

may desire to penetrate the mysteries of the future. If he chooses to play false, he need never be found out. With deeds and contracts the same mode of preparation and registry is observed, — the parties being furnished at the time with copies if they require them; the originals remaining with the *escribano*, until his death or disqualification, and passing then to his successor. Each *escribano* is, by law, required to remit to the *Audiencia* of his district, once in each year, a copy of the index to his records made during that period. The *oficio de hipotecas*, or mortgage-office, in each district, is likewise annually furnished with abstracts of all encumbrances affecting real property. No doubt some check is thus provided upon the perpetration of gross fraud, and yet the suppression of an occasional document, in both index and abstract, could be so easily managed and might be so profitable, that there can scarcely be said to exist any real security, while the muniments of title are in so many hands, and secrecy and divided responsibility afford so much opportunity and temptation.

Nor must it be supposed that in any case a man can enter a public or notarial *archivo* and search the records himself. Profane hands cannot be allowed to violate the sanctity of the official books or bundles, and the party who institutes an inquiry is compelled to be satisfied with the accuracy and fidelity of the *escribanos* in making the searches, and their candor in communicating the result. When you have ascertained at last the existence and location of a document with which it interests you to become better acquainted, the *escribano* will permit you to read it or not, according to his politeness and your persuasiveness. If you desire a

copy, you must present a petition therefor to a *Juez de Primera Instancia*, through another *escribano*, and when you have procured an order, — which you cannot always do without notice to other parties in interest, and perhaps a contest with them of indefinite duration, — you serve it on your original *escribano*, and are gratified. If the record be that of a will, the *juez* will not allow you to have a copy or an extract, unless you are an heir at law or a devisee. If you are fortunate enough to fill either of these characters, you are allowed a copy of the clause which affects you, preceded with due solemnity by the formal exordium, wherein the testator makes profession of faith, tells the names and genealogy of his father and mother, and disposes of his soul and his body. The whole instrument you will not be permitted to have transcribed except under extraordinary circumstances. You cannot need such a transcript, they suppose, except for hostile purposes, and for such they feel under no obligation to afford you facilities. This system, doubtless, has many evils, but it has at least the good result, that the “upsetting” of wills is not very frequent in Spain, and a testator is not often declared *non compos*, because he happens to have had some notions as to the disposition of his own property differing from those of his neighbors and his heirs at law.

The *escribano* gives his certificate under his hand and sign, “*signo*,” instead of a seal. The *signo* is the apex of an immense and elaborate flourish, or *rubrica*, which terminates as to its upper parts in a cross made with the pen; — that sacred “sign” giving solemnity to the authentication. Each notary, on his

appointment, writes the *rubrica* and *signo* which he intends to adopt, and leaves them with the "college" to which he belongs. From the specimen of his penmanship thus adopted he never varies, and it is really curious to see how the identity of the hieroglyphic is preserved, from the firm, bold draft of it in youth, to the trembling fac-simile in that old age, which notaries, like all place-holders, are sure, under Providence, to reach. When any instrument, with the certificate of an *escribano*, requires to be formally proved, three notaries of the "college," under their hands and signs and the seal of the corporation, authenticate the signature and sign of their brother. A *Juez de Primera Instancia* authenticates the certificate of the three notaries; the Regent of the *Audiencia* certifies to the *Juez*; the Minister of Grace and Justice, who is the chief notary of the realm, authenticates the Regent; the Secretary of Foreign Affairs indorses the Minister, if the copy is to be used in evidence abroad, and the diplomatic representative of the nation for which it is intended puts the last stone on the house that Jack built. By the time that the fees of the certifiers, and of the *procurador* who obtained the certificates, have been paid, the evidence may, it is true, be worth nothing, but it will be sure to have cost enough.

Report says that judges in Spain are not altogether deaf to those convincing arguments which have the ring of metal in them, but I have no doubt that there is a great deal of exaggeration in all such stories. Where a man cannot give judgment in favor of both parties, he must needs displease one, who naturally enough takes him to be in some sort a fool or a knave;

and as the amount and nature of a judge's folly are not quite so comprehensible to the unlearned as knavery is, the latter is generally made to bear the principal burden of the supposed injustice. The publicity of all proceedings under the common law, and the hourly challenge which the judgments of courts receive from those who are competent to give it, are a barrier, in a great degree, to such suspicions, and certainly tend to prevent there being much cause for them. The comparative secrecy and silence through which men walk to judgment in Spain, leaves room, on the other hand, for much questioning of motive, and as surely increases the possibility and consequent likelihood of its being just. Certain it is, that the Spanish judges do not hold themselves aloof, as with us judicial delicacy prompts, from the personal influence and private suggestions of parties. A well-timed present, and the judicious application of that personal courtesy and attention, which go farther with a Spaniard than with any other man, are not considered as by any means unwelcome or out of place. When I was in Seville, in 1847, one of my pleasantest companions was an old gentleman from Granada, who had come down, he told me, to superintend a *pleito*, or lawsuit, of a friend of his, which was then about to be decided. He was not a professional man, and his errand had nothing to do with the conduct of the case, except as to the extra-forensic part of it. Every morning, after breakfast, he would make his appearance, *muy peripuesto*, well brushed, shaven, and accoutred, for a visit to the judges. "Of course," I said, "you never mention the suit to them?" "*Ave Maria purissima!*" was the reply, "are you dream-

ing? Do you think I came all the way from Granada, *para hacer cortesias*, to make bows?" He then told me that, of course, he presented his views to their honors very much at large. "But do you present any thing else?" "*Quien sabe?* who knows?" was the satisfactory reply. If my friend's opponents were as attentive and practical as he, the judges may well be suspected of having been like the false lawyer in the "Dance of the Dead," —

"Don falso Abogado, prevalidador,

Que de amas las partes levastes salario!"

Of the members of the legal profession it would be altogether unfair to judge by the current scandal, for every one knows how sadly men's sorry wits have made havoc with that devoted and exemplary class, in all ages and countries. It is singular, too, by the way, how popular such attacks have always been. The traveller who has visited Rome will of course remember the depository of the dead which rises on a little hill beside the Appian Way, and is called the Columbarium of Hylas and Vitalina. It is in perfect preservation or restoration, and the urns and vases are probably in the same state and positions in which they were placed, when each tenant of the spot went to his home. Over each little niche is the name of the proprietor, engraven on a simple slab of white marble, with sometimes a posy or brief sentiment. I was struck with one epitaph, which I have never seen al-luded to in print. It ran thus: —

"CÆSARIS LUSOR.

MUTUS ARGUTUS. IMITATOR. TIBERI CÆSARIS AUGUSTI.
QUI PRIMUM INVENIT CAUSIDICOS IMITARI."

As it was a professional relic I copied it. The fellow, who would otherwise in all probability have had his ashes funnelled into a small and nameless vase, for a mere king's fool as he was, was handed down to immortality because he was the first "who invented imitating lawyers." Peace be to his manes, notwithstanding! There have been greater fools, since his day, who have found their way into niches of their liking, by turning into a text of popular morality and profitable denunciation what Mutus Argutus treated as a joke!

The members of the Spanish bar with whom I was brought into personal contact were certainly for the most part men of high intelligence, learning, and accomplishments. The majority of them, it is true, were devoted to political pursuits, — indeed almost all the high political positions were occupied either by lawyers or military men, — but the practice of the profession is conducted in a manner which gives more of leisure — not merely for professional accomplishment, but for general cultivation and the pursuit of reputation in other walks — than an American lawyer can readily conceive. All the written pleadings and their conduct are the work of the *procuradores*, or attorneys, who only trouble counsel for advice, relieving them from all the drudgery and mechanical details of litigation, and enabling them thus to devote their attention to those branches which are purely intellectual. Among us, as is well known, without great reputation and an exceedingly elevated position, few are able to select for themselves any exclusive walk of the profession. A man is expected to be attorney, solicitor, proctor, counsel, barrister, and conveyancer, as well as property-agent

and general accountant, too happy if it be not his inevitable destiny to edit a newspaper, or preside over a bank and a railroad company. As, in addition to all this, every American, from the tendency of his nature and of our "peculiar institutions," must be a member of Congress, a governor, or a foreign minister, at some time of his life; and as lawyers, from the tendency of their pursuits, have these other tendencies in an aggravated degree, it follows that the professional "mission" has its best advantages and triumphs darkly mingled with painful and oppressive toil, and all the evils which are sure to follow such criminal overtaking of the body and the mind. Welcome be the civilization which shall change these things, — yea, even if it come from Spain!

IX.

THE PRESS. — NEWSPAPERS. — SARTORIUS. — THE PURITANS. — PACHECO. — PARTY ORGANS.

THE freedom of the press, in Spain, is guaranteed, as has been seen, by an express provision of the constitution, which ordains that it shall suffer no restrictions but those to be imposed by law. It is a singular fact, and very illustrative of constitutional habits in the Peninsula, that, in the face of so direct and unequivocal a clause, the rights of the citizen and the powers of the government in 1850 were regulated, in the premises, by a succession of decrees, which had from time to time been promulgated by the executive, without the shadow of legitimate authority. So bold, indeed, was this assumption of legislative functions considered upon all hands, that Sartorius, Count of San Luis, then Minister of the Interior, by way of concession to public opinion, had introduced a bill into the Cortes, during the session of 1848, which professed to carry out the spirit of the fundamental law. I did not see the *projet*, but I was credibly informed that it abounded in excellent sentiments, and extended unlimited freedom to all pub-

lications in which there might be no discussion of religion or morals, politics, manners, or legislation. Bad or imperfect as the scheme was held to be, it was, nevertheless, but a tub to the whale. The Minister spoke well of it on all occasions, and referred to it as an evidence of his *zelo y patriotismo*, but was careful to give some good reason always to the *Progresista* opposition for refusing to let them make it the order of the day. The Cortes were dissolved in 1850, without its having been submitted to their action, and the members had hardly, it seems, returned to their constituents, when an edict more stringent than any which had gone before appeared in the columns of the official *Gaceta*. A still more arbitrary one has since followed.

While I was in Madrid, it was a frequent occurrence for the whole daily edition of an opposition paper to be seized by the police, as it was upon the point of distribution,—some disagreeable expressions in an editorial article, perhaps, being the offence alleged. During Holy Week, when there were fierce rumors of dissensions at the palace and an impending ministerial crisis, four or five papers were "*recogidos per orden de la autoridad*," as it was politely called, in the course of a single day. Nobody seemed to think it at all remarkable, and I will do the parties who suffered the justice to say, that they did not permit it to diminish the boldness and pertinacity with which they maintained and circulated their opinions. These encroachments on the privileges of the fourth estate were made, in due course, through the Department of the Interior. Sartorius was the last man in Spain, perhaps, who could, consistently, perform such functions. He had been a

journalist himself not long before, and had gloried in the name of *periodista*. He owed in a great measure to that profession his elevation to the power which he so abused against it. During his continuance in the ministry, it was believed that he still retained a fondness for his former calling, and there was a rumor, perhaps scandalous, but certainly very current, that those articles of the *Heraldo* which were most gracious to his own measures and his parliamentary displays had a striking resemblance to his well-known style.

Sartorius is certainly a man of considerable cleverness and resource,—adroit, ready, and not troubled with many scruples. In the Cortes, though he was too painfully dressed and buttoned, and wore gloves too tight and yellow for oratorical grace, he was still a bold and efficient debater, full of point and personality, and generally carrying the war into the enemy's country. The haughty and magisterial tone which he assumed was ill tolerated in one who was still a young man, and had but recently won his nobility and station, but it gave a certain force and weight to what he said, and made it seeming wise, if not in fact so. Being a party man, in the strict and even the offensive sense of the term, his hand was against every one who did not belong to his fold; and the consequence was, that there was no member of the cabinet in regard to whom I heard expressions of such general and deep ill-feeling. This was perhaps attributable somewhat to the fact, that his Department, among the other internal affairs of the realm, was charged with the management of the elections, and as the modes by which the return of the government candidates was procured were often not of the

choicest or most scrupulous, the Minister was necessarily associated with many things in the public mind which could not add to his dignity or popularity. He had a great hold, however, upon the confidence of Narvaez, who no doubt found him a useful colleague, fruitful in expedients, and asking few questions. To his credit be it said, that, since the dissolution of the Narvaez cabinet and the disfavor of the Duke, Sartorius has ever been the foremost to defend his patron, and that, too, with a zeal which he could not have surpassed, had the Duke been still dispenser, as of old, of place and honors. The gossips of the Puerta del Sol insisted, while I was among them, that the Count had grown very rich from his political opportunities, and as Becky Sharp thought she could be a good woman if she had five thousand a year, perhaps he feels that, under the circumstances, he can afford to be magnanimous, — especially as Spanish ministers in Coventry are not like the "*vox missa*," which "*nescit reverti*," and there is no knowing the day nor the hour when the Duke of Valencia may have his own again, — and that of a good many other people besides. It is hardly fair, however, to deny to Sartorius — until time shall prove it undeserved — the consideration which is due to that rare virtue among politicians, — shall I say among men? — fidelity to a fallen and absent benefactor.

The lively author of a late agreeable English work on Spain* deals rather harshly, I think, with the newspaper press of Madrid. He laughs, justly enough, at the French arrangement, type, and taste, which all the

* Gazpacho : or Summer Months in Spain.

journals there display, even to the ridiculous extent of devoting the bottom of every sheet to a "*folletin*," usually crammed with a translation or a paraphrase of some prurient Parisian romance. But it is hardly fair, upon the other hand, to condemn the Spaniards by the wholesale, because they do not rival the Times of London or the Paris *Presse*,— or to judge of their standard of intelligence by such mistakes as Mr. Clarke selects from the letters of their foreign correspondents. If accuracy in the details of foreign news were the criterion of newspaper excellence, I am not sure that the English or French leaders, any more than those of our own country, would have much to boast of. I know few things more amusing, than to read some of the French and English paragraphs on American politics, unless perhaps it be to take up an occasional American commentary on similar matters in the Old World.

It would be a great end gained by the Peace Congresses, if they could persuade the editorial corps of all nations to learn and know some little about other countries, before venturing to disseminate those crude opinions — so often harsh because adopted ignorantly — which are the cause of so much prejudice, bad blood, and error. I do not really think that the Spanish newspapers need the lesson a whit more than their contemporaries elsewhere. Except in one particular, which I shall have occasion hereafter to mention, I found their errors generally more amusing than serious, so far as allusions to the United States were concerned. Those of us, for instance, who were anxious to learn the result of the long and discreditable balloting for Speaker

which occupied the House of Representatives in 1849, were greatly surprised one day by the following announcement in the *Clamor Publico* : — “ *Estados Unidos. Se disputaban la Presidencia de la Cámara de Diputados MM. VVintrop, VVhig, Mr. Crobbe, radical, y Mr. Scattering del tercer partido.*” This, being interpreted, signifies that “ In the United States, the Presidency of the Chamber of Deputies was in dispute between Messrs. VVintrop, VVhig, Mr. Crobbe, radical, and Mr. Scattering, of the third party ” ! The same paper likewise informed us, not long after, that there was prevailing in California a frightful degree of misery, — so great, indeed, that the crews of the American ships of war were deserting daily, “ throwing their officers overboard before they left ” !

Penny-a-line trifles of this sort, — of which I could repeat many, were it worth the pains, — the reader will concur with me in thinking, I am sure, no conclusive proof of degeneracy in the press, especially where, as at Madrid, less space is given to them than in the journals of any other country. In the political department of many of the Madrid papers, the very best abilities of the nation are enlisted, and the prominent articles in the leading party organs are often the work of men whose literature, learning, and statesmanship are beyond peradventure. I had occasion to know that the most distinguished members of the Cortes were frequently contributors to the papers which advocated their particular opinions, and with all allowance for the advantages under which even commonplace may appear in their gorgeous language, I do not, I am sure, exaggerate in saying, that there were frequent articles which

for eloquence, boldness, and largeness of views would have done honor to the columns of any newspaper in Europe or America.

When Mr. Mackenzie was in Madrid, in 1826, to write his "Year in Spain," he found but two papers, the *Diario* and the *Gaceta*. The former was a daily small quarto sheet, which contained, he says, "all the commercial intelligence of the Spanish capital"; to wit, the names of the saints of the day, with those of the churches where there would be masses; advertisements of Bayonne hams and Flanders butter; with the names and residence of wet-nurses fresh from the Asturias. The *Gaceta* was a tri-weekly, and embraced "all the literary, scientific, and political intelligence of the whole empire." It was printed on a piece of paper "somewhat larger than a sheet of foolscap," and its contents were limited to an account of the health and occupations of their Majesties, extracts from foreign papers selected and modified for the meridian, lists (no very long ones) of state bonds to be paid, statutes about tithes, and edicts punishing and damning freemasons! The reader may make up his own mind as to the fairness of supposing that the intelligence and literature of the nation were properly represented by the organs of a despotism, which treated every demonstration of either as a crime; but it is very certain, that Mr. Mackenzie has hardly caricatured the journals which monopolized the capital in those days. It fell within the range of my duties to examine the files of those which were published about the close of the constitutional dynasty in 1823, when the leaders of the liberal party had carried king and Cortes to Seville and

Cadiz, and it is due to history to say, that in regard to the quantity and quality of their matter, and the style of their typography, it would be hard to fall on an expression which would not be complimentary. Down to the death of Ferdinand, in 1833, there was of course no change possible for the better, and the protracted and uncertain civil war, which lasted for ten years from that happy epoch, naturally enough prevented the embarkation of capital in so novel and precarious an enterprise as journalism. The *Heraldo*, the oldest of the present political papers, was not established until 1842, and it will, I think, be justly deemed an evidence of no small progress in the nation, that, in February, 1850, there were thirteen daily papers in circulation in Madrid, the most of them receiving such encouragement as justified their continuance. Their daily issue, in all, was about thirty-five thousand copies, according to an estimate which went the rounds during my visit; and when it is considered that Madrid is, as has been seen, entirely without commerce, and that the advertising support, and the subscriptions consequent thereon, must necessarily be very limited, the state of things cannot be regarded as other than extremely satisfactory and promising. The rate of subscription to the most expensive sheets is very moderate, in view of their almost exclusive dependence upon it. Twelve reals, or sixty cents, per month, is the maximum, and there is no interruption of the issue on Sundays. The non-subscribing public are tempted in the Plaza Mayor, the Puerta del Sol, and all other places of resort, by news-venders as noisy as could be desired, though perhaps not as industrious. Their long and marvellous

stories of the wonders they are selling awaken strange echoes in places where, so short a while ago, it was a sin to think without permission, and printing without the censorship was held to be in some sort a machination of the Devil.

The ministerial organ in 1850 was the *Heraldo*. It was edited by Señor Mora, the son of a distinguished writer, then a member of the Cortes from one of the Alicante districts, and an under secretary, besides, in the Department of the Interior. He was believed to be the author of the principal articles, but it was generally understood that they breathed the inspiration and often knew the hand of his chief. Being the mouthpiece of the government, the *Heraldo* could not of course be expected to do otherwise than approve and defend its measures; but although this was often done with plausibility and force, the general tone of the editorials was so intensely and enthusiastically laudatory, as to destroy, in a great degree, the effect that otherwise they might have had on the opinion of the nation. I do not remember to have read any thing more nauseously servile than some of them. The principles which they invoked and enforced were of the most retrograde and illiberal character, tending studiously always, under the cover of monarchical reverence, towards the establishment of a ministerial despotism, at the expense of the crown's security and dignity, and the constitutional rights of the people. It was really curious to see how the organ of an administration—every member of which had sprung immediately and recently from the people, and every guaranty of whose ministerial power and independence had been hard won

by popular suffering and perseverance — could, over and over, every day, devote itself to the most unlimited denunciation of popular doctrines, and the most fanatical advocacy of the sacred rights of prescription. It was curious, I say, but not astonishing; for I had just come from France, where the president of a republic which had sprung from the blood of a revolution had newspapers in pay to denounce revolutions, and himself rode out among his fellow-citizens protected by an escort such as even Louis Philippe — so often shot at — had never supposed himself to need. So true it is, that every man in power is a conservative, and that he whose interest it is to keep is the natural and necessary enemy of him whose effort is to take!

The *Epoca*, an afternoon paper, in the interests of the government, was hardly more than an echo of the *Heraldo's* morning jubilations.

The chief opponents of the administration — as indeed of the whole *Moderado* system and dynasty — were the *Progresista* organs, the *Clamor Publico* and the *Nacion*, — the former perhaps the more orthodox; the latter representing more especially the peculiar opinions of those members of the Cortes who were called *Progresistas Moderados*, or moderate *Progresistas*. I saw the *Clamor* more frequently, and read it more carefully, than any other of the opposition prints. Its reputed conductors were Galvez Cañero, a deputy from one of the Malaga districts, and Corradia, who had considerable repute as a writer. The more authoritative articles were believed to be the work of the former, but the leaders generally were extremely creditable, not only in style and taste, but for their boldness, infor-

mation, and manly good sense. The *Moderados* professed, as well as their opponents, a desire for the maintenance of the constitutional monarchy, but they regarded it always from the monarchical or conservative, as opposed to the constitutional or progressive, point of view. The *Clamor*, on the contrary, without falling into the subversive doctrines of the radical party, was the steady advocate of the constitutional side of the question, and inculcated the rigid enforcement of constitutional restrictions and responsibilities, and the development, in a constitutional way, of the more popular elements of the state. Its tone was invariably respectful to the person and legitimate prerogatives of royalty, and courteous towards the individuals in power, but its spirit was perfectly independent under all circumstances, and nothing that it was proper to say ever lost force in its columns for want of being said both fearlessly and plainly. When, as would sometimes happen, an unguarded paragraph would cause the suppression of the morning's edition, the publishers would set themselves to work to get out another forthwith, and the subscribers would find on their tables, only a few hours later, the usual supply of good doctrine, made a little more piquant, perhaps, by an allusion to the "law's delay," which would probably occupy, in prominent type, the place of the confiscated article. Thus the government rarely gained any thing by its usurpations but the opportunity of uselessly asserting its power, losing ten times as much, of course, from the moral effect of opposition so indomitable and successful.

The *Patria*, of which the author of "Gazpacho"

speaks most favorably, was an opposition print, which was started by some members of the *Puritano* or puritan party. These gentlemen, it will be readily imagined, did not take their party name from any religious notions, such as the word suggests to us. They originally belonged to the *Moderado* division, but, finding that their associates were fast becoming absolutists in principle, and did little practically except to keep themselves in place, — finding too, perhaps, that those associates were in power, and they themselves were unlikely to attain it, except upon a different basis, — they “pronounced” for a return to the older and genuine *Moderado* doctrine of constitutional conservatism. This assumption of an especial purity of doctrine gave them their title.

The *Puritanos* have some eminent persons among them, and their leader, Sr. Pacheco, is one of the first men in Spain. I have referred to him as the counsel of Diaz Martinez, and recur to him in this place because he was in private life when I was in Madrid, and his name will hardly arise in any but the present connection. He was in power in 1847 for a short time during my first visit to the Peninsula, but his administration, though from many causes practically a failure, has not diminished his reputation as a man of integrity and thought. A distinguished foreign diplomatist — whose opportunities of knowledge had been ample, and whose ability to judge would be immediately conceded, were I to name him — informed me that he considered many of Pacheco’s despatches, which had passed specially under his observation, as equal to the best of M. Guizot’s. In his profession of the law, Sr. Pacheco

stands with but few rivals in Madrid. He has published several works upon subjects connected with it, which are of acknowledged authority. In politer letters he is also distinguished, — being a prominent member of the Academy, and a poet of vigor, tenderness, and great purity and accuracy of versification. His prose style is grave and stately, like his elocution, which is very impressive. He had published a portion of a History of the Regency of Maria Cristina (the present Queen Mother), which was regarded as a work of great impartiality and merit; but his principal reputation as a prose-writer grew out of his written discourses and his contributions to the periodical press. His inaugural address, upon his introduction to the Academy, was on the subject of journalism, and a good many years of his life were devoted in some degree to that profession. It was thus that he became concerned with the *Patria*, in conjunction with Benavides, a member of the Cortes, of whom I shall have occasion to speak hereafter. Pacheco, however, had retired from his connection with the paper before I reached Madrid, and, as I have said, was pursuing his avocations as a private citizen when I had the good fortune to be admitted to the circle which his many accomplishments rendered so attractive. He proposed being a candidate for Ecija, his native town, in Andalusia, at the election for Cortes which succeeded my departure. Whether he undertook the canvass, I have no means of knowing; but I regard it as a misfortune to the nation that he was not on the list of those who were returned. After the dissolution which followed the downfall of Narvaez in 1851, he was a successful candidate, and is now one of the leaders of the Chamber of Deputies.

It would be hardly worth while to trace, through the different periodicals which represented them, the varieties of political opinion which circumstances and the ambition of individuals and cliques had made so numerous in Madrid. The *Moderado* opposition, who were in opposition because they were out of place and wanted to get in, by making themselves worth bidding for, had administered *de bonis non* on the political estate of the defunct *Puritano* influence, and had thus obtained possession of the *Patria*. The Marquis of Pidal, who was Minister of State, had his personal views and those of his brother-in-law, the noted finance minister, Sr. Mon, put forth in the *Pais*. The *Epoca* was another *Moderado* press, under the sway of Sr. Olivan, a deputy of many hopes. Queen Cristina, too, kept herself before the public, with her usual adroitness, in the pensioned columns of the *España*. The *Pueblo* was democratic and rampant, though edited by a Marquis. The *Esperanza*, on the other hand, was the echo of the high Tories, and the organ of Carlism and every thing else reactionary. That the Carlist organ had one of the largest subscription lists, would have been startling and significant under other circumstances. But the *Esperanza's* impunity was no doubt principally due to the fact, that the throne had but little to fear from that quarter, and the rulers of the day were very willing to hear conservatism preached, when Carlism bore the burden of its obnoxiousness, and the *Moderados* reaped the benefit.

X.

CUBA AND THE UNITED STATES.—THE CRÓNICA NEWS-PAPER.—PARTIES IN CUBA.—PUBLIC SENTIMENT THERE.—ABUSES AND THEIR REMEDY.—ANNEXATION.

I HAVE said that, in one particular, the comments of the Madrid press upon American affairs were not directed always by the best informed or kindest spirit. In this I had reference to the Cuba question,—the proposed annexation of that island, and the piratical enterprises in contemplation against it,—one of which, but a short time previously, had been frustrated by the vigilant good faith of General Taylor's administration. Although I had full occasion to experience, in the facilities afforded me for the discharge of my own duties, the cordiality with which the course of the President and his cabinet had inspired the Spanish government, it was impossible not to see that there were circumstances surrounding the question, which of necessity created, in both ministers and people, an uneasiness, and indeed distrust, as to the future. The obligation of nations to observe their treaties incontestably and obviously involves the duty of enacting laws which shall compel that

observance, to the letter, on the part of their own citizens. When, therefore, a people who are peremptory in exacting the strictest performance of treaty stipulations from others, set up the nature of their own institutions as a reason for their inability to keep as strictly the faith which they have as positively pledged, they have no right to marvel if their honesty be brought in question. Nations treat as equals. In their internal government, they may be what they please,—in their external aspect they are nations merely, with all the faculties and duties of such. Sovereignty which is responsible enough to contract and thereby obtain benefits, cannot be allowed to disclaim responsibility in the matter of keeping promises. It may be strong enough to disregard the consequences of so doing,—bold enough to challenge them,—but it must submit to be called unprincipled, or at all events to be considered so. If a nation's institutions unfit it for keeping treaties, it ought not to make them. It either has a government, or it has not. If it has not, it ought not to make pretence that it has; if it has, that government should govern. The logic of the matter is as clear as its honesty; and false pretences are as criminal under the public law as under the municipal.

It must be confessed, that, in reference to the Cuba question, appearances were not very favorable to our national fair-dealing. That in a civilized country, in the nineteenth century, it should have been seriously proposed, and openly, as a scheme of public policy, to acquire, by actual or moral force, the territory of a friendly nation,—believed to be a weak one,—for no other reason and with no other pretext than, simply, that the