

(First Enclosure.)

Translation of a Letter from Don Luis de Cunha to The Nuncio; dated 27 August 1770.

HIS Majesty has been pleased to order, that the Briefs which Your Excellency transmitted to me, should pass through the usual examination: and on their contents, he has commanded me to acquaint Your Excellency in His royal name, That, being perfectly aware, it neither is, nor can be, the intention of his Holiness to alter and pervert the Laws, laudable customs and privileges of these Kingdoms, or that, from the powers granted to the Apostolic Nuncios, should arise any thing that might disturb the public tranquillity, or be detrimental to the interests and the welfare of His Majesty's subjects, and to the good administration of justice,—

His Majesty therefore desires, that Your Excellency do not exceed these just limits of the powers with which you are invested; and also do abstain from any thing that may be contrary to the above-mentioned Laws, laudable customs and privileges, as well as from whatever abuses may have been introduced against them. Your Excellency will also keep in mind, that the Judges of the Crown will take cognizance of every thing which your Excellency may practise, or allow to be practised contrary to the laws of His Majesty: And further, that in those cases in which Appeals may be laid before His Majesty, the prosecution of the Suits is to be suspended, and the original Evidences transmitted to the said Judges, that they may decide whether any violation or abuse has taken place in said suits, and also whether the laws, customs and privileges of this kingdom, have been faithfully observed.

I am particularly desired to acquaint your Excellency, that you are not to visit the Cathedrals, nor take cognizance of any thing appertaining thereunto in the first instance, nor allow the judges and officers of the Legation to make any exorbitant charges, but merely those which are customary to be made in the Courts of Auditorship of this Metropolis; nor ought the fees in verdicts respecting matters of justice and grace, to be more than those which are legally established; thus avoiding all cause of complaint and scandal, which His Majesty is perfectly aware would be derogatory to your Excellency's character, and to the orders you have received.

His Majesty further commands me to acquaint your Excellency, that you should appoint a person to fill the office of National Promoter, as has always been the custom; His Majesty also cannot but praise the wise resolution he knows your Excellency has taken, of choosing for the Legation, men of talents, experience, and integrity; by which means the inferior Prelates will not be hurt, or complain at their decisions being revoked, by ministers who do not possess these requisite qualifications. His Majesty also acquaints your Excellency (as one of those cases which most frequently happen) that the religious members are in the habit of appealing to the court of Nunciature, in order to frustrate the correction of their superiors, and withdraw themselves from that obedience which they owe to them, demanding without any just cause, actions, exemptions, permissions, grants, licences, &c. from whence result (as long experience has clearly proved) the greatest disorders, relaxations of their regular institutes, disturbances in the communities, and scandal to the people abroad: Of all these circumstances, His Majesty informs your Excellency, that it should come to your knowledge, that it is His pleasure your Excellency do not decide or judge of any thing which may concern matters respecting the economical government of the regular communities of both sexes within their respective cloisters, nor admit any appeal from them in any degree whatever; and in conformity therunto, His Majesty has already acquainted all the superior Prelates, in order that they might know it and fulfil it, as also enjoin it to all under their jurisdiction.

Not only the enlightened spirit with which his Holiness has edified the whole universe, by separating the most holy rights of Apostolic Supremacy from his supreme power, which God has made distinct, in order to establish thereupon the reciprocal union of the Altar and the Throne, and with it the perpetual peace of the Church, and the public tranquillity of those Kings and States, who are devout Sons of so holy and revered a mother; but also the great confidence the King places in the well-known talents and worthy intentions of your Excellency, make His Majesty hope your Excellency will always act in such a manner, as to call forth His praise; and that your Excellency may experience the most repeated effects of the profound veneration and respect, which His Majesty entertains for His Holiness and the Apostolic Faith, and of the great esteem in which he holds the person of your Excellency, not only for the dignity of your public character, but also for the distinguished qualities and recommendable virtues that so highly adorn your Excellency.

Your Excellency will be pleased to favour me with an answer in writing, to what is herein contained; and on receipt of which I will deliver the Briefs now in my hands to the person whom your Excellency may send to receive them; in the meanwhile I make a tender of my services in the most ready and willing manner. May God take your Excellency in his holy keeping!

Most Illustrious, and
most Reverend Sir,
B. uf maos, &c. &c.
D. L. de Cunha.

Court, 27 August 1770.