

of justice, came to arrest and conduct him to the prisons of the holy office, whilst at the same time, his effects, books, and papers, were seized at Carolina, where his wife resided, and at Seville, his ordinary residence. From that instant he was altogether lost to his wife, to his relations, and friends. During a period of two years they were totally ignorant in what part of the world he resided, or whether he was yet alive, and they relinquished all hopes of ever beholding him again.

On my first arrival in Spain, this transaction was quite recent. I was an eye-witness of the various sensations it produced. The rivals of Olivadé, those who were jealous of his fortune, some honest bigots, misguided by their furious zeal for the cause of God, contemplated this event in the light of a triumph. Many citizens of an austere character, regarded it as the just chastisement of indiscretion, which ought perhaps to have found other judges, but ought not to go unpunished. Consternation, however, was the prevailing sentiment. Every one began to tremble for his own safety, being apprehensive lest, among his most intimate connexions, he might find spies and accusers. All minds were overawed by jealousy and dismay. What reasonable hopes could they cherish of indulging hereafter, within their own dwellings, the generous sentiments of friendship and of confidence?

What man could pretend to such a share of prudence, as to be always master of himself, nicely to balance all his actions, or to sift all his expressions, in order not to furnish any subject of criminal accusation to an enemy lurking in ambush, to a perjured domestic, to a friend, or to a son misguided by religious scruples? The holy office is perhaps influenced more by justice than by the dictates of cruelty, but its constitution is formidable. How can we avoid those thunderbolts which are silently forged in the dark recesses of an impervious labyrinth?

Such were the reasonings suggested by dismay during the detention of M. Olavidé. The apparent lethargy of the inquisition had re-established personal security; this sudden display of its active functions produced a panic among all ranks. This early impression was moreover prolonged by other circumstances. The monks supposed that the auspicious moment was arrived to recover their dominion. No sooner was M. Olavidé arrested, than information arrived that some Capuchin missionaries were indulging all the extravagance of their zeal, and furiously declaiming at Seville against profane theatres. In the mean-time, the provincial inquisitions shared in the triumph of their sister tribunal in the capital, and made a trial of their renovated energies. The tribunal at Cadiz was seen commemorating again, with the greatest solemnity, a ceremony

which had been laid aside for half a century, but which is repeated annually at Madrid; I mean the solemn rehearsal of all the decrees of the holy office, of those bulls which are the pillars of its power, and of all those anathemas which it hurls like the thunderbolts of vengeance against the guilty heads of heretics. It seemed as if the holy office was resolved to outrage the feelings of the public.

In the mean time, the judicial proceedings against M. Olavidé, were conducted with the most profound secrecy. At length his fate was decided, after a close imprisonment of two years and seven days, during which period his intercourse with the world was wholly suspended.

On the 21st of November 1778, a convocation was held in the hotel of the inquisition, to which were invited forty persons of different orders, among whom were several Spanish grandees, some general officers, priests, and monks.

The delinquent made his appearance apparelled in yellow robes, carrying a green wax taper in his hand, being accompanied by two ministers of the holy office. All the details of the procedure were read before him. The most interesting document was a circumstantial narrative of his own life, which he had composed himself. In this narrative, he frankly confessed that on his travels he had cultivated the society of superior geniuses, of Voltaire and Rousseau in particular; moreover,

that he returned to Spain strongly tinged with prejudices against the clergy, and persuaded that the opinions and privileges of the Romish church were hostile to the welfare of nations; that, since he had superintended the colonies of the Sierra Morena, he had frequently, in a rash and inconsiderate manner, declared his sentiments concerning the obstacles which retarded their progress concerning the infallibility of the pope, and the tribunals of the inquisition.

Next came the depositions of seventy-eight witnesses, who accused him of having frequently held the language of free-thinkers; of having ridiculed the fathers of the church, &c. &c. The delinquent confessed many of these accusations, and denied others; alleging, moreover, that the expressions imputed to him were derived from the purest of motives; that, in some instances, his object was to arouse the industry of the colonists committed to his care, whose indolence often disguised itself under the external rites of religion: lastly, that, when he declaimed against the inconveniences of celibacy, his sole view was to encourage population, which is so necessary to the welfare of the state.

This method of exculpating his conduct appeared neither conclusive nor respectful. He was also accused of having employed every artifice in order to mislead the justice of the holy office, by intercepting its letters, and by per-

suading witnesses to retract their evidence; and these charges were proved by his own handwriting.

In fine, the tribunal judged him guilty of all the crimes laid to his charge, and pronounced sentence upon him, by which he was formally declared to be a heretic. He interrupted the ceremony in order to appeal against this denomination. This was the last struggle of his fortitude; he fainted away, and fell from the bench on which he was seated. On the recovery of his senses, the reading of the sentence was continued. It denounced the absolute confiscation of all his property, declared him incapacitated from holding any office, banished him to within twenty leagues of Madrid, from the royal residences, from Seville, the theatre of his lost power, from Lima, his native country; it condemned him to be confined for eight years in a monastery, where he was to read certain godly books, which would be prescribed to him, and to make confession to the priest once a month. After this, he made a solemn recantation, and was absolved from the censures he had incurred with all the formality prescribed by the canons.

The spectators, who, as we may well suppose, were all staunch believers, assert that he manifested unequivocal signs of contrition, and resignation, and could not forbear feeling some emotions of pity,

It is asserted that the monarch, nay even that the grand inquisitor mitigated the rigor of his sentence; some of the judges having voted for death, and others for at least a public and opprobrious punishment; that the royal confessor, in particular, had supported the alternative of severity, consistently with his ferocious and bigotted disposition, which inclined him to suppose that this crime could not be otherwise expiated than by a signal vengeance.

It was, however, a matter of infinite difficulty to ascertain all these facts. Fear had repressed indiscretion on the one hand, and curiosity on the other. A conjecture or a question might have been misconstrued, and have embittered the life of him from whom it proceeded. The picture delineated by Tacitus, in his Life of Agricola, was now realized: *adempto per inquisitiones et loquendi et audiendi commercio*; or rather one of a more modern date, although not less tremendous.

It must nevertheless be confessed that this crisis was not of long duration; the minds of the public presently recovered their wonted serenity: it was known that Charles III. had merciful dispositions, and also that the minister whom he had just appointed was no apostle of fanaticism.

The peculiar circumstances of the victim contributed also to diminish the apprehensions of the public. His talents and success had excited

envy even before they attracted the animadversion of the holy office ; and the citizens, having now in a great measure recovered their tranquillity, fondly indulged hopes that their obscurity would be a sufficient safeguard against the severe scrutiny of this tribunal. The sequel, in fact, demonstrated that its severity was only temporary, and that the councils of the monarch were swayed by more merciful maxims.

Scarcely had M. Olavidé entered upon his confinement, in a convent of *La Mancha*, when a representation of his impaired health procured him permission to visit the mineral waters in the vicinity ; soon after, he was allowed to make an excursion to those of Catalonia, which he thought would be more efficacious. These, being near the frontiers, he easily eluded the vigilance of his guardians, a circumstance which was doubtless foreseen, and bidding adieu, as he supposed, for ever to his country, he went to France, where his reputation had long preceded his arrival, and where he was received as the martyr of intolerance.*

* On his arrival, he was hospitably entertained, courted by philosophers, and celebrated by poets. Roucher, towards the conclusion of his poem on the seasons, which appeared about this time, alludes to him in the following lines :—

Que de l'Ibère enfin la pieuse furie
Fletrissait un vieillard, l'honneur de sa patrie,
Et solennellement remplaçait aux autels
L'hydre avide de l'or et du sang des mortels.

Some months after his flight, the king of Spain, nominally yielding to the suggestions of his confessor, whose appetite for persecution was not yet appeased, demanded his surrender from the court of Versailles. A conciliatory answer was sent in return, that the offences of Olavidé, however heinous they might appear in Spain, were not included among those political crimes, the authors of which are mutually delivered up to each other by civilized nations ; and the court of Madrid did not persist in its demand.

Immediately after his escape, he found an asylum at Thoulouse, whence a false alarm induced him to retire to Switzerland. In the sequel, he fixed his residence at Paris, where, under the name of *Count de Pilos*, he led a tranquil and happy life, in the bosom of friendship and of the arts, which must soon have made him ample amends for the loss of his official employments and popularity. Ten years afterwards, the French revolution, which he had doubtless foreseen, and regarded as a desirable event, exhibited, towards the close of his life, a phenomenon of a new kind. He heard the thunder rolling around him ; he was himself for some months in danger of being shivered by its bolts. Having passed the ever-memorable epoch of *terror*, under the most cruel and well-founded apprehension, he learned, what he could not possibly suspect fifteen years before, that there

was something under the sun more formidable than the inquisition. He afterwards retired to a rural seat near the banks of the Loire, where his lively and turbulent genius became sedate and tranquil, without extinguishing the fires of his soul. A religion more liberal than that to which he had fallen a sacrifice now supplied him with a fund of consolation; literature opened its treasures, and solitude her fountain of delights; insomuch, that by a strange coincidence of events, the inquisition created, for the first time, a wise and a happy man.*

* When I wrote this in 1797, M. Olavidé entertained no hopes of revisiting a country where he had been proscribed, and whence he had made his escape like a fugitive; but age, misfortunes, and great examples, had led him back to that religion which he had been accused of despising. He not only made a frank profession of christianity, but also dedicated his leisure hours to its vindication, in a voluminous work, which was no sooner known in Spain than it confirmed a belief in the sincerity of his conversion, and produced a more general sentiment of enthusiasm there than his pretended offences had excited of indignation. He found patronage near the throne; nay even, what was far more difficult, among the retainers of that formidable tribunal, which now, for the first time, recollected that the divine legislator, of whose vengeance it assumes the delegated agency, *does not desire the death of a sinner, but that he should be converted and live.* M. Olavidé obtained permission to return to Spain; and in 1798, he appeared again in the same metropolis which, about twenty years before, had witnessed his condemnation. But the sentiments of ambition and of resentment were alike extinguished in his soul.

Since the period of his condemnation, the holy office, on one particular occasion, confirmed those jealous fears which it had excited, by a more tragical example, which, however, did not produce an equal sensation. I still shudder when I recollect that, in 1780, a poor woman at Seville, convicted of sorcery and witchcraft, was condemned by this tribunal to be burnt alive, and this sentence was accordingly put in execution.

With the exception of this tremendous example, the inquisition has confined the exercise of its authority to a few individuals, who expiated irreligious expressions by a recantation, and by slight punishments.

In 1784, I witnessed a scene of this kind, which was acted at Madrid, and exhibited a proof that this tribunal, notwithstanding the dread inspired by its constitution, is sometimes less severe than secular tribunals.

A mendicant, who took up his station at the porch of a church, had dedicated his leisure to the invention and composition of a species of powder, to which he ascribed marvellous qualities. It was a mixture of ingredients, the bare

Soon after, he retired to Andalusia, to one of his female relatives, the only one of his ancient friends, who had survived his long exile. Here he ended his days, in 1803, after having alternately tasted the pleasures, and encountered the dangers, of prosperity.

mention of which would offend the modesty of my readers. He had invented certain strange spells, which were to be pronounced during the application of the remedy. That it might have a proper effect, he prescribed certain corporeal attitudes, which are more easily imagined than described. It was a new kind of those philtres which so long abused the credulity of our ignorant ancestors.

This nostrum was said to have the quality of restoring the appetite of a satiated lover, and of softening the heart of an obdurate mistress.

Every thing which inflames our passions, has likewise an ascendancy over our credulity. The impostor did not fail to make proselytes among that description of people over whom the marvellous has a powerful influence. Some accidental successes gave reputation to his nostrum. He entered into partnership with some women, who assisted its circulation. His powders, however, as we may well suppose, were sometimes ineffectually employed. Most of his dupes, more confounded than exasperated by their disappointment, kept the matter a profound secret; others broke silence, and their complaints at length reached the ears of the holy office. The mendicant was taken into custody, and brought to the inquisition, together with his accomplices, where a legal process was instituted against them in due form.

During his examination, the imprudent empy-

ric confessed the whole; he delivered up his receipt and his spells. This produced one of the most strange judicial proceedings that was ever instituted before any tribunal. At length the day of punishment arrived: the judges, the delinquents, and a crowd of spectators of all ranks, assembled in the Dominican church at Madrid. Divine service was performed; it was interrupted by the recital of this extraordinary judicial process. They were not apprehensive of profaning the temple of the Lord by a repetition of the most obscene particulars. Such were the regulations of the holy office, and they were not even dispensed with in compliment to some young ladies of distinction, who concealed their confusion behind their fans. But this was not all: the nuns themselves, more tenacious of the privileges of their church than of their scruples, did not lose any part of this ceremony, and their modest ears were assailed with these scandalous details. Sentence was pronounced and executed at the conclusion of the mass.

The mendicant was declared arraigned and convicted of sorcery, of profanation, and imposture, and was condemned to perpetual imprisonment, after having been scourged through the principal streets in the town. Two women, his accomplices, were however, treated with more indulgence.

Accordingly, the three delinquents were seen

taking their departure from the Dominican church, mounted upon asses, and arrayed in a *Sanbenito*, decorated with diabolical figures, and other symbols. On their heads, they bore that ominous cap in the form of a sugar-loaf, which is styled *coroza*. The man was naked down to his waist, and displayed an *embonpoint*, which could only be ascribed to the great demand for his powders. The procession was headed by the Marquis de Cogolludo, eldest son of the Duke de Medina Celi, who presided at this ceremony as alguazil mayor; he was followed by several Spanish grandees, *familiares* of the inquisition, and several other officers of the same tribunal. A multitude of spectators occupied all the windows, and filled all the streets. The spectacle which raised their curiosity to such a pitch, did not, in other respects, wound their sensibility. Never was a just sentence executed with more lenity. Every now and then the mendicant halted, the executioner made a gentle application of the whip to his shoulders, and a charitable hand administered a glass of Spanish wine to recruit his strength, and to enable him to act his part to the end of the farce. It were to be wished that the holy office might never have to exert a greater degree of severity.*

* In 1804, the Spanish capital witnessed an *Auto-da-fé* similar to that we have just described. A girl of low extraction, who had amused herself from her twentieth year with visions

In reality this tribunal, as I remarked in 1789, and now repeat in defiance of criticism for the fourth time in 1805, is far from being so formidable as is supposed in foreign countries. I will not undertake the odious office of an apologist, or say that our *lettres de cachet*, under the old government, were of a stamp equally revolting. Neither will I say, that in the age of philosophy, amidst a nation regarded as the most enlightened and humane, we have beheld the most tremendous acts of judicial enormity that were ever committed on the surface of the globe, perpetrated before our eyes. It is no excuse for acts of barbarity to produce others still more heinous and outrageous. I will even confess, that the constitutional forms of the inquisition are calculated to inspire even those with terror who confide most in its equity. The judicial proceedings against delinquents are conducted with the greatest secrecy. The person granted them as counsel is not permitted to converse with them except in the presence of the inquisitors. But what is more especially odious in these judicial forms, is this, that when they communicate the evidence

and amorous philtres, was sentenced to be confined eight years, and to count over her beads every day. Previous to the execution of this sentence, she did public penance, with a cord about her neck, during a solemn mass performed on the first Sunday in Lent.

to the accused parties, they carefully conceal from them the names of the authors. How can Spain suffer a practice to continue in one of her tribunals, of which all the modern codes of jurisprudence have felt the inconvenience, and which is not even essential to the original object of its institution?

If the holy office conducted the proceedings against delinquents in a more public manner; if it acquainted them with their accusers, and confronted them together; if it allowed them all the means of defence, would its laws be less scrupulously observed? Would the sacred trust committed to its charge, be fulfilled with less fidelity? Let us not be told, that if they were deprived of the assurance of secrecy, most of those who give evidence would be deterred by a false shame, by a dread of public indignation, and of the resentment of the accused. Is the holy office apprehensive lest the numbers of its victims should be diminished? Has the Deity whom it serves such a voracious appetite for the blood of human victims? If that be its religion, there never was a more horrible scourge let loose upon mankind.

To those who regard it as the only true religion, I will make this concession, that the purity of religious principles, and a veneration for religious worship, are the main pillars of social hap-

ness and tranquillity; that those who openly militate against them, ought to be curbed and chastised. But gratitude to benefactors; the fidelity of servants to their masters; a charitable indulgence towards the failings of our fellow-creatures:—Inquisitors, say, are these virtues less acceptable in the eyes of your Divinity than orthodox opinions? Would his interests be less consulted, if such laudable motives prevented a number of judicial accusations?

Moreover, have other tribunals no other means of discovering the guilt of delinquents? Will not the public officers, commissioned with the prosecution of crimes, suffice to detect those whose punishment is necessary for society or religion? Or do these crimes frequently escape the sword of justice?

With regard to those which would remain unnoticed, without the dishonourable disclosure of a witness, is not their publicity more injurious to religion than their impunity? And when that God whom you serve, I had almost said whom you betray, pronounced a curse upon the man *by whom offence cometh into the world*, did he not also mean to designate him by whom it is propagated, as well as the original author?

This is the language in which I should address the holy office, were I summoned to appear before it. But I should likewise confess, from a

regard to truth, not in order to deprecate the anger of the tribunal, that the inquisition, if we could possibly be prevailed upon to pardon its constitutional forms and the object of its institution, might, even in our days, be adduced as a pattern of equity. It takes all the precautions proper to ascertain the accuracy of the evidence it receives. Let it not be said, on the contrary, that the resentment of an enemy lurking in ambush, will suffice to provoke its vengeance. It never condemns any person on the sole evidence of an accuser, or without investigating the proofs of the accusation. Offences must be aggravated by frequent commission; they must be what are styled by bigots grievous offences, in order to incur its censure; and after a residence of ten years, my observations teach me that, with some circumspection in conversation, and in such particulars as regard religion, any one may elude the grasp of this tribunal, and live as perfectly at his ease in Spain as in any other country of Europe.

But I shall venture to assert still more. During my second residence, of more than a year, I do not remember to have once heard the name of the holy office mentioned, and I could not collect any single fact of a recent date to aggravate the abhorrence I had already conceived of this tribunal; an abhorrence, although I have

been accused of having acted the part of an apologist. It was not because about this period (in 1792 and 1793) the tribunal had relaxed in its severity, but because more important objects and more imminent dangers, the progress of our revolutionary sentiments, claimed the attention of the Spanish government, and seemed to have wholly absorbed its cares. It was not simply irreligious Frenchmen who were watched or persecuted; it was those Frenchmen who had imbibed maxims formidable to despotism, and were anxious to propagate them. The alcaldes, the corregidores, the commanding officers, the governors of provinces, were all of them become so many political inquisitors, more vigilant, nay, even more formidable, than their colleagues of the religious order; insomuch that the latter, relying upon the numbers and industry of these active substitutes, seemed to have indulged themselves with a vacation of some few years.

It was, therefore, chiefly during my first residence in Spain, that I collected the prominent features of that portrait which I have given of the Spanish inquisition.

I have still to add, that, among all foreigners, the French are chiefly the objects of the unceasing vigilance of this tribunal.

The officious zeal of many of its provincial commissaries, has given birth to many persecu-

tions, under frivolous pretences, and disturbs the repose of citizens by the search of houses, in order to confiscate immoral pictures or prohibited books; but this zeal is frequently curbed by the court, or by the grand inquisitor, which office, during the late and the present reigns, has been filled by prelates of a wise and temperate character. I have witnessed several examples of this kind, among which the following is one of the most remarkable :

It is now more than twenty years, since a French house at Cadiz, having received a consignment of leather from one of our manufactories, was suddenly honoured by a visit of the officers of the inquisition. They demanded the leather lately arrived, and observing that it was stamped with the image of the Blessed Virgin, which was the mark of the manufactory, they exclaimed against this profanation; for this leather being intended for shoes, the image of the mother of God would consequently run the risk of being trodden under foot. It was consequently doomed to be confiscated; and this sentence was accordingly carried into execution. The ministers of the inquisition reported their booty to the supreme tribunal at Madrid. The evidence was also transmitted, and I had it for some time in my hands; for the merchants being likewise under apprehensions, had presented a

remonstrance to the Spanish ministry, through the medium of their ambassador. The government and the tribunal treated this complaint as it deserved. The officers of the inquisition were enjoined not to molest strangers under such trifling pretexts ; and the goods were restored to the owners.

The ministry and the grand inquisitor have more recently protected some peaceable citizens against the intrigues of subaltern officers belonging to the inquisition. At Barcelona they attempted to molest a French house, because it was of the Protestant persuasion ; and when it was represented to them that the English, and other northern nations, although heretics, were tolerated in Spain, they replied, that no other besides the Catholic religion was known in France. No sooner was the case of this persecuted house represented to the court than it was redressed. Fortunately there will never occur again any such pretence to oppress Frenchmen in Spain.

Finally, although there may actually exist more inquisitorial intolerance in the provinces than in the metropolis, no material inconvenience can ever arise from it ; because the decisions of the provincial tribunals are only valid when they are sanctioned by that of Madrid, which, for this reason, is denominated *la suprema*. For

several years past, however, the court interferes more than ever in the administration of the holy office, and this intervention is by no means calculated to augment its severity. In 1784, it was ordained, that if the inquisition should have occasion to try any Spanish grandee, any of his majesty's ministers, any military officer, any member of his tribunals, in short any *placemen*, the legal proceedings must be submitted to his majesty for his revision and approbation. By these means, the principal citizens have obtained another safeguard against the arbitrary decisions of the holy office. We have only to lament that it has been granted to such classes as cannot fail to find protection, rather than to those whose complaints, by reason of their obscurity, can scarcely be heard. But wherever the people have not at least an indirect share in the promulgation of laws, they are constantly overlooked, when they are not oppressed by their legislators. The rigorous operation of the laws is strictly enforced with respect to them, but they are not suffered to participate in their indulgence.

Until the present day, the inquisition has enjoyed the undisturbed monopoly of a duty levied upon all ships that enter the Spanish ports, in consequence of the search it is authorized to make, in order to see that they do not contain any thing offensive to religion. The search has

long been neglected, but the duty is still levied. Were this the only grievance alledged against the holy office, we should easily be reconciled to it.

In 1789, I concluded this long dissertation on the inquisition, by expressing a wish that the kings of Spain might be ultimately induced to place sufficient confidence in the submission of their subjects, in the vigilance of their temporal courts of justice, and in the enlightened zeal of the Spanish prelates, in order to dispense entirely with this tribunal. But after the transactions that have recently occurred in Europe, I am inclined to suspect that the accomplishment of this desirable object remains still far distant. I am apprehensive lest even the wisest of sovereigns, jealous of their prerogative, may embrace with a two-fold affection those stays that still sustain their thrones, shaken by such a tremendous concussion; and lest, from the outrageous excesses of philosophy run mad, which among us has broken through all restraints, they may derive additional arguments in favour of those institutions which prevent the disorders of irreligion by the maxims of intolerance. More than one observation appears to confirm these sinister conjectures. Since the return of peace with France, the priests have reassumed their ancient ascendancy in Spain; the lectures on national rights

and public jurisprudence have been suppressed, and the treatise of Macanaz on the inquisition has been republished.


We shall presently see whether the most efficacious means of insuring the obedience of subjects is to blindfold and to keep them in ignorance; whether they are conducted with greater safety through opaque darkness than by the broad daylight of reason; or whether, to employ the language of despotism itself, a moderate government is not best calculated to secure the rulers themselves against the explosions of liberty.

Before we dismiss this subject, we must just notice a political body which many people confound with the holy office, but which has no relation with it, except that of one common epithet: I mean the *Sancta Hermandad*, which is so frequently mentioned in Spanish novels. It is nothing more than a fraternity dispersed in various districts of the kingdom of Castile, whose sole object is to watch over the safety of the country, and to prosecute all disturbers of the public peace. It is subordinate to the Council of Castile, from which it receives its regulations. One of these regulations, most severely enforced, is that it must make no encroachments upon the jurisdiction of the towns. Its principal stations are Toledo, Ciudad, Rodrigo, and Talavera.

Let us now resume our observations on the

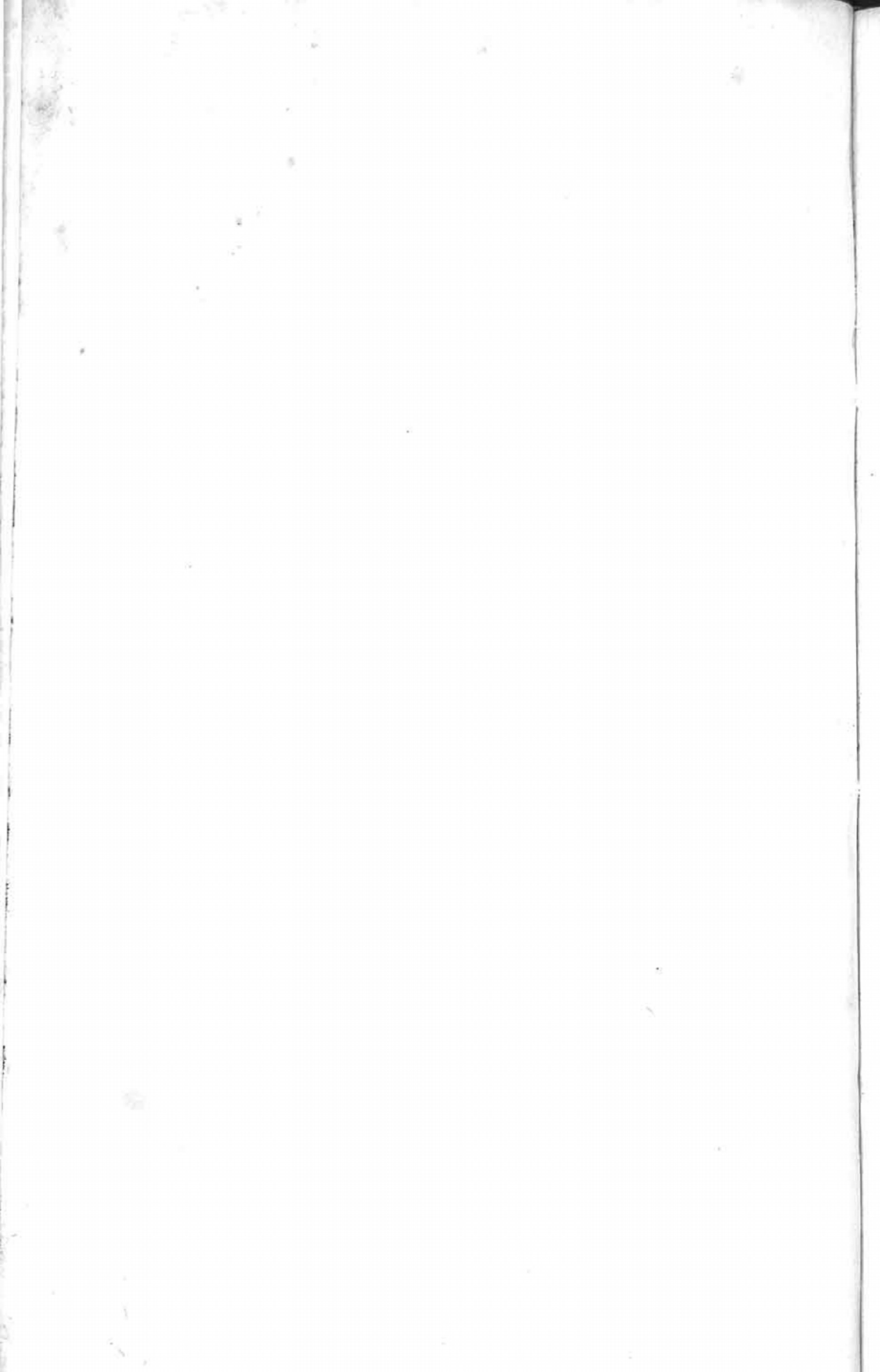
internal administration of Spain. We began with the Council of Castile, which conducted us to the administration of justice, to legislation, and lastly to the tribunal of the inquisition. In the next volume we shall proceed to take a survey of the other councils of the monarchy.

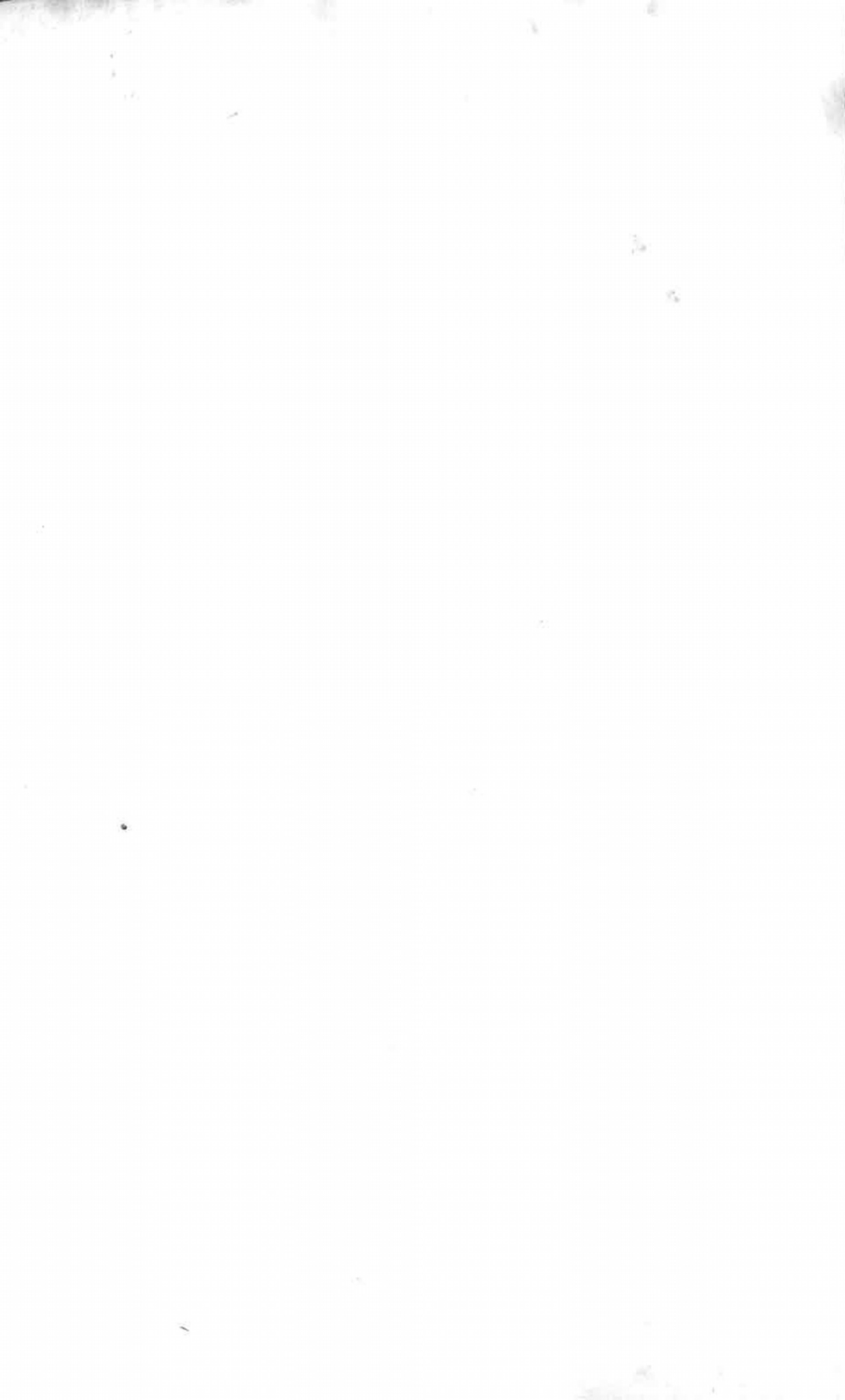
END OF THE FIRST VOLUME.



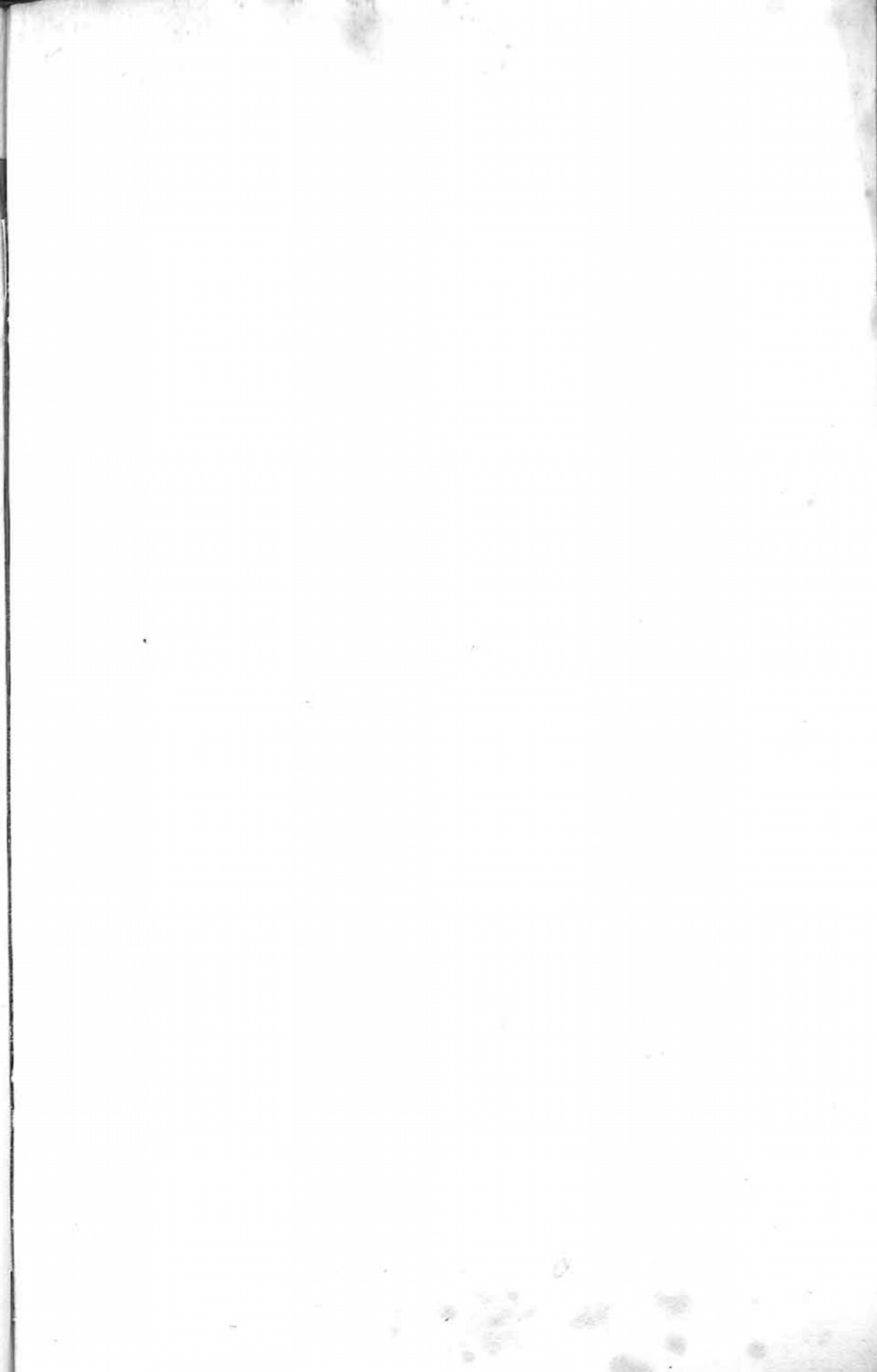






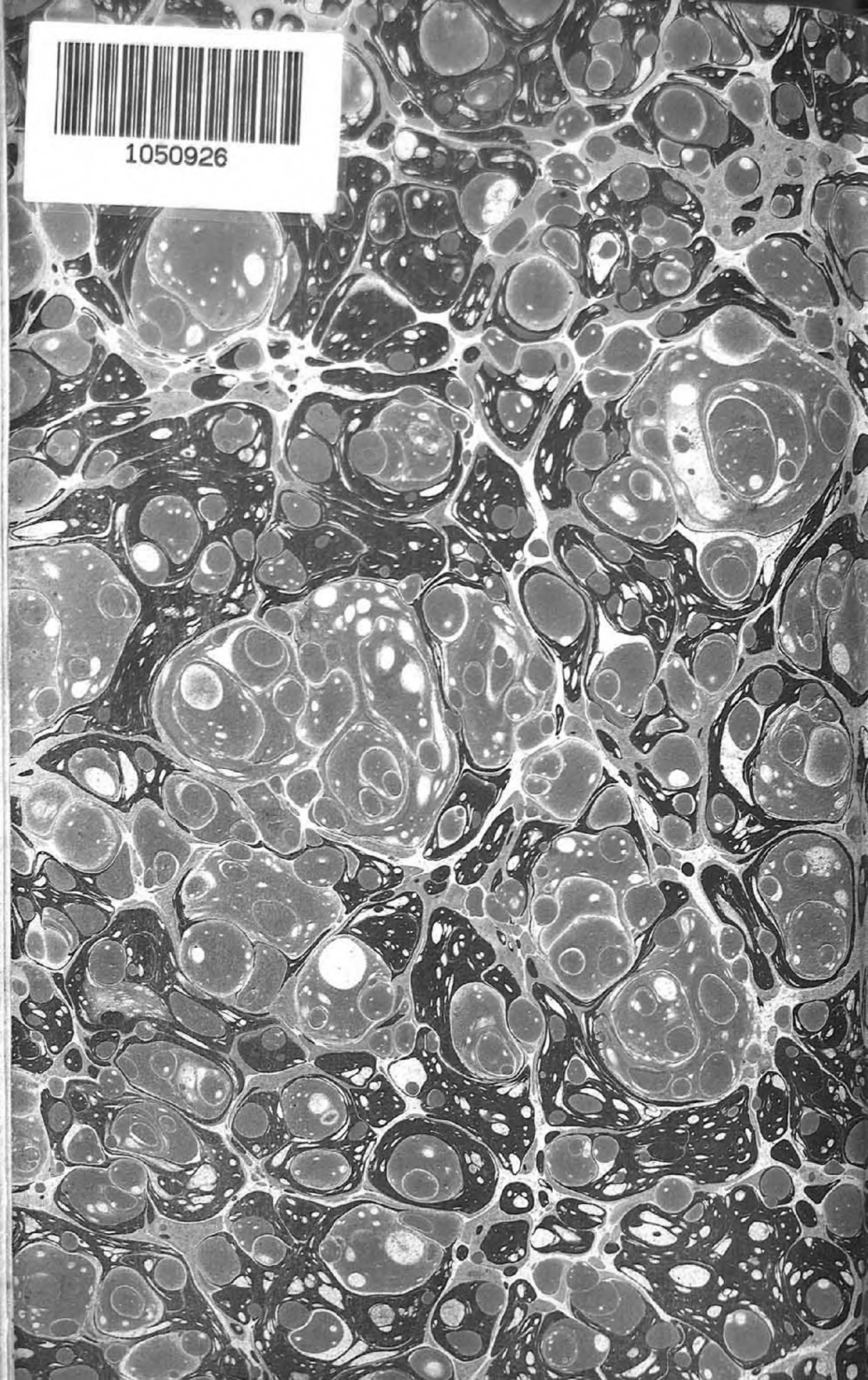








1050926





4 7 104566 120164

