

enter into the militia: thus, Brigadier Calleja, (afterwards General, Viceroy, and Conde de Calderon,) who, in 1794, was entrusted with the organization of that body, in the *Provincias Internas*, introduced a regulation, by which, in every town and village,* the Captain of the militia of the place (however ill-qualified for the situation in every other respect) became perpetual Alcalde; the first and second lieutenants, *Regidores*; and the first serjeant, *Procurador* (or legal adviser) to the corporation, thus singularly formed; with due provision for replacing them, when absent, by the next in rank, according to military gradation. By this absurd system, in these distant provinces, where the Municipalities were the only tribunals for the decision of all petty disputes, a corporal, or even a private, in the absence of his superiors, was entrusted with the administration of justice, in villages inhabited by fifty or sixty respectable proprietors, whose only remedy against the absurdities, into which his ignorance might betray him,† was an appeal to the governor of the Province, or to the Audiencia of Chihuahua, which

* *Vide* the Memorial presented to the Cortes of Cadiz, in 1811, by Mr. Ramos Arizpe, deputy for the province of Cohahuila.

† One can hardly credit the possibility of so singular an instance of oppression, and that affecting not an individual, but four whole Provinces, (Cohahuila, New Leon, Santander, and Texas;) but I have had opportunities of ascertaining the correctness of the statements given by Mr. Ramos Arizpe on the subject, and know that they may be depended upon.

was always attended with the most vexatious uncertainty and expense.

The independence of the Ecclesiastical establishments throughout America, forms a very singular feature in the Spanish Colonial Policy. By the Bull of Alexander VI. dated 1502, Ferdinand II. was constituted, as effectually, the head of the American church, as Henry VIII. was of that of England: and whatever subserviency the Court of Madrid may have shown towards Rome, in other respects, its most bigoted monarchs have displayed great firmness in repelling the encroachments of the Holy See, wherever America was concerned. True to the principle of concentrating every branch of authority in the crown, they would allow no Spiritual jurisdiction to interfere with the Royal prerogative: Papal bulls were only admitted into the colonies on receiving a *Regium Exequatur* from the Council of the Indies; and the severest penalties were not only enacted, but enforced, against ecclesiastics, who attempted to infringe this wise regulation. The Pope could hold no intercourse whatever with any part of America, except through the medium of Spain, by which means the Cruzada, or distribution of Bulls, became one of the branches of the Royal revenue. The King bought them up at a certain price at Rome, and retailed indulgences, and dispensations, of all kinds, to his American subjects, at an enormous profit. The speculation was managed with as much regularity as the

monopoly of tobacco; and, although several squabbles arose between the Courts of Madrid and Rome, in the course of a traffic, which was as lucrative, as it was discreditable, to both, the Pope, after several ineffectual attempts to obtain a larger share of so advantageous a concern, was forced to leave his Royal partner in possession of nearly the whole of the profits. It was a question, in which not merely the avarice, but the whole policy of Spain was interested. The main-spring of her Colonial System was, to teach all classes to look to the King, and the King alone, for advancement. Spaniards have always been a nation of *employés*, and the surest hold upon them, was to concentrate all their hopes of preferment in one focus: the slightest interference, on the part of any other power, would have disturbed this unity of plan; and, consequently, the designs of the Court of Rome were watched with as much jealousy, and suspicion, as the attempt of the English, or French, to smuggle in their manufactures;—a crime, any participation in which, on the part of a native, was regarded as almost worse than treason itself.

Besides the great establishments which we have passed in review, there was another most important branch, the collection of the customs, and revenue, in which a host of officers were employed, under the direction of the *Intendentes*, each of whom presided over a district, in the extent, and number, of which the territorial divisions of each colony consisted.

In the present order of things, the limits of the old Intendancies have often served to regulate the number of the *States*, of which the new Republics are composed. In all questions respecting the interests of the revenue, the Intendentes possessed very extensive powers, and, as their appointment emanated from the Council of the Indies, without the concurrence of the Viceroy, in their own province, they were almost independent.

The command of the troops was vested in the Viceroy in person, who regulated the military operations, and filled up all vacancies; it being understood, that promotions made by him would receive the King's sanction. He was assisted, in this part of his duties, by a Council of war, (*Junta de guerra*,) as he was, in all judicial questions, by a *Fiscal*, or legal adviser, to whom the law of the case was referred: all sentences of every kind bore his signature, nor was there any appeal from his decision.

To each, and all, of these great officers, (not excepting the viceregal dignity,) *all* the subjects of the crown were alike eligible, without any distinction between Americans and Europeans. Indeed, there is hardly any point upon which the laws of the Indies insist so frequently, or so strongly, as this equality, as may be seen by a reference to the *Recopilaciones*.

Such is the outline of that mighty fabric, by which the authority of Spain, in the New World, was

so long supported. Its defects, in theory, are by no means so great as many have supposed; the evil consisted in the *practice*; and in the application of the whole political power of the crown to the maintenance of a system of revenue laws, by which the interest of the Colonies was entirely sacrificed to that of the Mother country. Upon both these points it will be necessary for me to enter into some details.

With regard to the first, (the difference between the theory and the practice of Spain, in her Colonial system,) the history of the last two centuries sufficiently proves, how entirely the conciliatory intentions of the first framers of the laws of the Indies were lost sight of, by the total exclusion of the Creoles from any participation in the government of their respective countries. Every situation in the gift of the crown, from the Viceroy to the lowest custom-house officer, was bestowed upon an *European*; nor is there an instance, for many years before the revolution, either in the church, the army, or the law, in which the door of preferment was opened to a native.* It became the darling policy of Spain to disseminate, throughout her American dominions, a class of men, distinct from the natives in feelings, habits, and interests; taught to consider themselves

* The promotion of Don Antonio Perez, now Bishop of Puebla, to that See, took place after the King's return in 1814, when the necessity of conciliating the natives began to be admitted.

as a privileged *caste*, and to regard their own existence as intimately connected with that of the system, of which they were the principal support. In return for their supposed devotion to the crown, all the offices of government were theirs; and, by a regular scale of promotion, they rose in dignity and rank, the opportunities of enriching themselves increasing at every step, until they were enabled, at last, to retire in affluence to the Peninsula. Nor was it to government officers alone that this preference was confined. The superior advantages enjoyed by Europeans, threw the whole trade of the country into their hands, for the good understanding which they were enabled to cultivate with their countrymen in the custom-houses on the coast, and the facility with which they obtained licenses from the Viceroy for the introduction of prohibited articles, rendered competition impossible.

It is difficult to conceive any thing more universal than the corruption which prevailed throughout the revenue department of the colonies: the Viceroys themselves gave a splendid example, for both in Peru and Mexico, with a nominal salary of only 60,000 dollars, they kept up all the pageant of a court, and, after distinguishing themselves, for some years, by their magnificence, as the Representatives of Royalty, they returned to their native country with a fortune of a million, or a million and a half of dollars, the whole of which, it was notorious that they must have derived from

some unfair mode of turning the advantages of their situation to account.

The distribution of quicksilver, which was a Royal monopoly, was, in Mexico, one source of these illegal profits.)*

The sale of titles, and distinctions, which the King usually granted at their recommendation, was another; but the most lucrative of all, was the power of granting licenses for the introduction of any article of foreign produce, during a limited period, to which I have already alluded: for these, enormous sums were paid by the great commercial houses of Mexico, and Veracruz; or a share in the profits of the speculation was given to the Viceroy's agent, without any participation in the risk. This system of dilapidation, beginning with the chief, extended through every branch of the government; the inferior offices swarmed with hangers on, and candidates for preferment, all Europeans, and all expecting, by means best known to themselves, to make a rapid fortune. That these expectations were not disappointed, may be inferred from the fact, that, under the administration of the Prince of Peace, government situations, *even without a salary*, were in great request, and were found to be a sure road to affluence.

The complaints of the Creoles, and the endeavours

* The supply seldom being equal to the demand, the miners paid large sums for the privilege of being allowed to purchase, in preference to others:

of some of the more enlightened amongst the Europeans themselves, to bring the most notorious offenders to justice, were equally fruitless. They were frustrated, partly by the rank and influence of the transgressors, and partly by that spirit of *clanship*, (I can find no other word to express what I mean,) by which the Europeans, of every description, were united amongst themselves. One must have been in America, to have any idea of the extent to which this feeling was carried. It became, at last, a passion, which induced them to prefer the ties of country to the ties of blood. The son, who had the misfortune to be born of a Creole mother, was considered as an inferior, in the house of his own father, to the European book-keeper, or clerk, for whom the daughter, if there were one, and a large share of the fortune, were reserved. "Eres Criollo, y basta:"—(you are a Creole, and that is enough!) was a common phrase amongst the Spaniards, when angry with their children; and was thought to express all the contempt that it is in the power of language to convey. It was a term of ignominy, a term of reproach, until time taught those, to whom it was applied, to use it rather as an honourable distinction, and to oppose it to that of *Gachupin*, as designating the party of those infatuated men, who imagined, that the circumstance of having been born in the arid plains of Castille, or La Mancha, gave them a moral, and intellectual superiority, over all the inhabitants of the New World. Not the least remark-