with a handsome cork leg from Paris. The diligenza was stopped, and the cork leg stolen with the other property, but immediately restored, on the Alcalde proclaiming that, unless restitution were instantly made, he would scour the country, and hang up every offender.

I once had occasion to see the first Alcalde of a remote Andalucían village engaged in his official duties. This mayor and chief magistrate of a municipality wore no shirt, an article which seriously formed no part of his ordinary costume; his feet were encased in the heavy brogues, which the peasantry commonly wear in winter, of leather, ill-tanned and never cleaned—the mud not even scraped off. His legs were stockingless, as was apparent from the bare shins which his rather short and negligent pantaloons displayed. Of what nature were the inner garments which he wore above, it was impossible to determine, for he was wrapped up with characteristic national pride in an old and tattered cloak; and a greasy and broken hat of cotton velvet, peaked, and set with dignity on the side of his head, completed his attire. His hands were rougher and blacker even than his face, and I ascertained that he could not write. His Escribano, or notary, supplied this deficiency, being the usual Fiel de Fechos, or substitute for a village attorney. Both seated at a tremulous table, smoked paper cigars without intermission, while the witnesses gave their evidence, and about a dozen bare-legged peasants, with guns, represented the National Guard.

The mode of swearing the witnesses was not a little

singular. When the depositions had been taken, without binding the parties by the solemnity of an oath, all were sworn in the lump; and if perjury chanced to have been committed, it was sugared over by a pious after-thought. When the Escribano had completed the depositions, interpolating not a few "plums" or tropes and flowers of rhetoric of his own, he suddenly cried "*Sombreros abajo!*" or "hats off," the Alcalde and he both rose, the former recited the words of an oath prescribed to be administered in courts of justice; all present mumbled or muttered them after him; the cigarrillos, which were momentarily removed to admit of this interlude, were clapped anew into the mouths of functionaries, witnesses, and culprits, and the one table and two stools, which formed the only furniture of the apartment, were removed to the neighbouring Posada, from whence they were borrowed. I was as astonished as Sancho Pança's good wife Teresa, and exclaimed with her: "*Quién podia pensar que un pastor de cabras habia de venir á ser gobernador de ínsulas?*"—"Who would have thought that a goatherd would become the governor of an island?"

The example of ministers is too readily imitated by their provincial subordinates, and when violent and illegal acts are practised by the former at revolutionary periods, they are sure to be imitated by the latter in the "normal era" which succeeds. Immediately after the declaration of the Queen's majority, the arbitrarily nominated, instead of popularly elected municipalities, were admitted to be incompatible with constitutional liberty, and Caballero issued a royal

decree, directing the municipalities to be immediately renewed by popular election, according to law. The Provincial Deputation and Gefe Politico of Cadiz, with a delightful absence of ceremony, and with rare effrontery, immediately promulgated their veto upon the exercise of the royal prerogative, in the following terms:—"Although, by royal decree of the 16th instant, her Majesty has been pleased to command us to proceed to the renewal of the Ayuntamiéntos, according to the legal dispositions contained in the same, very powerful causes oblige me, in conjunction with the most excellent Provincial Deputation, to suspend its fulfilment until such time as the government shall have resolved what it may deem expedient in regard of the exposition which I this day forward to it. Cadiz, 26th November, 1843. The Political Chief." These worthies were *not* dismissed, and the royal order was trampled into powder. They knew that Narvaez was with them, and they were right. It was the minister, Caballero, that was dismissed.

CHAPTER XXVI.

COMPOSITION OF THE AYUNTAMIÉNTOS AND CÓRTES.

THE parliamentary and municipal franchises in Spain, under the existing constitution of 1837, seem objectionably extensive, but are simple in their operation, and founded upon plain principles, which every one may comprehend. The franchise is invariably annexed to a *bonâ fide* household qualification, absolute residence is required, and no man votes out of more than one holding. The possession of houses and properties in different towns and districts, in no degree entitles to a multiplication of the franchise, and common sense being preferred to legal subtleties, it is held that there is no loss of real representation, inasmuch as, let a man's property be ever so extensive, the occupying tenants who pay the rent will under such a system be electors. The constituency are called Vecinos, "neighbours," or "burgesses," and are composed of all the rich heads of families, who have what is termed a "*casa abierta*," an open house, or a "*casa puesta*," a fixed residence. Their residence must have been for a year and a day before the voting lists are made out. These voting lists constitute the sole registry, and are made and published yearly at the municipality. The municipal franchise, up to the end of 1843, was a purely household qualification, no payment of taxes, however small,

being required—in fact, a genuine "potwalloper's" franchise. The only exceptions were two—those under trial for any criminal offence, or sentenced to any infamous penalty, and the "*pobres de solemnidad*" who publicly subsist by mendicancy. The voters thus qualified elect delegates, who subsequently meet at the Ayuntamiénto, or town-hall, and agree amongst themselves as to the list of Alcaldes and Regidores, or first municipal officer and his assistants, to be returned. The form of the municipal elections is thus by procuration, the people choosing their brains-carriers, and the brains-carriers the heads.

This remnant of the faulty indirect elective system is sure to be done away with speedily, unless (which is very improbable) the influence of the Moderado party become entirely subdued; and the Moderados likewise speak of making the municipal franchise contingent on the payment of taxes, which would much depopularise the system, and materially check the rapid diffusiveness of future revolutionary movements.

The groundwork of the parliamentary franchise is the same as the foregoing, but with stringent additions; the first and principal of which is the payment of the "*mayores cuotas*," or chief taxes levied by the state; these must be paid up regularly, or the vote is disfranchised, and the voter is alike disqualified if he be a debtor to the Hacienda Publica, or Treasury, or a defaulter to the common *pueblo* fund, or taxation for local purposes. The sum of the taxes, however, paid by a Spanish citizen is trifling compared with those which an English householder must pay, and the

qualification, though derived from property, is moderate, since it is only the proprietors of palaces that pay considerable taxes. The only additional qualification is, that they must be twenty-five years of age. The single loophole for legal quibbling which here presents itself is the item, "payment of taxes;" and to avoid disputes as to the troublesome question from whose pockets they come, it is specially enacted that the husbandman may for electional purposes consider the wife's property his own, so long as they live together; that fathers may consider their children's property their own, so long as they are the legitimate administrators of their persons and estates; and that the son's right is not affected by life-interests or rent-charges.

The following inhabitants are likewise generally entitled to vote, after a year's residence, whether they pay taxes or not, having attained to their 25th year: —members of the Spanish academies of History and the Fine Arts, called here "nobles artes." Doctors and licentiates in the three faculties of Divinity, Law, and Medicine. Members of ecclesiastical chapters, parochial curates (rectors) and their assistant clergy. Magistrates, and advocates of two years' standing. Officers of the army of a certain standing, whether on service or retired. Physicians, surgeons, and apothecaries of two years' standing. [It will be observed that Bachelors in Medicine can practise here.] Architects, painters, and sculptors, with the title of academicians in any academy of the Fine Arts. Professors, and masters in any educational establishment supported by the public funds. Be-

sides the disqualifications already specified, are those of bankruptcy, suspended payments, a judicial interdict annexed to moral or physical incapacity, and *surveillance* under sentence by the authorities.

The simplicity of the registry is one of the best parts of the foregoing system. The municipality is obliged by law to make out a complete list of voters at stated periods, and, when the list is completed, to post it at the Ayuntamiéntos, and the other most public places of the town and district. Thus it remains exposed for some twenty days, in order that reclamations may be made for the purpose of rectifying mistakes and omissions. The tax-books afford the groundwork of the system, and the onus of registry, instead of being thrown on the elector, is fixed on the municipal officer. The qualified elector has not to trudge many miles and lose whole days, to obtain the franchise, to employ lawyers, live at inns, and spend his money, time, and patience. The whole process is arranged for him by the paid public officials, and it is only in the event of some fraud or mistake, that there will be any necessity for that trouble and turmoil, which (whatever may be said) makes the franchise to quiet men a burden. So, with all their restlessness, there are some useful political hints to be derived from Spain, though this system would be too slovenly for England.

The municipal elections are conducted upon the principle of almost universal suffrage, and present a very striking contrast to those which are held for the return of Senators and Deputies to the Córtes. The

latter, restrained by a moderate qualification, seldom present much resemblance to the excesses of the former. I found it to be the prevalent feeling in Andalucía, amongst all but the rabble that, upon a balance of evils and advantages, the true lover of liberty must prefer a modification of the municipal franchise; and the political chief of Cadiz, Talens, backed by the auxiliary Junta—for the most part Progresistas—forwarded to the government a strong representation of the benefits to be derived from assimilating the municipal elections to those for the Córtes. In the enormous rush of an entire population to the urn, force and a bad popularity were always sure to be triumphant; the greatest ruffian, with the congenial support of ruffians, was likeliest (if he desired it) to be made an alderman: it was a common saying, that a captain of robbers in Andalucía might get himself returned by the suffrages of his confederates and the coercion of his gang; and it is a well-known fact, that all along the southern coast (I myself have seen them) contrabandist *gefes*, through the support of their smuggling bands, and for the purpose of better defying the revenue laws, have been returned to the municipal chambers, and occasionally to the rank of Alcaldes.

The working of universal suffrage is not ill illustrated in these municipal elections. Every one who boils a pot has a vote. When the election is contested, it is force which usually decides. The most audacious, and the most disorderly, surround the approaches to the urn, *holgazanes* (*mauvais sujets*) without known occupation; fellows armed with bludgeons

and even knives, reckless smugglers, sometimes more reckless bandits, give the law to the community in too many of these elections, frightening away the laborious and peaceful, and inspiring with horror the respectable citizen. When the municipal elections have been hotly disputed, which they usually were in Espartero's time, bodies of men of this class have tumultuously invaded the churches where these elections were held, armed with staves and poniards, sacrilegiously diffusing terror through those sacred places, and sometimes even profaning the images. But the notion of Royal nomination of the municipal offices, as proposed by Cristina, is not for all this to be entertained. A small property qualification is the remedy.

The ordinary processes of intimidation and bullying are resorted to here as in other countries, and the violence offered to electors to prevent them from going to the urn, does not differ materially from the arts employed to keep obnoxious voters from the poll in England. But here there is this remarkable peculiarity, that the violence is for the most part enacted in the centre of the parish church, and that the immediate proximity of sanctuaries and holy images is violated by the infliction of blows—too often with a knife, the *puñalada*, of which the Manolo's familiar song says, that with *fourteen of them* he makes sure of an antagonist. These are common incidents of every hotly contested election. But there have likewise been instances of robbing the electoral urn, and burning the voting papers! When an election is known to be going against a particular

party, the most abandoned ruffians in the town are employed for a few *pesetas*, and clear all before them with bludgeons. The point being to prevent any election from being held, these men invade the urn in what a Castilian proverb calls a "*puñalada de picaro*," meaning the twinkling of an eye, or literally, the time a blackguard takes to draw out his knife. Latterly, however, it is the military that are for the most part employed, a little money being distributed amongst the sergeants and cabos, or corporals.

A horrible electioneering outrage took place a few years since at Vejer on the Andalucían coast, midway between Cadiz and Gibraltar, about a league from Cape Trafalgar, and four leagues due south of Medina Sidonia. Blood was deliberately shed in the temple of the Most High, and murderous shots were fired within the sanctuary. Nothing parallel has occurred of late in Europe, except the recent dreadful riot in a church at Naples, where the troops were ordered to fire upon the dense congregation. At Vejer political feeling ran frightfully high; and during the elections for the Córtes, which were held, according to the invariable practice, in the parish church, a citizen exercising his electoral right, and hazarding an imprudent observation as he deposited his voting paper in the urn, was barbarously assassinated. His blood flowed upon the steps of the altar! The instrument of his death was the common *puñal* or dagger-knife. Dreadful was the *mêlée* which ensued. The friends of the rival candidates formed themselves into two parties, and struck at each other with knife and bludgeon within sight of the crucified Saviour,

and by the light of the holy lamps burning before the shrines of the Virgin and Saints! The soldiers were called in—shots were fired—the bayonet drank the blood of the people—and this was in the house of God!

CHAPTER XXVII.

PARLIAMENTARY ELECTIONS.

(Continued.)

WHENEVER a closely contested election is anticipated here, the engines of coercion put in motion are of the most formidable description. The half million of Government Empleados diffused over the whole face of the country are the necessarily unresisting creatures of ministerial will—their votes or starvation being the alternative. Whatever may have chanced to grasp the ministerial portfolios at Madrid party has herein a powerful means of constraint and oppression, which makes most difficult the conduct of an independent contest against Government. Not only the votes of the Empleados, but their weight, their wealth, their *prestige*, their influence, their exclusive occupation of every public office, the powerful patronage which they administer, their employment of tradesmen in the public service, all are irresistible shafts in the Government quiver. If the case be of extraordinary pressure, the Gefe Politico of the district receives a peremptory mandate to win the election, under pain of immediate dismissal, and a hundred different screws are applied, more powerful infinitely than the money and drunkenness which are our only instruments in England. The hopes of some are wakened, and the fear of others is excited. The cupidity of worldly-

minded men is cheaply gratified by prospective gain, and young ambition is silenced by the lure of prospective advancement. To become a Government functionary, however humble, is a beginning, and to the dreaming Empleado it is a Jacob's ladder leading up into the empyreum of ministerial office, and ending in premierships and golden fleeces. The community at large is coerced by other means. Significant threats are held out, which unscrupulous rulers here would realise, that unless the returns are favourable, special burthens will be imposed on the district, and the taxes at present existing much more rigorously enforced; that the youthful male population will be mowed down by military levies, that a triple detachment of troops will be permanently billeted on the inhabitants, that whatever useful public institutions exist will be removed to Madrid, and a hundred horrors of castigation besides. What country constituency can have independence enough to breast this deluge of calamities? What peasant is imbued with Roman virtue? The "*assensere omnes*" is the inevitable result of the "*quæ sibi quisque timebat.*"

The application of the Government screw to the election for the Córtes takes place through the agency of the Political Chiefs and Provincial Deputations. The electoral law accords to them a wide margin. It is very voluminous and cumbrous in its details, containing some fifty articles (the first forty regulating the ordinary elections, and the remainder regulating the supplementary elections, should these first not be complete). Such extreme minuteness of regulation, instead of answering the purpose for which it was

intended, only opens a door to abuses by leading to difference of interpretation, and as cavil may be endless, the authorities cut the Gordian knot by deciding exactly as they please. The first care of the Government, before the Parliamentary elections, is to see that their Political Chiefs everywhere are to be depended on, and to pack the Provincial Deputations. By this means every disputed point is decided in favour of an adherent of the Government, and against an adherent of the Opposition. Scrupulousness and shame are submerged in partisanship; and if any one objects to an unjust decision, the Government has taken care to have plenty of soldiers outside to protect its corrupt authorities. Even Concha, the Moderado general, was so disgusted lately by these practices, in regard to the soldiery, that he threatened to resign if they persisted; but his, after all, was no unyielding virtue. The Provincial Deputation, under the auspices of the Political Chief, divides the province, for each occasion, into electoral districts, there being no returns for single towns as with us, but returns of the allotted number of deputies for each province, just as if three or four English counties were united for electoral purposes, and the borough members absorbed into the general return. In this process of division facilities are afforded to the Government party by multiplying voting districts in quarters where they are strong, and thinning them where the strength of their adversaries is concentrated. The authorities have an option, and the intention of the 19th article is thus easily evaded. They likewise superintend the making out of the electoral lists, and, though the third

article requires these to be conspicuously posted throughout the provinces for a fortnight, they have it in their power to exclude from the benefits of this placarding, smaller towns and rural districts, in which the strength of the Opposition preponderates. The object of the placarding is thus defeated, for parties whose names have been excluded from the list of voters, can thus obtain no knowledge of the fact, and are shut out from appealing. As no man in Spain ever registers his vote, the only mode in which the candidate can secure his right is by appealing, if his name be excluded from the lists.

This is well enough for municipal electors, but, for the parliamentary franchise, appears too careless. Practically it often amounts to a disfranchisement by the dishonest agents of the Government. The voting lists are only partially displayed, and obnoxious individuals appealing against the omission of their names, have their appeal laughed at; they appeal to the Government, and again are laughed at. They have most extraordinary notions here of constitutional liberty; and constitutions, statutes, rights, and privileges, are violated daily with as much insolence and as little ceremony as if there were no parliament. Again, the authorities, in fixing the day on which the election is to be held, are merely required to insert a notice in an uninteresting official paper, the *Boletin Oficial*, no copy of which ever reaches many rural districts; or that particular number is kept back at the post-office, for political intrigue and turpitude extend here everywhere, and contaminate every institution; and the districts where the ministerial strength lies, alone

receive careful notice. The time allowed for the duration of the election is very limited; a particular house is fixed, at which it is announced that the votes of all present in the place set apart for the district, will be received. The doors are shut, and those who come a few minutes after the hour are disfranchised. Particular care is taken by the Political Chief and his subordinates that the place shall be filled long before the appointed time, by the voters in the Government interest, and all the approaches are guarded by soldiers, and non-military bullies protected by the bayonet, who embarrass the Opposition voters in their access, jostle and beat, and shut many of them out entirely—to illustrate the beauties of freedom of election. Next comes the general scrutiny, which is the master-iniquity of the whole delusive process. This does not take place until ten days after the elections have been held, in the Hall of Session of the Provincial Deputation, where commissioners for each district hand in the returns. These the authorities have, during the comfortable intervening period of ten days, taken care to help in concocting, applying an irresistible screw to the commissioners whom they have helped to nominate.

There is not even a swearing to the accuracy of the list returned; they are only attested before a notary. The fabrication or alteration of two or three lists will often suffice to turn the scale; and when we consider the intensity with which political passion rages in the Peninsula, any supposition is reasonable. But the quiver of iniquity is not yet exhausted. The election agents of the Government, to make sure that

those to whom they are enabled to apply the screw vote as thay require them, and that the holder of every dirty little post, such as a letter-carrier or revenue-policeman, votes for the government candidates, draw out the voting papers in writing, place them in the hands of their miserable flock of electors, and never take their eyes off them till they have deposited them in the urn. To prevent the possibility of the lists being changed, they are often marked, or drawn out on coloured paper, or on paper made with an express water-mark for the purpose—so great is the purity of Peninsular representation, and such a blessing the vote by ballot!

The training of the electoral urn to the utterance of a solemn lie, the odious league of fraud and violence, the villany which stabs, and the perfidy which falsifies, in the act of returning the national representatives to parliament, are the perennial causes of Spanish revolution. So long as faction and party affront both decency and shame, the passions will be inevitably held in such a state of ferment, that no man will be scrupulous about the means of altering the national condition. The army will be corrupted, by money where wealth can be commanded, by sedition where intrigue is poor. The press will be the mouthpiece of resentment and the ready tool of treason. The national militia will be disaffected, turbulent, and riotous. Secret societies will sap the integrity of the State, and the Court will continue to enshrine its atrocious Camarilla. Even patriotism and virtue will be forced to have recourse to the perilous weapons of intrigue, as the only means of withstanding these

antagonists; and good men will be urged by despair to the last resort of revolutionary violence. The "*villanos con poder*" of Calderon are as unscrupulous now as they were 200 years ago, and while the rage for government employment, and the empire of corruption are universal, while parliamentary successes are impossible and constitutional weapons pointless, the struggle will still be in the battle field.

How easy it is to falsify returns under a system like that which prevails in Spain, is apparent from the following instance, of which I was personally a witness at Seville. The *mesa*, or committee of scrutiny, composed of stanch adherents of the Provisional Government, deliberately rejected the votes of sundry electoral districts, hostile to Lopez and Narvaez, annulling them on the fanciful ground of unexplained irregularity. All that voted in accordance with their political views were regular; all that voted against them seemed the reverse. Remonstrance on the part of the electors was silenced by an enormous display of military in front of the Ayuntamiénto and in all parts of the city. A syllable or two of remonstrance was afterwards breathed in the Congress at Madrid; but the elections having been carried by similar means elsewhere, and the dictators of the day being thus secured a majority of five to one in the Chamber of Deputies, the most scandalous so-called elections were on the instant confirmed. A Roman Emperor once made a consul of his horse, but a successful Spanish general might to-day make his dog a deputy.

CHAPTER XXVIII.

THE POLITICAL CHIEFS—THE PROVINCIAL DEPUTATIONS—THE JUDICIAL BENCH.

The Gefe Politico comes somewhat near to the Lord-Lieutenant of an English county, but infinitely nearer to the French prefect of a department. He differs from the English Lord-Lieutenant, as the stipendiary differs from the unpaid magistracy, and as the man of unlimited from the man of very definite powers, his qualification in no respect arising from local property or influence, but from the possession, in addition to the government confidence, of administrative talents and experience. He is the instrument and channel of centralization, being in constant communication with Madrid, and receiving instruction from the "Ministry of the Government of the Peninsula," in reference to the minutest particulars, as the governor of *plazas*, such as Cadiz and Valencia, receive theirs from the Minister of War. The Political Chief is the medium for conveying to the people the first intelligence of all important events, which he does by printed bandos posted on the walls, or by official announcement in some chosen newspaper. When disturbances arise—and when do they not in Spain?—he keeps up a constant fire of bandos, or harmless wordy proclamations, against the discontented, vapours and threatens a great deal, and, if

needful, has the entire control and disposition of the military. He exercises likewise considerable control over the Provincial Deputation; and having an eye to all matters of administration, to juries as well as judges, and a right to report upon all to the Government, this powerful officer is, as often as not, a stranger, originally, to the province which he rules.

The Gefe Politico, and the agents of the Provincial Political Government, select either the municipalities, or the Provincial Deputation for their instruments, according to the political complexion of the ministry which they represent—the former, if it be Progresista and popular, the latter if it be of Moderado tendencies. But if both fail them, they have a great resource in the cura-parrocos, or parish clergy, through whom they can powerfully influence the people; and as the clergy are dependent on the Government for promotion to richer benefices, and finally to the episcopal office, this screw is one of the most vigorous in their repertory. The simple country folks are greatly swayed by their clergy, and when it is required to serve a political purpose, and have a number of petitions, memorials, or representations of the same shade, transmitted to Madrid for a particular effect, the Ministro de Gobernacion de la Peninsula forward a sufficient supply of circulars to the Gefes Politicos throughout the various provinces, by whom they are again enclosed to the clerical agents—the good feelings of the people are appealed to, their pious zeal awakened, their eyes blinded as to real tendencies; "*trois pas en avant, c'est fait.*"

To seriously liken the Gefes Politicos of Spain to

our Lord-Lieutenants of counties would be an extremely loose comparison. The functions of the latter are wisely limited. To preside over the magistracy, communicate with the Government, superintend the regulations for the preservation of the peace, and recommend magisterial appointments or dismissals, are important duties doubtless, but by no means of a high executive character, and over the rights of the subject they are entirely powerless. The Gefe Politico has a more active agency in moulding events, and producing results, than twenty county Lieutenants. He is the paramount government agent that the Prefect is in France. He has a hand in everything, an eye in all directions. He manages the parliamentary elections, he manages the Provincial Deputations, he manages the Municipalities. He corrupts, coerces; if needful, bribes. Whatever new event occurs at Madrid, Barcelona, or elsewhere, he issues his proclamation, shapes public opinion, "tranquillizes spirits," stirs them up, when requisite. His power is like that of a Colonial Governor over the district subject to his authority. He plants the military in the most convenient places to suppress disturbance, or command the electoral urn. In a semi-anarchical country, it is obvious that the power of this functionary is despotic, wide, immense; and as he is never, as with us, a man of property, but one depending on success for his *avenir*, and determined to please the Government, he is resolutely bent on political victories, and often reckless as to means. His promotion, and that of his assistants, being contingent on the zeal with which they execute the orders of minis-