

ants, terrified at the tumult, and at the preparations which the people were making to put their menaces into execution, besought their mistress to cause the gates to be secured more strongly, as the only mode of defence against the infuriated mob. But, instead of listening to their counsel, she bade them remain quietly in the apartment, and descended herself into the court-yard, where she ordered the portals to be thrown open for the admission of the people. She stationed herself at the further extremity of the area, and, as the populace poured in, calmly demanded the cause of the insurrection. "Tell me," said she, "what are your grievances, and I will do all in my power to redress them; for I am sure that what is for your interest, must be also for mine, and for that of the whole city." The insurgents, abashed by the unexpected presence of their sovereign, as well as by her cool and dignified demeanor, replied, that all they desired was the removal of Cabrera from the government of the city. "He is deposed already," answered the queen, "and you have my authority to turn out such of his officers as are still in the castle, which I shall intrust to one of my own servants, on whom I can rely." The people, pacified by these assurances, shouted, "Long live the queen!" and eagerly hastened to obey her mandates.

After thus turning aside the edge of popular fury, Isabella proceeded with her retinue to the royal residence in the city, attended by the fickle multitude, whom she again addressed on arriving

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there, admonishing them to return to their vocations, as this was no time for calm inquiry; and promising, that, if they would send three or four of their number to her on the morrow to report the extent of their grievances, she would examine into the affair, and render justice to all parties. The mob accordingly dispersed, and the queen, after a candid examination, having ascertained the groundlessness or gross exaggeration of the misdemeanors imputed to Cabrera, and traced the source of the conspiracy to the jealousy of the bishop of Segovia and his associates, reinstated the deposed alcaide in the full possession of his dignities, which his enemies, either convinced of the altered dispositions of the people, or believing that the favorable moment for resistance had escaped, made no further attempts to disturb. Thus by a happy presence of mind, an affair, which threatened, at its outset, disastrous consequences, was settled without bloodshed, or compromise of the royal dignity.⁵

Isabella visits Seville.

In the summer of the following year, 1477, Isabella resolved to pay a visit to Estremadura and Andalusia, for the purpose of composing the dissensions, and introducing a more efficient police, in

⁵ Carbajal, Anales, MS., año 76. — Pulgar, Reyes Católicos, part. 2, cap. 59. — Ferreras, Hist. d'Espagne, tom. viii. p. 477. — Lebrija, Rerum Gestarum Decad., fol. 41, 42. — Gonzalo de Oviedo lavishes many encomiums on Cabrera, for "his generous qualities, his singular prudence in government, and his solicitude for his vassals, whom he inspired with the deepest attachment." (Quincuagenas, MS., bat. 1, quinc. 1, dial. 23.) The best panegyric on his character, is the unshaken confidence, which his royal mistress reposed in him, to the day of her death.

these unhappy provinces; which, from their proximity to the stormy frontier of Portugal, as well as from the feuds between the great houses of Guzman and Ponce de Leon, were plunged in the most frightful anarchy. Cardinal Mendoza and her other ministers remonstrated against this imprudent exposure of her person, where it was so little likely to be respected. But she replied, "it was true there were dangers and inconveniences to be encountered; but her fate was in God's hands, and she felt a confidence that he would guide to a prosperous issue such designs as were righteous in themselves and resolutely conducted."

Isabella experienced the most loyal and magnificent reception from the inhabitants of Seville, where she established her head-quarters. The first days of her residence there were consumed in *fêtes*, tourneys, tilts of reeds, and other exercises of the Castilian chivalry. After this she devoted her whole time to the great purpose of her visit, the reformation of abuses. She held her court in the saloon of the alcazar, or royal castle, where she revived the ancient practice of the Castilian sovereigns, of presiding in person over the administration of justice. Every Friday, she took her seat in her chair of state, on an elevated platform covered with cloth of gold, and surrounded by her council, together with the subordinate functionaries, and the insignia of a court of justice. The members of her privy council, and of the high court of criminal law, sat in their official capacity every day in the week; and the queen herself received such suits as

Her splendid
reception
there.

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.I.

Severe execution of justice.

were referred to her adjudication, saving the parties the usual expense and procrastination of justice. By the extraordinary despatch of the queen and her ministers, during the two months that she resided in the city, a vast number of civil and criminal causes were disposed of, a large amount of plundered property was restored to its lawful owners, and so many offenders were brought to condign punishment, that no less than four thousand suspected persons, it is computed, terrified by the prospect of speedy retribution for their crimes, escaped into the neighbouring kingdoms of Portugal and Granada. The worthy burghers of Seville, alarmed at this rapid depopulation of the city, sent a deputation to the queen, to deprecate her anger, and to represent that faction had been so busy of late years in their unhappy town, that there was scarcely a family to be found in it, some of whose members were not more or less involved in the guilt. Isabella, who was naturally of a benign disposition, considering that enough had probably been done to strike a salutary terror into the remaining delinquents, was willing to temper justice with mercy, and accordingly granted an amnesty for all past offences, save heresy, on the condition, however, of a general restitution of such property as had been unlawfully seized and retained during the period of anarchy.⁶

⁶ Zuñiga, *Annales de Sevilla*, p. 77. — L. Marineo, *Cosas Memorables*, fol. 162.; who says, no less than 8,000 guilty fled from Seville and Cordova.

— Pulgar, *Reyes Católicos*, part. 2, cap. 65, 70, 71. — Bernaldez, *Reyes Católicos*, MS., cap. 29. — Carbalal, *Anales*, MS., año

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VI.

 Marquis of
Cadiz and
duke of Me-
dina Sidonia.

But Isabella became convinced that all arrangements for establishing permanent tranquillity in Seville would be ineffectual, so long as the feud continued between the great families of Guzman and Ponce de Leon. The duke of Medina Sidonia and the marquis of Cadiz, the heads of these houses, had possessed themselves of the royal towns and fortresses, as well as of those which, belonging to the city, were scattered over its circumjacent territory, where, as has been previously stated, they carried on war against each other, like independent potentates. The former of these grandees had been the loyal supporter of Isabella in the War of the Succession. The marquis of Cadiz, on the other hand, connected by marriage with the house of Pacheco, had cautiously withheld his allegiance, although he had not testified his hostility by any overt act. While the queen was hesitating as to the course she should pursue in reference to the marquis, who still kept himself aloof in his fortified castle of Xerez, he suddenly presented himself by night at her residence in Seville, accompanied only by two or three attendants. He took this step, doubtless, from the conviction that the Portuguese faction had nothing further to hope in a kingdom, where Isabella reigned not only by the fortune of war, but by the affections of the people; and he now eagerly proffered his allegiance to her, excusing his previous conduct as he best could. The queen was too well satisfied with the submission, however tardy, of this formidable vassal, to call him to severe account for past delinquencies.

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She exacted from him, however, the full restitution of such domains and fortresses as he had filched from the crown and from the city of Seville, on condition of similar concessions by his rival, the duke of Medina Sidonia. She next attempted to establish a reconciliation between these belligerent grandees; but, aware that, however pacific might be their demonstrations for the present, there could be little hope of permanently allaying the inherited feuds of a century, whilst the neighbourhood of the parties to each other must necessarily multiply fresh causes of disgust, she caused them to withdraw from Seville to their estates in the country, and by this expedient succeeded in extinguishing the flame of discord.

In the following year, 1478, Isabella accompanied her husband in a tour through Andalusia, for the immediate purpose of reconnoitring the coast. In the course of this progress, they were splendidly entertained by the duke and marquis at their patrimonial estates. They afterwards proceeded to Cordova, where they adopted a similar policy with that pursued at Seville, compelling the count de Cabra, connected with the blood royal, and Alonso de Aguilar, lord of Montilla, whose factions had long desolated this fair city, to withdraw into the country, and restore the immense possessions,

⁷ Bernaldez, Reyes Católicos, MS., cap. 29. — Zurita, Anales, tom. iv. fol. 283. — Zuñiga, Anales de Sevilla, p. 382. — Lebrija, Rerum Gestarum Decades, lib. 7. — L. Marineo, Cosas Memorable, ubi supra. — Garibay, Compendio, lib. 18, cap. 11.

Royal
progress
through
Andalusia.

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which they had usurped both from the municipality and the crown.⁸

CHAPTER
VI.Impartial
execution of
the laws.

One example among others may be mentioned, of the rectitude and severe impartiality, with which Isabella administered justice, that occurred in the case of a wealthy Galician knight, named Alvaro Yañez de Lugo. This person, being convicted of a capital offence, attended with the most aggravating circumstances, sought to obtain a commutation of his punishment, by the payment of forty thousand *doblas* of gold to the queen, a sum exceeding at that time the annual rents of the crown. Some of Isabella's counsellors would have persuaded her to accept the donative, and appropriate it to the pious purposes of the Moorish war. But, far from being blinded by their sophistry, she suffered the law to take its course, and, in order to place her conduct above every suspicion of a mercenary motive, allowed his estates, which might legally have been confiscated to the crown, to descend to his natural heirs. Nothing contributed more to reëstablish the supremacy of law in this reign, than the certainty of its execution, without respect to wealth or rank; for the insubordination, prevalent throughout Castile, was chiefly imputable to persons of this description, who, if they failed to defeat justice by force, were sure of doing so by the corruption of its ministers.⁹

⁸ Bernaldez, Reyes Católicos, MS., cap. 30. — Pulgar, Reyes Católicos, part. 2, cap. 78.

⁹ "Era muy inclinada," says

Pulgar, "á hacer justicia, tanto que le era imputado seguir mas la via de rigor que de la piedad; y esto facia por remediar á la gran

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Ferdinand and Isabella employed the same vigorous measures in the other parts of their dominions, which had proved so successful in Andalusia, for the extirpation of the hordes of banditti, and of the robber-knights, who differed in no respect from the former, but in their superior power. In Galicia alone, fifty fortresses, the strong-holds of tyranny, were razed to the ground, and fifteen hundred malefactors, it was computed, were compelled to fly the kingdom. "The wretched inhabitants of the mountains," says a writer of that age, "who had long since despaired of justice, blessed God for their deliverance, as it were, from a deplorable captivity."¹⁰

While the sovereigns were thus personally occupied with the suppression of domestic discord, and the establishment of an efficient police, they were not inattentive to the higher tribunals, to whose keeping, chiefly, were intrusted the personal rights and property of the subject. They reorganized the royal or privy council, whose powers, although, as has been noticed in the Introduction, principally of an administrative nature, had been gradually encroaching on those of the superior courts of law. During the last century, this body had consisted of prelates, knights, and lawyers, whose numbers and relative proportions had varied in different times. The right of the great ecclesiastics and nobles to a seat in it was, indeed, recognised, but the transac-

corrupción de crimines que falló en el Reyno quando subcedió en él." Reyes Católicos, p. 37.

¹⁰ Pulgar, Reyes Católicos, part. 2, cap. 97, 98. — L. Marineo, Cosas Memorables, fol. 162.

tion of business was reserved for the counsellors specially appointed.¹¹ Much the larger proportion of these, by the new arrangement, was made up of jurists, whose professional education and experience eminently qualified them for the station. The specific duties and interior management of the council were prescribed with sufficient accuracy. Its authority as a court of justice was carefully limited; but, as it was charged with the principal executive duties of government, it was consulted in all important transactions by the sovereigns, who paid great deference to its opinions, and very frequently assisted at its deliberations.¹²

No change was made in the high criminal court of *alcaldes de corte*, except in its forms of proceed-

¹¹ Ordenanças Reales de Castilla, (Burgos, 1528,) lib. 2, tit. 3, ley 31.

This constitutional, though, as it would seem, impotent right of the nobility, is noticed by Sempere. (Hist. des Cortès, pp. 123, 129.) It should not have escaped Marina.

¹² Lib. 2, tit. 3, of the Ordenanças Reales is devoted to the royal council. The number of the members was limited to one prelate, as president, three knights, and eight or nine jurists. (Prólogo.) The sessions were to be held every day, in the palace. (Leyes 1, 2.) They were instructed to refer to the other tribunals all matters not strictly coming within their own jurisdiction. (Ley 4.) Their acts, in all cases except those specially reserved, were to have the force of law without the royal signature. (Leyes 23, 24.) See also Los Doctores Asso y Manuel, Instituciones del Derecho Civil de Castilla, (Madrid, 1792,) Introd. p. 111;

and Santiago Agustin Riol, Informe, apud Semanario Erudito, (Madrid, 1788,) tom. iii. p. 114, who is mistaken in stating the number of jurists in the council, at this time, at sixteen; a change, which did not take place till Philip II.'s reign. (Recop. de las Leyes, lib. 2, tit. 4, ley 1.)

Marina denies that the council could constitutionally exercise any judicial authority, at least, in suits between private parties, and quotes a passage from Pulgar, showing that its usurpations in this way were restrained by Ferdinand and Isabella. (Teoria, part. 2, cap. 29.) Powers of this nature, however, to a considerable extent, appear to have been conceded to it by more than one statute under this reign. See Recop. de las Leyes, (lib. 2, tit. 4, leyes 20, 22, and tit. 5, ley 12,) and the unqualified testimony of Riol, Informe, apud Semanario Erudito, ubi supra.

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ing. But the royal audience, or chancery, the supreme and final court of appeal in civil causes, was entirely remodelled. The place of its sittings, before indeterminate, and consequently occasioning much trouble and cost to the litigants, was fixed at Valladolid. Laws were passed to protect the tribunal from the interference of the crown, and the queen was careful to fill the bench with magistrates, whose wisdom and integrity would afford the best guaranty for a faithful interpretation of the law.¹³

In the cortes of Madrigal (1476), and still more in the celebrated one of Toledo (1480), many excellent provisions were made for the equitable administration of justice, as well as for regulating the tribunals. The judges were to ascertain every week, either by personal inspection, or report, the condition of the prisons, the number of the prisoners, and the nature of the offences, for which they were confined. They were required to bring them to a speedy trial, and afford every facility for their defence. An attorney was provided at the public expense, under the title of "advocate for the poor," whose duty it was to defend the suits of such as were unable to maintain them at their own

¹³ Ordenanças Reales, lib. 2, tit. 4. — Marina, Teoría de las Cortes, part. 2, cap. 25.

By one of the statutes, (ley 4,) the commission of the judges, which before extended to life, or a long period, was abridged to one year. This important innovation was made at the earnest and repeated remonstrance of cortes, who

traced the remissness and corruption, too frequent of late in the court, to the circumstance that its decisions were not liable to be reviewed during life. (Teoría, ubi supra.) The legislature probably mistook the true cause of the evil. Few will doubt, at any rate, that the remedy proposed must have been fraught with far greater.