to have rendered them both eternally our debtors. We might have wielded them as became their real interests, respectively, and rendered them conducive to our own, if our

policy had only been founded on liberal, comprehensive and equitable views, and adapted to circumstances, Had we then retained that ascendancy in the Peninsula, to which we were entitled by our sacrifices and services in the war against Napoleon; had we complied with our pledges and recollected who were our benefactors; had we distinguished between temporary interests, and those of a lasting and paramount nature, and had we, in short, reflected that the Independance of the New World can never be acknowledged by Spain, as long as a despotic government exists there, we should not this day have beheld the latter a Colony of France, and Portugal a prey to anarchy and desolation.

Unhappily, in 1814, we sided with the oppressors of the people of the Peninsula, merely because the latter had erred in the means best adapted to secure a representative form of government, the proudest boast of other countries, and, from that moment, Spain and Portugal were replunged into the same state of torpor and debasement in which they were sunk, previous to the invasion of Napoleon. The most trifling demonstration—nay nothing beyond advice, properly conveyed, at that time would have sufficed. We suffered a principle to be sacrificed, as it were totally unconscious of the consequence. We became silent spectators of the greatest outrage it was possible to commit upon those to whom we had pledged our friendship, support and gratitude—nay the Spaniards solemnly declare, and

at any time offer to prove the fact, that some of our own agents aided in the perpetration, and expended large sums of public money to render it successful.

Ah! My Lord, these are bitter reflections to an Englishman, who has the honor and welfare of his country at heart—one who long cherished the hope that we should reap abundant and permanent advantages by our new connection with the Peninsula, as a reward for all the blood and treasure we were expending in defence of its inhabitants. Unfortunately, we lost the favorable opportunity before us, and, from that memorable and inconsiderate error in our foreign policy; from that want of foresight, and that unhappy forfeiture of our solemn pledges, may be traced all those calamities and wrongs which have befallen Spain and Portugal, since the first ejection of the French. The governments of both countries, immediately sunk back into the same slavish and corrupt state as they were in, previous to Napoleon's aggression. Every thing that had been done, during the revolution, was reversed, and the consequence was, that the Spaniards and Portuguese seemed, as it were, to have lost every patriotic feeling, as well as all the energies of a brave and enthusiastic people, the character they had so lately acquired throughout Europe. A blank followed, which the feeling mind cannot contemplate without sensations of horror. In Spain, more particularly, every sun beamed on some fresh crime—every day witnessed some untold outrage on humanity. In

the mean while, the French rejoiced at our political errors. Soon the late invaders and desolators of the Peninsula—those against whom we had not long before exerted all our military strength and directed our resources, wrested from us the affections of a people with whom we had fought, side by side, and at once supplanted us in an influence which had cost us seven year's hard fighting, and enormous sacrifices to obtain.

Governments, the same as individuals, are liable to errors; but they are equally bound to repair them, as early as they can. Our honour and character are still deeply implicated in the Peninsula, and besides we have there many political and commercial interests at stake. From the moment the French army was driven back across the Pyrenees,—from the instant we no longer required Spain and Portugal, as a theatre for our military enterprises, we seemed to forget all we had done, and all we had pledged. In May, 1814, when that ungrateful monarch, whose throne was preserved through the perseverance and fidelity of his people, returned to Spain from his confinement in France, he stopped at Valencia, to mature his scheme, and there received a large sum of money from our Ambassador, which was instantly employed in subverting the liberties of his country. He issued orders to disperse the Cortes, by an armed force, and imprison the leading members, when (it never can be forgotten) it was an Englishman, unaware, perhaps, of the nature of the service he had undertaken, who led the cavalry

on that disgraceful occasion, and performed the task, to the satisfaction of his employer.

What, let me ask, could then have induced us to allow of such an outrage; or, at least, why did we become auxiliaries in it? The Spanish Cortes might have erred, in many of their legislative projects; they might have done acts, offensive to the king and perplexing to us, yet they materially helped to save their country from the grasp of an usurper, and we were moreover bound to them by ties of a most sacred kind. As a body, they might have pursued wild and visionary schemes; they might have been infected with some of the mania of the French revolution; they might have rushed into extremes; in many instances, thwarted our policy and evinced an illiberality, in some of the leading questions of the day; nay—they might have been divided among themselves, yet still they enacted a Code which gave new life and vigour to the country, as long as it was in force; improved the administration of justice; established the freedom of the press, and ameliorated the condition of the people. No one was then or is now, hardy enough to say, that the government established by the Cortes of Spain, notwithstanding its great and glaring defects, was not better than the one which preceded and followed it. Besides, it could not be thrown down, without an atrocious sacrifice of principle. It had been acknowledged by us and by all the Powers of Europe, except the immediate enemies of Spain. Even the great and *magnanimous* Alexander, the

founder and chief pillar of the Holy Alliance, in the Treaty made between Spain and Russia on the 8th of July 1812, distinctly says, "The Emperor of Russia acknowledges, as legitimate, the General and Extraordinary Cortes, assembled in Cadiz, and also the Constitution which they have decreed and sanctioned." Nothing could have been more explicit—nothing more binding than this. Our acts, at the time, were still of a more marked character; yet, at a moment's warning, as it were, we rushed into a new policy, which certainly could not then have been done at the instigation of the French, or in concert with any Continental league to which we were at the time a party. For my own part, I shall ever remember that I was thunderstruck, when I observed the conduct we were pursuing in Spain, and have ever doubted whether it was not rather to be attributed to the injudicious, mistaken, or vindictive, acts of our agents and representatives, than derived from any fixed plan of instructions, previously agreed upon and transmitted from home. Be this as it may, the lamentable results of that single error, which we committed in 1814, have ever since been apparent, both in Spain and Portugal, and were never so much so, as at the present moment.

I candidly confess to Your Lordship that I cannot reflect on the egregious error, which, at the time alluded to, we committed in the Peninsula, with any thing like a command of my own feelings. I foresaw the fatal consequences of our hasty and

impolitic acts, and the judgement I then formed has been fully confirmed by a subsequent residence in both Spain and Portugal, as well as by my long and extensive intercourse with many enlightened natives of both countries. Some persons may perhaps accuse me of being sanguine and visionary—yet I have never divested myself of the feelings and patriotism of an Englishman, anxious for the honour and prosperity of his native land; nor have I once wavered in the opinion I early formed on the subject in question, with ample materials and great local experience before me

From the year 1814, up to the present time, I have not ceased to lay before the public, and occasionally before government, my undisguised sentiments on Spanish and Portuguese affairs, as well as on those of South America, a topic intimately connected with them, and alike interesting to us. I attentively watched the events as they passed; I deliberately examined their results, and I will never cease to repeat that, at the close of our momentous war with France, the happiness of so large a portion of Europe, as the Peninsula, nay I will add, the freedom and consolidation of the Independence of the New World, were as a sacred deposit in our hands, from the commanding attitude in which we then stood. We had then the fairest opportunity of reaping the advantages of our past efforts and sacrifices. A single act of seasonable and enlightened policy, at that time, would have counteracted the uniform spirit of persecution and ingratitude which, in lines of

blood, has marked the progress of King Ferdinand's career, since he was restored to his throne. Had a proper basis been then laid, the independence of South America would, ere this, have been acknowledged by the parent state, with nearly the same ease and the same solidity, as that of Brazil subsequently was by Portugal.

The opening of so extensive a Continent, as that which the great Columbus, three centuries ago, made known to astonished Europe, most assuredly will form a new basis for the commercial system of the world; and fortunate, beyond doubt, will be those States which have wisdom enough early to avail themselves of an event so auspicious; nevertheless, these prospects never can be considered as permanently secure, until the country is acknowledged by the parent state, and all doubts and uncertainties as to its future stability removed.

I have thus far traced the nature of that peculiar crisis in the affairs of the Peninsula, in 1814, of which, unfortunately, we did not avail ourselves, under a hope that it may be in my power to call the attention of Your Lordship and His Majesty's government to the new one, so near at hand in Portugal—a country to which we are bound by stronger and more specific ties than Spain, and in whose defence we have already landed a large division of troops. Every one is aware that a storm is preparing to burst on that unhappy division of the Peninsula, which will be again attended with the most fatal conse-

quences, unless the danger is averted in time. When I consider the elements collecting; when I see the powerful machinations going on, and when I reflect on the manner in which we abandoned our own interests, at the close of the Continental war, I certainly tremble for the result—I fear lest we should be again forestalled, or deceived. I also consider that this is a moment in which no one, familiar with the subject, ought to be silent, and with this view, it is, that I have ventured to intrude on Your Lordship's time and indulgence. Should I succeed, I am proud to say, I shall have gratified the warmest wish of my heart.

The emigration of the Braganza Family to Brazil, in November 1807, certainly paved the way to the Independence of those extended and valuable Provinces on the Southern Continent of America, which had hitherto belonged to the crown of Portugal. That memorable event, in fact, served to render the transition from an integral part of a monarchy, the head of which had hitherto resided in Europe, to the rank of an independent and separate power, both easy and secure; as it gave to the people, constituting the new nation, a form of government most suited to their wishes and wants, and besides prevented them from falling into anarchy, as well as their country, from being dismembered and becoming a prey to desolation and misrule.

From the moment it became the seat of government, and the royal decree of the 16th of De-

ember, 1815, was carried into effect, the fate of Brazil was irrevocably sealed, and King John VI, himself, before his departure for Europe, was sensible that the separation from the mother-country was inevitable. Two days previous to his quitting Rio de Janeiro, and when he was preparing his final instructions for his eldest son, Dom Pedro, whom he was about to leave behind him as his representative, in the character of Regent, he said to him—*Pedro, si o Brazil se separar, antes seja para ti, que me has de respeitar, do que para algum desses aventureiros*—“Should Brazil separate, let it rather be for thee, who wilt’ respect me, than fall to the lot of one of those adventurers;” meaning such ambitious men as, it might be expected, would rise up to contend for so valuable a prize. Subsequently, on his arrival in Portugal, and when the separation of Brazil was less problematical, the King, writing to his distant son, tells him to “guide himself by circumstances, with prudence and caution.” (*Guia-te pelas circumstancias, com prudencia e cautella*)

Events, which no human power could have controlled, accelerated that emancipation which the King had foreseen and thus formally sanctioned, by authorizing his son to avail himself of such circumstances as presented themselves, in order to prevent the country from becoming a prey to adventurers. An easy and bloodless transition vested the Sovereignty of Brazil in the son, now Emperor; and his subsequent conduct has proved

that he is deserving of the confidence his subjects have placed him in. The country has been preserved from anarchy and desolation, whilst the Brazilians have obtained a government suited to their habits and wants, the only one capable of being a bond of union between provinces so distant from each other.

Once independent, nothing more was requisite to Brazil than a central government, such a one as the people themselves had been accustomed to, and capable of holding together extensive provinces, thinly inhabited, and separated from each other by desert tracts of land, the want of roads, and various other difficulties. This advantage was gained by possessing the person of Dom Pedro, who, devoting himself firmly and sincerely to the interests of the Brazilians, was besides so situated as not to clash with the doctrines, professed and sanctioned by the European powers. Allied to one of the latter by marriage; favoured and protected by Great Britain, and enthusiastically proclaimed Sovereign by a grateful people, he was thus guarded from external enemies, and enabled to turn the whole of his attention to the improvement and consolidation of his new Empire.

His first object was to bestow upon his people a Constitution, suited to their wants; his next care being to introduce the necessary reforms into the courts of justice, and the several departments of the State. He himself set the example of economy, and, in a short time, the public expen-

diture was reduced more than one half. A national navy was created; an army organized, and new life and energy prevailed throughout the whole country. The few enemies of Brazilian Independence, who still lingered in some of the fortified towns, were expelled, and every where anarchy and disorder disappeared. From that moment, the Emperor resolved to devote his time to the improvement of the new Empire, which he was called upon to govern, and his success has been such as might be expected, from the known activity of his character, his frankness, sincerity, and firmness in all his undertakings. The aspect of the country has, in a word, totally changed.

After the bickerings, usual on such occasions, were over; after those impolitic and hostile measures inconsiderately pursued by the Cortes of Portugal against Brazil, were at an end; when, it was evident that the prolongation of a fruitless war could only be attended with fatal consequences, and when, in short, the proffered mediation of Great Britain had been accepted by both the contending parties, a Treaty was carried into effect for the Acknowledgement of the Independence and total Separation of Brazil, and signed on 29th of August, 1825; His Most Faithful Majesty retaining only for himself *the Title of Emperor of Brazil*, the same as his eldest son held and enjoyed. King John VI, by this Treaty, certainly consented that Brazil should be raised to the rank of a separate and independent Empire, and the sovereignty vested in his son;

but, by his reservation of the title of Emperor, although merely nominal in itself, he evidently wished to indicate that the kindred ties were not in the least affected by the change, and that the direct succession, as established by law, was to be left unaltered. To the contrary of this, the Treaty in question does not contain a single word. The above provision was intended to be a family bond of union, notwithstanding the two countries were declared independent and separate from each other.

This fact is fully confirmed by the subsequent Act of Ratification of the Treaty aforesaid, made and signed by His Most Faithful Majesty, at his Palace of Mafra, on the ensuing 15th of November, 1825, in which he solemnly declares as follows; "Being anxious to promote the general prosperity and secure the political existence, and also the future destinies, of the Kingdoms of Portugal and Algarves, as well as of the Kingdom of Brazil, which, with pleasure, I raised to that dignity, pre-eminence and rank, by Letters-Patent, dated 16th December, 1815, in consequence of which the inhabitants thereof took a new oath of fidelity to me, in the solemn act of my acclamation at the Court of Rio de Janeiro; and wishing at once to remove all obstacles which might impede and be opposed to the said alliance, concord and felicity of both Kingdoms, like a watchful Father, anxious for the best establishment of his children, I have thought proper to yield up and convey to my much beloved and

highly esteemed Son, Dom Pedro de Alcantara, *Heir and Successor to these Kingdoms*, all my Rights over the aforesaid country, by creating and acknowledging its independence, under the title of Empire, nevertheless reserving to myself the Title of Emperor of Brazil," &c. His Most Faithful Majesty in the same document further adds, "that he acknowleges in his said son, Dom Pedro de Alcantara, Prince Royal of Portugal and Algarves, the same Title of Emperor of Brazil," &c.

Notwithstanding Dom Pedro's title of Emperor is by the Treaty and subsequent Ratification, thus acknowledged by King John VI, and Brazil declared independent and separate for ever, the father, nevertheless, in the same act avows his sons right to the title of "Prince Royal of Portugal and Algarves," and formally declares him to be the "Heir and Successor" to the same. The wishes and intentions of the parent, therefore, could not have been expressed in a more explicit and decided manner. He was besides aware that it was not in his power to alter the succession, strictly lineal, the same as in the other Kingdoms of the Peninsula; and even if he had wished to commit so glaring a crime against the fundamental laws of the Monarchy, standing as he then did on the verge of the grave, spiritless and broken hearted, he was not equal to the undertaking. Such an act would have pressed too heavy on his conscience.

However the form of government adopted in

Portugal may have changed and gradually declined into a pure despotism, the original character was certainly temperate, and marked by that happy mixture of monarchy, aristocracy and democracy, which constitute the boast of the British Constitution. The powers of the sovereign and the rights of the people were well and distinctly defined. In one of the most memorable acts of the Cortes of Lamego, the succession to the throne is thus forcibly established.

“ Viva o Senhor Rey Dom Affonso, y possua o Reyno; se tiver filhos varoens vivão e tenhão o Reyno, de modo que não seja necessario torna-los a fazer Reys de novo. D’este modo succederão. Por morte do pay, succederá o filho, despues o neto, então o filho do neto, e finalmente os filhos dos filhos, en todos os seculos para sempre.”

“ Long live our Lord and King, Don Alphonsus, and let him possess the Kingdom; if he has male children, long life to them, and let them have the Kingdom, in such manner, that it may not be necessary to make them Kings afresh. In this manner they shall succeed. Through the death of the father, the son shall succeed; afterwards the grandson, then the son of the grandson, and, finally, the sons of these sons, in all ages and for ever.”

Such is, and always has been, the fundamental law of the land, as regards the succession to the throne, from the very dawn of the monarchy, and certainly this is one of the Statutes which the successive Sovereigns had an immediate interest to maintain. On this account, perhaps, it was so

particularly respected. The line of succession has never varied ; for the usurpation of Philip of Castile cannot be considered as an exception. John II, whom the national historians represent as a model to sovereigns, and a man distinguished for his great patriotism and observance of the laws, did all he could to transmit the crown to Prince George, his natural son, of whom he was passionately fond ; yet all his efforts were in vain. The law in this respect was so clear and explicit, that the Portuguese Sovereigns, even the most powerful and absolute, never dared to infringe it, and King John VI, certainly was not disposed to set the first example.

The Brazilian Treaty and corresponding Ratification, above mentioned, may, in fact, be considered as the last Will and Testament of the King, and as expressing his sentiments on so important a topic as the succession to the throne ; his death occurring on the ensuing 9th of March. Three days previous to his death, that is on the 6th of March, he signed a decree for the formation of a Regency, intended to govern the kingdom during his illness, composed of the Infanta Isabel Maria and four Counsellors of State, expressly declaring that “ this his Imperial and Royal determination should also serve, in case God should be pleased to call him to his holy Glory, until the legitimate Heir and Successor to the Crown, should have adopted his own measures in this respect ”

These, My Lord, are the only acts known and on record in reference to the wishes and sen-

timents of the late King of Portugal, on a subject so important to the future welfare and tranquility of the realm, as the succession to the throne. The news of his death first reached Rio de Janeiro by an English packet, bound to Buenos Ayres, and consequently not in an official manner from Portugal, with all the details. The Emperor, Dom Pedro, had, nevertheless, sufficient proof of the melancholy event, and he instantly shut himself up in his closet, refusing all access to any others than his ministers and counsellors, as well to indulge in his grief, as to meditate on the novel situation in which he was placed by the death of his father. In this interval, it was, as it were, secluded and unadvised, that, with a magnanimity, scarcely ever surpassed, he decided on three points, perhaps the most momentous and conflicting that were ever left to the decision of a single man. He decided, first, to keep his faith with the Brazilians and remain among them; secondly, he resolved to give to his European subjects a Constitutional Charter, suited to their habits and wants, and thirdly, he abdicated the throne of Portugal and placed the crown on the head of his daughter. Ten day afterwards, that is, on the 25th of April, and when the Emperor's mind was fully made up as to the line of conduct he intended to pursue, the official advices of his father's death, together with all the accompanying documents and details, were received and found him fully prepared to act on so trying an emergency.

On the following day, that is, on the 26th of April, with his usual activity and presence of mind, the Emperor, true to the last wishes of his venerable parent, confirmed the Regency in Portugal by him appointed, by virtue of a solemn decree, couched in the following emphatic words: "It being expedient for the welfare of the Portuguese Monarchy, as well as the respect due to the King's acts, that the Regency should continue, as created by the decree of my august Father, King John VI., of glorious memory, dated March the 6th, in the current year, I have hereby thought proper to confirm the said Regency, which shall govern until the installation of the one which it is my intention to decree, in the Constitutional Charter of the Portuguese Monarchy, which I shall immediately proceed to enact."

This decree, breathing respect and veneration to the memory of the late Sovereign of Portugal, as well as filled with filial love towards the memory of a parent, then no more, was followed by another act in favor of the Portuguese people, which cannot fail to command their gratitude for ever, and endear them to a young prince, born among them, who seems to have been ever alive to the wrongs and grievances they endured, and anxious to redress them. The next day, that is, on the 27th, the Emperor issued the following memorable decree. "Wishing to mark, in Portuguese History, my Reign, by shewing what are my principles of humanity, and carrying into practice one of the greatest attributes of Majesty,

I have thought proper to grant an Amnesty to all Portuguese now confined, under trial, banished, or persecuted for political opinions, until the date of this my Royal Decree; at the same time pardoning all the simple and aggravated crimes of desertion, as well as all culprits sentenced for three years to the galleys, transportation, or confinement within the Kingdom, or without thereof." &c.

The immense importance of this Decree, although the spirit of beneficence with which it was dictated must be apparent to every one, is not perhaps, My Lord, so easily understood by any Englishman as it is by myself, owing to my intimate acquaintance with the affairs of Portugal, before and subsequent to the overthrow of the Cortes. The prisons had been crowded with victims, and many, accused of no other crime than having been Constitutionalists, at a time when the King himself set the first example, were transported to Angola and other unhealthy places, by no means so eligible as our own Botany Bay. Among them were men of the highest character and integrity of heart. The victims were numerous, not owing to any spirit of persecution evinced by the monarch; but, rather in consequence of the personal enmity and vindictive propensities of the ministers whom he was compelled to employ, and whose lawless acts, unhappily, he had not the courage to resist or control. Many, perhaps the most enlightened and the most implicated, sought an assylum in England; with most of them I was personally

acquainted and in frequent intercourse. Several of them had been members of the late Cortes, and some held the first offices of trust under the Constitutional government. I have witnessed among them scenes which would rend the hardest heart ; but being now past, it is unnecessary to repeat them to Your Lordship. Suffice it to say, that the Portuguese exiles, for nearly three years and a half residing in this country, never once applied to the British government, or public, for relief. Their own countrymen, established in the City, supplied their most pressing wants, and to their credit I avail myself of this opportunity publicly to record the fact ; whilst I feel a pleasure in further adding, that most of the Portuguese exiles exerted themselves, to the utmost, to earn a decent livelihood among us. They conducted themselves with the utmost probity and decorum—nay, in the most exemplary manner. Some devoted themselves to the pursuits of commerce ; whilst others commenced periodical publications in their own language, anxious to instruct their benighted countrymen. I regularly read them all, and I do not hesitate to say, they displayed talent and patriotism, and were written in the very best sense. Some of these exiles devoted themselves to the study of our own institutions, anxious to see them adopted in their own country, if a favourable opportunity should present itself.

As a common friend to all, it might be invidious to particularize names. I cannot, nevertheless, omit this occasion to allude to a Portu-

guese Jurisconsult, distinguished by his eloquence and patriotism in the late Cortes, whose whole residence in this country was devoted to a profound study of our criminal and civil law, and in observing its applications and practical results. When the Old Bailey was opened, he was a constant and attentive observer of the trials, fully convinced that the department in the administration of justice most defective in his own country, was that relating to crime. At other times, he attended the civil courts, and I feel proud to say, that so high were his recommendations; so laudable the spirit by which he was actuated, and so distinguished his talents, that Chief Justice Best, when on the Bench, more than once honoured him with a seat by his side, and took him on one of the Circuits. This individual, lately restored to his family and country, has evinced his gratitude by submitting to his countrymen, in the shape of a Tract, the result of his own observations on the Trial by Jury, as applicable to themselves under the new order of things, and I make no doubt, he has many other useful researches to communicate to them for the improvement of their own civil, as well as criminal, jurisprudence.

A clergyman of Oporto, known for his zealous adhesion to the new order of things, in 1820, was banished to Angola, and there resided till the death of King John VI, revered by the inhabitants and beloved by those who knew him. Although entered on the books of the

Colony as a convict, as soon as the demise of the reigning sovereign was made known, this very same clergyman was selected by the public corporations and inhabitants to go to Rio de Janeiro, to present an address of congratulation to the Emperor of Brazil, on his accession to the throne of Portugal; when, so sensible was the latter of the injustice done to one of his subjects, and so much pleased with the talents and patriotism he displayed, that he appointed him Chaplain to the establishment then about to sail for Europe, to bring his brother, the Infante Dom Miguel, over to Brazil.

I have entered into the above particulars, My Lord, and mentioned two illustrative instances, applicable to the case in point, because I was desirous of conveying, in the confined limits I have allowed myself, some slight idea of the great importance of the Amnesty decree, enacted and published by the Heir to the throne of Portugal, in favour of his suffering subjects and countrymen. Suffice it to say, that, among many others, several highly deserving Portuguese have thereby been restored to their families, after having resided among us; and, I could venture to pledge, they would be the first to issue from their present solitude and heartily aid in any plan, properly encouraged and firmly supported by us, for the relief of their distracted country.

After the above, almost involuntary, digression, I resume the thread of my narrative of what passed at Rio de Janeiro, in the affairs of Por-

tugal. On the ensuing 29th (April) the Emperor, in his character of King of Portugal and Algarves, proclaimed the Constitutional Charter which he had already prepared for his European Dominions, and preceded by the following laconic preamble; "Dom Pedro, by the Grace of God, King of Portugal and Algarves, &c. Do hereby make known to all my Portuguese subjects, that I am pleased to decree, grant, and order to be immediately sworn to and accepted, the Constitutional Charter hereunto annexed, which, from this time henceforwards, shall govern those my Kingdoms and Dominions, &c.

It would carry me far beyond my proposed limits, were I to attempt an analysis of the Constitutional Charter, thus legitimately and magnanimously bestowed on his European subjects, by the Heir and Successor to the throne of Portugal, three days after he was officially made acquainted with the melancholy event which had placed the sceptre of his ancestors in his hands. Suffice it to say, that it is a Charter, founded on all the principles of public law, and suited to the habits and wants of the people for whom it was intended. It contains many of the leading features of the British Constitution; combines the principal and practical results of the ancient Statutes of the realm, and carefully avoids the errors into which the late Cortes had fallen. It balances the several powers of the executive, and shews a due consideration to the various orders in the State. It confirms the old monarchical basis; defines the

extent of territory ; declares the rights of the subject ; establishes the nature of the national representation and power of the Legislature ; creates a House of Peers, and points out the manner in which the laws are to be promulgated. It regulates the elections ; describes the moderating authority of the Sovereign ; marks the limits of the executive ; places the succession to the throne beyond doubt ; provides for all emergencies, in cases of minority, or disability, on the part of the reigning Sovereign ; enumerates the duties of the ministers and counsellors of State, and secures the defence of the kingdom, by a suitable armed force. Its next care is to promote the due administration of justice, of the public funds, and, in every other respect, the Portuguese Charter makes provision for the security of person and property ; for the freedom of the press, and holds forth such guarantees as are suited to promote the happiness of the individual and the general prosperity of the State.

Such, My Lord, is the nature of the Constitutional Charter bestowed on the Portuguese people, certainly with as much right, and possibly with more cordial liberality, than the one granted to the French by the elder Bourbon, on his return to the land of his ancestors. It is a happy combination of every thing dear to a reflecting Portuguese, and if, in practice it should be found to contain defects, their remedy is left to the operation of time, the great arbiter of all political calculations. It is, in short, adapted to produce

the most salutary effects; to check misrule; raise the country from the state of apathy and debasement in which it has been sunk for ages, and establish harmony on a solid basis. It bids fair to enlarge the sphere of human happiness, and create a public opinion in the nation—that main spring by which the political machine is moved, and an essential requisite in which Portugal has hitherto been so lamentably deficient. It is, besides, a proud and everlasting monument of the wisdom and beneficence of the donor, and marks his love for his subjects, as well as that manly and independent mind, firmness of character, and promptitude of action, with which he is so preeminently distinguished.

I have still a few words more to say on the subject of the Portuguese Charter; although I feel compelled to confess, that almost all I could add on the independent and handsome manner in which it was bestowed, has already been anticipated by an assurance of the highest and most respected character. It has, My Lord, in Spain, and other countries, in which liberal institutions are viewed with a kind of ominous dread, been very confidently asserted, that the Constitutional Charter, thus bestowed on his European subjects and countrymen, by Dom Pedro, was of English origin; and it has even been attempted to persuade the Portuguese, in order to render it more unpopular among the privileged orders, that it was actually sent out, ready cut and dry, to Rio de Janeiro, where the Sovereign had no other

alternative left, than tamely to submit and quietly affix his signature. From the feeble evidence in my own possession, I can declare this to be a foul and ridiculous calumny, invented by those who have an immediate interest in aspersing our national character in the Peninsula. Such a circumstance is, besides, totally inconsistent with the spirit and feelings of the Emperor. He is the last man in the world to brook such an indignity, coming from any power, however mighty, on the earth.

As I have previously stated, the Emperor was informed ten days previous to the receipt of the official despatches from Lisbon of his Father's death, when he immediately retired to his closet, and during that interval, his grief and his meditation were not interrupted by any foreigner; nor were his intentions at the time known to any one but his most confidential advisers. Our own diplomatic agents at his court, were as much astonished as the public of Rio de Janeiro, at seeing, on the 26th of April, his decree confirming the Regency of Portugal; on the 27th, his Amnesty edict, and on the 29th, the publication of the Constitutional Charter intended for Portugal; every body being aware, that the official news of the Father's death had only reached the Brazilian capital on the previous 25th. The act, consequently, was his own, as well as all the others by which the important step was accompanied, and to him, therefore, and him alone, is all the merit of so noble and courageous a resolve exclu-

sively due. This fact was explicitly and pointedly avowed by our late lamented Premier, in his memorable speech in the House of Commons, on the 12th of last December, in the following emphatic words.

“ It has been surmised that this measure, (the grant of a Constitutional Charter) as well as the abdication which accompanied it, was the offspring of our advice. No such thing. Great Britain did not suggest this measure. It is not her duty, nor her practice, to offer suggestions for the internal regulations of foreign States. She neither approved, nor disapproved, of the grant of a Constitutional Charter to Portugal; her opinion upon that grant was never required. True, it is, that the instrument of the Constitutional Charter was brought over to Europe by a Gentleman of high trust, in the service of the British Government. Sir Charles Stuart had gone to Brazil to negotiate the separation of that country from Portugal. In addition of his character of Plenipotentiary of Great Britain, as the mediating power, he had also been invested by the King of Portugal with the character of His Most Faithful Majesty's Plenipotentiary for the negotiation with Brazil. That negotiation had been brought to a happy conclusion; and therewith the British part of Sir Charles Stuart's commission had terminated; but Sir Charles Stuart was still resident at Rio de Janeiro, as the Plenipotentiary of the King of Portugal, for negotiating commercial arrangements between Portugal and Brazil. In this

latter character, it was, that Sir Charles Stuart, on his return to Europe, was requested by the Emperor of Brazil to be the bearer to Portugal of the new Constitutional Charter. His Majesty's Government found no fault with Sir Charles Stuart for executing this commission: but it was immediately felt that if Sir Charles Stuart were allowed to remain at Lisbon, it might appear in the eyes of Europe, that England was the contriver and imposer of the Portuguese Constitution. Sir Charles Stuart was, therefore, directed to return home forthwith; in order that the Constitution, if carried into effect there, might plainly appear to be adopted by the Portuguese Nation itself, not forced upon them by English interference."*

This is a clear and unquestionable proof that the British government did not officially offer any direct advice, or present any requisition, for the grant of a Constitutional Charter to Portugal; although, in resolving on the measure, the Emperor must have been sensible that he was doing an act, required by existing circumstances, which could not fail to be pleasing to our ministers, as individuals, and one that would be applauded by the British nation, as well as the whole of enlightened Europe. No man knew his native country better than the Emperor; no one could have pos-

* The preceding extract and subsequent ones, are taken from Mr. Canning's corrected Speech, afterwards published by Hatchard.

sessed more correct ideas of what was requisite for its felicity, and he had the courage to abide by his resolution, taken with views, the most disinterested and patriotic. He was sensible of the weakness and errors of his late father. He had beheld him the dupe of rapacious ministers; he had seen the treasures of the State, wrested from a wretched people, serve only to feed the luxury of courtiers, and he had himself witnessed the sad effects of misrule in the European, as well as in the American, division of the Monarchy. Ever an observant youth, and endowed with the strongest powers of discernment, he had often reflected on the conduct of the old hypocrites and parasites by whom his fathers palace was unceasingly crowded; he had observed the deluded monarch select his confidential advisers from among men who, under the mask of false virtue and splendid pride, concealed views the most interested, and he had noticed that the reins of government were too often entrusted to ministers, unmindful of their duty, and careless of the common welfare—ministers who persecuted merit and honour, and rewarded such only as were willing to partake in their vices, and not reveal their crimes.

Mixing with society and watching the condition of the people, he had formed certain political maxims, as a guidance for his conduct, if he should ever be invested with regal authority. He had read the ancient Chronicles of his own country, perhaps with a degree of enthusiastic ardour, and stored in his mind principles on which he was

determined to act, whenever an opportunity presented itself. He had taught himself to smile at the divine institution and right of Kings, and it had entered into his creed that the people were the real sources of power, and, consequently, that it was for their benefit, security and happiness, that he should one day ascend the throne. He had witnessed the demonstrations of popular feeling, in the Brazilian capital, on the 25th of February, 1821, when having, in his own and his Father's name, taken the oath to the new order of things in Portugal, he was hailed as the tutelary angel of the country, and the chosen instrument of its future felicity. The demonstrations of joy and gladness which he then saw, excited impressions on his ardent mind, which were never obliterated.

No one, My Lord, can reflect on the manner in which the Brazilian Independence was achieved, without being filled with respect and admiration for the youth who dared to do so bold a deed. Such, I candidly confess, were my own sensations, when I eagerly perused all the interesting details. His acts have frequently been traduced among us; but they will bear a thorough investigation. Many of them are worthy of the best days of Rome, and as such do I consider the one above mentioned, as well as the grant of a Constitutional Charter to Portugal. When the Independence of Brazil was effected, the Emperor had it in his power to become an absolute Sovereign. Addresses, from several of the provinces, were sent to him, soliciting him to exercise an absolute sway, which

he rejected with disdain. At the opening of the Constituent Congress, "the time for deceiving men is passed"—said he, in his speech to the assembled representatives, "it must be made known that all governments are no other than the result of the national will, and have no other object than the utility of the people."

From the moment he wielded the sceptre, he seemed determined to point out to the people of Brazil, the road that would lead them to their own happiness and prosperity, and he pledged his royal word to second all their efforts. Continually exposed to the uncertainties of chance, some provinces had recently been the dupes of factious men, ready to decoy and mislead them. Seeing that the people were unceasingly tormented by reactionary anarchy, he resolved that the country should be governed by a national code and defined laws. On the 11th of December, 1823, the Project of a Constitution for Brazil was drawn up by the Council of State, on bases presented by the Emperor himself, then sent to the several provinces, and by them duly accepted and approved of, as the law of the land. From the above period up to the present moment, this Constitution has been in full operation, and attended with the most beneficial consequences. Anarchy has disappeared; the several provinces have been united and consolidated, and the administration of justice materially improved. Brazil has, in a word, prospered, and the Imperial government is now acknowledged and respected throughout Europe.

After this, in candour, let me ask, could the Emperor do less for his European subjects than he had done for the Brazilians? Could he fail to be equally beneficent; equally just, and equally patriotic? He could not, for a moment, expect that the Portuguese people would remain quiet and endure the stigma of an absolute government, when the Brazilians, their children and descendants, were enjoying all the benefits of a national code. The idea would have been preposterous—nay it would have been an insult to the Lusitanians. He therefore granted to them, whilst the right and power were still in his hands, a Constitutional Charter, modelled after the one which had been adopted in Brazil, yet modified and arranged to the state of Portugal. The plan and basis are the same, and on a careful comparison of each article, respectively, I do not hesitate to say, that the Portuguese Charter is as perfect, as liberality and human foresight could make it. It establishes the Constitutional predominance of the nobility, an essential basis on which all monarchies, even the representative and mixed ones, must essentially rest; and to all the orders in the State it affords ample guarantees. To argue that the Portuguese are unfit for the enjoyment of such a Constitution, particularly after the successful experience of nearly four years in Brazil, were almost an insult to the understanding of my readers.

What our own government thought of the Constitutional Charter for Portugal, and the authority

under which it was granted, may be safely collected from the remarks of our lamented Premier, contained in his Speech above mentioned. They are as follow: "As to the merits, Sir, of the new Constitution for Portugal, I have neither the intention, nor the right, to offer any opinion. Personally, I have formed one; but as an English Minister, all I have to say is—May God prosper this attempt at Constitutional liberty in Portugal! and may that Nation be found as fit to enjoy and to cherish its new-born privileges, as it has often proved itself capable of discharging its duties amongst the Nations of the World."

"I, Sir, am neither the champion nor the critic of the Portuguese Constitution. But it is admitted, on all hands, to have proceeded from a legitimate source—a consideration which has mainly reconciled Continental Europe to its establishment, and to us, as Englishmen, it is recommended by the ready acceptance which it has met with from all orders of the Portuguese people. To that Constitution, therefore, thus unquestioned in its origin, even by those who are most jealous of the new institutions—to that Constitution, thus sanctioned in its outset by the glad and grateful acclamations of those who are destined to live under it—to that Constitution, founded on principles in a great degree similar to those of our own, though differently modified, it is impossible that an Englishman should not wish well."

A more candid and explicit opinion respecting the Portuguese Charter than the above, could not have been expressed by our Premier, now no more, both in his character of an individual and minister. As the latter, he declares "that its origin is unquestioned, even by those who are most jealous of new institutions." This must mean, that its origin is not questioned by the members of the Holy Alliance; yet, how is it, then, that we see them plotting its overthrow, in broad day light? Evidently, it must be to suit their own private views; or because they consider us favourable to its establishment, and likely to reap the largest portion of the benefits, if Portugal is thereby regenerated, the same as we have done by the new order of things, in Brazil, a theatre rather too distant for their insidious machinations.

It is now time to return to a review of the other acts of the Emperor in reference to Portugal. On the 26th, he signed and issued Letters Patent, as King of Portugal, addressed to such Nobles as he was pleased to appoint to the House of Peers, viz. two Dukes; one Patriarch; four Archbishops; twenty-seven Marquesses; forty-three Counts; thirteen Bishops; total Temporal and Spiritual Peers, seventy-seven. By a Decree of the same date, His Imperial Majesty appointed the Duke de Cadaval, President of the House of Peers, and the Patriarch, Vice-President. By a separate Decree, he ordered the elections for the deputies to the General Cortes of the Kingdom, to commence immediately, pursuant to the Con-

stitution; the Regency of the Kingdom being enjoined to carry this decree into full effect.

Having thus laid a basis for the future liberty and prosperity of Portugal; having, in the very best spirit of patriotism and justice, enacted and granted a Constitution, congenial to the habits and conformable to the wants and wishes of the people for whom it was intended; having, in the character of King of Portugal and as the rightful heir and successor to those realms, given the strongest possible proof of affection towards his countrymen, and evinced the deepest interest for their glory and future welfare; having organized a government, secured it by ample guarantees, and afforded the means of directing it, in such manner, as to be productive of, and propitious to liberty, to justice, and the individual rights of all—terrible to the wicked and protective to the good—such a government, in short, as would insure a vigilant police, restore economy, balance the several powers in the State, ameliorate the condition of the people, remove unwise and odious distinctions, destroy all prejudices, develope the gradual, but effective, power of education, create a real union and sympathy of habits, and eventually give a common feeling to Provinces, hitherto almost unconnected and in a state of actual rivalry—having done all this, as he fondly hoped, the Emperor of Brazil and King of Portugal put the last seal to the happiness and security of both independent Kingdoms, by formally, yet conditionally, abdicating the throne of Portugal in

favour of his own Daughter, Queen Mary II; thus giving the final and most signal proof of his love and fidelity to his Brazilian subjects, as well as of magnanimity and disinterestedness, in yielding up a Crown, at the moment safely placed on his own head.

The solemn decree by which this important, yet conditional, transfer and conveyance was made, is dated Rio de Janeiro, May 2nd, 1826, consequently, several days after all the other ordinances, decrees and acts, relative to the future destinies of Portugal, were passed and signed. It is therefore, presumable, that this last and momentous measure had undergone the most mature deliberation, and was resolved upon with a full and firm conviction of its necessity, as well as a due sense of its important consequences. The Act itself, being one of the deepest interest in the affairs of Portugal, at the present moment, I shall consider it my duty to insert, in this place, a literal and faithful translation.

“ Dom Pedro, by the Grace of God, King of Portugal and Algarves, &c. &c.—Do hereby make known to all my Portuguese subjects that, it being incompatible with the interests of the Empire of Brazil and those of the Kingdom of Portugal, for me to continue to be King of Portugal, Algarves and the Dominions thereof; And wishing to felicitate my said Kingdoms as much as is in my power, I have thought proper, from an impulse and free will of my own, to abdicate and yield up all the indisputable and inherent

rights which I hold to the Crown of the Portuguese Monarchy, together with the Sovereignty of the aforesaid Kingdoms, to the person of my dearly beloved and highly valued Daughter, the Princess of Gran Pará, Donna Maria da Gloria, in order that She, as their reigning Queen, may govern them independent of this Empire, and pursuant to the Constitution which I have thought proper to decree, grant, and command to be sworn to, by my Rescript of the 29th of April, in the current year; And further, I have been pleased to declare, that my said Daughter and reigning Queen of Portugal, shall not depart from the Empire of Brazil, until I have had official proof that the Constitution has been sworn to, in the manner by me ordained, and until the espousals of marriage, which it is my intention to make for her with my beloved and highly valued Brother, the Infante Dom Miguel, shall have been carried into full effect and the marriage concluded; And this my Abdication and Transfer shall not take place, if any one of these two conditions should be wanting." &c. &c.

From an expression in the above decree, it is clearly shewn, that the Abdication of the Crown of Portugal was an act exclusively of the Emperor, and that it originated in an "impulse and free will of his own," that is, it was not preceded by any advice from his European allies. This then is another proof of the Emperor's magnanimity, disinterestedness and devotion to the welfare of his Brazilian subjects. That this abdica-

tion was a spontaneous act of his own, is also fully testified by the declaration made by our departed Premier, in his speech above alluded to. "The ink with which this agreement was written (meaning the Brazilian Treaty of Independence and Separation) was scarcely dry, when the unexpected death of the King of Portugal produced a new state of things, which united on the same head the two Crowns which it had been the policy of England, as well as of Portugal and Brazil, to separate. On that occasion, Great Britain and another European Court, closely connected with Brazil, tendered advice to the Emperor of Brazil, now become King of Portugal, which advice it cannot be accurately said that His Imperial Majesty followed—because he had decided for himself before it reached Rio de Janeiro; but, in conformity with which advice, though not in consequence of it, His Imperial Majesty determined to abdicate the Crown of Portugal in favour of his eldest Daughter. But the Emperor of Brazil had done more. What had not been foreseen—what would have been beyond the province of any foreign Power to advise—His Imperial Majesty had accompanied his abdication of the Crown of Portugal, with the grant of a free Constitutional Charter to that Kingdom."

From the above passage it is deducible, that the British and Austrian governments were decidedly of opinion, that the Emperor had the right and power to abdicate his Crown; and the other illustrative particulars, thus disclosed to Parlia-

ment, distinctly shew, that he exercised that right and power, unbiassed by any advice, and unshackled by any previous plan to alter the line of succession. The wishes of both in this respect, as it afterwards turned out, were anticipated; but, being now on record, the avowal will always operate as a confirmation and approval of the line of conduct pursued by the Emperor. After having been the mediating power, for the separation of Brazil, only a few months before, it was natural and consistent for Great Britain to wish that every obstacle should be removed, which might obstruct, or endanger, the due fulfilment of so recent a Treaty; and this could only be done by an abdication. The act, nevertheless, was conditional, and rested on the compliance of two essential stipulations, viz—first, the acceptance of the Charter by the Portuguese, and, secondly, on the espousals and marriage of the Queen with the Infante “Dom Miguel,” being *completed*. Unless these two peremptory conditions were fulfilled, the Emperor formally declared, that his abdication should be held null and void.

The first condition was fulfilled, and the Constitution accepted in Portugal. Of the second, that part only has been carried into effect which relates to the espousals, on the part of the Infante Dom Miguel, performed at Vienna, by proxy, in the usual manner. The other part viz.—the completion and consummation of the marriage, cannot possibly take place for nearly ten years, owing to the minority of the Queen. All this time, there-

fore, the Emperor of Brazil continues to be the lawful King of Portugal, and all the attributes of Sovereignty, vested in that right, belong to him. In the interval, whoever governs Portugal, can be no other than his delegate and representative. As a parent, he is also the natural guardian of his daughter, and although the esponsals of marriage have been celebrated, it is a question whether they can be made binding, when the parties are at such a distance from each other, and the disparity of age so great. There is, besides, the risk of two lives to run, for the next ten years.

Well assured of his right, and ever anxious to exercise it for the benefit of his European countrymen, the Emperor of Brazil, in his character of King of Portugal, according to the last advices from Rio de Janeiro, has appointed his Brother, the Infante Dom Miguel, to be the Regent of Portugal and his own Representative, until his daughter shall have attained the age prescribed by law. It is further confidently added, that he has imposed on the future Regent and his own Representative, the peremptory condition of supporting and abiding by the Constitutional Charter, as originally granted, until altered, or modified, in the manner therein prescribed.

This, My Lord, is certainly an event, not very generally expected in England; although, under all circumstances, it has by no means taken me by surprise. In the dilemma in which he was placed, the Emperor had scarcely any other alter-

native left him. With regret he had seen, in the course of last year, the Portuguese territory attacked by a band of armed rebels, instigated and sent forward by the Apostolical Junta of Spain, and assuming, as a cloak to their insidious and treasonable views, the name of a Prince with whom they had not the smallest connection, and from whom, consequently, they had not received the slightest authority. Although the Infante Dom Miguel has not publicly disavowed the acts and crimes thus wantonly perpetrated, it is very presumable that he has given due satisfaction on the subject to his Brother, the Emperor, and sincerely lamented the unjustifiable use made of his name, when he had no participation whatever in the acts, or views of the perpetrators. This is the more probable, as there are several instances on public record, in which the Infante Dom Miguel has evinced the utmost love and regard for his absent Brother, as well as an extreme readiness to obey his commands, and follow his wishes.* Since the death of the Father, many let-

* At a grand dinner, given at the beginning of last year, at the house of the Brazilian Minister in Vienna, in honour of the Acknowledgment of the Independence of Brazil, and at which Prince Metternich, several of the Austrian Princes, Nobility, and Generals, as well as the whole *Corps diplomatique*, except the Spanish envoy, were present, the Infante Dom Miguel enthusiastically drank the health "Of all the the good, faithful and zealous servants of his august Brother and true Friend!"

ters must have passed between them, with which the public, of course, can have no acquaintance; yet, it is but fair to infer, that the explanations and avowals they contained, were of a nature to leave the Emperor's confidence unshaken.

The Emperor had, moreover, seen, that the Constitutional Charter was obstructed, in Portugal, by a prevailing uncertainty as to the wishes and intentions of the Prince who, in the course of time, was likely to become Sovereign, and to whom, consequently, the privileged orders were afraid to give offence. The Emperor was also aware of the difficulties in which the Infanta Regent had been placed, owing to the intrigues by which she was surrounded, amidst so general an effervescence of party-spirit. He had read her own complaints, and trembled for the effects of a weakness, inseparable from her sex. He was alarmed at the turmoils in which the country was plunged, and doubly so, at the state of the Infanta's health, when, according to bulletins and official advices, she was declared past recovery. Unless an early and powerful remedy were applied, he clearly foresaw that Portugal would be plunged in a state of anarchy and civil war, and thus easily fall a prey to the insidious schemes of her neighbours. He himself would have gladly flown to her relief; but the war with Buenos-Ayres was not properly terminated.

Austria had, besides, early recommended the appointment of the Infante Dom Miguel, as Regent, considering it to be the best means to reconcile

all parties; and the papers on the subject lately printed in the *Moniteur*, very clearly shew, that the French government was also favourable to the plan. It is confidently asserted, that Russia had equally joined in the measure. The views of Austria on the subject had, indeed, been early submitted to the Emperor himself, in the mission confided to Baron Neuman, and he was confident that the choice could not be objectionable to any other of his Allies, as long as it was done for the welfare of Portugal, in strict accord with all his previous acts, and the appointment conferred under the best guarantees which he was able to obtain, for the preservation of the Constitutional Charter.

From all that is publicly known on the subject, it was in this spirit, and under these circumstances, that the appointment of the Infante Dom Miguel, as Regent of Portugal and his Imperial Brother's Delegate and Representative, for the time being, took place, and God grant that the experiment may be successful. The future tranquillity and prosperity of Portugal, consequently, will soon be in his hands. There are prejudices against him, in his own country, as well as in Europe, owing to the unfortunate errors into which he fell on the unhappy 30th of April, 1824. In justice to the young Prince, it must, however, be acknowledged, that his late Father, King John VI. in the various edicts issued from on board the Windsor Castle, where he and the Royal Family had taken refuge, during the confusion and consternation

in which the Portuguese capital was, at that time, thrown, attributed the rash and reprehensible act of the Infante Dom Miguel, in assembling the troops, issuing proclamations, and imprisoning a number of individuals, without the knowledge of his Father, to the bad advice of wicked and designing men, who had deceived the young Prince, availed themselves of his inexperience, and made him an unconscious instrument of their own nefarious and ambitious designs. The subsequent *ecclaircissement* of this singular affair, and particularly the proceedings instituted against his advisers and accomplices, render it probable that this was really the case, as the Infante, apparently convinced of his error, instantly obeyed the Father's peremptory summons and joined him on board of the Windsor Castle. On the 12th of May he wrote a letter, addressed to his King, Father and Lord, of which the following is the first sentence.

“ To love and serve Your Majesty, has been, from the time I knew myself, the principal occupation of my life, and the only object of my ambition. If, at any time, I succeeded in giving indubitable proofs of my fidelity, the paternal heart of Your Majesty will perhaps now receive them, as a sufficient excuse for the involuntary errors, into which the want of experience and of reflection, attributable to my age, led me to fall.”

At the same time the Infante, “ fearful that his presence in Portugal might give pretext to evil-minded persons to renew disturbances and intrigues, very foreign to the pure sentiments he

had just truly uttered," requested of his Father to be allowed to travel for some time in Europe. From that period, up to the present moment, it will be remembered, that the Infante Dom Miguel has resided at the Court of Vienna, where, it is generally acknowledged, he has materially improved himself.

What course he will adopt on his arrival in Portugal, vested with power, time only can shew. All will depend on his constancy in pursuing the wishes of his distant Brother, and on the advisers he may collect round his person. If he follows the example of Ferdinand VII, on his return from France, in May, 1814, he is lost, and his unhappy country replunged into a state of anarchy and desolation. If he treads in the steps of his elder Brother, and does for Portugal what the latter has done for Brazil, his countrymen will be eternally his debtors; his youthful errors will be forgotten, and his name revered throughout Europe. If he avoids and abhors the intrigues and corruption in which the court of Lisbon has been sunk, for many years, and allows only upright and good men to enter into his councils, then will his administration endear his memory to his grateful countrymen; it will be marked by peace and concord, and regeneration will every where attend his steps. If he has profited by the lessons and example of the Emperor Francis II. under whose roof he has now resided for upwards of three years, he will know the affection a ruler ought to have towards his people, and guide his actions by

the safe standard of justice and equity. If, in short, he has improved, during his travels, it is still confidently to be hoped that the Infante Dom Miguel, in his new character of Regent, and Lieutenant of the Kingdom will constitute the felicity of Portugal and her Dominions.

No doubt he has much to do; yet, if he emulates the manly virtues, candour, patriotism, and devotion of his brother, and never forgets the principles which placed his ancestors on the Lusitanian throne, he will equally be the founder of a new order of things, and his name will be blessed by future generations. If he sincerely devotes himself to heal the bleeding wounds of his country, his administration will be mentioned with the same pride, as are the reigns of some of the first worthies who adorned the throne of Portugal. On all hands, it is allowed that the Infante Dom Miguel has talents, and, it is to be hoped, he will display them, on so interesting an occasion.

Most Princes have committed errors and follies, in their youth, and indulged in some excesses, almost inseparable from the temptations with which they are surrounded. Dom Pedro himself is scarcely an exception; but, from the moment he was called to the throne, he seemed to enter into himself, and resolved to devote his time and efforts to the welfare of his people. He has never since once wavered in his determination, although he has had immense difficulties to overcome. He has evinced the most signal proofs of magnanimity towards his bitter enemies, even those wild and vi-

sionary theorists, who would gladly have converted the Brazilian Provinces into separate republics, merely that they might themselves take the lead in them. He has set the best example of economy, moderation, and civic virtue; and hitherto shewn that the crime which he most abhors, is to break his faith with his people. He has ever evinced a marked dislike to flatterers and falsehood. He has uniformly shewn himself open to advice; yet, never disposed to pardon an untruth. The offence which he has always punished with most severity, has been a wilful intention to deceive him. Some of his acts, when visiting the provinces, to know the wants of the people and correct abuses, are in the true spirit of a Henry IV. of France. When he arrived, for the first time at Bahia, in February, 1826, he said to the inhabitants, "Now, that I am among you, tell me frankly what you want, in order that I may at once apply a remedy, and afterwards, furnished with a full knowledge of the cause, may have it in my power to send back my Imperial orders from the Court of Rio de Janeiro." On leaving the capital for Bahia, in his address to the inhabitants, he uses the following memorable words.

"Inhabitants of Rio de Janeiro! The desire I have to know, if it were possible, all my subjects, and that they should personally know me; the intimate conviction I entertain that the dissensions which have occurred in some of the provinces, as experience has taught me in the two which I have already visited, arose from my not being

acquainted with their wants, so that I might have applied an early remedy; and, finally, my word, passed to the inhabitants of the Province of Bahia that, as soon as the Independence of Brazil was acknowledged, I would honour that province with my presence, now urge me to redeem my Imperial pledge, by proceeding to the aforesaid province, on the 3rd of the ensuing February, in order to thank the inhabitants for their efforts in expelling the Lusitanians."

"I leave among you my son and my three daughters. On the 21st of March, I shall quit the Province of Bahia, so as to arrive here in time, to open our Legislative Assembly, as ordained by the Constitution of the Empire, which does, and shall, govern us."

"If a father is in duty bound to provide for the wants of his children, how much greater is not the obligation of a Sovereign towards his subjects? If I have already been among you for the space of eighteen years, shall not the inhabitants of Bahia have the right of possessing me, for the short period of a month? These are incontestible truths—and the inhabitants of Bahia are deserving of such an honour. You know it well, and no one can doubt of the necessity of this my determination, dictated both by policy and justice. Anxious to rejoin you, I leave you for the moment, and recommend order and tranquillity to you."

Let the Infante Dom Miguel follow such an example as this, on his return to Portugal; let him address his countrymen thus, and sincerely

carry his professions into practice. Liberal principles will then be triumphant; the new institutions consolidated, and all the plots of the enemies of Portugal defeated.

Such, I can assure your Lordship, are my hopes and wishes on this important subject; although I am by no means divested of apprehensions, not arising out of any doubt with regard to the sincerity of the future Regent of Portugal, or the distance of the founder of the Constitutional Charter; but, because I am fully aware of the plots and machinations unceasingly and strenuously pursued by the enemies of free institutions, in any part of the Peninsula. A scheme of decided opposition has been extensively organized, and Portugal has become the theatre of its immediate operations. Many partisans of high rank and great influence, have been enlisted in the cause, and I fear they have the active concurrence, if not the open support, of some of the Continental powers. Yet much, if not all, depends upon us. We have more moral influence in Portugal, than all the other powers put together, whenever we seek to exercise it, and the point at issue depends on moral influence, alone. The contest about to ensue in Portugal, is not one that calls for an appeal to arms, as far, at least, as we are concerned. Had we not erred in 1814, we should not, at this moment, have had a single regiment in Portugal, and if we now err again, God knows what sacrifices we may not eventually be called upon to make. In order to

explain myself, more fully, it is necessary to take a nearer view of the Peninsula, so as to ascertain what are the real wants and wishes of the inhabitants, for unless they are consulted and complied with, Spain and Portugal can never be placed in a permanent state of tranquillity, or their internal disputes cease to be a subject of dread and alarm to the rest of Europe.

It has been a maxim steadily pursued by His Majesty's ministers, since the downfall of Buonaparte, that the general peace of Europe is to be invariably preserved, by a due maintenance of its various securities. This was the grand object to which the Allied Sovereigns pledged to direct their future efforts, at the congress of Vienna, as a means of safety to all, and with a view to obviate any recurrence of scenes similar to those which followed the French revolution. A general basis was laid and agreed upon, and from it certain principles were drawn, which, from that moment, passed into public law—If, however, it was then established, that it was the common interest and obligation of all to consult the general policy of Europe, in questions affecting the peace and safety of the whole, it was never attempted to enact, and much less formally agreed, that the Independence of the several States, in their own internal concerns, should be taken away. Under the plea of preserving peace, some of the despotic monarchs, who became parties to the coalition, might secretly have had the preservation of their own unimpaired power in view,

and sought at any time to have a plea to put down popular efforts, directed to dislodge arbitrary rule, and recover rights unjustly taken away. Such despotic Sovereigns might have been anxious to prevent any such examples elsewhere, from spreading among themselves; but it would be madness to suppose, that England then acceded to such a principle, or bound herself to guarantee to the Allied Sovereigns, the actual degree of monarchical, or despotic, power, which each one of them actually possessed, at the time of the general arrangement.

His Majesty's Ministers have always declared in Parliament, and made known to the public, in the demi-official papers which they have deemed it expedient to circulate, as a guidance to the national opinion, "that there exists no article, express or understood; nothing of a general understanding, nor admitted obligation, that one Sovereign should have the right to call upon another to interfere in his own domestic administration (if at any time adverse to his interests and inclinations) or to demand the power of Congress to suppress any merely civil contest between such sovereign and his subjects.* It has, nevertheless, at the same time been avowed, that the stipulations to which England became a party, admit of an interference in such cases as "menace the general tranquillity of Europe, and threaten

* Vide Administration of the Affairs of Great Britain, &c. for 1823.

to reintroduce, in their dangerous excess, those principles of anarchy and spoliation, that regicide system, and that infatuated destruction of all religious faith and establishment, which characterized the French revolution.*

Yet, how my Lord, can such principles as these, be applied to the present situation of Portugal, by any of the powers who took part in the Congress of Vienna? Why, then, shall Spain abuse a public covenant made for other purposes, quite distinct? How Spain has interfered with Portugal, whilst the latter was evincing a forbearance, certainly unexampled, having, at the same time, great and dreadful means of retaliation within her reach, is matter of public notoriety. When our late lamented Premier stated the reasons why government had complied with the requisition for military aid, on the part of Portugal, and shewed that the *casus fœderis* had arisen, he spoke as follows: "Bands of Portuguese rebels, armed, equipped and trained in Spain, had crossed the Spanish frontier, carrying terror and devastation into their own country, and proclaiming, sometimes the brother of the reigning Sovereign of Portugal, sometimes a Spanish Princess, and sometimes even Ferdinand of Spain, as the rightful occupant of the Portuguese throne. These rebels crossed the frontiers, not at one point only, but at several points; for it

* Ibid

is remarkable that the aggression, on which the original application to Great Britain for succour, was founded, is not the aggression with reference to which that application was complied with. The attack, announced by the French newspapers, was on the North of Portugal, in the province of *Tras-os-Montes*, an official account of which has only been received by His Majesty's government this day; but, on Friday, an account was received of an invasion in the South of Portugal, and of the capture of *Villa Viciosa*, a town lying on the road from the Southern frontier to Lisbon. This new fact established, even more satisfactorily than a mere confirmation of the attack first complained of would have done, the systematic nature of the aggression from Spain against Portugal. One hostile irruption might have been made by some single corps, escaping from their quarters—by some body of stragglers, who might have evaded the vigilance of the Spanish Authorities; and one such accidental and unconnected act of violence, might not have been conclusive evidence of cognizance and design on the part of those Authorities. But, when a series of attacks are made along the whole line of a frontier, it is difficult to deny that such multiplied instances of hostility, are evidence of concerted aggression."

"If a single company of *Spanish* soldiers had crossed the frontier, in hostile array, there could not, it is presumed, be a doubt, as to the character of that invasion. Shall bodies of men, armed, clothed, and regimented by Spain, carry fire and

sword into the bosom of her unoffending neighbour, and shall it be pretended that no attack—no invasion has taken place, because, forsooth, these outrages are committed against Portugal, by men to whom Portugal had given birth and nurture? What petty quibbling would it be, to say, that an invasion of Portugal from Spain was not a *Spanish* invasion, because Spain did not employ her own troops, but hired mercenaries to effect her purpose? And what difference is, it, except as aggravation, that the mercenaries, in this instance, were natives of Portugal?”

“ I have already stated, and I now repeat, that it never has been the wish, or the pretension, of the British Government to interfere in the internal concerns of the Portuguese Nation. Questions of that kind the Portuguese Nation must settle among themselves. But if we were to admit that hordes of traiterous refugees from Portugal, with Spanish arms, or arms furnished, or restored to them by Spanish authorities, in their hands, might put off their country for one purpose, and put it on again for another—put it off for the purposes of attack, and put it on again for the purpose of impunity—if, I say, we were to admit this juggle, and either pretend to be deceived by it ourselves, or attempt to deceive Portugal into a belief that there was nothing like external attack—nothing of foreign hostility in such a maxim of aggression, such pretence and attempt would perhaps be only ridiculous and contemptible: if they did not acquire a much

more serious character, from being employed as an excuse for infidelity to ancient friendship, and as a pretext for getting rid of the positive stipulations of treaties."*

To all intents and purposes, the act of aggression alluded to, was completely *Spanish*; as King Ferdinand, if he had so wished, might have prevented it, at the time, with as much ease as he subsequently disarmed and dispersed the perpetrators, when he feared the consequences would otherwise fall heavy on his own head. Yet, what was the plea advanced by Spain for this unwarrantable aggression, and the subsequent maintenance of an army on the frontiers, evidently for a similar purpose? This Ferdinand has never dared distinctly to avow. It is, however, implied, that he acts from precedent. Yet, in my opinion, it would be difficult to make out a parity of cases, even according to the doctrines of the most strenuous Legitimates, if he seeks to imitate the example of Louis XVIII. We are indeed told that the contest between Spain and her subjects, was introduced at the Congress of Verona, and that, without the aid of any other facts upon this subject, than what events had rendered sufficiently known, France claimed the consent of Europe, in the first place, and the common aid, if eventually necessary, to suppress a revolution, so directly affecting the general objects of the Congress.

* Vide Printed Speech of the 12th of December, 1826.

The French Ministers insisted that this contest fell immediately within the two objects of the Congress; viz. the suppression of all revolutionary and antisocial principles, and the maintenance of the general peace of Europe; but that both these objects were alike endangered by the condition of Spain. That it was a jacobinical revolution, and that if a jacobinical revolution had any distinctive characters, they were three." It was further argued "that a revolution is necessarily such, when it is effected by a military defection; when it restrains, and consequently endangers, the person of the King and his family, and when it operates as a system of irreligion and spoliation of the Church."

Such, no doubt were the pleas, and also the maxims on which they were founded, urged to the Allied Sovereigns as an excuse for the French campaign, then preparing against Spain. In aggravation, it was added, that His Catholic Majesty had no control over his soldiers—that the restraint on his own person was notorious—that he was not allowed to choose his own Ministers—that he was compelled to sign warrants for the execution, or rather murder, of his own most faithful and zealous adherents—that he was only nominally the head of his own Kingdom—that the Spanish Princes were living in a state of daily peril and anxiety for their lives, &c. In a word, it was pleaded that the example of such a

* Vide Administration of the Affairs of Great Britain, &c. for 1823.

revolution might affect the safety of the French crown—nay, that it might even extend beyond France. On these premises, the latter claimed the right to employ what she called the means of self-defence.

Yet, even granting, for a moment, that all these pleas were true and real, in what way, let me ask, can they now be applied to Portugal; or used to put down a Charter, granted in as legitimate a manner, as the one bestowed by the Bourbons themselves on the French? There is not the slightest affinity between the two cases. It is, however, universally allowed, that the picture of Spain, drawn by the French diplomatists, at the Congress of Verona, was in most respects untrue, and in others, highly exaggerated. It is certainly a fact, that the Spanish revolution commenced with the defection of the troops; but it led to the reestablishment of a Constitution, previously in force; for upwards of three years, and one that had been acknowledged by ourselves, and by all the European powers, except France. To it the king voluntarily adhered, and, whilst the new system was in operation, he was under no other restraint than that imposed by law. He had, in the outset, besides, another option left him. Why did he not assemble the Cortes of the realm, in the form and manner, he himself had pledged, in his decree issued, in the month of May, 1814? He had, moreover, sanctioned the principle on which that revolution was founded, as well as the means by which it was brought about, by his

formal acquiescence and cooperation, in all its acts, for a period of nearly three years.

The real views and intentions of the French, in their invasion of Spain, are now, however, better understood than when it commenced. The Constitution has been thrown down, and the king *at liberty*, for nearly the last three years—yet the French have not quitted their strong hold. They are still in military possession of Spain, and enjoy her exclusive commerce. And what has Spain gained by this interference? Is she more tranquil, or, is the king more at ease? Certainly no. It is a curious fact, at this moment, to see the Insurgents, raising the standard of revolt in Catalonia, use precisely the same pretext as the one of which the French availed themselves for the invasion of Spain, in 1823. These Insurgents, who certainly are not Constitutionals, proclaim, as a plea to their acts, that their King and Royal Master does not enjoy his liberty, and that, consequently, they have united to free him. They further announce, that he has authorized them to do this service, on his behalf, by a royal order and secret instructions, in the same manner as he did Curate Merino and Baron de Erolles, in 1823, when their respective divisions were acting as a vanguard to the French. These Insurgents make known to their countrymen, that the captive monarch has commissioned them to assert his rights, and free him from his present bondage. How formidable these Insurgent bands have already become in Catalonia, and how likely, it is,

that their example will soon be followed in other provinces, every mail brings fresh confirmation. The three years presence of a French army has not, therefore, restored tranquillity to Spain, or prevented the inroads of anarchy. Spain, on the contrary, is in the situation of a smothered volcano, ready to burst forth, with redoubled fury.

In the pretext of which the Catalonian Insurgents avail themselves, they certainly are right. At no period of his life, except when Buonaparte's prisoner at Valençay, has Ferdinand of Spain enjoyed so little liberty, as at the present moment, although his restraint does not arise out of any *Constitutional* cause; consequently, it is not under the cognizance of the French Bourbons. He dares not perform the most trifling act of sovereignty, without the previous consent of the party by whom he is governed, and whom he trembles to disobey, or offend. His life was never in so much danger; for even if he hesitates, or wavers, the dagger, or poison, is prepared for him. And is the party by whom he is thus overawed, more eligible to the French, than the Constitutionals were, whom they drove away? If the question were proposed to the French officers, now in garrison in Spain, I feel confident they would say, no. The ruling party of the day, is composed of the monks and friars, with Father Cerilo at their head, and at all times ready to dethrone Ferdinand, if he should counteract their wishes. He is, in fact, no other than a nominal monarch. The *de facto* King of Spain, is his brother Charles;

because the real prime minister of Spain is the wife of the latter, and her adjutant the elder sister and Princess Royal of Portugal. To the Infante Don Carlos, every one looks up, as the future Monarch of Spain, seeing Ferdinand without issue and unpopular. They find the latter deserted by all those who, in 1823, were his most strenuous supporters, for to all has he shewn the most marked ingratitude. They have seen that every minister who has served him faithfully, or become the instrument of his follies, in his turn, has been dismissed, and in many instances, banished. The clerical party who now in reality rule Spain, besides, behold their favourite champion, the Infante Don Carlos, ready to go all the lengths they could wish. He is moreover, economical and has amassed a large fortune; whilst the elder brother has scarcely a dollar at his disposal. Yet it is not from these restraints that the Catalonian Insurgents seek to free their Lord and Master. They wish to remove, far from his person, every man of moderate views, and were they to succeed, they would demand a return to those days which were marked by the supremacy of the Inquisition.

The situation of Spain is, in fact, awful, and the French themselves already begin to disclose the truth. They themselves now ask—what remedy can be applied?

Two are the great political parties formed in Spain, viz: Liberals and Serviles, or Constitutionalists and Royalists, perfectly opposed in their views, and only to be reconciled by great

and mutual concessions, on the part of each. The other parties are only sub-divisions of the two leading ones, according to the greater or lesser, degree of fervour which they manifest in favour of a Representative, or Absolute, Government. Hence, is it, that those Royalists are called Apostolicals, who, borne away by a fanatic zeal and anxious to establish despotism on a solid basis, seek to secure the supremacy of the Church, and even restore the Inquisition. In the pursuit of their object, they go so far as to menace the reigning Sovereign with their powerful anger, unless he implicitly acquiesces in their wishes; nay, they even threaten to depose him, and place the crown on the head of his brother. The denominations of *Anilhéro*, Moderate, Mason and *Comunero*, are applied to the Liberal party, according to the ideas, more or less democratical, which they may entertain of the form of government, best suited for their country.

In order, however, to understand correctly the nature of these two great parties, it is necessary to present *de facto* definitions, by noticing how their political tenets work, when reduced to practice. As they now stand, the Constitutionals wish to have the present government destroyed, in order that another one may be established, on a representative basis; whilst the Royalists support the despotic system in force. In examining the composition, strength and opinions of one and the other party, it is of little consequence whether those opposed to King Ferdinand's government,

wish the re-establishment of the Cadiz Constitution, that a foreign Prince should ascend the throne of Spain, or even that a Republican form of government should be adopted; in like manner, as it is matter of mere indifference, if, among the Royalists, there are many who seek the total extermination of the Liberals, even by fire and sword; or that they wish to call the Infante Don Carlos to the throne. Suffice it to say, that these two opposite parties have been struggling for the ascendancy in Spain, ever since the year 1812, and that each one has alternately had it twice.

The several reactions and transitions have not been bloody, at least, comparatively speaking, because the king uniformly joined the party coming into power; but matters have now gone so far, that the same forbearance, if the antagonists again enter the field of action, cannot be expected. That they will again come into contact with each other, from all present appearances, seems inevitable, and when that moment comes, we may expect to see Spain, from one extreme to the other, burning in civil war, and the decision left to arms. There is no other alternative, as matters stand, for it must soon be settled whether *Spain* is to continue to be an European nation, or whether she is to be plunged into a state of barbarism, similar to that of Africa. In one point, however, both parties are agreed, and this is, in the calamities the nation experiences, as well as the impotency of the government. Both would gladly put an end to the mis-

fortunes of the people; but, in the means by which so desirable an end is to be attained, it is, that their division commences. Such is, and has been, the cause of the convulsed state of Spain, for the last twelve years, and it must continue, to the risk and scandal of all Europe, until a proper remedy is applied.

It is, indeed, undeniable that, if Spain possessed any other monarch than Ferdinand VII; or rather, had she on the throne a wise, discreet, dexterous, and spirited Sovereign, she might still emerge from her present unhappy situation, without passing through all the horrors of a revolution and civil war; as it would be in the power of the ruler gradually to calm the agitated minds of the people; allay existing jealousies and fears; pour balm into the rankling wounds, and, having once established a suitable and firm basis, gradually introduce such reforms as are most required. This, for example, he might easily have done, in the year 1814, or 1820, without losing his own dignity, or clashing with those of his subjects, who had hitherto lived on abuses and fattened on the credulity of the people. He had only to hold out to the industrious and enlightened classes, secure hopes that the public grievances would be remedied—he had only to use candour and keep his word. The Cadiz Constitution was no obstacle in his way—it would easily have been foregone, if an equivalent, or a good substitute, had been offered in its stead. It was not a national work; although it had been generally

accepted, not so much from its intrinsic merits, as the peculiar circumstances in which the country was at the time placed. Many good, able and patriotic men had, no doubt, contributed to its formation; but they were theorists and overshoot the mark. The bases were good, and the ancient Statutes of the realm from which they were mainly derived, also highly respectable; yet the applications had been too much extended for a people like the Spaniards, and the details were at variance with their usages, habits and prejudices. Every man who could read, had formed his opinion upon the Cadiz Constitution, and each respected it only in the light of an experiment. It might, therefore, easily have been withdrawn, without the employment of a military force, or a recurrence to acts which the feeling mind cannot contemplate without horror,

The favourable opportunity was, however, lost, and the fatal experience of twelve years has taught the Spaniards that the want of talent, sincerity and virtue, so remarkable in King Ferdinand, as well as in the whole of the Spanish Bourbons, precludes all possibility of a hope that the present differences can terminate by a friendly compromise. All kinds of negotiations are, therefore, considered as unavailable, and the two great parties in Spain stand in the attitude of two hostile armies, which, having mutually reconnoitred each other's position, are now only waiting for a favourable opportunity to commence the attack, and thus decide, by force, a contest which cannot

be left to the umpirage of reason. This is the real situation of Spain, and to this has she at length been brought, by ingratitude, impolicy and misrule.

Which of the two parties is in the right, all Europe has already pronounced, without approving of its extremes. Neither is it problematical to which the soundest part of the community belongs. The liberal party, as in Portugal, is composed of the enlightened classes; of merchants, land-owners, farmers, and artisans; in short, of those who know the interests of their country; those who have no share in the abuses by which it is devoured, and are anxious for a change of government, in order to remove the obstacles opposed to the National felicity. Whatever may be the form of government which this party may succeed in establishing, it will be lasting, if its founders adopt efficacious measures to introduce those material reforms which the people require, and evince a spirit of patriotism and disinterestedness. Their acts will be respected, as long as they do not rush into dangerous extremes, and their measures will be supported, if they put an end to anarchy and relieve the people from the heavy and arbitrary burdens imposed upon them. When firmly established, if they appropriate the useless property belonging to convents and churches, or left in mortmain, to meet the public demands, satisfy the national creditor, open roads and dig canals; if they encourage agriculture, support trade, and be-

friend the people, thousands of families will become interested in the stability of the new system, and the country will gradually emerge from the state of misery and degradation in which it is plunged. The liberal institutions would thus become consolidated, the object of the change being then obtained, by the removal of the great cause of universal discontent.

Amidst all the transitions through which the Spaniards have passed, since the year 1808; in all their attempts to alter the form of government, there has not been the slightest indication of a jacobinical, or republican spirit. Nothing indeed could be more incompatible with the ideas of either the Spanish or Portuguese people, at large. This, therefore, is a charge, cognizable to the Allied Sovereigns, that cannot be brought against either of them, since the acts, or wishes, of a few individuals, if any such madmen as jacobins or republicans ever existed among them, can never affect the whole. Besides, nations do not rise up and contend for empty shadows. Isolated individuals, in theory, may prefer one form of government to another; but great masses are moved only by interest, and when they take up arms against their rulers, it is because they see that those who ought to promote their felicity, are working their ruin.

In order, however to complete the picture, it may be proper to add, that the Royalist party is chiefly composed of the public functionaries—those who live on the miseries of the people; of

a large portion of the nobles, clergy, and the lower orders, ruled and tutored by their spiritual teachers, and who actually conceive that, by the prevalence of free institutions, they are deprived of their exclusive privilege of going to heaven, in their own way. This party heartily detest the Liberals, because they have been taught, by their superiors, to consider them in the character of monsters; and because in the means which the Liberals present for the re-establishment of the nation, the opposite party see elements suited to destroy their own political existence, founded, as it has hitherto been, on the abuses which they have been accustomed to practice, and the darkness in which they have kept the people. Not seeing any remedy to the evils endured by the nation, they cry out; "Death to the Blacks," the name by which they designate the Liberals, whom they seek to brand with epithets the most defamatory, in order that they may be considered as the authors of all the public calamities. Their horrid howls are repeated, at every moment, persuaded that if the Liberals were only once exterminated, they would themselves then be able to live in peace. Insensate men! even more inconsiderate than the Canadian savages, who, as Montesquieu observes, cut down the tree in order to obtain the fruit. They do not reflect that if their wild and senseless plans were carried into effect, the most useful part of the nation would disappear, and the public misfortunes become materially aggravated.

Ideas, so horrible and atrocious, could only be the offspring of a sacerdotal fury, similar to that which, in the time of Charles V. led Alphonsus Diaz to be the murderer of his own brother, merely because he was a Protestant. A free pardon in Spain now awaits the perpetrator of any act of violence against the Liberals, even fratricide, as long as it is performed in support of the throne.* These are the doctrines openly preached from the pulpit and confessional, under the present guardianship of the French. Thoughtless men! to secure their own tyrannical and debased dominion, this same class of political fanatics, in other times, drove the Moors and Jews from their country, thus leaving an irreparable void in the population, useful arts, and industry of Spain. Having gained this triumph, they next established the Inquisition, in order to have full scope for the persecution of those who did not submit to their own creed. And, after all—what have they hitherto gained? Notwithstanding the rigorous and cruel measures which they have pursued, for the last three years, they are again threatened with the loss of all the fruits of their labours and inquietude. They themselves begin to think that their reign is approaching to an end.

In thus duly appreciating the nature and views

* *Dicite Pontifices, ubi fratri occidere fratrem
Permissum? Quis vos spiritus exagitat?
Proh scelus horrendum! Cuncti, me teste, cavete!
Nam scelerum artifices Roma profana colit.*

of the two parties now prevailing in Spain, it may easily be deduced that, as the component elements are so discordant, and the motives of enmity and variance constantly on the increase, a circumstance inevitable, as long as the present form of government lasts, the country cannot fail to be kept in a permanent state of agitation and alarm, more or less visible, the consequence of which must, in the end, be a civil war. The apparently apathized manner in which the Spanish people have endured the existing government, for more than three years, cannot be taken as a guarantee for the permanency of tranquillity, because it must be remembered that nations have to endure great difficulties, and consequently lose much time, before they are enabled to throw down an established government which, being in possession of the armed force and the public Treasury, oppresses the nation, without meeting any other than individual resistance, until a favourable opportunity presents itself, or the cup of public misery is filled up. The Spaniards endured the tyranny of Ferdinand VII, from the year 1814 to 1820, and all the efforts made in that interval, to reestablish the Cortes, were fruitless. The bravest men, such as Porlier and Lacy, lost their lives on the scaffold. All these events, nevertheless, served to condense the general opinion, and accelerate the moment of explosion. Riego, as successful at the commencement of his career, as he was in the end unfortunate, with only a handful of men, became a *point d'appui*, and afforded the na-

tion an opportunity to rise up against tyranny. The same must again happen. Attempts may for the moment fail; but they will be repeated, and eventually they must succeed. Who can then command the tempest to cease? This cannot be done by 15000 Frenchmen, shut up in Cadiz and Barcelona.

Under such circumstances, as these, how then can any thing like peace and harmony be expected from Spain, whilst such a monstrous party exists and overawes the very Sovereign? A Constitutional Charter, raising its proud crest in Portugal, by the Apostolics is considered to their interests more dangerous, from its example, than was Riego's column, when it advanced into the interior from La Isla, in 1820. As a *point d'appui*, it is infinitely more alarming to them. They consider it almost as the signal for that dreadful contest which, they know, awaits them. Hence, was it, that they sounded afar the tocsin of alarm, and concentrated all their forces. Responsive to their call, we immediately beheld the Portuguese rebels enter Portugal, on two points, and a formidable Spanish army assemble on the frontiers. Yet shall Portugal recede, because Ferdinand of Spain and his Apostolics prefer chains to freedom? The bare idea fills one with horror.

In sending forward the Portuguese rebels, equipped and instructed on his own territory, and as a kind of van-guard to his own army, Ferdinand of Spain commenced a campaign

against the adherents to the Charter of Portugal, similar to the one which Austria undertook in 1821, against the Neopolitan Constitutionalists; and of the same class as that which, in 1823, the Duke d'Angouleme commanded against the Spanish Liberals. The object, as already shewn, was the same, although the means employed varied in their form and nature. In the pretext, however, there was an essential difference, as the most strenuous Legitimates will readily allow. At the time it was alledged, by the French and Austrians, that the Spaniards and Neopolitans had committed the unpardonable crime of enacting Constitutions for themselves, without the previous grant and concurrence of their respective Sovereigns; consequently, they were to be punished and their acts disavowed. This objection, however, cannot be applied to the Portuguese Charter, which, our late lamented Premier acknowledged "was unquestioned in its origin and admitted, on all hands, to have proceeded from a legitimate Source—a consideration which had mainly reconciled Continental Europe to its establishment."

Why then shall Spain be allowed to avail herself of a pretext, not authorized, in theory or practice, by the maxims agreed upon for the preservation of European peace, by the assembled Sovereigns, at the close of a long and momentous war, which followed the French revolution; or why is King Ferdinand now to carry on a masked war against institutions, to the establishment

of which “Continental Europe is already reconciled?” Why shall he be allowed to cast down an edifice, raised by the hand of a Sovereign, equally as independent, and infinitely more powerful and liberal than himself, merely because he dreads lest its brilliancy may, in the course of time, reflect some divergent rays of light among his own benighted people, whom he has an interest in keeping in the dark? Why is the happiness and good government of one nation to be prevented, because the Sovereign of a neighbouring State prefers debasement and degradation? Why shall Portugal be impeded in the career of regeneration, because Prince Metternich, and those of the old school, tremble at the example? The allied Sovereigns agreed to discourage all acts of violent revolution, and to repress them, when they assumed a character, alarming to themselves. Yet, is the peaceable and legitimate means pursued by Portugal, to promote her own prosperity, now to be interpreted into a charge of crime and violence? The idea is preposterous—nay monstrous, in itself.

In the month of January, 1823, at the opening of the Session of the French Chambers, Louis XVIII, declared, from his throne, “that his only object in sending an army into Spain, was, to conquer a peace, which the existing state of the country rendered impossible.” He then added; “Let Ferdinand VII, be free to give a Constitution to his people, which they can only obtain from him, and which, in assuring their

repose, will dissipate the uneasiness of France.” What, let me ask, were the conclusions the Spaniards were then warranted in drawing, from a declaration of so pointed a character, made by a Sovereign who had himself bestowed a Charter on his own people? They certainly had a right to expect that a similar Charter, or a good substitute, would be equally granted to them, more particularly, when they heard the Duke d’Angouleme’s declarations made at Andujar. Yet, after a lapse of three years, nothing of all this has been done! The occupation of Spain, by the French, has not been followed by a single measure that, according to their own doctrines and principles, could restore peace, and render their presence no longer necessary. By their invasion and occupation of Spain, they have however prepared and condensed elements, infinitely more dangerous than those they professed to remove. Had they redeemed the pledge, held out by their own Sovereign; had they followed the wishes of the Duke d’Angouleme, as announced at Andujar; had they offered a modified Constitution, or had they caused a new Charter to be tendered; had they proceeded on any other plan than that of arming the base and fanatical part of the population, against the sound and enlightened classes; had they not suffered vengeance to be inflicted, under the most horrid forms; had they not commenced with an attempt to convert religion into an engine of oppression; had they not plunged Spain into a state of the most alarm-

ing anarchy and civil war; or had they, in short, offered any other terms than those of base submission, they might have saved the country from all the anarchy that has since ensued.

Leaving the French, however, to enjoy the whole of their triumph, as regards Spain, I shall next proceed to remark that, according to the declarations made by ministers to Parliament and the country, as well as the ready supply of military aid, it appears very clear, that Great Britain is determined that the same scenes which occurred in Spain, in 1823, shall not now be repeated in Portugal. "We go thither," said our departed Premier, "in the discharge of a sacred obligation, contracted under ancient and modern Treaties. When there, nothing shall be done by us to enforce the establishment of the Constitution; but we must take care that nothing shall be done by others, to prevent it from being fairly carried into effect." This is all Portugal could expect—more the warmest friends of that country could not desire; yet, if instead of external force the enemies of the Charter now resort to plots and intrigues; if they employ bribery and seduction, to gain over partisans, and if they publicly receive the countenance and support of the diplomatic agents of other powers, can it be called a *fair trial* of the Charter? It has been expressly acknowledged that this Charter, "in its outset, was sanctioned by the glad and grateful acclamations of those who are destined to live under it," and that to us, Englishmen, it was recommended by the ready

acceptance which it met with from all orders of the Portuguese people."* Has it, then, since been found defective, or, are the people tired of it? Most assuredly no.

Unfortunately, it is very generally believed, in Portugal, that we are opposed to the triumph of the Constitutional Charter, and that, although we are prepared to repel an open aggression, we are indifferent as to the secret means by which Spain and her supporters attempt to gain their ends. Hence, is it, that the friends of the Charter are disheartened, more particularly when they remember the past. The liberal and enlightened Portuguese, those who have been persecuted for the last four years, uncertain as to the issue of the present trial, remain shut up in their houses. The consequence is, an apparent apathy, or rather a dread of those powerful intrigues by which the new institutions are beset. Thus, is it, that the largest portion of the nobles and clergy have been encouraged in their opposition. Many of the Portuguese aristocracy, however, are fully sensible that, like those of England, they must be content to partake fully with the people, in the blessings which flow from a well understood liberty. Yet even granting that all the nobles were opposed to the Constitutional Charter, and that any single one of them should be so, is matter of astonishment, when the consideration they thereby re-

* Vide Mr. Canning's Speech of the 12th of December.

ceive, is remembered; let me ask, is the whole population of Portugal and her Dependancies to be sacrificed, and Spain and her supporters allowed to triumph, merely to please the whims and grovelling predilections of the privileged orders?

Previous to the accession of King John VI, the total number of titled nobles, in Portugal, was fifty-nine; viz: two Dukes, twenty-two Marquesses, thirty-four Counts, and one Viscount. Within the thirty-four years of his reign, exclusive of those who died in that period, there were created, one Duke, twelve Marquesses, forty-two Counts, forty Viscounts and twenty-seven Barons; total one hundred and twenty-two. The present titles consequently are, three Dukes, thirty-four Marquesses, seventy-six Viscounts, forty-one Counts and twenty-seven Barons; making, in all, one hundred and eighty-one titled nobles. Supposing that to this number as many more of the higher clergy are added; the total of those who, from interest and education, might be considered as opposed to the Constitution, would not then be more than three hundred and sixty-two. And, for the mere gratification of so small a number of persons, is a population of three millions to be sacrificed, and held in a state of debasement? Where is the ancient spirit of the Portuguese nobility fled? Where are the proud names by which, in former times, their monarchy was adorned? If, however, they are insensible to shame; if honour, in their eyes, is no other than an empty name, will not the example of a young prince,

born among them, and now covering himself with glory in the New World, rouse them from the lethargy in which they are sunk, and stimulate them on to nobler deeds? Shall it be even said that the Brazilian nobility surpass them, in knowledge, liberality and patriotism? The nobility of Brazil are not surrounded with less splendor, on account of their recent creation, and they have besides the advantages of personal merit, in their favour. They are grateful, and moreover know their real interests; consequently, they will become the firmest pillars of a Constitutional throne. And, will the hereditary nobles of Portugal, bear the stigma of being the first to rivet the chains, and dash the cup of happiness from the lips of their panting countrymen? If this is the case, well might the prophetic poet and patriot, the inimitable Camoens, in his days, say of them.

. . . viciosos successores,
 Que degeneração, certo, e se desvião
 Do lustre e do valor de seus passados,
 Em gostos e vaidades atolados.
 Aquelles Pais illustres que já derão
 Principio á geração que delles pende,
 Pela virtude muito então fizerão,
 E por deixar a casa que descende.
 Cegos! Que dos trabalhos que tiverão,
 Se alta fama, e rumor delles se estende,
 Escuros deixão sempre seus menores,
 Com lhes deixar descansos corruptores.

Cant. 8, Estan. 40.

If the Portuguese clergy, who ought to be the best informed members of the community, and

whose holy duties ought to make them abstain from encouraging civil feuds and fanning the embers of discord, continue to use their character and influence to keep their countrymen in bondage, will not all the world pronounce those motives for their conduct to be true, which the national Seer once attributed to them?

Só por poder com torpes exercicios

Usar mais largamente de seus vicios.

Cant. 7. Estan. 84.

No one was more sensible of the necessity of granting to Portugal a Constitutional Charter, as a means to satisfy all parties, restore tranquillity, and promote the prosperity of the realm, than the late King John VI. He also considered this as an act of justice, due to the nation. As early as the 18th of June, 1823, that is, eighteen days after the popular Constitution had been put down, the King issued his royal decree, creating a Junta, or Commission, composed of some of the most distinguished men in the country, among whom was the Marquess de Palmella, "in order to prepare the Project of a Charter of Fundamental Law, 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.

Counsellor Abrantes, in his spirited Answer to the noted Manifesto, circulated in 1825, against the British, and, at the time generally understood to be the work of Pamplona, known as Count de

Subserra, a paper which certainly cannot be read without sensations of mingled horror and disgust, distinctly says, "that the Marquess de Palmella always counselled the King to grant a Constitutional Charter to his people; and not being able to obtain his end, he pointed out the necessity of at least convening the ancient Cortes, under such modifications as the progress of intellectual improvements, and the diversity of times and circumstances required. Both the King promised; but, to the one and the other pledge was he wanting, because the Count de Subserra, a faithful servant of Ferdinand VII. so advised him."

In justice to the Noble Marquess, it must be acknowledged, that he has always been favorable to the adoption of a liberal system, in Portugal, and no one has laboured, with greater activity and more sincerity, to introduce a new order of things, than himself. Less, indeed, could not be expected from the talents and experience of that able diplomatist. He was, nevertheless, sensible that the new institutions, in order to be unobjectionable and lasting, must be derived from a legitimate source, and congenial to the wants and wishes of the people for whom they are framed. No one could be better aware, that the structure and symmetry of the political edifice, must be proportioned in all its parts, and raised with an extremely careful hand. As a reflecting man, he must have dreaded sudden changes; yet, with a good basis laid and a firm and sincere cooperation on the part of the Sovereign, he must have been equally as confident of success, as many

others of his enlightened countrymen were. He knows his country well, and was fully convinced that great sacrifices were to be made of ancient prejudices and exclusive privileges, in favour of national prosperity and the temper of the times; yet, he never, for a moment, imagined the task to be insurmountable. Having, with his own eyes, observed the progress of society and good government in nearly all the capitals of Europe, he must have deplored that preposterous union of civil with ecclesiastical authority, so long prevalent in the Peninsula—that union which armed the ministers of the altar, and empowered them to enforce their precepts by an appeal to a penal code, the most unjust and cruel that was ever invented. He had, however, the satisfaction to reflect that, in Portugal, the fatal effects of this debased system had been gradually diminished, and he must have had a confident assurance that the remaining abuses, in the course of time, would be rooted out, under a wise, firm and enlightened administration. The Marquess de Palmella, in short, must have had a moral certainty that a change would be acceptable to the people, as well as productive of good to the country, and that the excellence of laws is to be known by the beneficial effects they produce on those for whom they are enacted.

His anxious and energetic labours, unfortunately, were not then crowned with success; yet, their object will be duly appreciated in a country like our own, that mainly owes its prosperity and

happiness, to that well regulated degree of civil and religious liberty, which its inhabitants enjoy. Such strenuous efforts, also, resulting from that best of all motives, conviction, seconded by the warmest wishes for the glory and welfare of his country, induce a full and firm belief, that the Noble Marquess will not relax in his endeavours, now that so favorable an opportunity presents itself to carry the grand work of regeneration into effect, and that he will again be foremost to aid, by his talents and advice, to dispel that gloom in which the Portuguese nation has been so long enveloped.

Contrary to the solemn pledge given by King John VI, in opposition indeed to his own wishes and the interests and expectations of his people, he dissolved the Commission which he himself had appointed, by virtue of his own decree of the 18th of June, 1823, for the purpose of "framing a project of Fundamental Law for the Portuguese Monarchy, which important labour" he at the same time declared, "had been completed much to his own satisfaction and esteem, and as he had always hoped from the wisdom, zeal and discretion of the members thereof,"* On the previous day, that is, the 4th of June, 1824. King John VI. issued Letters Patent, declaring that the ancient, true and only Constitution of the Portu-

* Vide Royal Decree of the 5th of June, 1824, Declaring the Junta, created by Decree of the 18th of June, 1823, to be dissolved.

guese Monarchy, should be restored, and ordering that the Three Estates of the Realm should be called to Cortes.

In this document, which will always stand as a monument of the good wishes of the late King, in the same manner as the non-fulfilment of the provisions it contained, will ever be quoted as a proof of his weakness, as well as of the debased state in which the government of Portugal was, at the time, sunk, the monarch avows that, "Having, in his previous decree (18th of June,) manifested his intention that the Charter of Fundamental Law should be accommodated to the form of the Representative governments established in Europe, as well as to the mutual relations of the different parts of the Portuguese Monarchy, he meant that there could not fail to be a National Representation, yet it was to be in harmony with the principles previously laid down." The monarch then proceeds to say that, "Having, with deep and mature reflection, meditated 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 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 took, and which I myself took, to maintain the Rights and privileges of the Nation." &c.

The King goes on to say that, "As by conveying 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 attorneys ; the Clergy and Nobility, by those of their own Members, entitled therein 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 effect 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 shall be called to Cortes." &c.

After such a declaration as the above, proceeding from the sovereign on the throne, founded on a just sense of the expediency of the measure

proposed, and supported by the advice of the Council of State, and the concurrent opinions of a Board, specially appointed, as well as “of many persons fearing God, faithful in the service of the king, and zealous for the welfare of the realm,” shall it be said, My Lord, that a representative system is not lawful and necessary in Portugal; that the people are not prepared for institutions of a free and liberal character, or that the tranquillity and prosperity of the country can otherwise be promoted? The idea would be preposterous, after the experience we have had, since the year 1820. King John VI, as already shewn, attempted the plan of granting a Charter, and next of restoring the ancient Constitution of the realm; but both times his views were defeated, by the intrigues and machinations of the Pamplona ministry, and the foreign agency by which it was supported. No one, interested in the affairs of Portugal, can read, without feelings of indignation, the development of these intrigues and machinations as recorded by Counsellor Abrantes, in his Answer to the Pamplona Manifesto; in like manner as no Englishman can fail to express his hearty acknowledgments, for the able and spirited defence for which they were indebted to the pen of that distinguished patriot, voluntarily undertaken, at a critical moment when one of the most horrid plots that ever entered the head of a human being, was organizing against the British residents in Portugal. Pamplona was the known and avowed agent of the French, and although I feel

disposed to acquit them of any direct participation in his horrid scheme, to destroy British ascendancy in Portugal, there are too many public proofs on record, as well as too many witnesses now living, to deny the fact that French agents, aided by those of Ferdinand VII. mainly prevented King John's wishes from being then realized.

In justice to the late Monarch of Portugal, it must be acknowledged, that he took the oath to the Constitution, in 1822, with the best good will, and when the ceremony was over, he turned round to the *corps diplomatique*, and, in a loud and energetic manner, said to them: "Tell your Sovereigns that I have taken the oath to the Constitution, enacted by the General and Extraordinary Cortes of my Nation, freely, willingly and with all my heart." When the Marquess de Loulé was assassinated in the Palace of Salvatierra, the King said, in the presence of all his servants; "If the Cortes existed, I am certain that an assassination so horrid, would never have been committed within the palace, and near my own apartments." Often, has he been heard to declare, that he never slept so soundly as during the time of the Cortes, and that he was never treated with so much respect and consideration by his ministers, as then. No man, in fact, was ever more to be pitied than King John VI, during the few last years of his life.

From the time the Constitution of the Cortes fell, in 1823, he was the unceasing victim of his

own natural timidity, as well as of the delusions practised upon him. As part of a concerted plan, every courtier and parasite who entered the palace, told the monarch of some new conspiracy in progress, of which he had heard ; or some new tendency to republican principles, which he had noticed among the people. One told him that heretical books were pouring in from France and England, and a second that soon the boasted religion of the country would be at an end. A third assured him that the French Jacobins and Buonapartists wished to make Portugal a theatre for their designs against the Bourbons ; whilst the English radicals were maturing plots in Lisbon which were intended to operate in London. He was always fearful of calling down the anger of France. He never forgot the advance of Junot's army, which caused him to embark for Brazil, and his designing courtiers took care constantly to remind him of those emphatic words, used by King Ferdinand in his memorable Proclamation, issued at Port St. Mary's, on the 1st of October, 1823, immediately after his release from Cadiz, as he called it ; " France, in a few months, has triumphed over all the rebels of the world, collected for the misery of Spain, upon her classic soil of fidelity and loyalty."

Sometimes a nobleman, out of breath and covered with dust, would dismount at the palace gate, and hasten to the King's apartments, to tell him of some seditious cry his own confidential servants had heard ; or some dangerous book,

privately printing, which his confessor had denounced to him. These insidious and preconcerted reports were confirmed by another zealous and devoted courtier, and then considered as true by the weak and deluded monarch, who was carefully debarred from all means of ascertaining the truth, or knowing what was really passing in public. If he shewed the least disposition to relent, or any expression, in the liberal sense, was heard from his lips, a new conspiracy was played off upon him, and if Lisbon was too near for the theatre of the intended explosion, it was very conveniently transferred to Oporto, at the very name of which the good monarch had been taught to tremble. Thus was he continually tortured by those who had access to his person.

In all this, however, the king was not altogether deceived. Although not possessed of the advantages of a good education, his mind was naturally strong, his perception quick and his judgment discerning. He was fond of his country, and hence was the known humanity of his heart so easily and frequently abused. The natural goodness of his character was perverted by those who were continually preying on his feelings, agitating his nerves, and rousing his fears. He had studiously been taught to remember, with sensations of terror, the monstrous phenomena of the French revolution, which brought the unhappy Louis and thousands of other illustrious victims to the block. That modern example of excesses and crimes, caused by party animosities and the po-

pular projects of reform, were continually placed before his eyes, and made to interrupt his peaceful slumbers. When the affairs of either Spain, or his own country, in his presence were discussed, he heard nothing but topics of alarm from his advisers, whilst those foreign diplomatists who approached his person, and had an immediate interest in faithfully serving their employers, told him that he must adhere to the Continental system, which held all revolutions and changes in utter abhorrence. His own domestic calamities also preyed on his spirits, and unmanned his mind. From June, 1823, up to the hour of his death, he actually stood alone, without a confidential friend, or one with whom he had the courage to unbosom himself, on many matters that weighed heavy on his mind. He seemed to follow the current by which he was dragged on, sensible of his danger, yet divested of courage to extricate himself from it. He had tried the experiment twice, as he thought with the best support; but, having failed, his spirits were sunk too low to make the third attempt.

With all this evidence before him of the real wishes of his late Father, as well as a perfect knowledge of the wants of his country, could the just and magnanimous Peter do less than grant a Constitutional Charter to Portugal? I think, My Lord, that no Englishman would feel disposed to accuse him of levity. If this then is the real state of the case, is it not his interest and his duty to support the Charter which he has so granted—nay, is it not the interest and true policy of his

allies also to second his endeavours? If, it is an acknowledged fact that, "from the Accession of the House of Braganza to the Throne of Portugal, that Monarchy has not ceased to be nurtured by the friendship of Great Britain," is not this the best possible opportunity of evincing the sincerity of that friendship, and proving to our allies that it is still both unimpaired and undiminished? Some of my readers may perhaps, turn round upon me and ask; What are we to make war in support of the liberal institutions of Portugal? I answer—no. My wish, is, that the causes of all war, in which we could ever be implicated, should be removed, or counteracted. I always wished that this should have been done, in 1814, but, I still think, it can be done now, if time is only taken by the forelock.

From the premises herein established, it will, I conceive, be readily allowed, that no permanent tranquillity can be expected in Portugal, unless the present Charter is upheld; and that after the Portuguese themselves, as a nation, we are the next who have an immediate interest in its permanent triumph. We are, therefore, called upon to inquire whence any danger to the Portuguese Charter may be apprehended, and this point being ascertained, it follows that we are bound, by honour and interest, to use all our efforts—all our good offices, and all our moral influence to avert that danger, and prevent it from becoming fatal to the future tranquillity and prosperity

of our old allies, or endangering their independence.

If we can believe the public professions of the French, they have no wish to see the Portuguese Charter overturned, at least, they instantly withdrew their envoy from Madrid, and highly blamed Ferdinand of Spain for his unjust conduct towards Portugal. This conduct was equally blamed by all the other allied powers. The Minister of Foreign affairs, during the last session, declared to the French Chamber of Peers, as follows, "*Sa loyauté (la France) et sa dignité ne sauraient lui permettre de soutenir des actes injustes et passionnés, qui n'ont eu lieu qu'au mépris des conseils qu'elle avait données et des promesses qu'elle avait reçues.*"

Our late Premier, in his Speech above referred to, also declared that the "French Chargé d'Affaires had signified to His Catholic Majesty, that Spain was not to look for any support from France against the consequence of her aggression upon Portugal," adding, that, "as to the sincerity and good faith of the exertions made by the government of France, to press Spain to the execution of her engagements, he had not the shadow of a doubt."

It is, therefore, clear, that the only enemy to the Portuguese Charter, who has hitherto publicly avowed himself as such, and this more by his deeds than his words, is King Ferdinand VII. as the great organ and instrument of the Apostolical party by whom he is ruled and overawed.

In one of his proclamations, issued subsequent to the establishment of the Portuguese Charter, he did indeed declare, that "he would never forego the absolute power of which heaven had made him the depositary, and that those of his subjects who might fear his giving up any part of this valuable and incontestable prerogative, might rely on his care to preserve it unimpaired." This, however, was rather a profession of political faith, renewed to his countrymen, than an hostile denunciation put forth against Portugal. It was, nevertheless, accompanied by the aggression of the Portuguese rebels, and the assembling and advance of a large army, evidently intended to support their movements. The intentions and views of Spain were, however, more fully explained in M. Salmon's circular, addressed to the Captain-Generals of the Provinces: but, even that does not amount to a declaration of war, although, it distinctly shews that it is the fixed determination of the Spanish Government not to allow the Portuguese Charter to take root, lest, by its example, it may endanger the absolute power with which the Castilian monarch is invested.

And, my Lord, as the sincere allies of Portugal, shall we consent to this? As matters now stand, Spain actually menaces the future tranquillity of Europe, by the nature of her quarrel with Portugal, which can be considered in no other light, than as the real commencement of that dreaded war of opinions, unconfined to place,

so patriotically denounced, and so feelingly deplored, by our late lamented Premier. If such a war is not early prevented, and its consequences counteracted, God only knows how we ourselves may eventually be implicated. Having already flown to the aid of Portugal, can we now withdraw our troops, without a positive certainty that the motives which led to their debarcation, will not be renewed? Such a step would never satisfy the British people; nor could an act, so inconsiderate, be expected from the foresight and prudence of our ministers. What, then, is to be done? We have two expedients, by which our object can be obtained, and, if we are in real earnest, I make no doubt, successfully, and these are, to demand ample securities from Spain, and to guard the Infante Dom Miguel, at his approaching return to Portugal, as the Lieutenant of his Imperial Brother, from becoming an instrument in the hands of those who have an interest in casting down the Charter.

The first expedient is certainly the most difficult to realize, owing to the obstancy of the predominant party in Spain, as well as the impossibility of rendering any plan efficient, without an abolition of that antisocial state in which the country is placed. Yet is this obstinacy, and this disregard for the peace of Europe to last for ever? Why, instead of prolonging the occupation of Spain, do not the French undertake this part of the negotiation? They have more right, than any other nation, to demand of king Ferdinand

an act of justice. In this, besides, their own national honour is implicated. When they went to Spain, they pledged to the people that a representative form of government should be introduced, and the Duke d'Angouleme, writing to King Ferdinand, under date of the 1st of August, 1823, says as follows: "*Le Roi, mon oncle et seigneur, avait pensé, et les évènements n'ont rien changé à ses sentimens, que votre Majesté, rendue à la liberté et usant de clemence, trouverait bon d'accorder une amnistie nécessaire après tant de troubles, et de donner à ses peuples, par la convocation des anciennes Cortés du Royaume, des garanties d'ordre, de justice, et de bonne administration. Tout ce que la France pouvait faire, ainsi que ses alliés et l'Europe entière, avait pour objet de consolider cet acte de sagesse; je ne crains pas de m'en porter garant.*" This is no more than Ferdinand himself once pledged to do. Why, then, is it not done?

The Vienna Congress professed to put down "anti-social principles," and can those by which the present government of Spain is directed, be considered in any other point of view? In the settlement of the affairs of Spain, there must be remissness, somewhere, for if the voice of France is too weak to reach beyond Ferdinand's *Camarilla*, why do not the allied powers step forward themselves? To effect their purpose they do not require armies; a simple declaration and general understanding on the subject, would suffice. I have already shewn that no compromise can take

place between the two leading parties in Spain, without mutual concessions, or the interference of a high authority. Without this, the evil complained of will daily increase. Notwithstanding her public professions, France has not yet distinctly shewn that she is willing to allow the proper remedy to be applied, and hence, is it, that her sincerity is rendered dubious. This is indeed confirmed by the whole tenour of the recent policy of France in Portugal. It was her agents who supported the Pamplona ministry, for nineteen months, and to this ministry do the Portuguese owe the greatest part of their calamities. The French cannot disguise their jealousy of our ascendancy, even now, that the objects of the old family compact among the Bourbons, have died away. A feeling of this kind was plainly manifested in the French Legislature, when the debarkation of British troops in Portugal was announced. M. Hyde de Neuville, perhaps more alive to the subject than any other member in the Chamber, owing to his late residence in Lisbon, in the character of envoy, very warmly replied to one of the speakers: "*Occupons-nous plutôt de cette fièvre rouge qui vient de débarquer dans le Tage.*"

The French have always supported the views and intrigues of the Spaniards in, and against, Portugal, and it is confidently expected that their joint efforts will again be exerted to rule and influence the councils of the future Regent. On the effects of this appointment, the Spanish Apos-

tolicals build their most sanguine hopes. At it they rejoice, with as much exultation as they do at an event that lately filled every British heart with mourning. Their tone and expectations are now raised higher than ever, and fresh intrigues preparing. If the young Prince, on his arrival at the Portuguese capital, is surrounded by evil-minded men; or if his administration assumes a character similar to that which distinguished his father's reign, from the time the Villa Franca appointments were closed, until the fall of Pamplona, Portugal sinks back into the same state Spain has been in, since September, 1823, and all the beneficial views of the founder of the Charter will be defeated. Yet such a calamity may be avoided by timely advice, and by the display of that moral influence we still wield. On other occasions, not more momentous, we have used both, with success. In 1807, we advised the King and Royal Family to emigrate to Brazil, and it was done. Subsequently we counselled King John VI, to put down the Pamplona ministry and acknowledge the Independence of Brazil, and our wishes were complied with.

Why, then, shall not an extra effort be made on the present occasion? Who is it we have to fear? We should only be doing an act of friendship, and supporting the interests and rights of a distant ally, who, after our own declarations, has reason to expect that we will take care "that nothing is done by others to prevent the Constitution from being fairly carried into effect." Portugal

needs repose, and this can only be secured by the absence of danger. In the permanency of that repose, no nation has a deeper interest than ourselves, because we have much more at stake, than any other. It is also time to correct that erroneous idea of the Portuguese not being prepared to enjoy the benefits of a liberal Constitution. I hope I have already produced evidence enough, to prove the contrary. For this, one would think, the avowals of their late Sovereign alone would suffice. It is an undeniable fact, that all the enlightened and industrious classes in Portugal, sigh for the regeneration of their unhappy land. They are tired of anarchy and misrule. Where, besides is the Portuguese who is not familiar with the language of the national poet, Camoens? If the Inquisition had left no other book in their hands, this alone was sufficient to keep alive exhilarating recollections, derived from their past history; this alone would teach them to abhor despotism and value the rights of free men.

The issue of the ensuing contest, that is, of the expected struggle which is to decide whether the Constitutional Charter, as wisely granted by King Peter IV. is to stand, or fall, will equally decide whether we are to continue to be considered as the sincere friends and firm allies of Portugal. On us, at the present moment, every eye in Portugal and Brazil, is cast. So far, we have been unfortunate in the choice of our diplomatic agent, on whose good wishes and good offices so much

depends, in a country like Portugal. The Portuguese, as well as every Englishman interested in the affairs of Portugal, beheld, with most sincere regret, the individual whose name was so ominous in the late Affairs of Naples and Spain, entrusted with the most important of all commissions; whilst the enlightened and experienced diplomatist, the one who, from his long residence and old relations with Portugal, was entitled to most confidence, from motives of mere delicacy, or rather punctilio, was withdrawn, on so momentous an occasion as the present. This circumstance alone, filled the hearts of those who wish well to the Charter, with dread and dismay, and has prevented many of the best patriots from emerging from their present solitude. That distrust has gone on increasing, till at length our policy, with regard to Portugal, has become dubious, and numbers have been induced to conclude, that the stability of the new order of things, is to us a matter of mere indifference, attributable to a want of sympathy for a people, to whom we are bound by so many and such sacred ties.

How this happens, is to me matter of great astonishment, when I reflect on the imperious considerations which urge us to look to the welfare of Portugal. I never can forget what Portugal was to us, during the late Continental war. "From this nook of Europe" said Mr. Canning, at the dinner given to him at Lisbon, in 1816, "proceeded that impulse by which its

mightiest Kingdoms have been set free. In this sterile and unpromising soil, was deposited the seed of that security, whose branches now overshadow mankind. From these recollections and associations, the land in which we are assembled, derives an animating and classic interest, even in the eyes of the most indifferent observer. For my own part, I cannot view this City, in which, for so many months of horror and anxiety, the hopes of Europe lay trembling for their doom; I could not traverse those mighty fastnesses of nature, which fence this capital—those bulwarks behind which Victory herself retired to new plume her wings, for a flight more soaring and more sustained; I could not contemplate these holy ruins, amongst which I have been wandering, where an awful curiosity pauses to enquire whether the surrounding destruction has been wrought by ancient convulsions of nature, or by the sportive sacrilege and barbarous malignity of the foe; I cannot behold the traces of desolation in this country, and of suffering among the people, without rendering a just homage to the character of a nation which, by all that it has done, and more, by all that it has endured, has raised itself to a pitch of moral eminence, so far beyond the proportion of its territory, population or power.”

He then goes on to add; “Portugal would not have been saved without England, it is true; but Portugal was to England a main instrument for the mightier task which England had then to perform. We brought hither councils, arms and

British discipline and British valour. We found here willing hearts and active hands—a confiding government—a people brave and enduring, docile in instruction, faithful in following, patient under privations, not to be subdued by disaster, and not to be intoxicated by success. The arm of England was the lever that wrenched the power of Buonaparte from its basis; Portugal was the fulcrum on which that lever moved. England fanned and fed that sacred fire, but Portugal had already reared the altar on which that fire was kindled, and from which it mounted, brightening and widening, until the world was illuminated with the blaze.”

And, My Lord, do we owe no debt of gratitude for all this? Are these services so soon forgotten? Or are those, by whom they were rendered, to be condemned again to endure the scourge of lawless power and oppression? Are men who so lately could do such deeds, as these, for the freedom of their country, now to be considered as undeserving of our regard; or shall we pronounce them unfit to enjoy the benefits of institutions, which a beneficent monarch has legitimately bestowed upon them? The whole of our long alliance with Portugal, has been a continued series of acts of friendship and protection, performed by great sacrifices and great efforts in favour of her freedom and independence. Yet shall the best and most valued proof of our interest and sincerity, now be withheld? Portugal can never become happy, independent and secure, unless her inha-

bitants are raised from the degradation in which they have been so long sunk. This, their late monarch himself avowed. He even dared to point out the means by which so desirable an object might be obtained. Unhappily, he was thwarted in his good wishes, by that very same class of intrigues and machinations, now preparing to entrap the future Regent, and the consequences are still before our eyes. By a timely effort, on our part, we may yet place the Portuguese in a situation no longer to dread the intrigues of a Pamplona, or the *Lettres de cachet* of a Randuffe. One half of the pains taken, one half of the energies employed, and one half of the strong and threatening advice used to put down the Pamplona ministry and induce the acknowledgment of the Independence and Separation of Brazil, would shield the Charter from the insidious plots of its enemies, and render the benign intentions of its illustrious founder, permanently triumphant. We have only to will it, and the work is done. And in performing this act of friendship and justice, whose anger is it we have to fear? Is it that of Spain?

Our policy, with regard to King Ferdinand's government, seemed to be made up, when our late Minister of Foreign Affairs addressed to the Spanish envoy in London, his memorable answer of the 25th of March, 1825. From that moment, we were prepared to expect no other than acts of insincerity and contrarieties from the ruler of Spain. In this, I am led to think, we were not mistaken. In

upholding the Portuguese Charter, we cannot, however, fear the resentment of France, since, after the public and repeated declarations she has put forth, she cannot now step forward as the champion of the Spanish Apostolicals; nor dare she undertake an open war against institutions, as legitimate as her own. She would never take so awful a responsibility upon her shoulders. When England, in 1824, interposed her trident between America and Europe; when she boldly avowed her new policy, and silenced the cries of those who would still gladly have deluged the New World with blood and desolation, in order to restore the dominion of Spain, war was not the result. On the contrary, Europe was reconciled to the measure, and most of the powers soon followed our example. Ill will was, no doubt, felt somewhere; yet no one, except Spain, ventured to contest our right, and she did not dare to resent the measure, in any other way than remonstrance. The parties, then offended, are the very same who now endeavour to put down the Portuguese Charter, partly out of hostility to us. Yet, is it their anger we are afraid again to brave?

The dawn of freedom, in Portugal, is, My Lord, most auspicious, and it would be a singular circumstance, if such an event were not interesting to that nation, in which alone the spirit of real liberty is supposed to dwell. When the friend of humanity, in whose heart education has engraved the horror of injustice and a solicitude for the happiness of mankind, casts his eyes over the

crimsoned pages of that portion of Spanish history; which comprehends Ferdinand's reign of terror, from the year 1814, with only a short interval, up to the present time, he must shudder at the idea of the Apostolicals gaining an ascendancy in Portugal. They are now, however, again marshalling all their strength, and preparing to act, nay, even before the future Regent returns to Lisbon. All possible plots and machinations will be resorted to; yet we have only to second the benevolent wishes of king Peter IV., and in a firm and manly way throw the weight of our influence and good offices into the opposite scale, and the triumph is secure. One single act of enlightened policy will place the Charter beyond danger, when Portugal will be at peace and prosper. She will then, and then only, recover from her past misfortunes. Under a wise administration, she still possesses all the elements, necessary to constitute an efficient and powerful kingdom. She has still dependancies enough, proportioned to her size. The Azores and other Islands, as well as her Eastern Colonies, properly administered, offer inexhaustible resources to her commerce and navigation. These, and many other dormant ones which she possesses within herself, would be gradually developed, if she has only the aid of liberal institutions. All, My Lord, will be lost if the Charter is overthrown; nay, I will venture to add, if vengeance and monachism triumph in the Peninsula; if the Imperial power is shook in Brazil, or, if Bolivar is lost to Colom-

bia, the destinies of those three interesting portions of the globe, will stand still, for the next twenty years.

Again soliciting Your Lordship's pardon for my long intrusion, I avail myself of this opportunity to express myself,

With most profound respect,

Your Lordship's,

Most obedient and devoted Servant,

WILLIAM WALTON.

London, September 12, 1827.



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