

Machiavel's Plan of a perfect Commonwealth.

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dominion of a tyrant of some other neighbouring city: so that a signior of Padua, of Milan, or of Verona, obtained the government of many other cities of Lombardy, equally free and independent."

L E T T E R II.

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DEAR SIR.

MACHIAVEL, from his long experience of the miseries of Florence in his own times, and his knowledge of their history, perceived many of the defects in every plan of a constitution they had ever attempted. His sagacity too perceived the necessity of three powers; but he did not see an equal necessity for the separation of the executive power from the legislative. The following project contains excellent observations, but would not have remedied the evils. The appointment of officers in the council of a thousand would have ruined all the good effects of the other divisions of power. There is some doubt about the time when it was written: Nerli and Nardi think it was addressed to Clement the Seventh, but the English editor supposes it was Leo the Tenth, and his opinion is here followed.—About the year 1519, Leo the Tenth,* being informed of the

* Discourse upon the proper Ways and Means of reforming the Government of Florence. Eng. edit. vol. iv. p. 263.

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discords that were ready to break out in Florence, gave a commission to Machiavel to draw up a plan for the reformation of that state. He executed this commission with great abilities, and the most exquisite subtilty of his genius; and produced a model, in the opinion of some, of a perfect commonwealth. The sovereign power is lodged, both of right and in fact, in the citizens themselves.

“There are three orders of men in every state, and for that reason there should be also three ranks or degrees in a public, and no more; nor can that be said to be a true and durable commonwealth, where certain humours and inclinations are not gratified, which otherwise must naturally end in its ruin. Those who model a commonwealth, must take such provisions as may gratify three sorts of men, of which all states are composed; that is, the high, the middle sort, and the low.”—Machiavel by these observations demonstrates, that he was fully convinced of this great truth, this eternal principle, without the knowledge of which every speculation upon government must be imperfect, and every scheme of a commonwealth essentially defective: taking this fundamental principle along with us, let us give an abridgement of this valuable discourse. “The reason why Florence has so often changed its form of government is, because there never was yet either a commonwealth or monarchy established there upon true principles: a monarchy cannot be stable, where the business, which should be directed by one, is submitted to the determination of many; nor can a commonwealth be durable where humours are not gratified, which must otherwise be the ruin of it.—Maso moulded the republic into a sort of aristocracy,

cracy, vid. Hist. of Florence, b. iii. in which there were so many defects, that it did not continue above forty years, nor would it have lasted so long but for wars, which kept it united. The defects were, that power was continued too long in the same persons; that the elections were subject to fraud and underhand practices: there was no check upon the grandees, to deter them from forming parties and factions, which generally are the destruction of a state: the signori had but little reputation, while they had too much authority; they had a power of taking away the life and property of any citizen without appeal, and of calling the people together to a conference whenever they pleased; so that instead of being a defence and protection to the state, they were rather an instrument of its ruin, when they were under the influence of any popular or ambitious man: raw young men, of little experience and abject condition, were introduced into the signori; but what was of the last consequence was, that *the people had no share at all in the government.* All these defects together occasioned infinite disorder and confusion, and if wars had not kept the state united, it must have been dissolved long before it was.—This form was succeeded by that of Cosimo. Afterwards the city endeavoured to resume the form of a republic, but the measures taken were neither calculated to gratify the humours of all the citizens, nor had sufficient force to correct them: so far from being a true and perfect commonwealth, a standard-bearer for life, if an able and bad man, might easily have made himself absolute lord; if a weak and good man, he might have been pulled from his seat, and that establishment overturned. There was not strength

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in that government to support the standard-bearer, if a good man, nor to check and controul him, if a bad one. The reforms which were made were not with any view to the public good, but to strengthen and support different factions in their turns. The ends of faction even were not answered, because there was always a discontented party, which proved a very powerful instrument in the hands of those that were desirous to effect any change or innovation in the state. No form of government can be devised that will be firm and lasting, which is not either a true principality or a true commonwealth. All intermediate forms between these two extremes will be defective; for a principality can only be ruined one way, and that is by descending into a commonwealth: the same may be said of a commonwealth also; for the only way by which it can be ruined is by ascending to a principality: whereas all intermediate forms may be ruined two ways, i. e. either by ascending to a principality, or descending into a commonwealth; and this is the cause of their instability. Those who model a commonwealth must take such provisions as may gratify three sorts of men, of which all states are composed, that is, the high, the middle sort, and the low; and though there is a great equality among the citizens of Florence, yet there are some there, who think so highly of themselves, that they would expect to have the precedence of others; and these people must be gratified in regulating the commonwealth. These people then will never be satisfied, if they have not the first rank and honours in the commonwealth, which dignity they ought to support by their own personal weight and importance. It is absolutely necessary to gratify the ambition of all the three several

veral ranks of people; which may be done by electing sixty-five citizens, of not less than forty-five years of age, in order to give dignity to the government, fifty-three out of the highest class, and twelve out of the next, who should continue in the administration for life, subject to the following restrictions:—In the first place, one of them should be appointed standard-bearer of justice, for a term of two or three years, if it is not thought proper to appoint one for life: and in the next, the other sixty-four citizens, already elected, should be divided into two distinct bodies, each consisting of thirty-two; one of which divisions, in conjunction with the standard-bearer, should govern the first year, and the other the next; so that they would be changed alternately every year, and all together should be called the signori. After this, let the thirty-two be divided into four parts, eight in each; every one of which should reside three months in its turn with the standard-bearer, in the palace, and not only assume the magistracy with the usual forms and ceremonies, but transact all the business which before passed through the hands of the signori, the council of eight, and the other councils, all which must be dissolved. This should be the first member, or rather the head of the state, and by this provision the dignity of the signori will be restored; for as none but men of gravity and authority will ever sit there, it will be no longer necessary to employ private men in the affairs of state (which is always of prejudice to any republic) since the thirty-two who are not in office that year may be advised with upon occasion, sent upon embassies, and made useful in other functions.—Let us now come to the second order in the state. Since there are three orders of men in every state, there should also be three

ranks or degrees in a republic, and no more; upon which account it is necessary to prevent the confusion occasioned of late by the multiplicity of councils in our city, which have been established, not because they were conducive to good order, but merely to create friends and dependants, and to gratify the humour and ambition of numbers, in a point which yet was of no service to liberty or the public, because they might all be corrupted and biaſſed by party. The council of ſeventy, that of an hundred, and that of the people and commonalty, ſhould all be aboliſhed; and, in the room of them, I would appoint a council of two hundred, every member of which ſhould be not leſs than forty years of age; an hundred and ſixty of them to be taken out of the middle claſs, and the other forty out of the loweſt, but not one out of the ſixty-five. They ſhould alſo continue for life, and be called the council elect; which council, in conjunction with the ſixty-five, ſhould tranſact all the affairs that uſed to be tranſacted by the above-mentioned councils, now ſuppoſed to be aboliſhed, and veſted with the ſame degree of authority, and all the members of it appointed by your holineſs: for which purpoſe, as well as to maintain and regulate theſe proviſions, and others that I ſhall mention hereafter, it is neceſſary that a degree of authority, equal to that of the whole collective body of the people of Florence, ſhould be veſted by a balia in your holineſs, and the cardinal de Medici, during the lives of both; and that the magiſtracy of the eight di guardia, as well as the balia, ſhould be appointed from time to time by your holineſs. It is likewiſe expedient, for the ſupport of your authority, that your holineſs ſhould divide the militia into diſtinct corps, over which
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you may appoint two commissioners, one for each. By these provisions two out of the three classes may be thoroughly satisfied.—It remains now to satisfy the third and lowest rank of the citizens, which constitutes the greater part of the people. For this purpose it will be necessary also to revive the council of a thousand, or at least one of six hundred citizens, who should nominate all the magistrates and officers, in the same manner they used to do formerly, except the above sixty-five, the council of two hundred, the eight di guardia, and the balia. Without satisfying the common people, no republic ever yet stood upon a stable foundation.—The state being thus modelled, no other provisions would be wanting, if your holiness and the cardinal were to live for ever; but as you are subject to mortality, it is necessary, if you would have the republic continue firm and strongly supported on every side, in such manner that every one may see himself perfectly secure, that there should be sixteen standard-bearers appointed over the companies of the citizens, which may be done either by your own authority, or by leaving the appointment to the great council, remembering only to increase the number of the divieri, assistants to the gonfalonier and commanding detachments of the people under him, that so they may be more spread over the city, and that none of the gonfaloniers should be of the sixty-five. After their appointment, four prévôts should be drawn out of them by lot, and continue in office one month; so that at the end of four months they will all have been prévôts. Out of these four, one should be drawn, to reside for a week only with the eight signiors and the gonfaloniers in the palace: by which rotation all the four will have kept their residence there at the end of the month.

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Without the presence of this officer, the said resident signori should not be allowed to pass any act; nor should he himself have any vote there, but only be a witness and inspector of their proceedings, to which he may be suffered to put a stop till he has asked the opinion of all the thirty-two together, and had the matter fully discussed by them. But even the thirty-two, when all together, should not have power to resolve upon any thing, except two of the said prévôts were present, who should have no further authority than to put a stop to their resolutions for a time, and report them to the council elect: nor should that council have a power of resolving upon any thing, except six at least of the sixteen gonfaloniers, and two prévôts, were there, who should only have the liberty of taking the matter out of the hands of that council, and referring it to the great council, provided that any three of them should think it necessary so to do; and as to the great council, it should not be allowed to meet, unless three of the prévôts at least were there, who might give their votes in it like the other citizens. This order should be observed after the death of your holiness and the cardinal, for two reasons: In the first place, that if the signori, or other council, should either disagree in their resolutions, or attempt any thing against the public good, there might be somebody vested with a power to take the matter out of their hands, and refer it to the people; for *it would be a great defect in the constitution, that any one set of magistrates, or single council, should have a power to pass a law by its own authority alone, and that too without any remedy or appeal:* upon which account it is highly necessary, that the citizens should have some proper officers, not only to inspect their proceedings, but

but even to put a stop to them, if they seem to be of pernicious tendency.

“ Besides this, in order to give such a degree of stability and perfection to the commonwealth, that no part of it may shrink or fail after the decease of your holiness and the cardinal, it is necessary that a court should be erected upon occasion, consisting of the eight di guardia and a balia of thirty citizens, to be chosen by lot out of the council of two hundred, and that of six hundred together; which court should have a power, in criminal cases, of summoning the accuser and accused to appear face to face before it in a certain time. Such a court is of great use in a commonwealth; for a few citizens are afraid to call great and powerful delinquents to account, and therefore it is necessary that many should concur for that purpose, that so, when their judgements are concealed, as they may be by ballotting, every man may give his opinion freely and in security. The highest honour that can be attained to by any man, is that which is voluntarily conferred on him by his countrymen; and the greatest good he can do, as well as the most acceptable to God, is that which he does to his country. None are to be compared to those who have reformed kingdoms and commonwealths by wholesome laws and constitutions; but as there have been but few that have had an opportunity to do this, the number is very small that have done it. This kind of glory has always been so much coveted by such as made glory the sole end of their labours, that when they have not had power either to found or reform a state, they have left models and plans in writing, to be executed by others, who should have, in future times, as Plato, Aristotle, and many others, who have shewn, that if they did not found free
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states themselves, like Solon and Lycurgus, it was not owing either to ignorance or want of goodwill to mankind, but to want of power. Heaven then cannot bestow a nobler gift upon any man, nor point out a fairer road to true glory.

“If things continue as they are, whenever any commotion or insurrection shall happen, either some head will be appointed in a sudden and tumultuary manner, who will rescue the state by violence and force of arms, or one part of the citizens will open the council of a thousand again, and sacrifice the other without mercy. In case either of these events should happen, your holiness will be pleased to consider how many executions, how many banishments and confiscations must of necessity ensue: a reflection which must surely shock the most hard-hearted man alive, much more a man of that remarkable humanity and tenderness which have always distinguished your holiness. The only way then to prevent these evils, is to establish the several classes and ordinances of the commonwealth in such a manner that they may support themselves; and that they will always be able to do, when each rank has its due share in the administration, when every one knows his proper sphere of action, and whom he can confide in; and lastly, when no one has any occasion to wish for a change of government, either because his ambition is not thoroughly gratified, or that he does not think himself sufficiently secure under such an administration.”

LETTER

LETTER III.

SIENA.

DEAR SIR,

THE antiquity of the city of Siena is proved by the notice of Pliny, Tacitus, and Ptolemy, if not by another circumstance mentioned by its historian, viz. the splendor of certain families among its citizens,* nobility being only an ancient virtue accompanied with the splendor of riches. The tradition, that it was first planted by Remus, can hardly be supported by the single circumstance, that the ensigns of the city are a wolf giving suck to two infants.

Siena was built by the ancient Tuscans, whose province was anciently inhabited by the Umbrians, who were driven out by the Pelasgians from Arcadia, who were afterwards driven out by the Lydians from Asia, five hundred and sixty years before Rome was built. These, from Tirrhenus their king, were called afterwards Tirrhenians; and because they used in their sacrifices great quantities of frankincense, *Thus*, they were called Thuscans, and their country Tuscany, by others called Etruria.† Livy represents the Etrurians as abounding in wealth, and filling the whole length of Italy, from the Alps to the straits of Sicily, with their fame; and in another place, represents the Tuscan empire as much more ancient than the Roman.‡ They inhabited

* Siena dallo splendore delle famiglie s'era nobilitata,--- essendo proprio la nobiltà una antica virtù accompagnata dallo splendore delle ricchezze. Historia del. Sig. Orlando Malavolti, de fatti, e Guerre de' Sanesi, così esterne, come civili, p. 4.

† Malavolti, p. 9, 10.

‡ Tuscorum, ante Romanorum imperium late terra, marique opes patuere, mari supero inferoque, quibus Italia, insulæ modo cingitur.—It in verumque mare vergentes incaluere urbibus duodenis.

twelve cities: the form of their government was a confederacy, like that of the modern Swiss, Dutch, and Americans. The twelve cities, peoples, or divisions of territory rather, were called Rucumoni, from the magistrates annually chosen to govern the whole province of Tuscany. Twelve annual magistrates were chosen, one by each city, to govern the whole province, called Lartes and Lucumones: the names of these cities were Luna, Pisa, Populania, Volterra, Roselle, Fiesole, Agillina, Vulsino, Chiuci, Arezzo, Perugia, and Faleria, the ruins of which are near to Viterbo. In the same manner was formed afterwards, by the Greeks, the republic of the Achaians, the twelve cities of which are enumerated by Polybius. Not unlike this republic of the Tuscans was that of the Latins, who, upon public occasions, assembled in a certain place under mount Albanus, called the Forest of Ferentina; where, having deliberated in council upon their affairs, they gave the charge of the execution of their resolutions to two prætors.* It is true that sometimes, at the exchange of magistrates, the Tuscans varying the form of their government, by agreement among themselves created a king; and each one of the twelve peoples of the twelve principal cities concurred to give him a minister, whom the Romans afterwards denominated a licitor: and of so much grandeur, and so illustrious an example, were the government, the ceremonies, the religion, and the other qualities of the Tuscans, that Romulus, in imitation of them, in giving laws to the Romans

* Concilium Latinorum erat ut omnes Latini nominis rerum communium causa ad Lucum Ferentinæ, qui erat sub monte Albano, coirent, ibique, de summa rep. consultarent, ac duobus prætoribus rem universam Latinorum committerent. Sigonius, upon the authority of Dionysius.

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ordained, besides the habit of the robe and the cloak, the curule chair, and the same number of ministers, determining upon the same number of lictors. This is told us by Livy: "Et hoc genus ab Etruscis finittimis unde sella curulis, unde toga, prætexta sumpta est, numerum quoque ipsum ductum placet, et ita habuisse Etruscos, quod ex duodecim populis communiter creato rege singulos singuli populi lictores dederint." With this mode of regimen, and this form of government, with their union and virtue, the Tuscans augmented so greatly their empire, that it extended to the Alps, which separate Italy from France, and from one sea to the other: one of which was named from them the Tuscan, and the other the Adriatic, from the city of Adria, which was their colony, and under their dominion. Having acquired all that part of Italy, which was afterwards called Cisalpine Gaul, in order to hold it more securely, and give room to their people, by relieving Tuscany of so great a number of inhabitants, they sent into it twelve colonies. In this manner they proceeded, augmenting and amplifying their empire on every side, for seven hundred and thirty years, until, in the reign of Tarquinius Priscus, the Gauls took possession of that part of Italy, which they called Cisalpine Gaul, one part of which was afterwards called Lombardy, and the other Romagna. Then began to decline the empire of the Tuscans; because on one side they were combated by the Gauls, and on the other by the Romans; and having commenced, by the abundance of wealth, to become ambitious and avaricious, and discord among themselves following the train of those vices, changed the form of their government, and destroyed their prosperity; and this empire, which, by its union and good order,

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had formed itself, and, computing from its beginning to its dissolution, subsisted more than a thousand years, lost itself easily by means of contentions, occasioned by habits inconsistent with that virtue by which they had acquired it. Their state, dispossessed by the Gauls of all its territory beyond the Appenines, and continually molested in Tuscany by the Romans, was no longer united in the defence of each other, by reason of the variety which they begun to introduce into the form of government in the separate cities, occasioned by their ambition, avarice, and luxury; vices inconsistent with each other, but very powerful to ruin a great empire. When they saw the most manifest danger of the ruin of the whole, they exerted all their force, but were no longer able to defend themselves. The other Tuscans, from an indignation against the Veientes for having separately elected a king, looked on with indifference while the Romans subjected that people. Livy says, the Veientes, to avoid the tedious contentions of ambition, which was sometimes the cause of dissensions, created a king, and thus gave great offence to the other peoples of Etruria, not more by their hatred of that form of government, than from their detestation of the man.*

Tuscany was finally subjected to the dominion of the Romans, after long wars, many victories and defeats, and the destruction of a great number of their citizens, by Q. Fabius Maximus Rutilianus. The Romans, to secure the province against rebellions and tumults, sent into it a colony; and finding Siena in the center of the twelve

* Veientes contra tedio ambitionis, quæ interdum causa discordiarum erat, regem creavere, offendit ea res populorum Etruriæ animos, non majore odio regni, quam ipsius regis. Livy.

cities, and the situation strong, sent thither their colony and garrison; under the first consulate of Curius Dentatus, two hundred and ninety years before Christ. The Tuscans remained quietly under the government of the Romans, until the invasion of Italy by Asdrubal, when they were accused of having held a secret correspondence, and given assistance to the Carthaginians. After that great victory of the Romans, in which Asdrubal, with fifty-six thousand of his men, was slain, they sent Marcus Livius to Tuscany, to inquire which of the peoples of the twelve cities had assisted the Carthaginians, who reported, that he found nothing against any of the inhabitants of Siena. Tranquillity thus restored, continued under the Roman government till the social war, when the inhabitants of almost all Italy waged war with the Romans for the privileges of Roman citizens. This war cost the lives of an incredible number of men, and ended with the ruin of Arezzo and Chiuci, two of the principal cities of Tuscany, from whence many families removed to Siena, as a place of more security, both on account of its being a Roman colony, and as it had ever discovered more fidelity to the Romans than any other Tuscan city. We may pass over the conversion of Constantine, in a dream of a standard (gonfalone), with the motto *ἐν τούτῳ νίκα*: his division of the empire, by retiring to Byzantium, into two, the Græcian and Roman, or Eastern and Western; the decline of the western empire; the capture of Rome by Alaric, king of the Goths, in 412: the sacking of Rome by Odoacer, king of the Erulians and Thuringians, in 475, the first of the barbarous kings, who drove out Augustulus, annihilated the empire, and made himself king of Italy, and so established his power, that the western empire

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remained vacant for three hundred years, till the time of Charlemain, though Justin, after the victories of Bellisarius and Narsette over the Goths, sent Longinus into Italy with the title of exarch, a kind of first magistrate, which continued one hundred and seventy years, through a succession of thirty exarchs. Longinus having found that the several cities had undertaken to govern themselves, each one having created its own magistrates, sent a governor, appointed by himself, not to rule generally in the province, but one in each city of any considerable consequence. To these governors he gave a new name, that of dukes. The first that he sent to Rome was called a president, but those who succeeded him were called dukes like the rest. This title of duke, from the name of a military office, was reduced to the name of a dignity, which, at this day, is the principal one in Europe after the royal dignity. And thus, all the time that Narsette remained in Rome, after the expulsion of the Ostrogoths, the cities of Tuscany governed themselves by their own magistrates, acknowledging no superior, until the arrival of Longinus in 566, who, with his new governors or dukes, debilitated the forces, and destroyed the reputation of the empire, and the confidence of the people in their own militia, to such a degree, that the Longobards, under Albinus their king, found it easy to ruin Tuscany, which they conquered, plundered, and oppressed, sometimes by the general power of their kings, and sometimes their dukes, sent to command in particular cities. These Lombards, from their proud hatred of the Romans, endeavoured every where to change the laws, customs, manners, and especially the language: in their time the Latin language in Italy was corrupted into that speech which

which is now called the Italian, which is no other than the Latin corrupted by a mixture of the barbarous speech of those very Lombards, and some other nations, who after them governed in Italy; as the French and Spanish are similar corruptions of the Latin, the first by a mixture with the language of the Franks, and the last of the Visigoths and other barbarians. The Lombards held the domination of the major part of Italy more than two hundred years, when they were totally subdued. Desiderius, who had been duke of Tuscany, and afterwards made king of Italy, was the last Lombard king, and was totally defeated, and sent prisoner to Lyons in France, by Charlemain, in 773. This great monarch having taken Pavia, which was the principal city and royal residence of the kings of the Lombards, proceeded to many other strong places, which were held by governors of castles and garrisons in the service of the king, or of particular lords of these places; those which surrendered, and swore obedience, were left under the command of their lords, but those which resisted, and were reduced by force, were given by Charlemain to some of his barons or nobles, in reward of the services, virtues, and merits they had shewn in the course of the war. More of the cities of Tuscany defended themselves than of any other parts of Italy, because they were better fortified, and therefore more French noblemen were planted here: these marrying with original families in Siena, from those matches have issued the greatest part of the noble families which have been, and still are, in that city. They continued afterwards, many hundreds of years, to be lords of the same castles, until, by continual discords, many families not only lost their estates and commands, but became extinct, as will

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be shewn in the sequel. Charles, for the greatness of his soul, and the multitude of his victories, received the surname of Magnus, and was made Roman emperor. As Longinus had brought into Italy the title of dukes, the Lombards those of marquises and castaldi or bailiffs, the French now imported that of counts. Charlemain having arranged all things to his mind in Italy, set out on his journey to return; and passing through Siena, and being moved with the relation which he heard from those noblemen whom he had left there, of the fidelity and other good qualities of that people, and being touched also by their petitions, he made them free, and determined that they should not be subjected to the king, or any other power. This is the reason, that in the division of Tuscany, afterwards made between Louis the Pious and Paschal the pope, in which it was declared that Arezzo, Chiuli, Volterra, Florence, Pistoia, Lucca, Pisa, and Luna, should be reserved to the emperor, and Orvieto, Bagnarea, Viterbo, Sovana, Populonia, Rosella, Perugia, Sutri, and Nepi, should belong to the ecclesiastical state, that Siena is not found among the former or the latter: being free and independent, it was left in the enjoyment of it liberty; and as the nobles had procured from Charlemain so great a favour, the people, in gratitude to them, and ignorant no doubt of any better form, left the government to them, and suffered an optimacy to be established. Siena was a long time governed by these noblemen, and, as long as the signori consisted of these successors of Charlemain in Italy and the empire, all remained quiet in this city, as well as in the rest of Italy. This tranquillity continued to the time of Arnulphus, the last emperor of the house of France, who was approved by the pope.

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At this time ambition, discontent, and ill-humour, began to arise in Italy, from the weakness of the successors of Charlemain; and Berengarius duke of Friuli, and Guido, duke of Spoletta, aspiring at the empire and the kingdom of Italy, took arms against the emperor; and Berengarius succeeded, declared himself emperor, and, by the favour of the Roman people, was made king of Italy; in which dignities he was succeeded by Berengarius the Second and the Third. A contest, however, arose between the princes of Italy, France, and Germany, for the empire and the kingdom of Italy, which continued sixty years; and a Saracen invasion having been defeated by Albericus, he was declared by the pope duke of Tuscany, and acknowledged no superiority in the emperor, or France. Contentions soon arose between him and the pope; and the Hungarians taking advantage of them, made inroads into Italy, plundered Tuscany, and ruined Volterra. The Romans, judging this calamity to proceed from the discords between the pope and Albericus, assassinated both. Such was the malignity of these times, and Christian princes had deviated so far from a virtuous conduct, and became a prey to ambition, avarice, and pleasure (powerful ministers at all times of every kind of wickedness), that determined, by means even of their vices, and with the highest impudence, to occupy those dignities which their ancestors had acquired by religion, charity, and every Christian virtue, they devoted themselves to continual discords and bloody wars among themselves; and the people, after their example, having adopted their follies and vices, and embroiled themselves in the same dissensions, found themselves ruined: for, having neither forces nor virtues to defend their country, the Hungarians committed,

committed, in a short space of time, greater ravages in Tuscany than the other barbarous nations had been able to do in 300 years. The Saracens too, or Moors, broke in and destroyed the sea coast of Siena, took Jerusalem and Spain, until they were defeated by Charles Martel in Italy, in 930, and by Ferdinand the Third in Spain, in 1216. The city of Rosella was ruined by the Saracens, and its inhabitants fled to Siena, which made it necessary to enlarge the bounds of the city and take in the ancient castle Montone, built at the time of the king Porfenna of Chiusi, who, desirous of assisting Tarquin the Proud in his restoration to Rome, sent to his aid two hundred infantry, and fifty cavalry; the former, taken from the castle Montone, were commanded by Bacco Piccolomo; and the latter, taken from the Old Castle, by Perinto Cacciaconte: from these two captains are descended the two most ancient families in Siena, those of the Piccolomini, and those of the Cacciaconti. Otho, the first emperor of the German nation, but the second of that name, expelled the last of the Saracens, and left an officer in Tuscany, who governed it in his name with the title of vicar of the empire.

The successors of Otho followed the same practice; but Siena, by the indulgence of Otho, maintained its independence under the government of its nobles, and its liberty was afterwards, by Otho the Third of the German nation, who had been served in his enterprise by a company of gentlemen from Siena, confirmed with ample privileges, and presented with a new ensign of the white lion. Both the first and the third Otho left many of their gentlemen in Siena, from whom are descended several of the noble and powerful families in that city,

city, where they supported themselves a long time, behaving virtuously and honourably in the service of their country. All the inhabitants of the city and territory, living then in union and harmony, were comprehended under the name of the People, which has since, from a general denomination, become a particular and peculiar name of a faction called Popolo, the citizens being divided into parties. Although the body of the city increased on every side, both in numbers and riches, it was nevertheless unable to enlarge its boundaries or extend its jurisdiction: for having on one hand the lands of the church, and on the other the territories of the emperor, it could not go beyond its own limits. At this time were introduced much industry, and many artificers, in consequence of an extensive commerce. Besides other noblemen, the count Bandinello de Bandinelli, having agents and correspondents in many parts of the Levant, imported large merchandises, to his own great profit as well as the public utility, employing and maintaining a multitude of people in every kind of labour, and was in a great measure the instrument of directing this people to merchandise. The same count Bandinello, moreover, being consul, and desirous of displaying the consular dignity and authority, gave orders that two commanders, or officers, on all occasions of solemnity or ceremony, should go before the consuls, with those maces in their hands, and those fringes at their breasts, after the similitude of the lictors, who walked with their bundles of rods and with their axes before the consuls of Rome. He also ordered, that to the trumpets should be fixed those streamers of white and black taffety, which have been ever since used by all the supreme magistrates who have succeeded in the place of the consuls, and as the

fifers and trumpeters, with the rest of the family and servants of the magistrate, in modern times, in the public palace, are cloathed in blue and green.

1059. About the year 1059 contentions arose between the emperor Henry the Third, and the pope, who decreed him, an enemy to the church, and interdicted him his empire and kingdom; which quarrel was the reason that the cities of Tuscany began to be agitated with seditions, some of them declaring in favour of the emperor, and others, rebelling against him, reduced themselves to republican governments, and attached themselves to the pope, hoping by his assistance to defend themselves against the emperor, who would have oppressed them. From this division originated the desire in the minds of the people to increase their forces, that they might the more easily resist the emperor if he should invade Tuscany with a design of reducing them to his obedience. To this end every city and castle endeavoured to make itself master of those in its neighbourhood, or at least to draw them to its alliance, which involved them in frequent wars, and was the original of those discords and enmities with which many cities of Tuscany were long agitated, and which proved the ruin of some, though it augmented the greatness of others. The Italians having remained long under the obedience of the German emperors, and having very rarely been employed in their wars, either by them or their captains, neglected, in so long and inactive a kind of servitude, the regulations of their militia: but now, in danger of oppression from Conrad the First, the cities, in order to defend themselves, ordered a kind of chariot to be built, and called it The Triumphal Chariot covered with rose-coloured cloth, with a large spear

spear in the center, on which was displayed a white standard, with two scarlet stripes, in a cross, at the middle of it; and on every side of the carriage stood a man, who held in his hand a cord fastened to the top of the spear, that neither the force of the wind nor the weight of the standard might incline one way or another. The chariot was drawn by oxen covered with white, although they varied the colours according to the prevalence of faction in the city. The care and command of this chariot was given to one of the most experience and ability in war, who became their captain; and to him, for the purpose of increasing his authority, was given by the public a shield and a sword. But in the times which followed after the emperor Frederick the First, this office was called *podesta*; * and he was accompanied with eight trumpets, and one priest. In this manner the cities of Lombardy, as well as Tuscany, sent out their people to war, without entertaining any soldiers in pay: for those who were ordered out to war in those times, in Italy, went at their own expence, so great was their affection to their country, as in the beginning the Romans did; wherever the triumphal chariot was found, there were the head quarters of the captain, like the prætors among the ancients. With this manner of making war, confiding in the power of the faction they followed, and living by plunder, each city was ambitious, by force and by fraud, to increase its dominion, and declined no opportunity which occurred of opposing themselves obstinately to the most powerful princes and veteran armies, for the defence of their own dignity, and

* The Italian writers in Latin call this office and officer, both, by the name of *potestas*.

that of the party to which they were devoted. Deriving from these motives, and from successful enterprises, great courage and ardour, when Henry the Third, with his antipope, besieged Gregory the Seventh in his castle, and, for fear of Robert Guiscard on his march to succour the pope, retired to Siena, Florence took the part of the pope, and Siena that of the emperor, and from this principle arose that irreconcilable hatred and enmity between these cities, which lasted so long, and produced so much war and bloodshed. Upon this occasion a memorable battle was fought, and a signal victory obtained, by the army of Siena over that of Florence. Certain persons in this engagement had been the first to begin the action, and behaved themselves so bravely in it, that it was adjudged that their conduct had been the principal cause of putting to flight the Florentines. The republic, in reward of their merit, and to incite and inflame by this example the minds of others to act nobly in the service of their country, erected, by a public decree, a very high tower by the sides of their houses. The Greeks and Romans used to honour, by decreeing statues to those who performed similar achievements in the service of the republic, rendering by this means their memories immortal; and they were more or less honoured according to the position in which the statue was placed, and the height and grandeur of the statue itself: wherefore they made some larger, and others smaller; some on horseback, others on the ground; and to make the glory of others still more illustrious, they sought the most eminent artist, and placed the statues on columns, * know-

* Columnarum ratio erat attolli supra cæteros mortales.

Pliny.

ing that columns, anciently dedicated to men, were marks of honour and conspicuous tokens of immortal glory;—and moved by those ancient examples, those who governed the city of Siena having, by the long domination of the barbarians in Italy, lost the arts of sculpture and painting, which were held in so high estimation by the ancients, as well as by the modern civilized nations, and not being able, for want of artists, to make statues or columns to honour these brave and virtuous citizens, ordered those towers to be built. After which precedent, for similar merits and services, afterwards many others were erected; among which was built by the public that of the Malavolti, in memory of the virtue of Philip Malavolti, captain of Siena in the Christian army of Clement the Third. This, like many others which had been raised before, was habitable; and although they were erected only as memorials of the honour due to greatness of soul, they were employed very often afterwards as fortifications for offence and defence, by the several parties, in their civil wars; and permission was afterwards granted by the public, to many gentlemen, to build towers at their own expence, as testimonials of the nobility and splendor of their families: and, until long afterwards they were taken down by order of Charles the Fifth, and the materials employed in a castle which that tyrant built for himself, they were so large and so high, as to be seen from a great distance, and made a most beautiful appearance.—

In the union of the Christian princes, in 1099, against the Saracens, and in the army engaged in the enterprize against Jerusalem, the city of Siena had a thousand men, under the command of Dominick and Boniface Gricci, noblemen of Siena. Henry the Fourth, after the death of Henry the Third,

1099.

1100. Third, coming to Rome for the crown in 1100, and renewing the discords with the pope Pascal the Second, and Gelasius his successor, and marching to Rome with his armies, excited afresh the ill humours in Tuscany: but these not having much energy, did not at that time produce effects of much moment; yet, stirred up from time to time by the discords among the great princes, and other accidents, though they seemed at times to be quieted, they broke out again, and were never wholly extinguished; they rather proceeded to increase, and at last discovering themselves with greater malignity, they grew, from particular disputes between one city and another, to the most general and sanguinary factions of all, or the greatest part of the territory of Tuscany, and all the rest of Italy, making alliance among one another of those who were of the same faction, against other leagues among the factions who were their enemies. One party having taken the name of Guelphs, and the other of Ghibellines, these parties and divisions were not only between one people and another, but, to complete the ruin and destruction, they entered into the same city, and sometimes into the same family, till there was not a spot of earth to be found whose inhabitants were not divided, and on which the citizens did not frequently meet in arms against each other; as it happened in 1137, and 1147, in 1147, between the noble houses in Siena, in which private interests and party affections had infinitely more energy than those of the public. Although the nobles had so long governed and preserved this republic in peace, now blinded by ambition, they most imprudently suffered themselves to be led by it. These civil discords having entered, and being increased and artificially fomented

mented by the heads of those plebeians who had attached themselves, some to one nobleman and some to another; in the city, they began by violence to endeavour to expel one another alternately from the city.* By this means, coming frequently to blows, and meeting often in arms, they gave occasion to the plebeians, who wished for nothing so much, to study the means, by little and little, of taking the government out of their hands, in the firm hope of being able to obtain it to themselves, if not entirely, at least in part; for the gentlemen being in arms, and each party afraid of being overcome by the other, strove to acquire friends and adherents among the plebeians, whom by a more decent appellation they now called the People. That they might be able, with stronger forces, to conquer their enemies, or at least secure themselves from being conquered by them, neither party was willing, by refusing the people a share in the government, to make them their enemies. They agreed therefore to give them a third part: wherefore, when they first appointed two consuls of noble houses, who should annually govern the republic, it was ordained, that for the future they should appoint three, two of them to be noblemen taken from each faction, and the third from the people; and sometimes they made the number six, observing the same distribution: and this is the reason why many persons have believed that certain families, which at this day are of the order of the nine,† finding that their ancestors were made consuls in those times, were originally noble, and that their ancestors were of the order of gentlemen, not knowing that the people,

* Plebs est cæteri cives sine senatore. De Verb. Signif.

† Dell ordine de nove.

from whom the order of nine had their original, participated at that time, by a third part, in the government, and that from some of those popular families, who held at that time the consulate, are descended those of the nine. The nobles, who at this day are denominated in Siena gentlemen, and who anciently, being very powerful, were sometimes called grandees, are sprung from a part of those ancient families, who in the first institution and ordination of the republic took upon them the government, which, with large additions to the city and its dominions, they held

1137. till the year 1137, when the plebeians, or more properly the people, first began to enter into a share of the government of the state and police of the city: by this means, although those who had been in the public offices and dignities had acquired nobility to their descendants, they had not however assumed the name of nobles or of gentlemen. Although in Siena, as well as in all the other cities of Tuscany, the factions of the nobles and the people long prevailed, they followed, as the most favourable and least invidious, the name of popular: and thus, leaving uncorrupted the ancient nobility, perhaps to avoid the distinction of greater and lesser nobility, like that of nobles and patricians among the Romans, applying themselves to their factions, by the orders of which, at different times, they began to create nobles, the people in process of time divided themselves into three parties, one of which was called the people of the smaller number, who were those of the order of the nine; the second, the people of the middle number, who were called the order of the twelve; and the third, the people of the greater number, who were called the

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order

order of reformers, who, as all the lesser people * concurred, with some of the ancient houses, under this denomination, were the most numerous, as will be largely shewn in its proper place. After these three popular factions were created, out of those who were afterwards accepted into the government, and acquired the civil rights, together with those few houses who would not follow the above-named factions, another order, which was called the order of the people; and these, however they have been ennobled, took the name of no other faction but the popular: as anciently in Rome it happened, that the patricians and ancient nobles had always the name of nobles, and the plebeians, so called by the Romans, although they had been consuls and dictators, and had enjoyed triumphs, were for ever called plebeians, until by Julius Cæsar, Augustus, and Claudius, the emperors, some families were added to the number of patricians. The greater part of the families of nobles, who by Romulus were denominated the greater race, and of those who were added by Tarquinius Priscus, and were afterwards by Licius Brutus called the lesser race, being already extinguished, this distinction was preserved in the Roman senate, where the fathers were understood to be those who were of patrician houses, and fathers conscript those who had been added and recorded in the number of senators; and thus sometimes plebeians, by concessions of princes, acquired the name of nobles. These orders were in all respects contrary to those which were used at this time in the cities of Tuscany, which, being governed by the multitude, did not admit the

* Il popolo minuto.

nobles

nobles to honours, nor to the administration of the republic, if, first renouncing their nobility, they did not acquire the privilege of being of the people; such was in that age the odium against the names of nobles among those who governed the republics of Tuscany, from the jealousy and terror that were entertained of their greatness: and this we may well suppose was the great reason why those first popular characters, and the others who followed after them, did not care to acquire the name of noblemen or gentlemen; on the contrary, they exerted themselves with all diligence, by the laws and by all their actions, by extermination and destruction of one family after another, to destroy totally the memory of all the noble houses of the gentlemen, in such manner that the greatest part of them are extinguished. Among the few that remained were the Bisdomini, the Tegolei, the Floridi, who were original inhabitants of the city, and lived in that third part of it which was called the Old Castle, with many other noble families which are enumerated. In another third part of the city, named the Third of Saint Martin, inhabited the noble families of Jazzani, Trombetti, Guastelloni, Sansedonii, and others: in the remaining third, called the third of Camullia, lived the Gallerani, Scricciuoli, Arzochii, Mignanelli, &c. There was another distinction of five families, who were counts, and lived indifferently in any part of the town, who were called the greater houses, as the counts Ardengheschi, Guiglieschi, Scialenga, Cacciaconti, and Valcorrese. There were other families, who, because very numerous, had the privilege of having two members from each family in the magistracy, while the other could have but one, as the Piccolomini, Tolommei, Malavolti, Salembeni, and Saraceni;

Saraceni; and in the same proportion they might have seats in the council of a hundred gentlemen, to whom were added, in this reform of the state, fifty popular members. This council was renewed once in two years, and sometimes every year; and was elected by the general council, one member from each family, with ample authority. In this council, which was to assemble at least once a month, they consulted of all affairs of the most serious nature and the greatest importance. Under this form of government Siena continued for some time, and following the imperial party, they meditated to possess themselves of the castle of Radicofani, then possessed by the church, pretending that it had been given to the bishop and people of Siena by the count Manente di Viconti di Campiglia, before 1138; but this expedition failed. In this year the inhabitants of Siena and Aretini united with Conti Guidi, whose castle of Monte alla Croce they relieved from a siege of the Florentines. The Conti Guidi were lords of many castles in Casentino, and one part of Valdarno, and had been decorated with the title of counts by Otho the emperor, after he had liberated Italy from the lordship of Berengarius the Third, when one of the family who came with him from Germany married a lady of Florence, from which marriage descended the house of Conti Guidi. We may pass over the bloody wars and variety of victories and defeats between these two cities of Siena and Florence; but when Frederick Barbarossa came into Italy they made a truce, and new laws and confederations were made between the people of Tuscany. The Florentines, Lucchese, Pratinians, and lords of Carragna, entered into one league; and the inhabitants of Siena, Pisa, Pistoia, and Aretina, and the Conti Guidi,

1138.

- into another: and because the Sienese had shewn themselves, in the dissensions which had happened in times past between the popes and the emperors, favourable to the empire, the pope Adrian, attentive to the arrival of Frederick, with much solicitude completed the fortress, and part of the
1154. walls of the territory of Radicofani. In 1154 Frederick was crowned at Rome, after long disputes with the Romans, and returned to Germany
1155. in 1155. The Sienese, by the similitude of affections, being of the same faction, acquired a jurisdiction over Poggibonzi, an eighth part of which castle had been given them by the count Guido Guerra. This castle was afterwards, in 1268, taken by Charles king of Naples, and given to the Florentines, and by them demolished, as always friendly or subject to the Sienese, and a receptacle of Ghibellines.
1158. In 1158 Frederick came a second time into Italy. The Sienese, being in difference with the count of Orgia, and other lords their neighbours, who held many strong castles very near to Siena, some of which were demolished by the Sienese, the lords of these castles were desirous of rebuilding them; but Frederick granted to the Sienese the privilege, that neither those counts, nor any other lords, nor their successors, should rebuild any castle, or fortress, within twelve miles of their city. As it is a sketch of the laws, their vicissitudes and variations, that we are attempting, we have nothing to do with wars or disputes between popes and antipopes, the church and the empire, nor with the accessions of Staggia or
1167. Orgia to Siena. In 1167 Frederick returns to Italy, and confirms all the privileges and donations which had been before made to Siena. The fourth, fifth, and sixth journey to Italy, and all the

the wars, and truces, and peaces, between Florence and Siena, may likewise be omitted; though in the last, which was in 1184, he found enemies in the Sienese, his old friends. According to some writers, this strange revolution was in 1186, and the causes of it deserve to be examined and explained. *

Charlemain, as has been before related, left the government of Siena in a single assembly of hereditary nobles, who, no doubt, as they had procured the independence of the city by their interest and intercession, thought it their own, and entailed on their posterity for ever. While the people considered these rulers as their benefactors, to whom they owed so much; while the nobles were united, and the city continued with constancy faithful to the emperors, all went smoothly on; at least no history appears to the contrary: but in a course of time, when the nobles became divided into parties, each of which courted the people, not so much from humanity, patriotism, or love of liberty and equality, as because their bones and sinews were wanted in the civil wars, the people, with very good reason, began to demand a share, and to take a hand in the game. But how? Not in any proportion which could give them a controul, or a power of self-defence, or even much influence; but by claiming one in three consuls, and fifty in one hundred and fifty senators. Absolute power was still in the noble hundred, and the people, by their members, only became nearer witnesses of their own insignificance, and of the arbitrary disposition of their noble masters. This,

* Malavolti, lib. iv. p. 36. Giovanni Villani *Chroniche Fiorentine*, lib. v. Muratori, *Rer. Italic. Scrip.* tom. xv. *Chronica Saneſe de Andrea Dei*. Muratori, *Dissertatione*, 50. Muratori, *Annal.* tom. vii. anno 1186, p. 56.

1186.

therefore of course irritated the people, and gave them able leaders, while it increased the motives of the factions in each party of the nobles to caress them still more. In consequence of this, the public councils and conduct, in 1186, began to be unsteady, and a strong faction appeared for the pope against the emperor. Philipppo Malavolti, Palmerio Malagalla, and Guido Maizzi, were this year consuls. The emperor, desirous of passing through the town, the Guelphs had acquired so much influence as to shut the gates against him, and even to attack and defeat his army : but as soon as he was prepared to punish them for this offence, certain orators were sent to him, by those in the government, to excuse the fault, and to beg his pardon. They said, the resistance to his majesty had been occasioned by the fury of the people, who rose in a tumult very much against the will of their governors, who had always been faithfully devoted to him. The emperor received them graciously, and confirmed their privileges under some severe conditions, moved however to this grace, according to the custom of the great princes, more by his own interest, than by any confidence he had in their professions : but as he was now intent upon an enterprise into the Levant against the Turks and Saracens, he wished to leave all things in tranquillity in Italy. Intending, on his return, to make himself master of the kingdoms of Sicily and Naples, he was desirous of preserving peace in the cities of Italy, already friendly to him ; and by reconciling the others, to acquire more friends and followers, who might assist him, and remove all obstacles to his enterprise. With this view, he sent Henry his son, already elected king of the Romans, into Italy, with great pomp and authority, who pretended to be

be favourable to the Sieneſe, and granted them the power, under the imperial authority, to elect conſuls, as they had been long uſed to do; but thoſe who ſhould be elected, were obliged to accept the inveſtiture of their conſulate, without expence, from the king himſelf, or the emperor, or their ſucceſſors, if in Italy; if not, from their legate or vicar in Tufcany; and if there ſhould be no imperial legate in Tufcany, the conſuls elect were obliged to go in a body, or a part of them, or ſend an ambaffador, to demand the inveſtiture of the emperor, or whoever ſhould be king of the Romans. In 1187, Jeruſalem was beſieged by Saladin; and Siena ſent five hundred of her young men, under the command of Philip Malavolti, in the Chriſtian army raiſed for its relief. Henry, on his return from this expedition, was by the pope declared emperor, and inveſted in the kingdoms of Naples and Sicily, upon condition that he would recover it from Tancred, the ſon of Roger the Fourth of the houſe of Normandy, heir of William, king of England, who died in this cruſade. While the pope and the emperor were occupied in this enterpriſe, and all Italy was filled with arms and rumours, and ſo many gentlemen of Siena were abſent in the wars, the people of Siena thought they had a favourable opportunity to endeavour, with ſecurity, to take the government of the republic out of the hands of the conſuls, and, by a reformation of the ſtate, introduce a new form of a popular government. The plebeians tumultuoſly riſing, with great impetuofity flew to arms; but the gentlemen, who had foreſeen the inſurrection, had prudently aſſembled in the public walks, and provided themſelves with attendants and arms, that they might be able to oppoſe the people, and defend the dignity of the government.

1187.

government. The heads of the popular faction, perceiving that their design could not succeed by force, put a stop to the tumult, but stood armed in several parts of the city. The most respectable citizens of each party, meeting half way between the two bodies, effected a reconciliation so far, that both sides agreed to lay down their arms; and it was agreed, that if any one would demand or request that any thing should be corrected or reformed for the public service, he should propose it civilly, without the terror of arms; and if it should be judged an error or a grievance by the council, there should be no difficulty in obtaining its amendment or redress; and, with copious reasonings, they demonstrated the disorders which must arise from such commotions, with arms in their hands, to demand deliberations upon new laws, because the multitude, always naturally desirous of seeing new things, are never contented with what they possess, and having obtained one object of pursuit, they suddenly look for another, setting neither bounds nor laws to their appetites, and upon every little accident, which is always in the power of any one to excite, they fly, according to their present passions, prejudices, necessities, or inclinations, to burglaries, robberies, and conflagration, many examples of which have been seen in Siena, as well as other cities; and no method of suppressing an unbridled populace has been hitherto invented without manifest and universal danger. They moreover took into consideration, that, from the vicinity of Florence, in times so agitated, both parties ought to be sensible into what ruin they might fall, while they were engaged at home in contending with each other: and had it not been for this danger, the nobles were, at that time, so superior in power
to

to the plebeians, that they would not have submitted to this insolence, nor let escape this opportunity of putting an end to such seditions, by chastising the authors of this. They only advised the consuls to call together the council the next day. When together, they deliberated and debated upon a variety of subjects; but, after many contests, they concluded upon nothing but this: In order to satisfy the ambition of two or three persons who aspired to be consuls, it was determined, that, instead of three consuls, there should in future be six, observing the same distribution of two thirds noblemen, one third of whom were to be of the Ghibelline faction, and one third popular members. By this measure, they quieted the minds of the ambitious and envious for this year: but the year following, at the new election of consuls, fresh innovations would have been attempted, if, at that time, those Sienese gentlemen, who had been to Asia at their own expence, had not returned in triumph, to the universal joy of the whole city. This event quieted the minds of those who were addicted to civil discord. As the creation of six consuls had produced no other effect than to increase the difficulty of assembling them together, and of concluding deliberations by deciding questions, it was now resolved to have only three; and in this way they went on, varying the number according to the times and the business.

In 1194, and 1195, the commerce of the city was much increased by emigrants from Milan; the manufactures in wool were introduced; the great fountain and aquæduct was built, as well as the palace. 1194.
1195.

In 1197, the conti Scialenghi were made to submit and swear allegiance to Siena, for all the lands and castles, as il Monte Sante Marie, Monte Bello, 1197.

Bello, Monte Martino, Monte Bernardo, Monte Franco, &c. and the Cacciaconti, Cacciaguerra, Tancredi, Guido, Ranieri, Barnardino, Aldobrandino, Renaldo, counts of Scialenghi, where admitted citizens of Siena. The inhabitants of Asciano also submitted. The count Napoleone de Viconti di Campiglia, the counts Guiglieschi, and the counts Ardeghefchi, also capitulated. The inhabitants of Montalcino, who had frequently excited quarrels between Siena and these counts, now discovered much animosity, and preparations were made for war, to bring them to submission; and that civil dissensions might not interrupt the enterprise, and to quiet the minds of many, who desired that military matters should be separated from the civil and political, and that the consuls should have nothing to do but attend to affairs of state, and government of the city, they made an election of a foreign nobleman, who, with imperial authority, should have the care of all civil and criminal causes, having judges, assessors, and other officers in his family, convenient for such an office. This magistrate they called *podesta*, from the power and authority granted to the cities of Italy to create such an officer by the emperor Frederick the First, at the peace of Constance in 1183, and to the Sienese in particular by Henry the Sixth in 1186, when he came into Italy as vicar to his father Frederick. And besides the judicial authority, in civil and criminal causes, the *podesta* had the government and command of the army in case of war. The first who was elected *podesta* of Siena was M. Orlando Malapresa of Lucca, for one year, and he entered on his office the first of January 1199, according to the order of the city. The Sienese were desirous of an accommodation with the Florentines, that they might

Podesta.

1199.

might not be molested by them in the enterprise they meditated against Montalcino. The discords among the princes of Germany upon the election of an emperor, and the revolution of empire in Constantinople, are not much to our present purpose.

In 1201 a perpetual alliance, offensive and defensive, was concluded between Florence and Siena, Philip Malavolti being podesta, by which the inhabitants of Montalcino were declared enemies of both. In 1202 the army of Siena made themselves masters of their fortress and territory. The counts Ardengheschi refused to furnish their quota to this expedition, which excited the resentment of the city against them, and at length a war. The cities of Tuscany, that lived and were governed as republics, remained long without any palace, or other public place in which they could assemble their magistrates and councils; they were therefore summoned to meet sometimes in one church, and sometimes in another, according to the changes of the first man in the office of consul, until the establishment of the office of the nine, at which time a palace was built. The first consul usually collected the rest in his own parish church, as the Romans long congregated their senate, sometimes in one temple, sometimes in another, according to the nature of the business on which they were to deliberate. Another quarrel soon arose between Florence and Siena, at the conclusion of which the latter were obliged to relinquish Poggibonzi, whose inhabitants praised the Florentines very highly, while they reproached with bitterness the Sieneſe. The arbitrators, or agents, who settled this dispute, were very ill received on their return; and the praises of Florence, which they heard repeated, displeased them

1201.

1202.

as much as the reproaches of themselves. These excited great heats, resentments, and personal altercations, not only among the common people, but among all the noble houses which had given their opinions against making the cession of Pog-gibonzi. The disputes upon this occasion went so far, that many personal enmities grew out of them, and parties frequently came to blows, and bloody combats in arms, by which many factions were generated, who frequently fighting with each other, produced a number of atrocious actions and scandalous crimes. The wisest men, those who consider more the end than the beginning of things, a character peculiar to prudent men, were hardly able to invent a remedy, or by the interposition of the public authority to preserve the peace. The city remained a long time wonderfully agitated, the citizens having no confidence in one another, standing in continual suspicion, and daily expectation of further disorders, tumults, and seditions. These distractions delayed the expedition against Montepulciano, which however was at length, in 1204, undertaken; when dissensions arose among all the cities of Tuscany upon the question, whether Montepulciano was within the dominion or country of Siena. It was customary to settle such disputes by a congress or parliament of rectors from all the cities of the league or company of Tuscany; and such deputies were now appointed, who, after hearing the parties, and examining witnesses, determined in favour of Siena. It was a custom of the emperors to maintain a vicar in Tuscany, who lived and held a court in San Maniato Altedesco, who gave an account of the causes which had an appeal to the emperor, and received the rents, taxes, tolls, customs, tributes, and other gifts, all which the jurists call by one

one word, regalia; and when it happened that the emperor sent no vicar to the province, he sent nuncios to particular cities, and called them counts of those places to which he sent them, with the same authority. This method of collecting together and making a congress, which was used in those times by the cities of Tuscany, was generally very useful to the whole province, because the rectors (so they called the representatives who composed the congress) as soon as they understood that a difference had arisen between one city and another, although they were sometimes of different and contrary factions, exerted themselves, according to the obligations of their magistracy, with extreme diligence, to bring them to an accommodation; and if sometimes their endeavours to adjust the difference did not succeed, and the war was prosecuted, the congress nevertheless stood firm, and the rectors did not fail to do every thing in their power for the universal benefit, and at all times appeared together in parliament for the public business which occurred, and to make their elections, at the stated periods, of new rectors, who had no authority alone in their countries, but only while they were assembled with the rectors of the other cities. As it was their duty to be always attentive to the common utility, if so many people, for their private interests, excited by the ambition of dominion, or by avarice, two qualities very unfriendly to peace, had not departed from this federal order, the ruin of so many republics had not perhaps been effected; but as the men of that age were little accustomed to reflection, and had less prudence in providing for futurity, they were still less solicitous to leave, by the means of letters, the memory and history of their times, so that only a confused notion of a few particulars

particulars remain at this day, not only of this confederation, but of an infinite number of other great events and institutions.

1206. In 1206 followed the discords between Philip of Suevia, and Otho of Saxony, and their contention for the empire, in which Philip was superior; which was followed by wars with the Saracens, and between Siena and Florence, in which the army of the former was defeated at Montalto.

1209. In 1209 the king of the Romans came into Italy, and confirmed the privileges of Siena, particularly those of electing consuls, coining money, and administering justice, reserving appeals, and other conditions expressed in the grant of Henry; but declaring, that Jacomo Aldobrando, and Henry, sons of Aldibrandino Guiseppi, and other nobles who held feignories in the county of Siena, nor their subjects, should be under the podesta of the city. The consuls endeavoured to divert the minds of the people, now at peace with Florence, by employing them in rebuilding the castles, and restoring the strong places belonging to the republic; but they found it impossible to suppress or divert the ambition of the popular multitude, who, feeling themselves relieved from foreign wars, would be employed in domestic seditions. As they were at liberty to choose the podesta, either from foreigners or from the nobility of Siena, the choice was generally made from among the latter. The people thought, that the introduction of this office had rather been a loss than an acquisition to them; and that the nobles, by means of it, had aggrandized themselves. They insisted, that this should be corrected in the order of choosing the podesta; and to remove all occasion of dissensions, and maintain the public tranquillity, the gentlemen concurred, in 1211, in a new law, that the podesta

podesta should, for the future, always be a foreigner. It is easy to see that the pride of most of the nobles concurred with, if it did not excite this popular humour; for the jealousy and envy of the nobles can never bear to see one of themselves elevated much above the rest. Regardless of equality among the people, and irreconcilable enemies to any appearance of it between the people and themselves, they must always be peers, or equals among one another; and when a king, or any other first magistrate, must be placed over them, they always prefer the introduction of a foreigner to the elevation of one of their own body. But it does not always happen in these cases, that by taking away the cause, the effect is removed. Those who are grown inveterate in the habits of dissension, without having any regard to the public good, and without the least cause of complaint, will find means of interrupting and disturbing good order. The people had obtained whatever they demanded, yet they would not lay down their arms; and the multitude appearing in continual insurrections, some terrible catastrophe was apprehended, and would have occurred, if the nobles had not likewise resorted to arms, and, with a great concourse of those who wished for peace and order, had not marched through the city. This procession spread a terror among the seditious, who, from fear, laid down their arms, and returned to their houses. Upon this the government was re-assumed, and confirmed by the punishment of many of those who had been the heads of this commotion. The first who was created Podesta, according to the new law, was M. Guido di Rannuccio da Orvieta.

In 1221, Frederick the Second, after his coronation, having granted many favours to several lords

1221.

lords and cities of the Ghibelline party, renewed and enlarged the privileges of Siena, of administering justice, of paying the gabells or imposts only at the gates of the city, of coining money, and of exemption from all customs and tributes in the country. These exemptions and privileges perhaps occasioned a demand of similar favours which was at this time made by the territories tributary to Siena, such as Chiuci, Montelatrone, Montepinzuto, Potentino, Luriano, Vico, the lands of the abbey of St. Antimo, and other places. But as this demand occasioned a civil war, and Siena raised a force both of horse and foot, which they were ill provided to resist, they capitulated.

1222. In 1222 the count Ranieri da Travale, originally of the Morea, in the Peloponnesus, was made a citizen of Siena, and annexed the lands and castles he had purchased to their dominion. From him are descended the counts of Elci, Montingegnoli, and Fuosini. But the city, when it was not at war with Florence, nor against the pope, nor engaged in crusades, nor in rebellion against the emperor, was almost continually engaged in disputes and wars with the mountains, castles, and lords in its neighbourhood, though in alliance with it, or under its dominion; and whenever a moment of perfect peace occurred, seditions and tumults broke out. With the conquest of Grossetto, and an increase of jurisdiction, Siena had excited much envy in a part of those cities of the Guelphs, in Tuscany, Florence, Lucca, Orvieto, and Penegia, which were in a league against the other confederation of the Ghibellines, which were Siena, Pisa, Arezzo, and Pistoia. The former took measures to oppose the Sienese in their favourite enterprise against Montepulciano, and this occasioned a series of altercations and wars, not only among these cities,

cities, but with the lords of the mountains, too long to be related; but at last Montepulciano was taken, and peace concluded. The cities of Tuscany, now in profound peace, and all apprehensions of its interruption removed by the presence of the emperor in Italy with a powerful army, the Sienese thought themselves secure from the stratagems as well as invasions of their enemies. This sense of security awakened in the minds of the popular multitude in the city of Siena the same desire of making themselves masters of the internal government of the republic, which at former times they had entertained. The principal heads of this faction, in their consultations on the project, and discouraging on the means of carrying it into execution, found among themselves a great variety of opinions, from whence arose violent dissensions. From this arose two circumstances, which prevented the scandalous disorders which usually happen in such cases. The first was, a delay of the conclusions and resolutions; the second was, that in this interval it was not possible to keep the plot so secret and concealed, that no intimations should be given to the nobility of what was meditated to their disadvantage, and the manifest danger of the whole city, if to such an end the people should recur to arms. When the nobles had discovered and considered the situation and the danger they were in, not only from these commotions, but from the hatred which, in the wars of so many years with Florence and Orvieta, they had provoked in the minds of their inhabitants, from such prudent considerations it was determined to treat civilly with the popular party, without the bustle of arms, lest they should be involved at once in a war both at home and abroad; and as the popular party, from the same motives, concurred

red with the nobles, that the innovation should be made in their civil robes rather than in armour, it was agreed that the council should be assembled. Here they deliberated and debated on the mode of reforming the government of the city. As the popular party saw no possibility of obtaining to themselves exclusively the government, as they had at first projected and reasoned among themselves, they demanded, that, in addition to their third part in the council and magistracy, it should be left to the discretion of the council themselves to choose the other part of the magistrates, and fifty more members at least of the council, out of the nobles or people, at their pleasure. To this the nobles would not agree, and many of them opposed it with such efficacious reasons, as made it appear unreasonable to the popular party themselves, and the petition was neither granted nor countenanced by many votes. Tolomei, Malavolti, Buonsignori, and Gallerani, were the principal speakers among the nobles; and their eloquence was employed to persuade the popular party, that they ought to be contented with the share they already enjoyed in the republic, and esteem themselves under obligations to the memory of their grandfathers, who had so benevolently embraced them, and taken them into their society; and having received so great a favour from the nobility, who had received them into an equality with themselves, it would have been a more rational and becoming conduct to have demonstrated their gratitude, by acknowledging the benefaction, and co-operating harmoniously in the public service, in the imminent danger which they saw over the commonwealth, rather than excite every day fresh seditions. That they might well know that those who had held the government hitherto, were not men of so poor capacities,

pacities, as to have occasion, in the administration of there public, for the assistance of so great a number of new men, for the most part useless, or more properly pernicious, by their contracted understandings and small experience. That their project was the more alarming, as they proposed to make the magistrates so very numerous; because it had been seen, in numberless examples, and experience had found it an infallible observation, that states had been seldom well governed by the multitude, in whose deliberations, besides other imperfections, the opinion of the most ignorant and incapable weighs as much as that of the most prudent and experienced. Those cities which had rashly committed the government to the multitude, had, to their misfortune, more frequently experienced revolutions in the state, than those which restricted the government to a few: for although, to a superficial view, the equality of the citizens in the public deliberations, where the votes are numbered, but neither weighed nor measured, might appear a just and reasonable thing; yet to any man who maturely reflected on the subject, it must appear in a very different light. As to the mode of making the elections of magistrates, if it were possible to concede to the people the share they demanded, these orators demonstrated that it must prove pernicious to the commonwealth. The method proposed was a way to take from the council the free power of creating the magistrates, the proposed law imposing the necessity of creating one third of them from one faction exclusively, and taking away the discretionary right of electing those who, according to the occasions and times of war or of peace, might be the best qualified to discharge the duties of their office. It was affirmed, that in a very little time it would be seen, that

not only the nobles, who had from the beginning ruled, and with so much virtue and dignity aggrandized their country, but even that those popular families, who for a space of an hundred years had honourably governed and prospered with them, would by this innovation be thrown out of the government. That this invention, as now proposed, as was easy to be perceived, had no other end in view than to introduce a government of new men, by pulling down those who had hitherto maintained it; because, as the council in the election of officers was bound by necessity always to elect a third portion from the popular order, it might and would soon happen, that of the other portion, either all, or at least a part, would be popular members, new persons, and unexperienced in administration; and the nobles, and those accustomed to government, would be deposed, to the grievous loss and misfortune of the public. When it was admitted that every citizen, without distinction, might be admitted to honours and to government, is it not better that the council should have the free faculty of making their elections of persons apt for their offices, that men may be excited by this motive to habituate themselves to honourable exercises and virtuous courses? That to impose the necessity of electing another, who knows that he must be elected at all events, is to take away from him every incentive to virtuous behaviour. This would be precisely the way of bestowing honours on sloth instead of virtue, and to give the establishment of magistrates to the laws, not the appointment to the council, who will be for the most part forced to make the election contrary to their judgements and inclinations; an indignity too great to be offered to that senate.

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To this harangue it was answered, on the part of the popular faction, by William Gollucci, who Gollucci. said, that the nobles ought not to disdain to have the people associated with them in the government of the commonwealth, among many other reasons, because they very well knew they had it not now in their power to say, what had been affirmed by their grandfathers, when in the beginning they refused to admit the people to any share, that popular men are not fit to exercise magistracies, nor to rule in the councils of the city; for having, since 1135, governed in concert with them, participating only in a third part, they had given such assistance, that the city was greatly increased in dominion, riches, and population, as was evident to all men: so that their society might be said to have been of the greatest public utility: and the same benefits, and still greater, might be expected in future, when, instead of a limitation to a third part, there should be no bounds prescribed. That it very rarely had happened that any city had arisen to grandeur, if it had not admitted the people and the other subjects to the administration of the commonwealth, and to the magistracies. "This," said he, "was the ruin of the Lacedemonians and the Athenians, who, although they were most valiant in arms, would have found their republics of little energy and short duration, if they had excluded their subjects from the hopes of rising by their arms and other virtues, to honours and public magistracies. What was it that elevated Rome to its superlative greatness, more than their having given civility, the rights of citizens to privileges and honours, to all in Italy who submitted to their empire? What can stimulate your own citizens to greater alacrity in the service of the public, than

the hope of arriving, by their good behaviour, to the highest honours of the republic? and the knowledge, that if in war they place themselves in the post of danger, they are sure to do it for their own proper utility, as well as for that of others? What interest can you believe will make them more ardent, animated, and intrepid, in any public enterprize? We know, moreover, that no government can be properly styled a republic, which does not comprehend all the people of the city." By these reasons he endeavoured to persuade the senate, that is to say, the council, that the demand made by the people was as much for the public service in general, as their own in particular: and as to that which had been said by the grandees against receiving new men into the government, he replied, that as all other things, how ancient soever they might be, had a beginning, so it was with nobility; "as for example, we may say, as you know very well, that after the first original nobility of our city, with Charlemain, when he delivered Italy from the domination of the Lombards, came the Malevoli and the French gentlemen, who since have called themselves Bandinelli, who were received not only into the number of the citizens, but into the ranks of the nobles and patricians of Siena; after that, with Otho the First, when he expelled the Berengarii from Italy, the Salembeni, the Tolommei, who in like manner were enumerated among the nobles and grandees of this city; and, in times more modern, many others, who were lords of several castles of this state, as the Scorcialupi, who once have called themselves Squarcialupi, those of Tornano, of Volcortese, of Berardenga, Scialenga, and many others, who all enjoy the title of nobility. Finally, our grandfathers were
admitted

admitted to the government in 1135; and if we, their descendants, have retained the name of popular, it does not follow that we have not acquired nobility. For what reason then, if your ancestors have accepted foreigners and ultramontanes, and even conquered lords and landholders, into their peerage, should not you receive your own proper fellow citizens? those who are born free within the same walls with yourselves, and run the same fortunes with all others? You will say, because they are not noble. We however say, that all those others in this kind of nobility were not more noble than are at this hour those who, by means of public dignities, have acquired nobility, or than will be those who shall come into the government after us; and as we shall be an example for them, so will they be to those who may come after them; and the city will be able, by this means, to preserve for a longer time the nobility of her citizens; and, as it is natural that whatever has a beginning must have an end, new noblemen will succeed from time to time to those who may fail, and the land will be better peopled and more powerful."

A short replication to these arguments was made by Rinaldo Aleffi, who said, that if the Rinaldo people, since they had participated in the go-Aleffi. vernment, had remained more quiet, it was possible the city might have made some notable acquisition; but, as every one knew, the continual seditions which the popular party had excited, had raised their inordinate desires, and disposed them more to civil wars than to wars with their hostile neighbours; and that those acquisitions which they had made had been obtained rather by the incidents of the times than by any other reason: and that those ancient gentlemen who

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came

came formerly with Charlemain and the first Otho, when they were invited, many centuries ago, to inhabit this city, had the feignories of many castles, which had been given them, in reward of their illustrious actions which they performed for the service of the empire, by Charles and Otho; and that more splendour and nobility had accrued to the republic than to them by their coming to inhabit it. And the same thing was true of the other lords of this dominion, who, according to the accidents which have occurred, have been made gentlemen of Siena, the city being aggrandized and ennobled by the acquisition of their families, castles, and feignories.

By these speeches we see, that neither the aristocratical nor the democratical orators aimed at any thing more than a government of all authority in one center; but the legislative and executive power were to be lodged in one assembly. The nobles wished to have the whole house to themselves, and the commons wished the same thing, though each party temporized and modified their language with some regard to the other. The loaves and fishes, the honours and demoluments, were what they all sought, more than liberty, safety, or good order, more than the commerce, arts, or peace, more than the prosperity, grandeur, and glory of their country. Not one of them thinks of giving all the executive power to the podesta, with a weapon to defend it; not one thinks of dividing the sovereign legislature into two assemblies, giving to the nobles and people an equal share: yet, without these arrangements, every intelligent reader of their history, at this day, perceives that all the projects of either party for amendment would only increase the evil, by inflaming the ill-humour. After many discourses, made by several persons of both parties, the

the grandees, sensible that, if they should recur to arms, and defend the dignity of their stations, they might, in the war which they expected with Florence and Orvieta, and by the difficulty of obtaining money, put all in danger, by refusing to accommodate their civil discords by giving way in part; they therefore concurred in the opinion that prevailed, that the council should make the election of thirty citizens, fifteen of each party, who should have authority to propose a new form of government, as it appeared that the magistrates, called the consuls, since the introduction of the office of the podesta, that of the four purveyors, and the chamberlain of Biccherna, were no longer of any authority at all, and that there was a necessity to think of making a magistracy of a greater number of men, and of more authority concerning the affairs of the state, and the administration of the republic. The thirty persons who were invested with this full power, or, as the Florentines called it, this *balia*, having discoursed and deliberated some time upon the subject of their commission, and wishing to give satisfaction to the public, as well as gratify the ambition of many individuals, by constituting a numerous magistracy, they proposed to the council to institute a magistracy of twenty-four, to be elected by the council out of the whole body of the people, or the citizens at large, on condition that there should not be nominated or voted for a greater number from one faction than from the other; and as it was understood that the emperor Frederick was soon to leave Italy, and it was expected the Florentines would soon attack them or some of their dependencies, the measure soon obtained, the four and twenty magistrates were immediately created, and with great spirit entered

on their offices, by making preparations for war against the Florentines and the other Guelphs. This revolution, if a bare change of the number of first magistrates without any change in the sovereignty can be called one, was in 1232, while the emperor was at Ravenna.

1232. The Sienese were now involved in constant wars with their neighbours till 1238, when the discords between the pope and the emperor revived the animosities of the ancient factions of the Guelphs and Ghibellines in Tuscany, as well as in many other parts of Italy, and with greater hatred and animosity than ever: nor was there any people who were not infected with this destructive contagion, by which, without having any other cause of quarrel, they fought with each other with mortal enmity, not only one city against another, but the same city divided into these factions combated itself; each party having not only different ensigns, under which they marched out to war, but they had distinguished themselves by the colour and wearing of their clothes, by their gait and air, and gestures of the body, and by every other the smallest circumstance; so that, at the first aspect, a Guelph might be known, by a glance of the eye, from a Ghibelline. These divisions not only prevailed among the Sienese, but, since the introduction of the magistracy of twenty-four, a new diversity arose among the citizens, and a new distinction of party names. This government did not please all, and those who approved it assumed the name of twenty-four, and those who were dissatisfied took the name of twenty-seven. Hatred and resentment increased among them to such a degree, that in 1240 they flew again to arms, with most violent commotions of the whole city, the slaughter of multitudes on each side, with innumerable

numerable robberies, burglaries, plunderings, and conflagrations of houses and palaces, and other crimes committed by the plebeians. But as the rabble in favour of the twenty-four appeared to be the strongest, this magistracy survived the lawless attempts to destroy it, and preserved authority enough to elect M. Aldobrandino di Guido Cacciaconti podesta, who, by his prudence, and the public authority, reduced the city to some degree of obedience to the laws. The secret was, that the pope and the emperor were to the republics of Italy, what Sparta and Athens had been to those of the Peloponnesus: each must have a party in every city, and if the nobles were on one side, the people would be on the other, and vice versa; and every art of seduction was employed by one power or the other on both.

The Sieneſe were now plunged in new wars, which continued, almost without interruption, till 1258. The cities of Tuscany, which, in the discords between the pontiffs and emperors, had followed the Imperial party, and were denominated Ghibellines, after the death of Frederick the Second were greatly oppressed by the other cities, which, having followed the ecclesiastical party, were then superior, and were distinguished by the name of Guelphs; but since Manfred, overcoming the forces of the pope, had made himself master of the kingdoms of Naples and Sicily, he took the Ghibellines in the province of Tuscany into his more immediate protection, and placed Siena at the head of that party. As Florence was the head of the Guelph party, each city in its turn was an asylum for the exiles of the other; which, in addition to the jealousy, envy, emulation, and selfish views, which are common between neighbouring nations as well as cities, proved a continual provocation to war. These wars and rebellions of their mountains,

1258.

tains, which it would fill volumes to describe, will be passed over. Yet it may be proper to mention the rebellion of Monteano and Montemaszi, when the count Giordano demanded in the senate that one-third of the city should be armed and sent out, because a form of their constitution is upon this occasion explained. Although the Sienese were zealously inclined to comply with the request of Giordano, and thought the expedition very interesting to their country, they would not depart from the ancient order, that when any expedition was proposed, that the subject might be maturely considered, it must be proposed in the council of the credenza, and consulted on three times, on three several days in the general council, before any thing could be determined. A deputation, upon this occasion, was appointed to attend the army, consisting of the podesta, the captain of the people, the three first members of the office of twenty-four, and twelve good men, buoni huomini, deputed by the commons. The soldiers and officers in these expeditions served without pay, in imitation of the Romans, who for three hundred and forty-nine years, continued to go out to war, every one at his own expence. This is universally alledged by historians as a proof of their love of their country; but it may as well be considered as a proof of their poverty and their ignorance, for there is no example of it among rich and well-informed people: it would be indeed unjust and unequal. As the provisions and apparatus were found by the public, and plunder was made wherever they went, it is very probable that the most of their armies were better fed, and more profitably employed, abroad than at home, as manufactures were little known, and commerce and navigation in their infancy.

In the year 1359 ambassadors were sent to the king Manfred by the council of the credenza, who from the council general, or the senate, which signified the same thing, had the authority deputed to them to give commissions and instructions to ambassadors. The council of credenza was a secret council, as its name imports, in which were secretly treated those things which were to be proposed to the general council, which, representing the whole city, had greater authority; but no proposition could be made, if it had not first obtained in the council of credenza. This is very remarkable: the sovereignty was in one single assembly, the general council; the leading members, however, had influence enough to get themselves separated from the body by its own act, and secret affairs committed to them, and nothing permitted to be brought into the general council without their previous approbation. This arrangement was afterwards imitated by the grand dukes. In the council of the people, nothing could be treated which had not previously been treated in the consistory, and by them proposed. Another council obtained in Siena, which had been mentioned before, called the council of assembly, of fifty members for each third, which, at stated periods, was changed by the general council, and limited by them in authority: so that the whole sovereignty, the whole legislative, judicial, and executive authority, was literally in one center, that of the general council and all other assemblies, councils, magistrates, and officers, were only committees and deputies of that body.* In this council of credenza the se-

* Malavolti, lib. i. della Seconda Parte, fol. 7 and 8. — *Chroniche Sanese*, Ap. Muratori, *Rer. Ital. Scrip.* tom. xv. p. 29, 30, &c.

cret treaty was made with the count Giordano, and ambassadors sent with him to Manfred.

1260. In the year 1260 the memorable battle of Montaperto was fought between the Florentines and Sienese, in which the latter obtained a complete victory, and reduced Florence to the brink of destruction. At this glorious period, when their great rival Florence was reduced to such extremities as to be obliged to submit to the emperor and the Ghibellines, and make peace with Siena upon her own terms; when so many other people and territories were daily submitting to their jurisdiction, and ambassadors of congratulation were arriving from all parts; is it not surprising that union and harmony at home should not accompany such transports of joy as appeared in every part of their dominions? Yet, in a government so constituted, a dispute among a few young gentlemen at a bath of Petriuolo was sufficient to divide the whole city. In this rencounter one Baroccino di Bencivenne Barocci, a youth of the popular order, was killed by M. Robba Renaldini. Of this homicide M. Bennucio Salimbeni was also accused, who, besides being banished together with M. Robba, and having their places demolished by the fury of the people, because Bencivenne, father of Baroccino, was of the magistracy of the twenty-four, who then governed the city, and, through the hatred which the people bore to the nobles, was condemned in a fine of twelve thousand pounds, and rigorously held in prison in irons, till his father Salimbeni was obliged to pay it. So rigid a punishment, transgressing as they thought all bounds of justice, in complaisance to the people, provoked some of the nobles, who would not remain exposed to the discretion and insolence of the

the multitude, daily excited in commotions against them, and having such an arbitrary influence in the judicial department, that they left the city, and retired for safety to Radicofani, a place by its situation sufficiently strong. Upon this the magistrates declared them of the party of the Guelphs, which provoked them to over-run, with some troops of horse, attended with their followers, the dominions of the republic in the country, and plunder the lands of their enemies, at whose instigation they knew the magistrates had been induced to pass a decree so pernicious and prejudicial, not only to them, but to the whole city, by the divisions which must arise from it among the citizens, reviving the hatred of factions, both of Guelphs and Ghibellines, nobles and people, which by the fear of foreign wars all parties had united unanimously to bury in oblivion; to their infinite advantage in the late war against their national enemies. From this disorder, arising from that leisure, idleness, and insolence, which, having overcome their external enemies, had taken possession of them in place of fear, factions and parties took occasion to revive their enmities, and to study to offend, provoke, and injure one another. Having learnt in Siena the mischief which had been done in the country by the fugitives, now become exiles, a strong force was sent out, of German troops as well as the militia, both cavalry and infantry, when after an obstinate engagement, and many slain on both sides, among whom were several persons of consequence, the exiles were defeated by superior numbers, and the discipline of the German troops. This was in 1262. The history proceeds with accounts of rebellions and submissions of one and another of their mountains, castles, feignories, and other little dependencies, and

1262.

and of the persecutions of their exiles and the Guelphs; and all things in this period are done in the name of the commons of Siena, till the year 1266. 1266, when many ill humours began to appear again in the city; and by the accidents which had occurred, so great a change had been produced in the minds of the multitude, that it appeared to the major part of those concerned in the administration, that, for the universal satisfaction, it was become necessary to re-ordain the government in a new form. To this end sixty citizens were elected; but by whom? Not by the people, or citizens at large, nor by a convention of their deputies, the only legitimate expedient for framing a new constitution, but by the general council. Into this number of sixty were elected, in confusion, both *grandees* (for so the nobles were now called) and popular men, with authority to reform the city, with new orders, by which they were to introduce universal peace and tranquillity among the citizens. But a contrary effect was produced; because, as the sixty let several months pass, after they began to assemble, before they published their result, the popular party conjectured that they had made some provision in favour of the nobles, to their prejudice and damage, and accordingly rose with astonishing noise and tumult; and rushing impetuously in arms to the palace of the bishopric, where the sixty were now congregated, and setting fire to the gate, constrained them to renounce their magistracy; from whence, returning privately to their houses, many, both of the popular citizens and of the nobles, through fear, went out of the city. Others, taking arms, endeavoured to defend the public honour and their own; among whom were many of the houses of Tolomei, Salembeni, Piccolomini, Accarigi, and other

other families, who combating in a variety of places, after having done and suffered great damage, with the death of many persons of every party, and not being any longer able to resist so great a multitude, were forced to depart from Siena, together with M. Inghirano, captain of the people, who in this contest had shewn himself favourable to the magistracy of the sixty. As soon as they had departed they were declared rebels and enemies of their country, their estates were confiscated, and the palaces of Tolomei demolished, as well as another of Piccolomini, and the towers of the sons of Salimbeni, and the houses of Accarigi. The master workman of all these ruins was one M. Lutterio, who is named without a surname; and another, named Ferruccio, was sent as a commissary to Campriano, to demolish the palace of Tolomei, and Rimbaldi, &c. In this new sedition, excited by the multitude against the magistrates of the sixty, if it was not properly a quarrel between Guelphs and Ghibellines, nor entirely between the nobles and the people, it applied itself however to those who had before been driven from the city, and they united with the exiles of the Guelphs party, who, incited by the favour which by the victory of king Charles they appeared to share, and uniting with the Orvietanians, and the counts Aldobrandeschi, did infinite damage in the dominions of Siena, and in a few days made themselves masters of the lands of Montepulciano, of Torrita, Menzano, Cerreto, and many other places, which rebelling against the city, surrendered to its exiles. The greater part of Tuscany, by these and similar divisions, stood in constant troubles and dangers. Moved by this consideration, the citizens of Siena who held the government, desirous of re-uniting
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and reconciling their exiles, that they might preserve the state from still greater confusions, sent ambassadors of the Ghibelline party, one of whom was the bishop of Siena, to Rome, to the pope Clement the Fourth, praying his interposition to conclude a peace between them, their exiles and confederates. The pope accepted the office of mediator, and a peace was concluded August 2, 1266, and confirmed by the mountains, seigniories, exiles, and people, with promises of mutual forgiveness. New connections were formed with Charles of Anjou, king of Naples, and fresh wars engaged in, which kept the minds of the citizens employed, though the Sienese and the Ghibelline cause met with defeats and disasters, which reduced it so low, that Siena was left alone to support it. This adversity, however, had one good effect: on the 15th of August, 1270, it produced a peace between the Guelphs and Ghibellines in Siena: and the twenty-four magistrates, with twelve *buonhomini* of the commons, meeting in one assembly, agreed, that the government in future should be administered by thirty-six magistrates, of nobles and commons in equal portions, with the title of The Thirty-six Governors of the City and Community of Siena. This was followed by a league with Florence, under the auspices of Charles, king of Naples. The party of the Guelphs was now so powerful, and the Ghibellines so depressed, that the Sienese, who, like all other people under governments so constituted, with parties nearly equal in numbers, wealth, and merit, without any mediator between them, stood always on the brink of sedition, turned the scale rather in favour of the Guelphs; and these, as soon as they felt their power, rose upon the Ghibellines, and drove them out of the city. Understanding that

that king Charles was at Viterbo, they sent ambassadors to congratulate him on the happy success of affairs in Tuscany, who presented him with four thousand five hundred golden florins in behalf of the republic, the Guelphs being desirous, upon this their first appearance in power, to shew their gratitude; and a diet of Guelph ambassadors was soon held in the castle of Florence. The Sienese Ghibellines in exile were nevertheless troublesome, appearing in many places in arms, and ravaging the country, till the Guelphs marched out, fought, and routed them. When this was done, they in their turn took vengeance, by demolishing the castles and towers of the Ghibellines, both in the city and country. In 1272 the pope Gregory Tenth again interposed his mediation, and obtained the restoration of the Ghibellines both in Siena and Florence; and the stipulation, promising them protection, was ratified by the college of thirty-six governors of the city and commons of Siena. But the minority is never happy: indeed, they are always oppressed by the majority, where there is not a separate executive, and an independent judicial, whose interest as well as duty it is to be impartial between them. In a little time the Ghibellines, who were returned to Siena, found by experience the truth of this observation. They found, that they had not the same privileges* with others, nor the same chance for honours, nor the same security of their reputations, as when formerly they had shared the government with the Guelphs. Living in little credit, and having small hopes of any change in their favour, and knowing that they

1272.

* Tanto fù sempre piu potente, il favor, che la Giustitia, nelle città partiali, com' è stata quasi sempre la città di Siena. *Malavolti, lib. iii. 2º Part. p. 44.*

1277.

had no security for their property, liberty, or lives, but in the mercy of the major part, they returned into the country of Siena, and joining with the Ghibelline exiles from Bologna, renewed the old troubles, and the usual party rage. They raised forces, excited rebellions, and formed alliances with little territories and seigniories, till they were able to meet a party of the army sent out against them in 1277, defeated them at Pari, took many prisoners, among whom was Ridolphi, the captain, whom they beheaded. The news of this skirmish and defeat threw the Sienese army into such a sudden panic, that they betook themselves to flight, without having seen their enemy, and without any military order returned to the city. Such an excess of timidity, such an infamous cowardice, though it is not unprecedented nor uncommon even among the bravest troops, could not fail to occasion great indignation in Siena. When the multitude considered how easily the enemy might, if they should have the resolution to follow their advantage, enter the city itself, and join their partisans there, they rose in a tumult, and ran with great fury to the defence of the gates, and stood in arms all the rest of that day and the following night. In the morning, finding that the enemy had less ardour to follow than their own army to fly, they laid down their arms; but went about the streets of the city, discoursing in much ill humour, that the divisions of the nobles might very easily prove the ruin of their country, if some remedy was not discovered; and they declared, that they would not any longer be disturbed by exiles, nor compelled by the discords among the gentlemen to be for ever in war, and in danger of losing their lives and their property; and it appeared to them, that for the common tranquillity,

lity, a peace ought to be concluded, as proposed by the pope's legate, who had been sent to recommend a reconciliation between the people of Tuscany. The Sienese of the Guelph party, who governed the city, influenced by these murmurs, the legates exhortations, and a weariness of civil war, which held them in continual agitation and danger both in their public and private affairs, agreed at last, in 1279, to a peace with their exiles, 1279. who, without any further noise of arms, and to the universal satisfaction of all parties, were restored to their country and their honours, under the podestrate, or, as they chose to call it, the signory of Matthew de Maggi of Brescia.

In the next year, 1280, in the podestrate of 1280. Alberigo Signoregi of Bologna, by the fury of the people, instigated by the Guelphs, were burnt and demolished the palaces of the Incontii, a convulsion which originated in the usual source, the divisions and enmities among the gentlemen, and produced the usual effect, an idle and useless attempt to reform the government, by restraining the power to fewer hands, with dividing and separating it into its natural departments. The thirty-six magistrates were now reduced to fifteen, as if the number of members, not the nature of their power, had done the mischief; and it was ordained that no gentleman could be of the number of fifteen, but all must be popular men, as if noble demagogues and popular demagogues were not all equally absurd, ambitious, proud, and tyrannical, when they have no necessity to be wise, modest, humble, and equitable. This decree was as tyrannical as any that can be conceived; for if it were admitted that a descent from a line of benefactors to their country was no merit, nor any argument for employing a citizen in public offices, surely

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surely it is no demerit, nor any argument for excluding him. The reason assigned for it was, that the pride of the nobility increased and accumulated by their bearing the public authority, and that they ought not to have the power to make their pride and arbitrary dispositions more intolerable, nor by their divisions among themselves to disturb so frequently the public peace and quiet of the other citizens, as they had done in times past; as if the pride of new men were not equally, or even more exalted by power, their dispositions apt to become more arbitrary, and their divisions even more untractable and furious, which is the certain truth of fact. These fifteen new magistrates were called The Governors and Defenders of the Commons and People of Siena; but by this arbitrary institution they neither quieted nor united the exasperated minds of the nobles, who, without considering the damage which, in the divided situation of their principles, opinions, and affections, would result not only to themselves, but to the whole city, which, being equally divided, was weakened to such a degree, that malignant humours and irreparable animosities must be generated from fresh hatreds and revenge, seeing that the exaltation of the popular faction, patronised as it was by the supreme magistrate, would prove their depression, they proceeded in a few months to arms and war between the Guelphs and Ghibellines. Part of the multitude took side with the Guelphs, while the rest remained neuter; and many of the faction of Ghibellines were driven out of the city, at the head of whom was M. Niccolò Buonsignori, a man of great reputation, and for his valour in great credit with the soldiers and princes of those times. His fame had procured him many followers of the Ghibelline faction; and

and having received information that the Ghibellines, who, after his departure, had remained in Siena, were grievously oppressed by Orfini, the podesta of that city, he wished to deliver them from such injustice, and vindicate their cause. By the favour of the count of Santa Fiore, from whom he had no small number of men, he approached one night to one of the gates, at which were assembled a concourse of Ghibellines, in Siena, with whom he held a correspondence, and had formed a secret concert; and having suddenly made a breach, he entered the city with his people, guided by several citizens, with whose assistance he fought all night, and the next day; but was driven out again, together with the succours of Spaniards which had been sent them the same night by the duke of Florence. The battle upon this occasion between the parties was general, for the bells of the commons, which were upon the tower of Mignanelli, had rung to arms, and the people had very generally risen. Danger was affronted on all sides, and the battle was furious. Although the Ghibellines had by force of arms made their way to the market, the Guelphs put them to flight, massacring many, and making many prisoners, leaving among the dead M. Giacomo Forteguerri, who was one of the heads of the faction. Niccolo found himself surrounded with a host of his enemies; but, although on horseback, he retreated, defending himself with that fierce intrepidity that so commonly appears in civil wars, and went out of the city through the same gate, accompanied by great numbers of the nobles of Ghibelline houses, as the Forteguerri, Paliarefi, Salvani, Ugurgieri, Ragnoni, and others, who would not remain in the power of an enraged enemy, and retired to the territory of Rigmagno. This was on the 15th of July, 1281.

Matthew Orfini, the Roman, being podesta, was afterwards sent by the magistrates of Siena, the fifteen governors and defenders of the commons and people of Siena, with an army composed of the men of the third of San Martino, and other people commanded from other thirds, to attack the Ghibellines in Rigomagno. Here the exiles had fortified themselves, and when attacked, as they had expected, defended their stronghold with great bravery; but at length were forced to evacuate it, and leave the ground to the Guelphs, who having, at the expence of much slaughter on both sides, got possession of it, raised the walls, and cut off the head of Neri di Belmonte, a captain of the Ghibellines, whom they had taken prisoner, in retaliation for a similar severity committed by them on Ridolfo della Treguena, a few years before, when they defeated the Guelphs at Pari.

1282. In 1282 the count Silvarico di Conti Guidi was podesta, and the Sienese, the other castles of their state being intimidated by the examples made at Rigomagno, sent them orders not to receive the exiles, nor any other Ghibellines, but to resist them in arms, to demolish the walls of Monte Fallonica, those of St. Agnolo in Colle, and those of Monticiano, in which territories M. Niccolo Buonsignori had attempted to make a stand, and from which he made a predatory war upon Siena, for several months, with several exiles from that city and other places. Martin the Fourth, a Frenchman, succeeded to the pontificate, and by his favour king Charles regained his former credit in the cities of Tuscany, and was restored to the dignity of senator of Rome, to the infinite dissatisfaction of the Ghibelline party, who upon this occasion were wholly deprived of any share in the government by the triumphant Guelphs, both in
Siena,

Siena, and in many other cities; and this is ever the object of a prevalent faction, or a decided majority, to monopolize the whole government to themselves, by the total exclusion of the minority; and when possessed of the whole legislative, executive, and judicial power, they drive into exile, confiscate, behead, and oppress, in every way, without controul. The Sicilians broke out in rebellion against Charles, and while his forces were employed in attempting to reduce them, the Sienese of the Guelph party, who governed the republic, to prevent their Ghibelline exiles and rebels from attempting some innovation, by taking advantage of the revolution in Sicily against king Charles, the head and protector of the Guelphs, sent a new army into the country to persecute and plunder the Ghibellines; and this year the fifteen governors and defenders of the people and commons of Siena, the consuls of the merchants, the consuls of the manufacturers in wool, the seigniors of the other arts, the seigniors gonfaloniers of the companies, and the captains of the country, were all congregated together with the podesta in the general council, and a treaty made with Ranieri de Conti D'Elci, and several other lords. A war continued between Charles, and Peter, king of Arragon; and in 1283 Charles died, which again raised the hopes of the Ghibellines, and excited them to arms in Romagna, and in the territories of Siena, where they did infinite mischief, sometimes approaching and entering the city itself. At last an army was raised, and they were put to flight. If this vigorous exertion had not prevented them, they were in a fair way of regaining the ascendancy in the city, where great discontents prevailed; for the government, in 1280, having been placed entirely in the hands of the popular party, as has been related,

1284.

lated, the gentlemen could not with quiet minds submit to it; and although, by the divisions among them into Guelphs and Ghibellines, they were dis-united among themselves, it was much feared by the ruling party, that when the enemy should approach the city, they would endeavour, by the assistance of some of the popular men (for these too were divided) to make themselves masters of some part of the state, with their arms, although they had not been able to obtain it by their beans. The Sieneſe, in determining all questions in their councils, and among their magistrates, made use of beans as votes, white ones for the affirmative, and black for the negative. The governing party knowing that, by the death of Charles, and the other adverſities which followed it, the party of the Guelphs was much debilitated, they thought it neceſſary in this year, 1284, to make many new provisions for the ſecurity of the ſtate: among which, as they could not confide in the multitude, they thought to reſtrain the government to a ſmaller number of perſons, it appearing to them that they could more ſecurely confide in a few, whoſe virtue being united, would have greater ſtrength than if dilated among many, and that they might more eaſily agree among themſelves, treat with greater ſecrecy, determine their reſolutions, and decide upon execution for the defence of the ſtate. After long and angry controverſies they concurred, though with little ſatisfaction to any body, in one opinion, to ſatisfy the nobles, that the fifteen magiſtrates ſhould be reduced to nine; and this was the original of the order of the nine in Siena: and that they might with more convenience attend upon the public, without being interrupted by their private affairs, it was ordained, that they ſhould continue for two months, continually

nually assembled in the same palace, and live at the expence of the republic; and it was declared that in this office, denominated The Nine Governors and Defenders of the Commons and People of Siena, although the nobles were to have a part in all the other magistracies, no noblemen could be elected. The statute says, "De numero, dominorum novem, vel ipsius officii officialis non possit aliquis de aliquo casato civitatis Senensis, nec aliquis nobilis de civitate, vel jurisdictione Senensi. Domini novem, qui sunt, et esse debent defensores communis et populi civitatis Senensis, et districtus, ac jurisdictionis ejusdem, sint et esse debent de mercatoribus, et de numero mercatorum civitatis prædictæ, vel de media gente." The nature of the animal is no where revealed in stronger characters than in this curious record, where a government in one center, and that center a group of merchants, with unblushing heads, exclude not only all the plebeians and lowest class of labourers, but all the artists, mechanics, and men of the three liberal professions, and all the landholders of the country, and monopolize all to themselves, as they would monopolize a merchandise, or forestall a market.— There appears a ridiculous variation of the numbers of this magistracy for many years together, as if they thought the faults of the government, which every one felt, were owing to this circumstance; and the same fickleness appeared in all the other cities of Italy, particularly Florence, where the number of priori were once three, then six, afterwards twelve, presently eight.* This form of government was as detestable to the plebeians as to the nobles;

* Quare quatuordecim virorum officio, qui mixti ex utroque genere, civitatem regebant antiquato, priores artium creavere, tres ab initio creatos constat, postea sex, inde duodecim, mox octo, publicis ædibus inclusi, nec aliud quicquam, quam

1285. nobles; and the wars between Genoa and Pisa, and the expeditions against rebellious lords, and the death of four princes in this year, 1285, Charles, Philip, Peter, and Martin the pope, could not prevent the Ghibellines, and the common people, il popolo minuto, of Siena from uniting against the nine; for, on the succession of Honorius the Fourth to the papacy in the place of Martin, and after the death of Charles, his son being a prisoner to the Arragonese, a weakness appeared among the Guelphs, and the Ghibelline exiles of Siena took courage, assisted by the people of Arezzo, to take possession by surprise of a Sienese castle, named Poggio a Santa Cicilia, which they fortified: from hence, with troops of horse, they made continual incursions and depredations, not only upon the country of Siena, but other confederated cities of the Guelph party, until the Sienese, after a siege of six months unable to take it by force, had reduced it by famine, in
1286. 1286. A great number of prisoners were made, and, after demolishing the walls, delivered to the podesta to be punished. The people, however, were so oppressed by their popular mercantile government, and preferred that of the nobles so much, that they took their part, rose in convulsions, joined the Ghibellines in arms, and with great impetuosity rushed to the palace, and compelled the nine governors and defendants of the commons and people of Siena, and their podesta, Bartolommeo de Maggi of Brescia, to deliver the prisoners into their hands, to be conducted to the house of the bishopric, to save their lives. But no sooner had they come out of the palace than the Guelphs, who

quum de republica cogitare jussi sunt, et sumptus ex publico eis præbiti, tempus autem hujus magistratus bimestre constitutum est. Leonardo Aretino. Malavolti, lib. iii. part ii. p. 51.

by order of the magistrates had been summoned, and united with the soldiers of the guards and garisons, a kind of standing army maintained for the defence of the state, proceeded to oppose and affront the Ghibellines, who with the popolo minuto had excited this sedition, and finding that these, thinking the prisoners safe, had begun to disperse, attacked them with great fury, assassinating many, and putting the rest to flight, recovered the prisoners, and cut off their heads, to the number of sixty five, among whom were several principal characters. The union of the plebeians, the popolo minuto, with the nobles and Ghibellines, against the government of the commons and Guelphs, is not less remarkable than the distinction established by their very title between the commons and people. Both are perfectly natural, for the popolo grasso can never bear to be mixed with the popolo minuto, any more than nobles to be confounded with commons, and the union of the labourers and mechanics with the nobles, against a government of dogmatical merchants, by whom they were oppressed, was as natural as that which has so often happened of the people with a monarch, against the tyranny of nobles and patriicians. The general sense of the city upon this occasion appears to have been in favour of the nobles, and their opportunity was lost, merely by the weakness of the human understanding, which seldom knows how to seize with promptitude and decision the critical moment which decides so many great events. The Ghibellines were not, however, suppressed; they continued to assemble in the country, and unite in bodies from various cities, and commit frequent depredations, and lay waste the country both of Florence and Siena. These civil wars continued, without interruption,

1292. ruption, between the cities and their exiles, with various fortune, till 1292, when Siena became so weak, and the government so tyrannical, as to force the nobles to sell their lands, houses, and castles, to bear the expence of defending that government, from which they were so arbitrarily excluded. Prosecuting the war abroad against the Ghibellines, and plundering the nobles at home, they suppressed both at last, and began to entertain lofty thoughts; built, at the public expence, magnificent palaces for the signori of the commons of Siena, to give the government more authority, majesty, and strength, and the more effectually to trample down the pride of the nobility. To this end, as the ambitious desires of men are insatiable, although Siena was at full peace, and without the least suspicion or apprehension of the Ghibellines, the nine magistrates, who had the absolute power of the city, taking occasion of the many private enmities and personal hatreds, which had grown up and were habitual, and even hereditary, between many noble families, ordered that 300 men should always stand in arms in each third of the city, pretending to obviate any scandalous rencounter that might suddenly arise between one family and another. To these standing guards they gave arms and ensigns, with orders that, at the ringing of the bells, they should all march to the piazza; and a complete arrangement of orders were given, that at the call of the magistrates they should be ready to quell the scandals and quarrels which, to the great danger of the public as well as private persons, they said arose from the discords of the gentlemen: and to prevent the gentlemen in such cases from moving on horseback, or otherwise, they placed at the head of every street, and even

even at every corner, an enormous iron chain, to be drawn upon occasion across the street, and prevent their passage. Under this colour of preventing disorders and tumults, to be occasioned by the discords among the noble houses, the popular party were thus armed, without contradiction, not so much to prevent the pretended disorders, as to secure themselves from any attempt of the nobles, if ever they should unite among themselves to reinstate themselves in their dignities, and obtain a restoration to that share in the government which was their undoubted right; for the consciences of these mercantile demagogues must have taught them, that if the nobles had no more, they had at least an equal right with themselves, or any others, to participate in government; and thus those public arms, which had been provided by their ancestors for the conservation of their country and their liberties, were now most insolently converted into the weapons of civil war, and turned by the cunning of one party against the rights of another: and whether this plague of the city of Siena, and all the other republics of Italy, was produced by the natural pride of the nobility impatiently borne by the people, or by the immoderate jealousy and envy of the people, or whether by both together, it was not the less fatal to all the Tuscan republics, by conducting them to that destruction, to which all republics have been devoted when subjected to any government in one center, whether that center be the unbridled licentiousness of the multitude, or the ambitious and avaricious discords of the few. The nobles were at this period persecuted, not only in Siena, but in all the other cities of Tuscany, and deprived of all share in government; and those who were in power held
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in such detestation the very name of nobility, that, thinking the judgements of others would follow their passions and prejudices, they ordained by public laws, that such as would formally and solemnly renounce their nobility, and declare that they were *no gentlemen*, should become qualified to be in the government, and to be admitted into the supreme magistracy; in such contempt, at this time, and by these men, were held those advantages and that character, which in other places have ever been most ardently desired and fought, at every hazard of life and fortune, and which the sons and descendants of these very merchants have with so much avidity since claimed, insisting on being entitled to the rank and title of nobles and gentlemen, merely because descended from magistrates holding the power of the state. Having thus excluded all gentlemen from the administration of the republic, and extinguished all their hopes of ever recovering it, these tyrants, the nine magistrates, had the assurance to constitute a new regimen, which, under the name of a popular government, tended more to the power of a few, than to the universal or even general participation of law and right; and this restriction to a few, although it was injurious and oppressive to many, is said to have been more useful to the state, and of longer duration, than if it had been participated by many. Perhaps it is universally true, that if the whole government must reside in a single assembly, it is more safe, peaceful, and durable in a few hands than in many, an aristocracy than a democracy. Having modelled the government according to their own passions, interest, and convenience, they proceeded to subdue the rebellious mountains and castles in the country. It was in this year, 1299, the house of Austria

Austria had its original, in the elevation of Albert to the empire.

The wars against the Turks, and in Sicily and Flanders, occupied the spirits in some degree till 1302, when the many enmities among the noble houses in Siena were renewed with as much boldness and violence as ever, which occasioned frequent tumults, and continual agitation in the city; parties meeting in arms, sometimes upon one incident and sometimes on another, and many of all sides falling victims to their fury; and, from the number of clients and adherents to these families, all the orders of government for maintaining in each third of the city an armed guard were not sufficient to preserve the peace, and, the magistrates feared, would not long be able to keep the nobles out of the government: they therefore thought it prudent to try another method. When any quarrel broke out, the nine magistrates sent for the heads of those families which were engaged in the brawl, and endeavoured to reconcile them; and in this way they succeeded, in some degree to reconcile the Malavolti and Salembeni, the Gigli and Squarcialupi, the Piccolomini and Pelacini, the Tegolei and Malavolti, and many others. The major part of the Guelph cities of Tuscany, in 1303, were delivered from the discords and dangers which they had with the Ghibellines, in consequence of the victory obtained over them at Campaldino; but having nobody to fight with, as if they were incapable of quiet and impatient of rest, the Guelphs divided themselves into two factions, the one called Bianchi, and the other Neri. This pernicious distinction had its beginning in Pistoia, in the family of the Cancellieri, whence, spreading through many other cities, it infected the whole province of Tuscany, and part

part of Romagna. The city of Siena preserved itself some time from this venomous contagion, though naturally inclined to divisions, chiefly by the constant occupation they already had in their quarrels between the people and the gentlemen, which would not allow time for new contests. This division, however, broke out in Florence, very near them in neighbourhood, where, after many skirmishes in arms, the Bianchi were overcome by the Neri, and expelled from the city; and all the influence of the pope, with his spiritual armour, could not reconcile them. The Bianchi now in exile, though Guelphs, united with the Ghibellines, and, assisted by the Aretines and Bolognese of the same faction, made an attempt, in 1304, upon Florence; but some cavalry, sent from Siena, put them to flight. The detail of alterations and civil wars, within and without, between these complicated and contradictory mixtures of Neri and Bianchi, Guelphs and Ghibellines, nobles and commons, from this time to 1309, is too minute to be related, although there was no pause, no interval of quiet. In this year the quarrels between the nobles, particularly the families of Tolomei and Salimbeni, arising merely from their envy of each other, and their emulations in feasting and entertainments, broke out anew. Though excluded from government, though plundered in property, these families had still admirers, followers, and adherents among the people, who made them formidable to the magistrates, gave them more influence to weaken the government, more than they possibly could have done with their whole share in a well-constituted state. All the nobles, with all their followers, who were very numerous, became divided by this private quarrel into two parties, as well as the multitude

multitude of people, their friends and adherents in the countries, or feignories in the country. Wonderful was the jealousy of those in government, and their apprehensions for the safety of the state; and to secure it, as they pretended, from all danger that might arise, to repress the temerity and pride of the seditious, they ordained, that for every company, in town or country, of forty-two, since the nobility were excluded, there should be appointed one captain and one gonfalonier, as there used to be anciently, when the city made their exercises in the country; that this militia, whenever any tumult should be perceived, and in all other emergencies, should hold their men in arms (but none of the nobility were to be admitted among them, as they were in former times, when the companies were of fifty-nine) and in companies, under the command of the gonfalonier of the third, march in all haste to the palace with their public ensigns, and there receive and obey the orders which should be given them by the magistracy of the nine. For the same purpose they ordained three centurions, three commanders of brigades, and eleven vicariates, each of whom had his own distinct ensigns and colours. But this whole system of forty-two armed companies, their captains, gonfaloniers, and centurions, formed *in appearance* for the common service, and under colour of suppressing the feuds of the grandees, the principals of the party who governed the city thought to pursue their own inordinate desire of reducing the government to a smaller number of persons, by means of the public arms, of which, by this artifice, they made themselves masters. They therefore prohibited not only the noblemen, but many of those popular persons who had, many years before, ennobled themselves, and acquired

1310.

the name of families, to enjoy the benefit of the law, which in the beginning of the present form of government had been made, that those who would renounce their nobility, and reduce themselves to the popular order, should be capable of being magistrates. Taking occasion of a little tumult, on the 26th of May 1310, which they themselves excited, they sounded the alarm, and called together at the palace their whole military force; and instead of proceeding to suppress riots, or punish criminals, it was there declared, by those citizens who had arrogated to themselves the whole government, that those families which were named in writing should never be of the number of popular families, but they and their descendants, for ever, should be understood to be grantees, and incapable of serving in the office of the nine, then the supreme magistracy, as all of the Ghibelline party had been rendered incapable before: and this practice was common at this period in all the other cities of Tuscany, as well as in Siena, whenever the governing party had a mind to exclude any man from the magistracy, to make him a grandee, which is the same thing as a noble. Ninety families were admonished, as the phrase was, that is, rendered incapable of the magistracy, for being noble, or for being made and declared so, a number that comprehended all the families of any distinction or consideration. Having thus reduced the government to a small number, by excluding every body but themselves, they became very assiduous in attending the magistracy, in order to make the most of it; and in a short time they acquired so great an authority, so much wealth and power, that they became formidable not only to the nobles, but to that part of the people which was not admitted by them into the government.

ment. Holding down all others, they established their own power in the state so oligarchically, that, like other despots, they were obeyed by every one from fear. The Ghibelline exiles, however, made frequent inroads upon their territories; and the disqualified families had so many friends, that these nine magistrates were kept in continual alarms. In 1313 some of the nobles appeared to have so much influence, that the government thought it necessary to re-enact and republish their militia law, and the law of exclusion of all the nobles and grandees, depriving them of all the honours, offices, and privileges of the commons. They sometimes thought themselves so secure that they might recall their exiles, then would suddenly seize and imprison them; and were generally employed in foreign or domestic wars, or in quelling some rebellion, till 1315, when a fresh quarrel broke out between the Tolomei and Salimbeni, two nobles families, and produced tumults and battles in the streets, in which much blood was shed, and the city thrown into such confusion, that the militia, when called out, would not or could not, obey the orders either of the magistrates or their own officers. The whole people took arms, and sided with one party and another; some for government, some for the Tolomei, some for the Salimbeni, till the nine issued a proclamation, that, upon penalty of life and fortune, both parties should appear in their presence, before a candle, which they had burning, should be consumed.

1313.

1315.

1318.

Wars and tumults occupied the citizens till 1318, when, upon the disbanding the army at the peace with the city of Massa, the troops and the people in general, who expected to have plundered it, were very discontented, and two classes of

tradesmen, the smiths and the butchers, began a riot in the city against their captain, calling him traitor, and collecting tumultuous bodies of the multitude. The captain, finding himself in great danger, contrived to escape their fury, in which he was favoured by some noblemen, who, by entertaining the people with soft words, composed their anger, and as they had neither any head nor guide, they were easily persuaded to go home. Although this tumult was quieted in appearance, the minds of the citizens were much altered, and there was danger of fresh commotions. To avoid greater inconvenience, seeing that the greater part of the plebeians stood in arms through fear, with their shops shut, to defend themselves from punishment, the magistrates absolved them from all penalties incurred by those who had been in arms in the late tumult, and commanded, under grievous penalties, that every one, laying down his arms, should return to his business. It would have been a notable thing, if, in a factious city like Sièna, quieted as it was from foreign wars, new seditions and civil wars had not been fomented within : but discontents with the government were now universal. The nobility, the plebeians, and the middling people, being all excluded from the government, excepting the nine, were all oppressed and all provoked. The doctors, as they called the judges and notaries, were of a rank and character as nearly in the middle between the nobles and plebeians as any. These, excited by the persuasions of the other persons, and moved by their own interest, came forward, and demanded or petitioned the nine to be admitted into the government of the city, and to be declared capable of serving in the supreme magistracy of the republic. Reasons the most solid and cogent, as they

they thought, were urged by them, to shew that their pretensions were but just and reasonable. It appeared to the nine signori, that this petition was impertinent, and an offence that merited not only correction, but a severe chastisement; and having rejected it with much bitterness, they declared the punishment of which those shall be adjudged worthy, who, from such *interested motives*, should seek to disturb the civil orders, and interrupt the common quiet of the city. The doctors and notaries they dismissed from their offices, and declared them incapable of holding any office in the city or country. This high-spirited edict excited the indignation and despair of the doctors and notaries, and they entered into conspiracies with the butchers, smiths, and other plebeians, to assassinate the whole nine, with all their adherents, take possession of the palace, make themselves masters of the state, and appoint one of the Tolomei, who favoured the enterprize, podesta, another nobleman captain, a third proconsul, and thus to distribute all the offices of state among their leaders in the conspiracy. With this intention, on the 26th of October, 1318, the conspirators arose in a tumult, raised a loud cry against the nine, and demanded, with arms in their hands, a participation in the government; but they were soon met by a large body of cavalry, and three hundred infantry, who were then kept in pay, to be sent to Genoa in the service of king Robert, and whom the nine magistrates, having some intimation of this enterprize, for their security had ordered out, not willing to trust their own guards alone. A furious battle ensued, and much bravery was displayed on both sides; but as the commotion had been excited by the plebeians themselves, and was encouraged but faintly by the nobility, chiefly with

a view to try their strength, the forces of government prevailed : yet the plebeians sustained the shock with more firmness than was expected ; and, if they had been judicious enough to wait till the regular troops were gone to Genoa, would have carried their point. The greater part of the gonfaloniers, centurions, and captains, concurred with the multitude, in desiring to acquire the benefits of civil life, and the rights of citizens ; but the magistrates were favoured by one part of the gentlemen, who were not well pleased that the government of the city should be reduced totally into the hands of the plebeians, and thus obtained from Florence some forces, under the command of Bingeri Rucellai, by whose assistance the multitude were finally dispersed, being first disheartened by the non-appearance of their leaders. Some of the leaders of the butchers, &c. were beheaded, and Rucellai rewarded with the ensign of the white lion, the arms of the people of Siena. When the tumult was quieted, and the city purged by the punishment of the present delinquents, the nine sent succours to king Robert at Genoa, and to the Guelphs at Brescia, Cremona, and Perugia ; and thus they became employed in all the wars abroad : but even this was not enough, in 1324, to prevent the feuds between the two noble families, the Tolomei and Salimbeni, whose hatreds produced many murders and assassinations, many other single combats, besides more general and more sanguinary actions between parties of their followers in the streets both by night and by day. In 1325 the Guelphs were defeated by Castruccio Castracani, signior of Lucca, near the castle of Allopascio, in which he made a great slaughter, and many prisoners, and brought both Florence and Siena into imminent danger ; but this was not sufficient

sufficient to prevent another tumult, in which the podesta took one part, and the captain another; many were insulted, some slain, and the disorder not suppressed without grievous fines and capital punishments.

In 1326 Walter duke of Athens, vicar of the duke of Calabria in Florence, came to Siena, and demanded the seigniory of that city, in the same manner as he had obtained that of Florence. The demand appeared to the citizens very strange, though they treated him with great magnificence. They thought it proceeded from a very bad principle, and worse intentions, considering the sincere and affectionate attachment which they and their ancestors had ever, with the utmost veneration, demonstrated for his house, and the great and many tokens of fidelity, which from their actions might be known, towards king Robert, king Charles the first and second, and towards all their connections on all occasions; and as it appeared to them, that they were outrageously insulted, and by him from whom they least expected it, they suddenly rose in a great tumult in arms, and, drawing the chains across the streets, shut up their gates, lest the Florentines should send a reinforcement. They prepared not only for defence, but, their suspicions increasing, with all their forces to attack the lodgings of the duke himself at the bishop's palace, and give battle to his people. Such a commotion and concourse of so numerous an armed multitude, under so many standards of their companies and vicariates, demonstrating that in this the city was united, and not divided, as had been represented to the duke, upon the supposition of which division he had founded his demand, spread a terror among his followers; and demanding to speak with the ma-

1326.

gistrates, it was agreed, that the requisition of the duke should be referred to a senate; and such an assembly was accordingly congregated, to the number of four hundred and eighty senators, who, after long debates, having agreed both to the liberty of the republic and the honour of the duke, determined that Charles, duke of Calabria, should have for five years, and no longer, power to elect the podesta of Siena from the number of three, who should be proposed to him by the people of Siena; that he should not, however, be called podesta, but vicar of the duke, on condition that every vicar, before he should take upon him the office, should take an oath to observe the laws and statutes of the city of Siena; and the citizens well knowing of how much detriment to cities are divisions and animosities, the duke easily persuaded the Salimbeni and Tolomei to make a truce for five years.

1328. In 1328 the nine magistrates made a census, or description of the families of the city, third by third, and there were found eleven thousand seven hundred and eleven heads of families in the whole, nobles, grandees, substantial people, and lesser people, all together.

1329. The calamities of famine and pestilence, as well as war and sedition, which happened in 1329
1330. and 1330, though the magistracy of nine discovered too much insensibility, and too little activity, to relieve the people, we pass over, as evils not proceeding immediately from the form of government, and too afflicting to humanity to be related.

1331. In 1331 a fresh affray happened between the two great families of Salimbeni and Tolomei. The inveteracy with which ancient and honoured families take hold of a nation, and become inter-
woven

woven with each other and the whole people, so that it is impossible to get rid of their influence, appears very strongly on this occasion. Though excluded and robbed, they could not dispute without setting the whole city to disputing. The rencounter between two noblemen, in which one was killed, produced the assassination of another, and the whole city took the part of the one or the other, and tumults and commotions in arms threatened universal ruin, till the government issued a proclamation against the two principal actors, offered rewards for their lives as assassins, and raised a force to confirm it, which obliged them to fly to Ferrara, where they and the other Tolomei, their descendants, were long afterwards known by the nickname of The Assassins. But this could not prevent fresh tumults and homicides in Siena, between the same families, in 1332; nor others between the Malavolti and Piccolomini, in 1333, which were renewed in 1334, notwithstanding the employment the city had, through this whole period, in foreign affairs. In 1335 the league was renewed between the Guelph cities, and particularly between Siena and Florence. In 1337 an accommodation was attempted between the quarrelsome nobles, but without much effect; but in 1342 their ungovernable passions broke out again in homicides and general tumults.

In 1343 the duke of Athens attempted to promote his own ambitious views of obtaining the sovereignty of Siena, by pretending to mediate between the nobles and the nine, and to reconcile them with each other; but his dissimulation was not profound enough to deceive either party. In this year there were three conspiracies at once against the duke of Athens at Florence, and the government of Siena sent ambassadors to his assistance;

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assistance ; but the people in their fury had committed great disorders and many homicides, and finally besieged the duke in his palace for a time, and then drove him out of the city : after which, by the advice of the Sienese ambassadors, they reformed their government, instituting eight priori, four of them noble and four popular ; but this form was soon demolished, and the government became as popular as that of Siena itself ; the nobles were excluded, and tempted to renounce their nobility, in the same manner, and with the same whimsical, odious, and vicious effects.

1344. In 1344 the counts of Santa Fiore, and the
1346. visconti de Campiglia, were made citizens of Siena, and subjected their lands to the republic. In the year 1346 another memorable commotion happened. Such is the nature of the people, that, ever desirous of seeing new things, they hold frequently in contempt those that are present : governed more by their wills than their prudence, and excited by vain hopes and immoderate desires, they are too often easily stimulated to enterprises, which, if regarded with an eye of reason, would be found impracticable. The government of the nine, by the length of time, by their arbitrary exclusions, and by their more arbitrary restriction to so small a number, were grown so odious, not only to the nobles, but to a great part of the multitude, that neither could patiently bear that a few popular men should enjoy every thing, and be masters of all men, when it appeared to them that others had more merit. From conversations and consultations they proceeded to action, and many popular men having associated under Spinelloccio Tolomei, they rose in a mighty tumult. There is no room to doubt that they would have risen long before, and not have suffered such a government

government to stand a month, nor indeed to be erected at all, if the Tolomei and Salimbeni, the Malavolti and Piccolomini, could have agreed who should be the leader. The divisions of the nobles among themselves had alone lost them the government, and prevented their recovering it. The people in those days, and in that city, were utterly incapable of planning or executing any enterprize whatever. A noisy uproar of "Away with the Nine!"* ran through the city; but the insurgents not having been able to force the palace, and having in vain attempted to enter several houses of the nine magistrates, which were well guarded, some of them entered the house of Berto di Lotto, where there happened to be an entertainment, and found John Foscherani, one of the principal men in the government. Him, with his son, who exerted himself nobly in defence of his father, they assassinated. The perpetrators of this murder, intimidated with the apprehension of punishment for what they had done, and perhaps made cowards by remorse of conscience, rushed out of the house, and committed themselves to flight for safety; the rest retired to the houses of the heads of the conspiracy, thinking to assemble a greater number of their partisans, and again to try their fortune. This attempt, however ill-digested and unsuccessful, excited a terror in the magistrates, perceiving that a part of the nobility had concurred in it, and fearing they had not force sufficient to suppress it. They found means, however, to defend themselves, by a strong guard, in the palace, till they received assistance from Florence, and other places in alliance with them, which enabled them to apprehend the conspirators, by

* *Muoiano i Nove,*

means

means of the captain of war, many of whom were beheaded, and others declared rebels ; after which they entered into a new league with the popular government of Florence, for mutual support against such insurrections. This convention was concluded between the syndics of the commons of Florence, and the syndics of the commons of Siena, each party obliging itself to aid, favour, and support, with their councils and arms, the other, and in every way to operate for the conservation and maintenance of the peace between them, and the internal tranquillity of each, under the office of the signori, priori of the arts, and the gonfalonier of justice in Florence, and that of the signori of the nine governors and defenders of the commons and people of Siena, declaring that whatever conspiracy or insurrection should be made against the magistrates or government of either city, should be understood to be made against the other, and its whole force exerted for the destruction of the conspirators. In 1348 another confederation was formed in Siena between the cities of Florence, Siena, Arezzo, and Perugia, and a large army raised by them ; and in 1352 another against the Visconti. In 1354, being at peace, and without much apprehension of any foreign war, there did not fail to arise in Siena persons who spent their time in exciting new discontents as well as fomenting old humors, which they hoped would soon arise to seditions and civil war ; for those who, with the authority of the nine, had so long governed the city, had acquired, together with great power and immense riches, much envy among their fellow citizens. This envy and resentment had, upon many occasions, given birth to conspiracies and various enterprises for wresting the authority out of their hands ; and although

although they had defended themselves, and punished the principal delinquents, they had never been able to eradicate the seeds of sedition so effectually, but that many remains of it were left in the minds of their adherents, which went on continually increasing by time, till the magistrates were seriously apprehensive that the little people would attach themselves to Charles the emperor, and by his assistance depose them. Desirous of prepossessing themselves of his favour, and moved by the persuasions of one of the Salimbeni, whom, on account of his enmity to many of the noble houses, they had taken into their confidence, they sent ambassadors to Charles, to offer him the obedience of the city; and, so ill a counsellor is fear, the majority, much against the judgement of many of their colleagues, were for submitting freely, without any exception, or making any conditions, hoping by his assistance, or at least without offence to him, or opposition from him, to re-establish their authority; not considering, that having always been Guelphs, and by so many offences provoked the past emperors, particularly Henry the Seventh his grandfather, it would be impossible for him to judge whether they submitted from fear or necessity, or to confide in their fidelity. But the hour was come when this form of government must be changed into another. Charles having in all appearance benignly accepted the offer, dissimulating his intentions, came to Siena; and soon after his arrival the little people, *il popolo minuto*, by Charles's orders, and guided by the Tolomei, Malavolti, Piccolomini, Saraceni, and even some of the Salimbeni, with a great and universal commotion of the whole city, rose and drove out of the public palace the nine magistrates, not without robberies and murders committed by the rabble,

ble, who burnt the caskets and boxes in which were kept the ballots of the nine magistrates, which every two months were drawn, one by each magistrate, for two months to come. Charles, by whose consent and orders this novelty had been committed, gave a commission to twenty citizens, twelve popular and eight noble, to think of a new plan of government. The twenty elected for this purpose, in three days, ordained that a new magistracy should be instituted of twelve popular members, and intitled The Twelve Signori, governors and administrators of the commonwealth of Siena, to be elected four from each third of the city, and, as the nine had done, to reside in the palace at the public expence, and to be changed every two months, with full authority in every respect to administer the government of the republic, in company, in all their deliberations, with twelve noblemen, four for each third, who might inhabit in the city in their own houses, without being obliged to live in the palace, except when they should be summoned to assemble with the twelve signori for the public service, and dispatch of business, as it should occur; and this number of noblemen were called the College, without whom the signori could not come to any resolution, or enter on any deliberation relative to the government of the city. A council, moreover, of four hundred citizens was ordained, one hundred and fifty of whom were to be nobles, and two hundred and fifty populars (of those however who had not been of the office of the nine) who were to be elected and changed every six months, and this was called the General Council. The emperor, Charles the Fourth, after he had taken the crown, returned from Rome, and remained some days at Siena, where, finding little good understanding between the people and the nobility,

nobility, he took occasion from their discords to attempt to make himself master of the city and the state, and to invest it in the patriarch of Aquilea, his natural brother. To this end he courted the people, making many demonstrations of benevolence, with many favours which he did them in public and private, and he operated upon them so that they were content to give him the sovereignty, and put him in possession of the fortresses; and in this manner the patriarch, having taken the government of the city, the twelve signori and the noble college finished their office. The emperor, felicitating himself that he had provided his brother with a beautiful dominion, took leave of Siena, and went to Pisa; there, entering into negotiations to make himself master, as he had done at Siena, he met with some difficulties, which soon multiplied upon him, in consequence of the novelties which sprung up in Siena: where one party of the citizens, not able to support the sovereignty of the patriarch, which trampled down the nobles and first populars, and studiously strove to aggrandize the minute people and the multitude, upon whom he justly thought his greatness depended, arose in arms, closed the gates of the city, and demanded that the magistrates of the signori of the twelve governors and administrators should return and reside in the palace, and, together with the college, re-assume the government of the republic; and that the chains which used to be drawn across the streets, which on the entrance of the emperor had been taken away, should be replaced. Three days the city stood under arms before they obtained of the patriarch their demand. At length the magistrates were re-instated, and the chains replaced. A new rumour was then spread in the city concerning certain strangers, who had been taken up, who,
it

1283.

it was reported, came for the service of some noblemen. The little people, from jealousy of state, and suspicion of plots and machinations, would have them hanged; but the nobility, with many of the * greater people, defended them. Upon these occasions there was no adequate mode of deciding such questions but by arms; to these they accordingly resorted, and the twelve signori sent to Pisa to demand aid from the emperor, who was found in great perplexity; and fearing that, by the inconstancy of the people, the patriarch might meet with some fatal accident, he answered, that, upon condition they would consult his brother's safety, they might model their government as they should think proper; that he would not take any part in it, as he had no particular knowledge of their disputes. The prisoners were therefore only confined, and the patriarch voluntarily renounced the sovereignty to the twelve magistrates, who were already returned to the palace, and the day following restored the fortresses, and joined the emperor in Pisa, leaving the city and state free, and the government, which he had held for a few days, in the hands of those magistrates from whom he received it. In this manner came to an end the government of the nine, who with so much temerity, from 1283, when this form had its beginning, under the protection of the king of Naples, and the union of the Guelph cities in Tuscany, had governed, and, it must be owned, aggrandized the republic; and those popular men who had been of the nine were not only deprived, with all their descendants, of the capacity of being in the government of the twelve, but it was by a law enacted, that in the volume of the statutes

* Molti de maggiori popolari.

the nine should be erased, and the word twelve written in its place, in such abhorrence were they now held by all men. These decrees of the new government, it is true, were as arbitrary as any of the former; but the whole history of this republic is but a series of changes, from one unbalanced party to another. The citizens who had held the last government were nicknamed the nine; and this name descended by inheritance to their posterity, and gave rise to the order of the nine, and became the principal of those divisions which went on increasing among the people of this city, and became so sanguinary as to make them forget the distinctions of Guelphs and Ghibellines, nobles and populars; for the government of the republic was afterwards again reduced wholly into the hands of the people, and again restrained to a few, the desire constantly increasing in the popular multitude, first to participate, then to monopolize the whole, as it afterwards happened in the creation of the twelve, who became eligible exclusively by the little people.

The emperor soon returned to Germany, and the Sienese soon found their new system as defective as the former. The whole government was still in one assembly, and though the nobles were less than half of it, they appeared to have the whole power, as they always will when mixed with the commons. The noblemen proceeded in their offices too arbitrarily; the splendor of their birth and riches, accompanied with the public authority, acquired them too much credit, too imposing an influence, and, in their usual strain, according to the lofty pride of their natures, they must needs govern all things. In order to discharge the duties of their offices, by exerting their authority, for the honour and utility of the state, in defending its dominion, as well as to satisfy

their own ambition, they had laid their hands upon the public arms. In the deposition of the nine, the subjects of the state, seeing so great an alteration in the city, and that those who had been used to command were deprived of all power, and with so much cruelty and rancour persecuted by the other citizens, thought that by such divisions the public must be too much weakened to defend the city, much less the dominion; and embracing this opportunity, Grosseto, Massa, Montalcino, Montepulciano, Casole, and other lands in the jurisdiction of Siena, had refused obedience to the magistrates of the city, and to the patriarch, for the few days that he held the sovereignty. The new government, and especially the nobles, were very zealous to send out forces to suppress these rebellions, who succeeded against Massa; but the inhabitants of Montepulciano attempted to practise a deceit: they sent a false letter to the twelve, promising submission, in order to amuse them, while they were in reality carrying on their military operations. This letter was delivered to the signori of the twelve, who, without calling in the college of the twelve, as, according to the constitution, they ought to have done, opened and read it, and perceiving, by many manifest circumstances, the imposition, they hanged up in the piazza him who had brought the letter. The multitude were collected together by this execution, and the nobles were much exasperated that the letter had been opened, and such business done without their knowledge, and contrary to order. The popular leaders of the day took occasion of this commotion to accomplish their own desires, sallied out with a great noise of arms, put themselves at the head of the mob, went to the houses of many noblemen and of the nine, with intention to put all to pillage,

pillage, and force the noblemen to renounce the magistracy of the college, and would have proceeded to infamous lengths, if the gravest and most moderate citizens had not appeared, and persuaded the nobles to obviate all inconveniences by renouncing the government, in which they had discovered the best and sincerest intentions towards their country, and not more arbitrary dispositions than the popular men. The council next day ordered, that three noblemen only, one for each third, should be admitted into the government, with the title of The Three Defenders; but these in a few days were deposed. That similar tumults might not happen every hour, and throw all things into confusion, they concluded to give an head to the twelve magistrates, and the public arms, by whose orders alone the gonfaloniers, captains of companies, and centurions, were to move. Instead of a captain of the people, whom they used to elect among foreigners every six months, they ordained that some citizen of Siena should be elected every two months; that he should be a popular man, and one of the twelve administrators and governors, at whose deliberations he should be present as a member. The captain was afterwards commonly elected in addition to the number of twelve. The government thus organized, they proceeded against the rebels.

Before the end of the same year, 1355, the plot of Gano, di Benedetto Macellaro, and his friends, was discovered. These were the principal heads of the plebeians, the little people, that very faction that governed the city. Considering that, by the inconstancy of their own multitude, it might happen to their own government of twelve as it had happened to the nine, they determined, for greater security and firmness to the state, to re-

duce the government into the hands of one man, who, by his wisdom, virtues, and the public authority, might, by crushing all seditions, consolidate and maintain it. Signior Meio di M. Giacomo Tolomei, who they knew had been always favourable to the plebeians, and desirous of making himself powerful by their means, to defend their liberty, was selected by them as the man of the people; to him they communicated their intentions, and found him very well disposed to conform. Other writers have said, that the first motion came from Meio, who persuaded the heads of the plebeians to confer with their friends: however this might be, they were all frequently seen together in the house of Meio, to consult upon measures for the execution of their plan. The visits so often made by so many plebeians to this house were observed, and the twelve magistrates conceiving a suspicion, gave orders to the conservator, who had been introduced instead of the captain of war in criminal matters, to imprison Gano and the others, who were heads of the conspiracy. Upon examination, they confessed that it was their intention, for the public good, to take the government from the twelve, and give it to Meio Tolomei, who might more easily preserve the city free from seditions and civil wars. Gano's head was struck off; and the others, who enjoyed the favour of some grandee, a thing that in ill-constituted cities is eternally superior to justice, were confined; but Meio, who with many others had fled from Siena, was with them declared rebels, and his palace demolished.

1357.

In the year 1357, the emperor Charles the Fourth confirmed all the privileges of this popular government, and made the magistrate who governed the city of Siena, vicar of the emperor.
In

In 1362, Giovanni de Salimbeni, upon receiving 1362.
some injury, or at least taking some offence at the government, made himself the head of a conspiracy of many noblemen, and many of those popular men who, for having been of the magistracy of the nine, were admonished, and rendered incapable of office, to take the government out of the hands of the twelve, and restore it to the nine. But the secret was revealed to so many, that one at last informed the government: the plot was ordered by the twelve to be inquired into, and a very great number of considerable people seized, some beheaded, others banished, and others imprisoned, and all this without any regular process of law or formality of trial.

In 1363 a new magistracy was created, and 1363.
called the Regulators, who had the care of revising the accounts of those who had the management of the public money, to see that the commons were not defrauded.

In 1365 fresh quarrels arose between the Mala- 1365.
volti and Tolomei, and a plot was discovered of the Piccolomini against the government of the twelve; and these families were subjected to heavy fines for their punishment, probably because the government had not strength to inflict a severer chastisement. And this timidity appeared to be well founded in another instance the same year, when their ambassadors returned from Rome, one of whom being attached to the nobles, had given offence to the twelve, by speaking freely against them in his absence: he was cast into prison; but the government were not able to punish him with death as they intended, for six noblemen appeared in arms to defend him. These instances, with many others, shew, that however arbitrarily or severely the nobles and most revered families are
Y 3 excluded,

1367.

excluded, they will ever have a controuling influence over the government, when in one assembly of commons only, sometimes by secret practices, at others by open force. Indeed, such families are always in reality the heads of the factions that tear the state, though, in appearance, they have no share in it, as appeared more plainly the next year, when those twelve who had the government in their hands were afflicted beyond measure with fears of new animosities and insurrections against them. They found themselves divided into two factions, one called the Caneschi, and the other Grasselli, the former the favourites of the Salimbeni, and the other of the Tolomei. Knowing that the nobility were irritated by the late imprisonment of their friend the ambassador, and by the design which the twelve had discovered, by means of false testimony, to take his life and confiscate his estate, if he had not been defended by the nobles, they looked out for foreign aid, and sent to the pope to obtain it: they sent also ambassadors, some noble and some popular, to the emperor, to sound his disposition towards the republic. Among these was John Salimbeni, a man of prudence, very useful to the state, and in high reputation abroad. His death at this time was a public calamity; for the twelve, dreading the union of the noble houses, artfully introduced and excited among them every provocation to arms, to keep them divided, and excite one family against another. The nobles at last perceiving the malicious artifice, secretly united among themselves, and stimulating a greater hatred to one another than ever, on the 2d of September, 1368, the first families armed themselves, accompanied with their friends and adherents of all parties, as if they intended to come to a decisive battle against each

1368.

each other, and thus unitedly, at one time, turned their arms against the magistracy of the twelve, and drove them out of the palace, taking possession of the arms, and, without putting any to death, made themselves masters of the city and the state. At once they new-modelled the government, ordaining a magistracy of ten noblemen, and three of those popular men who had been of the nine, took possession of the fortresses, and sent ambassadors to the emperor to obtain his confirmation of their new authority: but they found that ambassadors from the twelve, and those plebeians who still adhered to them, had arrived before them, to solicit Charles's aid to recover their power; and had filled the court with slanders to such a degree, as to move the emperor's compassion in their own favour, and his indignation against their antagonists. He therefore amused the ambassadors of the latter with false promises, while he sent Malatesta di Rimini to reinstate the former; a design in which, by the treachery and ambition of the Salimbeni, he succeeded. As soon as it was known in Siena that Malatesta, with his forces, were approaching in the neighbourhood, the little people, in the interest of the twelve, arose suddenly and tumultuously in arms, and, with the assistance of the Salimbeni, forced open the gates to admit the imperial army, not without an obstinate battle, however, which continued the whole day (September 24, 1368) and great slaughter. The government was thus again taken from the nobles, their houses plundered, and themselves driven out of the city to their castles in the country. The multitude of plebeians having tasted with the government of the city the sweets of public honours, power, and riches, combated furiously upon this occasion;

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sion ; and having, by the aid of Malatesta and the Salimbeni, been victorious, they reformed the government. Excluding the nobles, they instituted a council of one hundred and twenty-four popular men, whom they called The Council of Reformers, because to them was given authority to reform the constitution. Sixty-two of these were of the plebeians, or little people, thirty-five of those popular men who had been in the office of the twelve, and twenty-eight of those who had been in the office of the nine, or of their descendants or associates, who governed with the participation of Malatesta, who was in Siena the lieutenant or vicar of the emperor after the expulsion of the nobles. These having held the government of the state twenty-two days, and inhabited the palace of the signori, re-instated the magistracy of the twelve, composed of five of the little people, four of the twelve, and three of the nine, who had been in the magistracy of the consuls, together with ten gentlemen, and determined that all these should be called The Twelve Lords Defenders of the People of Siena. They made a new box of magistrates, in which they put fifty-one ballots, in each of which was contained a magistracy of twelve citizens, with the distribution before mentioned of five, four, and three. By this we see, that a complete aristocracy was established, and a very narrow one too, such as may well be called an oligarchy, by this faction of the little people, or plebeians. The choice of magistrates was confined to fifty persons only. They created also a general council of six hundred and fifty popular men, preserving the same proportion of five, four, and three, to continue till January next. To this council they joined another, called The Council of the Companies, to the

the number of two hundred and forty ; and this is the first time that in the public books was written and preserved the memory of the divisions among the people : and thus, by creating magistrates expressly and avowedly by distributions of factions, of orders, and of mountains, as they did afterwards, they made their discords immortal. Animosities, kept alive by these records, not only cost the lives of an infinite number of individuals in the frequent and bloody innovations which followed, but finally proved the destruction of the whole commonwealth, and the establishment of the domination of one man. So says the historian : but whether these records had existed or not, the calamities, and the issue of them, would have been the same, if they had not changed their government from one assembly to two, and separated the executive authority from both. Scrambling for loaves and fishes, in an assembly of people, or representatives or nobles, or in a mixture or union of both, will for ever have the same effects. These reformers annulled all the deliberations and decrees made by the late magistracy of the nobles, except those which contained the liberation of the banished and condemned. Wishing to reward the noble house of Salimbeni for the benefit received from them, they gave them, in honour and recompence of their perfidy against the other nobles, five castles ; and moreover, with privileges proportioned to their merit, they made them popular citizens, that they might be capable of being in the magistracy. The Salimbeni were the first who, after the example of Manlius, the first of the Romans, who from a patrician made himself a plebeian, and from a similar caprice, renounced his nobility, that by the aid of the plebeians he might make himself master of the liberties of his country. So says the historian : and it is true there

there is a remarkable resemblance between the rivalry of Manlius and Camillus, and that of the Salimbeni and Tolomei; and both examples are equally demonstrative of the dangers and evils of a sovereignty in one assembly. There will ever be two rival families to tear the vitals of the state, and one or the other, perhaps both, will sacrifice truth, right, honour, and liberty, to obtain the ascendancy. The nobles, now chased from the city, met at Cerretto Ciampoli, to consult what they ought to do to regain their situations in the city. The magistrates of the twelve having intelligence of this assembly, declared six noblemen of the house of Cerretani rebels, which obliged them, with the others, to look out for some strong place to make the seat of war. As they were to be treated as enemies, one part of the Tolomei took possession of the castle of Montieri, another that of Traguanda, the Malavolti occupied Castiglione, the Piccolomini Batignana, and others other castles, from whence they began to make war upon all the country of Siena, to intercept the supplies of provisions, to demolish the mills, and to carry their depredations to the very walls, holding the people in continual alarm and terror, and the city in a manner besieged, so that few had the courage to go in or out. The twelve defenders, in order to disunite the nobles, pardoned all the others, and banished only the Tolomei, Malavolti, Piccolomini, Cerretani, Sarra-cini, and Forteguerri, to the distance of twenty miles in the country, in lands subject to the emperor, upon penalty of life and fortune. This proclamation was not obeyed, and an army was sent, under command of the podesta Simone di Spoleto, elected by Malatesta, to recover from the noblemen the lands they held of the commons
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of Siena ; but returned without success, to wait a better opportunity. It appeared by this time to the order of the twelve, that they had been immense losers by the change of government ; because in the government of the nobles they had been deprived of nothing, but enjoyed the full share of the faction of the twelve without the participation of any other : at present they only shared a third part, and being stimulated by ambition, which oftener measures things by its will than its prudence, did not consider those dangers which concealed themselves under their immoderate desires. They persuaded the little people, that by joining with them they could easily exclude, by force, the order of the nine from the regency. The people joining them in arms, soon put the plot in execution ; but the same people, finding so easy and happy a success, rose in their courage, as they had no arms in their hands, began in their turn to think more of their own convenience, profit, pleasure, and utility, than of their honour, integrity, or the public good, and, without ceremony, deprived the twelve also of their share in administration ; and burning the gate of the palace, and the major part of the public books, with a great noise, and universal convulsion of the city, dragged out of the palace the three of the nine, and the four of the twelve, who resided in the office of the twelve lords defenders of the people of Siena. To avoid more scandalous excesses, and to put an end to the tumult of the people, who would not be satisfied nor quieted without a new order to reform the government of the city, by transferring it to the little people, or (to distinguish them more clearly from those other popular men who had been of the party of the nine and of the party of the twelve) to those
who

who were truly the plebeians, and altogether new men, because (as the plebeians said in Rome, when, in high wrath against the nobles, they created Terentius Varro consul) those plebeians, who had already been ennobled by serving in the government, despised the lower plebeians (la plebe bassa) more, and shew themselves more inimical to them, than the ancient nobility, Malatesta entered the palace, and elected eighteen of the little people, who, together with the five of the same sort who remained in the palace of the twelve defenders, and three gonfaloniers of the thirds of the city, and four of the noble house of Salimbeni, reformed anew the government of the republic. These meeting, without loss of time, in the consistory, which is the apartment where the signori usually assembled, with Malatesta, confirming the council of M. Reame di M. Notto Salimbeni, made an election of ten of the little people, who, with the five who had remained in the palace, were to exercise the office, now augmented from twelve to fifteen defenders of the people of Siena, until the beginning of January next, with the same authority which those had who exercised the office of the twelve governors and administrators of the republic of Siena before the second day of September last. Thus the new magistrates were all made of popular men, who had not been of the nine, or of the twelve: and to the eighteen reformers, from the others ordered by Malatesta, they added a certain number, by the distribution of the companies, who, with the fifteen lords defenders, made the number of one hundred and fifty reformers, all of the lesser people, who, with ample authority given them by Malatesta, as imperial vicar, were to reform the government. The twelve now perceiving their error,

error, and that, by attempting to usurp upon others, they had lost their own, they sent, with the privity of the Salimbeni, to negotiate with the emperor yet at Rome, to the end that, passing on his return through Siena, he might effect their re-floration to the state. The popular men of the greater number, still denominated in the public books The Little People, having information of that effort of the twelve, and considering that, if the twelve should unite with the nobles and the nine, and be assisted by the arms of Charles, they might easily make themselves masters of the city, and seize the government, thought it more prudent to yield a part by consent, than run the risque of losing the whole by force. Moved by this consideration (such is the inconstancy of the multitude!) the reformers ordained, that those factions which had been dragged from the palace should return, and reside in their offices with the fifteen defenders till the first of January, at which time they were to join in the ballot, and draw, from the boxes already made by the other reformers, three popular men, of whom the one who should have the most votes in the council of the reformers was to be captain of the people, who proved to be Matteino di ser Ventura Menzani, so that the magistracy consisted of the number of fifteen, of whom eight were of the little people, four of the twelve, and three of the nine. They declared, moreover, that the gonfaloniers of the thirds of the city, different from the gonfaloniers of the companies whom they were to command, should be called Master Gonfaloniers, and should always be of the little people, as the captain of the people; and the three counsellors of the same captain should be taken, one from each sort of people. This captain, with his counsellors and
master

master gonfaloniers, had full authority, in fact, though not according to the orders in the statutes, and a discretionary power in all criminal cases, but not in civil. From this reform had its first original the order of Reformers; for this name of reformers remained afterwards in those popular men who were of the council of the last reformers, and descended to their posterity, as it happened before to the nine and the twelve, all of whom had their origin from the people. This tripartite division appeared to the reformers to be a most powerful cause of divisions and discords, which they wished to prevent, and therefore ordered these distinctions to be annulled, and the whole people to be united in one body, and that, when in any writing there should be occasion to mention the little people, it should be called the people of the greater number; that the party of the twelve should be called the people of the middle number; and the nine, the people of the lesser number:* but although the names of the factions were changed, the substance of things was not united. As these distinctions arise from that constitution of human nature, and course of its passions, which legislation is not

* This record is very curious, and worth inserting.—Item *considerantes, dicti providentes, quod ex divisione populi, civitates destruuntur, et annihilantur et magnam divisionem præbet, ordo factus per alios reformatores, quo cavetur, quod officialis eligantur per quinque de populo parvo, quatuor de gente duodecim, et tres de gente novem, eoque ubi debet populus esse unitus. Sit tri partitus, et ideo provideretur, quod dictum capitulum et ordinamentum, sit cassum, et sit totus populus Senensis unicus, et unum corpus censeatur, et, si quando, in aliqua scriptura esset mentio facienda de populo parvo, dicatur de populo majoris numero, et si de gente duodecim esset facienda mentis, dicatur de populo mediocris numeri, et si de gente novem, dicatur de populo minoris numeri.*

yet perfect enough to alter, or to remedy, but by making the distinctions themselves legal, and assigning to each its share, whatever it may be hereafter, the same discords remained among the popular men, and preserved always the same distinctions in the public books. They ordained further, that of the officers of merchandise, or chamber of commerce, there should be two of the people of the greater number, one of those of the middle number, and the other of the lesser number, while the nobles should remain out of the city; but in case they should return, instead of one of the two of the greater number, a nobleman should be elected; and this rule they followed in after-times, electing one nobleman and three popular men; and by this order it became a declared point, that the nobles were not comprehended in the people, but were distinct from them. They further ordained (correcting the order given concerning the mode of electing the three popular members, who were to be joined to the twelve of the ballot, to be drawn every two months, to make the number of fifteen defenders) that by the council of reformers should be put into the boxes a hundred for each third, and that in drawing for magistrates eight should be drawn for each third; and made many other provisions to consolidate, as they said, the popular state, which were very displeasing to the twelve, who could not endure that the nine should be restored, and the greater part of the government should be taken out of their hands. They could not sit easy under this mortification, but with the favour of the Salimbeni they frequently stirred up fresh tumults, which Malatesta with his soldiers had trouble enough to suppress. The twelve, with the Salimbeni at their head, still restless, applied to the emperor, and made him
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great offers to assist them in new-modelling the government. The emperor would not agree without the consent of the senate or general council, which was sometimes upon great occasions called together. Being assembled at this time to the number of 869, they refused their consent; but by a vote of 721 confirmed the present form, imposing grievous penalties upon all such as should speak or act any thing against it, or attempt any alteration in it. The twelve, perceiving by this that they could not succeed in this way to obtain their unconquerable desire of mastering the government, deliberated upon the means of securing by arms, what by intrigue and fraud they had not been able to acquire: they flattered themselves, that by the interest of the family of Salimbeni they could procure the aid of Cæsar's arms. While in Siena, through the discords excited by the twelve, the public remained in this fluctuating state, the nobles in exile made frequent inroads into its territory with their cavalry, plundering and burning at their pleasure, and holding the city in a manner besieged. The emperor taking advantage of this, laboured with both parties to lay aside their animosities. A truce was agreed on, and arbitrators or mediators to settle the pretensions of all parties. The mediators assembled in a church, but the twelve and the Salimbeni studied to prevent their determination. The people and the nine were willing the nobles should return. The twelve and the Salimbeni persuaded the emperor to negotiate with the pope to send a legate; because, seeing the people and the nine concur in the return of the nobility, it appeared to them they should be too inferior in force and influence to their enemies without the aid of foreign arms.

Parties remaining in suspense and suspicion of one another, neither dared to lay down their arms. At last it appeared to the twelve, that, by favour of the imperialists and the pope's legate, they had acquired enough to be superior, and, not willing to lose the opportunity, they made Niccolo Salimbeni their head, and with many foreign troops they began the uproar, and, with a great show and noise of arms, crying, *Away with the traitors of the nine, who wish to restore the nobles!* they ran through the third of the city, and having met Scotto di Minuccio, who was captain of his company, they killed him, because he had given his opinion for confirming the boxes of ballots and the government, and proceeded to the houses of several families of the nine to assassinate them. Not finding them, because they had fled for safety, the twelve, with their mob, ran through the whole third, plundered the houses of the nine, and then marched to the palace, and, with the connivance of Malatesta, who appeared in the piazza with his armed men, they drove out the three of the nine, who were of the fifteen lords defenders, and aspiring at a complete victory, they made the emperor move from the house of Salimbeni, where he was lodged, by giving him hopes, that by going in person to the palace he would have the city at his devotion. On the other hand, the other twelve magistrates seeing dragged out of the palace three of their colleagues, tormented with indignation at the indignity of the insult, and at the danger they were in of losing the government, suddenly gave orders to the companies, and sounding to arms, so great a multitude of people assembled in arms in the piazza, and in such a rage, that the captain of the people, taking courage with his col-

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leagues to turn upon the twelve, the Salimbeni and podesta drove them out of the palace. The battles which ensued in the city were obstinate and bloody; splendid feats of valour were displayed on all sides, but they are unnecessary to be related. The government was finally triumphant, at least their military commander had all the power of a dictator. Negotiations were soon opened between the principal men and the emperor, and it was concluded that the same government should stand, under the emperor as its sovereign lord, and the city should be considered as a vicarage of the holy empire. But of what avail are treaties or decrees, or agreements, when the government remains in one assembly? The emperor was scarcely gone out of the city before fresh plots and treasons of the twelve and the Salimbeni were discovered, and new tumults against the nine. The lords defenders, together with the council of reformers, to put a stop to these disorders, were obliged to create a new office, which they call the Executor, and gave him great authority in criminal matters, even to proceed discretionally, and without observing the orders of the statutes. But with all this there was no security in town or country, and justice was so corrupted that an infinite number of assassinations and robberies were committed with impunity. Certain travellers at last were robbed and murdered in the neighbourhood of the castle of Monteggioni, and several men from the castle ran out with their arms, took four of the men who had committed the robbery, and, without sending them to the city, or waiting for any trial, hanged them on the spot; and as this example was followed by the people in the country, the roads began to be more secure, but in the city the insurrections still continued. The executor having obliged

to return into the city all the popular men who had not been banished nor declared rebels, it happened that one Niccolo di Guelfo, of the order of the nine, in some quarrel killed Niccolo di Legacci, and wounded two others of the order of the twelve, who, happening to be present, attempted to defend him. At the rumour of this a great disturbance arose, and numbers of people collected, and fell into skirmishes, in which many were killed. To quiet this commotion the lords defenders placed guards of soldiers in the palace, in the piazza, at the gates, and many other places, confined eight of the principals of the order of the nine, and sixteen of the order of the twelve; and the delinquents having fled, the tumult subsided. Propositions of an accommodation between the nobles and populars had been made by the mediation of the marquis of Monferrato; but as little progress was made in it, and the nobles were impatient, they took the castle of Batignano, and approached to Montepulciano, with the exiles from that territory (for every village had its disputes between the great and the little, and its revolutions, triumphs, and banishments) who had intelligence with the popular party within, by whose aid they entered, and made prisoner of Jacomo de Cavalieri, who had made himself lord of the place, and intending to save his life, they threw him into prison: but the plebeians were not satisfied with deposing him and plundering his property, but, to satiate their revenge for the injuries they thought they had received from him, went the next day to the prison, and watching their opportunity, assassinated him, and every one cut off a bit, as if they were desirous of carrying his flesh to market. The nobles were so

enraged at this against the people, that they fell upon them, killed many, and drove others off the territory. When they had done this, they set up another government, and that a popular one (which is remarkable enough), and departed. The marquis of Monferrato, who had undertaken the mediation at the request of both parties, but saw that all his pains to restore harmony between the nobles and populars would have no effect, departed from Siena, and went to Florence, whence he communicated his award to Malavolti, who represented the nobles, and Guerieri, who was ambassador for the popular men who governed the city. The decree, however, as he had foreseen, was accepted by neither party. One article was, that the Salimbeni should release to the republic the castles which had been given them; and that they should no longer hold the standard with the arms of the people, nor the infantry, which the magistrates had given them for the guard of their persons. Upon the rumour of this, a part of the people, who followed the faction of the twelve, made a tumult, declaring that they would not degrade the honour nor lessen the grandeur of the Salimbeni, and several persons of consequence were killed in this riot. At this time the castle and land of Pian Castagniano was taken by the count de Nola, captain of some men of the church; and it was said that the Salimbeni, contrary to their compact with the commons of Siena, when it was given to them, had sold it. This report produced tokens of great dissatisfaction among the citizens in general, and especially when the same count, within a few days, reduced the lands of S. Salvatore to his obedience, and held it as if he had been its sovereign. Moved at this loss,
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the fifteen lords defenders sent an ample force and recovered it. It now appeared to the Salimbeni that the popular men, by the loss of Piancastagniano, were disgusted with them, and had not the same confidence and affection for them, as they usually had before this accident happened: wherefore, considering what might occur, being enemies of the other nobles, and not very acceptable to the popular men, they solicited the Florentine ambassadors, who were in Siena, to treat of peace between the nobles and those who governed the state, and of a reconciliation between them and the other nobles; and in a short time both points were accomplished, with little satisfaction, however, to those who governed the state, though in appearance they pretended the contrary. While the Florentines were treating of a peace between the nobles and commons of Siena, Odoardo di Mariscotti, thinking the proceedings too slow, and desirous to hasten them, began from a castle of his to infest the roads with his highwaymen, robbing and assassinating the merchants and others who travelled that way, which incited the magistrates to send out an army, and take and demolish his castle, destroying many of his people, and bringing him prisoner to Siena. The same army the day after marched to Campriano, where they subdued another band of the nobles, employed in intercepting provisions in their way to Siena. Campriano they took by assault, and destroyed the fortress, after having slain in the action three of the house of Tolomei, three of the Piccolomini, two of the Scotti, and one of the Mariscotti, with many others. The castle of Cotone was obliged to capitulate; Castiglione fought nine hours incessantly, and in the battle lost some of the Tolomei, and some of the Ma-

lavolti, and many others of the nobles, but the place was taken, plundered, and burnt: after which the army returned to Siena with a great number of prisoners. There did not remain many of the nobles united together, capable of doing much damage to the dominions of the republic. On the other hand, the popular men, the more to consolidate their power, having seen the unanimity of the nobles, by order of the last reformers, erected a company, whom they called the Grand Families of the People, which should endure to perpetuity among those popular men who should be elected by the reformers for the conservation of the popular state of the city, and of the company itself, into which no nobleman could be received. Every member was to take an oath to observe the rules ordained for the maintenance of both the state and the society; and many exemptions and immunities were granted them. Every one whose name was subscribed to the association, was to hold the arms of the people painted in some conspicuous place of his house; from which institution are seen at this day, over the doors of many houses, the white lion. They had also the privilege of bearing the white lion in their own proper arms, and many persons availed themselves of it, as is seen in the arms of many families still remaining; all who were not of the association of the people were forbid to bear it in any manner. These and other regulations being made, desirous of preventing the incursions, and repairing the damages done by the nobles in the country, they collected a numerous force, and went with it to their castles, and seized sometimes upon one and sometimes on another, not meeting any power that could resist them, till the republic of Florence, to whom, on the

13th of May, 1369, had been referred the difference between the people and the nobles, made their report, to the great satisfaction of both parties. The award was dated the last of June 1369, and, among the other articles of the peace, the nobles were to be restored to their country, and be made capable of all the magistracies of the commonwealth, except those of lords defenders, gonfaloniers, and counsellors; and this was ratified by the popular men in a general council. The nobles in ten days ratified it on their part, to the wonderful satisfaction of the city and the state, as they hoped to put an end to so many miseries. The reformers afterwards, for the maintenance of the peace, as they said, ordained grievous penalties for any one of the nobles who should offend any of the people, and it was made capital for any one to strike or draw blood from any one of the council of reformers; and to show that affairs which interest many ought to be considered and made known to many, wishing to increase the number of that council, which was not at that time more than 150, on the 22d of August, 1369, they added those of the little people, who had been of the first reformers after the expulsion of the nobles, and those of the same people who had been of the lords defenders since January 1368, or should be in future master gonfaloniers; and wishing to reform the council of the people, it was ordained by the general council, that all the people, of whatever number, who shall have been of the lords defenders, or of the twelve governors, after the 23d September, 1368, should be understood to be of the council of the people: and from this the practice began, which continued as long as the republic, that those who had been

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of the signori were of this council. It was likewise ordained, that when any thing should obtain in the council of the people, which ought to be proposed to the general council, and the bells were ordered to ring for a general council, fitting the council of the people, the members of the council of the people should be members of the general council; and by this order the general council was converted into the council of the people, and was congregated no more during the commonwealth. The public was very much in debt, and had not the means of satisfying its creditors; it was therefore ordained, that all those who had lent money to the commons, and ought to be reimbursed, should be arranged in three different books, according to the distinction of the thirds of the city, and made creditors, each one, in the sum total of his credit, with orders that the chamberlain should pay at the rate of ten per cent. every year to each creditor: and this union or consolidation of the public debt was called *il monte*, the mountain, or the lump; and this practice was afterwards repeated upon various occasions; and these were the provisions, which were punctually paid off by the chamberlain in the time of the republic, but were imitated afterwards by the arbitrary government of one, which succeeded it, merely to abate the debt of every one who had lent money in the ordinary loans. We see by this, that in those days republicans had some regard to honesty and the public faith, and the infamy of defrauding creditors was left to the absolute monarchy.

The number of the reformers being increased, their authority increased every day, and with it the desire of reducing the office of lords defenders wholly to the little people, called the people of
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the greater number. To this end, having in 1370
excited certain tumults among the journeymen
and labourers in the woollen manufacture, who
were the very lowest of the people, who inhabited
along the coast of Oville, and these meeting fre-
quently together, called themselves the Company
del Bruco, because such was the ensign of that
country; many of these, having taken the occa-
sion of some quarrels with their masters in the
woollen trade, and guided by one Dominico, a
retailer of old cloth, raised a great uproar, beat-
ing some and threatening others; and being armed
in great numbers, as it was a year of scarcity,
they turned to the houses which had the reputa-
tion of having some grain, where, through fear,
it was given out to them. This quieted them for
the present moment, till three of their leaders
were taken up by the authority of the senator,
and upon examination, confessed crimes enough to
condemn them to death. Upon this arose again
in arms all those of the company del Bruco, and
with hideous noises running to the palace of the
senator, and with menaces of burning his house,
insolently demanded the three prisoners, and with
great fury began to fight with the officers of jus-
tice, and to collect materials for applying fire to
the gate. The captain of the people, who was
Francesco Naddo, perceiving the danger in which
the senator was, and that the city was all in arms,
took the resolution, in order to prevent by the
public authority the disorder from increasing, to
go in person and endeavour to suppress it. With
his standard and trumpets before him he arrived
at the palace of the senator; but finding it im-
possible to allay the fury of the plebeians other-
wise, he made the senator set at liberty the three
prisoners, and returned to his palace, believing
that

that the company would lay down their arms as they had promised; but having come off conquerors in this warfare, and committed a robbery on justice herself, they acquired so much presumption, that running with great violence to the gate of the palace of the signori, and finding it locked, they raised a loud clamour, that the four lords of the order of the twelve, and the three of the order of the nine, should be banished, and they attempted in several ways to accomplish it by force; but finding them well defended, they ran to the palace of the Salimbeni, to avail themselves of their assistance and authority. Having in the way rencountered Nannuccio di Francesco, who had been a few months before captain of the people, because he had upon that occasion favoured the order of the twelve, they assassinated him. The Salimbeni would not move nor intermeddle in this sedition: they therefore took from them the colours with the ensign of the people, which, as associates of that faction, they still held at their window, although they had made a peace with the other nobles. From the gonfaloniers of Camullia and San Martino they took likewise their standards, and having given them to others, they returned to make a fresh attack upon the palace; and being repulsed from thence, they sent a party towards Camullia to attack the house of the Salimbeni, against whom they were bitterly enraged, because they would not concur in this revolution. Meeting a company of noblemen of the houses of Salimbeni, Malavolti, Tolomei, Renaldini, and others, in considerable numbers, who had made a great exertion, and taken arms to quell this tumult of the plebeians, the parties went to action immediately, and the noblemen were many of them killed,

killed, and the rest routed: and although many men were elected to endeavour to quiet the disturbance, they not only found no means of suppressing, but they found it impossible to prevent it from increasing every moment in violence; until one morning, in the month of July, the company of the people arose in arms, with the company del Bruco, and dragged from the palace the four lords who resided there, of the order of the twelve, and three of the order of the nine, instead of whom were elected by the people of the larger number seven others, to reside with the eight who remained in the palace, and fill up the number of fifteen signori. But suspecting that, by their having thus reduced into their own hands the whole government of the city, the other citizens would be provoked to make an alteration, the council of reformers, to whom full power had been given by the general council, resolved that the names of those of the twelve and the nine, who had been pulled out of the palace, should be returned into the box of the freemen, so that they might be drawn another time to reside in the same office, and enjoy the same privilege, as if they had remained in the palace two months entire. The order of the twelve, however, not being satisfied with this regulation, conspired with some of the nine, aided by the captain of the people, who, although he was himself of the popular order of the greater number, was of an elevated spirit, and could not bear, that with such indignity the state should be reduced, in his time, into the hands of men of such base condition, entered into the conspiracy, sent them the master gonfaloniers, with their arms, who united with the conspirators, and unexpectedly attacked those of the company del Bruco, in their own houses, on the coast of Ovile, and,

and, before they had time to get their arms and make a stand, assassinated a great part of them, and became exasperated into such rage and fury, that they had no consideration of age or sex, but murdered without distinction all who came in their way. At the same time the company of the people having risen, combated in the piazza, and in several places of the city, with great ferocity, and the twelve, with their conspirators, remained in many places superior; but a stone, cast from the tower of the palace, fell upon the gonfalonier of San Martino, who with his company, returned from the coast of Ovale, combated in the piazza, and struck him to the ground, and every one, who saw him, believed him to be dead. By this accident his party was seized with a panic and fled, and gave an opportunity to the popular party to gain the superiority, and break and rout the conspirators. A part of the principal leaders of the conspiracy were taken prisoners, together with Francino, captain of the people, and Magio Calzolaio, gonfalonier of the third of the city, and on the first of August, 1371, without letting them finish the term of their magistracy, a most miserable and horrible example was set, by cutting off their heads publicly in the piazza: at the same time, they beheaded many others; but the two other gonfaloniers, having saved themselves by flight, were declared rebels, with many others, and a new reformation of the state was resolved on. The reformers made a new box of magistrates for five years, continuing the office of the fifteen defenders, of whom twelve were popular men of the greater number, who were afterwards called reformers, and three popular men of the smaller number, who were those of the order of the nine, and in place of Francino was substituted, as captain

tain of the people, Landino Fabro: and confirming the usual order, they resolved, that with the lords defenders should intervene the president of the council of reformers, who was changed every third day, with his counsellors, although in the magistracy they had joined four of the little people in place of those whom they took away of the twelve, to give a more decisive superiority to their faction. They admonished and disqualified all those of the people of the middle number who had been of the twelve, and twelve families of the people of the lesser number, who had been of the nine, and some of the people of the greater number, who had been numbered among the reformers, who had agreed with the twelve. Two hundred and twenty-eight were condemned in pecuniary penalties; and all those who were condemned were called, without distinction, *Fini*. A number of men, both horse and foot, sent by the Salimbeni for the service of the twelve, arrived at Torrenieri, but learning the turn of affairs, returned back. To the number of the reformers afterwards joined themselves almost all the lesser artificers; and for the security of the state they had from Florence a hundred cavalry. The public, by great expences and little government, being without any appropriation of money that they could avail themselves of, the reformers introduced the practice of selling the public revenue, besides the confiscations and penalties, for three years, which did not obtain more than three hundred and eighteen thousand golden florins. This commencement of the usage of selling the public revenues, which was continued from this time, was the reason why the public was always in debt: selling for a small price, which was not sufficient for the necessary expences, illegal practices were the

the consequence, and from thence new seditions, which finally accomplished the ruin of the republic. The twelve did not cease to move many things to the prejudice of the reformers, because the capacity of being in the magistracy was now taken from them. For security their arms were taken from them, and placed in the chamber of the commons, and the captain of the people seized many of them on suspicion, and they were in great danger of losing their heads.

1372. The year following, the conduct of the twelve occasioned the same suspicions. The nobles themselves were never more impatient of exclusion, nor more eager to try every expedient to recover their share in the state. The nobles, indeed, were not only injured, but had a right to complain. The twelve were injured, but they had only that wrong done to them which they had set against the nobles, and they ought to have recollected,

*Nec lex est justior ulla
Quam necis artifices arte perire sua.*

But if the rule of doing as you would be done by were the rule of life, and observed by all men, there would perhaps be no need of government at all. The twelve, to be sure, did not think their own case and that of the nobles parallel, but were indefatigable in insinuating, sometimes into one, and sometimes into another of the little people, that it was neither profitable to them, nor honourable to the public, to suffer those reformers to *tyrannise* over the city; and they frequently succeeded in drawing over to their side partisans, with whom they proceeded to consult of the means of carrying their intentions, to take the government out of the hands of the reformers into effect. They opened themselves to so many, that at length the

the machination was discovered, and numbers taken up; among whom was Ser Ceccod'Andrea, the man of the highest reputation with the twelve, who was beheaded; and of the others, some were imprisoned, others fined, and those who had escaped by flight were banished: and Ser Agnola d'Andrea was condemned, because, having made a dinner for some of his friends at his country house, no reformer was invited. Other instances of the grossest prostitution of the judicial power were attempted by the vulgar tyrants, who now had the sway. Giovanni Calzettaio, who was one of the council of reformers, prosecuted one of the twelve for striking him. Niccolo Rosso da Tarano, the podesta, upon examination of the parties face to face, found evidence of the malicious fraud of the reformer, who, to give a colour to his false accusation, that the other had broke the law, by which it was made capital to strike or draw blood of a reformer, had struck and drawn blood from himself; and had the integrity to imprison the complainant, who was found to be so abandoned a fellow, and had so many charges brought against him of atrocious crimes, that the podesta adjudged him to have his head cut off under the gallows, since it was not lawful to him, being one of the reformers. Justice, it seems, though attempted, was not yet so prostituted but that many others were chastised for enormous crimes; but the most of the criminals being of the people of the greater number, who were the dominant faction, and held the great part in the government, tumults were generated in no small numbers among the multitude. But when Antonio di Orso and Deo Malavolti were imprisoned for having carried off a young woman with her own consent, and, to satisfy the plebeians who were in arms, beheaded, and half a dozen other noblemen

- noblemen for other crimes executed, the plebeians were pacified and softened by the blood of so many nobles, and that insurrection, which had been raised to save the lives of the condemned plebeians, was quelled. When all were returned to their habitations, and their arms laid aside, the senator, Louis della Marca, ordered to be seized four of those who were the heads of the late sedition to obstruct the course of justice, and sentenced them to be hanged; others he imprisoned, and some were fined. The senator, among so many controversies, rumours, and tumults, as occurred during his administration, although ex debito justitiæ he had been obliged to order so many executions, run a great risque of being assassinated in those popular seditions of multitudes, who were offended by him, and both himself and his family were under no small apprehensions. In such a state of society the human heart pours forth all its turpitude, and all parties appear to be equally abandoned. The signior of Perolla, a
1373. castle of Maremma of Siena, died, and left an only daughter heir to the estate and the lordship. Andrea Salimbeni, who was a relation, went to visit the young lady, by some fraudulent stratagem which is not explained, put her to death, and made himself patron or tyrant of the place, and, with a gang of people under his command, committing robberies on the highways, and all the neighbouring places, rendered it unsafe to pass in that quarter. The fame of this was soon carried to the Sienese, who sent out a body of men, under the command of the senator, and the 23d of
1374. April, 1374, took the place, and carried Salimbeni, with twenty-eight others, prisoners to the city. Sixteen of these in a few days were beheaded by order of the senator; but either from respect

respect to the family, or from fear of their power, he did not proceed against Salimbeni. Upon this the company del Bruco again arose in arms, with the other plebeians, and running to the palace, with threats demanded of the lords defenders that justice should be done upon Andrea Salimbeni. The captain of the people, the two priores, and their colleagues of the lords defenders, found themselves so mean in spirit, so infertile in council, so unskilful at their own game, that not knowing any better way to prevent the evil from increasing, they gave authority to Noccio Sellaio, to do in that emergency whatever he should judge useful to the commonwealth. Noccio seizing ardently this opportunity, by which he thought to gain the hearts of the plebeians, and by their favour raise himself to power and superiority above his fellow-citizens, entered into the palace of the senator, and sitting down in the midst of an immense crowd, on the bench from whence sentence was usually given, condemned Andrea Salimbeni to death, and ordered his head to be struck off before the public. Intending to dispatch Pietro Mossa in the same manner, he was prohibited by the major part of the reformers, who began to perceive his design, and to see the error which the lords defenders had committed in giving him such an authority : and although he had at his heels the company del Bruco, and the other lowest plebeians, they revoked the power that had been given him. This measure excited a great tumult in the city ; but the reformers, being united, were able to quiet it. Niccolo and Cione Salimbeni, with others of the same family, and their associates, moved with indignation and grief at the outrage which had been committed upon Andrea, took from the commons of Siena the castles of Montemaffi and Boccheggiano, and with large companies went about,

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committing depredations in many places in the country. The reformers, to make preparations for recovering their lands, and for making head against the Salimbeni and their followers, created a new magistracy of ten citizens, to superintend the conduct of the war. The first provision made by this new council of war was, to imprison twenty-six citizens of the order of the twelve, and condemn them in twelve thousand golden florins, which were immediately paid. Was the robbery of Salimbeni worse than this? They next sent to demand aid of Florence and Lucca, and obtained it; but ambassadors were sent from Florence, Perugia, and other places, at the same time, to make peace if possible, knowing that their own discontented and distracted factions were ready to break out: but the Salimbeni would not listen to any thing, because the ten had sent an army in force to the castle of Boccheggiano, with orders and instruments for destroying the walls, cross-bows, and precipices, and other things which in those days were used in war to fortify the lands. On the other hand the Salimbeni, having collected together many of their friends and adherents, watched a convenient opportunity, sallied out from their lands, and attacking their enemies without the least expectation, broke their order, put them to flight, took many prisoner plundered their camp, and burnt all the frames, bastions, buildings, and instruments they found there. As soon as this defeat was well known in Siena, the relations of those many citizens who remained prisoners ran in arms to the houses of the Salimbeni, and seized all they could find of those families, that they might hold them as hostages to redeem their own relations. Neither the plague nor famine, both 1374. of which raged this year, 1374, could prevent continual

continual plots of the Salimbeni and the twelve to recover the government of the city, and constant skirmishes and wars between them and the reformers and lords defenders throughout all the territories of the republic. In the year following ambassadors were sent from several friendly cities, to persuade peace between the reformers and the Salimbeni. The reformers, desirous of lessening the number of their enemies, in 1379 restored all the rebels who had been denominated Fini, and banished in the time of those seditions which were made by the gonfaloniers and the twelve; and of these they made useful guards for the palace, &c. The nobles, however, were employed in forming parties in the country, and in negociations with their friends in the neighbouring cities, till, in 1384, they were able to meet the reformers in the field, and give them a complete overthrow; and if they had pursued their victory, such was the astonishment and panic of the reformers in the city, they might have made themselves masters: but in this their fortune befriended them. Finding they were not pursued by their enemies, they assumed some vigour and courage, and gave orders to guard the gates and suppress the seditions which were moved in the city against them, and sent abroad for foreign aid. Florence, Pisa, Bologna, and Perugia, hearing of so great a change, and fearing greater civil discords, sent ambassadors to Siena, to endeavour to re-unite the nobles in exile, and the popular men who governed the city; but, after trying every mode of negociation, and every proposition of accommodation, with both parties, they found they could make no impression upon either, and returned home. It was the opinion of the reformers, that the Florentine ambassadors, from some interest of their republic, in their secret negotiations

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ciations with one party and the other, had been the cause that the peace had not been effected, as, both sides appearing to be weary of the war, was generally hoped and expected. The time was come when the magistrates, the lords defenders for the months of March and April, were to be drawn; and the council being assembled, and the ballots drawn, Giovanni Minucci, one of the lords defenders, was captain of the people. When the council dissolved, they perceived no small tumult made by the citizens of the order of the twelve, who said, they did not know for what reason the power of participating in the honours and cares of government was taken from them, rather than from other popular men, and that they no longer would tolerate the abuse; and although the disturbance appeared to subside for the present, the twelve, fomented by the gentlemen, who were very active, and had made themselves masters of a great part of the dominion, and who promised the twelve, in all events, to assist them with men, arms, and provisions, to the utmost of their power, for the common service against the reformers, did not cease to demand, with great animosity and many threats, that a place should be given them in the magistracy. These motions of the twelve, favoured by the nobles, gave much molestation to the heads of the government; and therefore, that they might not have to defend themselves against too many enemies, on the 23d of March, 1384, they congregated in the morning the council, and obtained that the twelve, in the new draught, should have place for the sixth part in that magistracy, by increasing the number from fifteen to eighteen; but, as experience has ever proved, gratitude shewn, and remedies applied, out of season, have little effect. When council was finished, at noon day Cestelli, a seditious man of the order of
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the twelve, was taken up by the ministers of justice; and standing in his defence, and calling with a loud voice for assistance, multitudes of the twelve and the nine hastened, at his cry, to his relief, and took the prisoner by force from the officer, who had already drawn him from the hill to the piazza. Upon this riot, Materazza and Nerini, accompanied by a great number of reformers, intervened, partly by their authority, and partly by their arms, to recover the prisoner. They fell with great impetuosity upon those who had rescued him, and denouncing vengeance and death on the twelve and the nine, as obstructors of justice, cried, "Long live the Reformers!" At this cry the whole city arose at once in arms, and, with those of the twelve and the nine, went to the few noblemen who remained in Siena; and having taken the entrance of the piazza, prevented the plebeians from passing in to the aid of the reformers, and from the houses of the Scotti and Saracini, annoyed the multitude of reformers, who in the piazza combated against their friends. The contest had become general in various parts of the city, and it appearing to the nobles, the twelve, and the nine (as the major part of the plebeians ran to the service of the reformers) that they had the disadvantage, at the instigation of a Jew they began to cry, "Peace! Peace!" At the hearing of this word, industriously resounded in various parts of the city, a great number of the little people, as distinguished from the plebeians or the rabble, wearied out with so many seditions, and united with the nobles and their adherents, ran with great fury to the prisoners, and set at liberty all the prisoners, among whom were M. Ugucione and Niccoluccio Malavolti; these, taking the lead of the whole multitude, attacked the whole

army of reformers, and, urged on by the keen desire of vengeance for the injuries received, combated with such intrepidity as to drive them out of the piazza, after having made a great carnage, and many prisoners. They instantly entered the palace, and, although the people within made a gallant defence, took possession of it, and drove out the lords defenders and reformers, not only from the palace but the piazza, and took from them the administration of the republic, both in the city and the country. This revolution was followed by the usual train: in a few days were sent into exile more than four thousand men of the faction of reformers, chiefly artificers; and, what is worse, when in the course of a few years their affairs were accommodated, not the tenth part of them returned to their country. Thus ended the government of the faction of reformers, and this new species of sovereignty in one assembly; but only to be exchanged for another, consisting of nobles, twelve, and nine. The exiles of all these three parties now returned in great numbers from all the neighbouring cities, provinces, and countries, and brought with them a strong body both of cavalry and infantry. We may now expect to see the government shining with the splendid names of Salimbeni, Malavolti, Piccolomini, Tolomei, and all the rest; but we have no reason to expect justice, liberty, order, peace, or common decency. The new government was instituted in a new magistracy of ten citizens, to be changed every two months, and intitled the Lords Priors-Governors of the City of Siena, into which number were to be admitted four popular men of those, who had been of the twelve; four of those who had been of the nine, and two of the people of greater number of those,

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Lords
Priors-
Governors.

those, however, who had not been of the council of reformers, nor of the lords defenders; and thus the people were divided into four factions, the Nine, the Twelve, the Reformers, and the People, and of these discordant materials, in one assembly, were the legislative, executive, and judicial powers to be composed; and this mode continued till 1387.

The order passed in a general council, establishing the new regimen, in 1385, and the scrutiny for magistrates was made for eight years, and the names put into the boxes, a practice which was analogous to that in Florence which they called imborfation, which was putting the names into purses, to be drawn out upon occasion. Those who had now the most votes in the general council were assorted together in forty-eight ballots, one of which was to be drawn every two months. The first draught was now made, and the lot produced a ballot, in which were the names of Andria Cicerchia, and nine others: these took upon them the magistracy of lords priors governors. The 28th of March, 1385, the tumults were quieted, the soldiers disbanded, the fortresses of the dominion rendered to public commissaries, many remunerated for their services, fire-works played off, and many feasts made, and incredible manifestations of joy, and ambassadors sent to all confederated cities to inform them that the city was delivered from the tyranny of the rabble, and the palace cleansed, which had been once thought an Augean stable. Twelve of the principals of the conquered faction were put to death by the course of justice, and thirty sent out to the frontiers, and the major part of those who had fled, declared rebels and enemies pro more revolutionum; and by order of the council of petitions, by authority

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given them by the general council, their castles were restored to the Salimbeni. But the envy of fortune, according to the historian, and the malice of their constitution, according to truth, would not suffer this felicity to be enjoyed for one year. The Tolomei were now returned, and living in the same city with the Salimbeni; and this fact alone, under such a plan of government, would be enough to give the reader an anticipation of what would be the consequences. Conspiracies were formed in the country among the friends of the exiles, and by companies of depredators, who began to be troublesome and to do mischief in the dominion. The Florentines too began to set up claims upon parcels of territory; and while this dispute was in negociation between the ambassadors of the two people, a plot was discovered, to the great terror of those who governed the city, commenced by a part of the family of Tolomei, who, in concert with some popular men who intended to restore the reformers, had drawn towards the city certain foreign troops, in an irregular manner, from different places, and entertained secretly in several of their fortresses. These troops hearing that their destination was discovered, and impossible to be executed, as many citizens were already imprisoned on account of it, retreated, and the prisoners confessing the truth, were condemned to death. Yet the lords priors, with the rest of their faction (for the government was never any more than a faction) were in trouble enough, knowing the danger they were in from the divided minds of their fellow-citizens, and from the hatred and immortal enmity which the Florentines appeared to bear them. This storm was averted by submitting the dispute with Florence to the mediation of Bologna, and by the cession of many lands. One conspiracy

spiracy was scarcely suppressed, and a foreign war declined from fear of themselves, before another was discovered of greater moment, and a more pernicious nature than the first, excited by M. Spinello Tolomei, and a great number of reformers, and others, who had such intelligence in Siena, that it seemed to them easy to effect a revolution, and make themselves masters of the state. But as many examples, both ancient and modern, demonstrate, conspiracies made by a multitude, through the variety of interests of those who are comprehended in it, have seldom attained their intended end; and the greater part of conspirators have lost their lives and their fortunes, because the design has been revealed by such as had rather be rewarded with security, than stand in danger of their lives, when a suspicion has gone forth in the public; so conspiracies of lesser numbers have been equally unfortunate, through the want of power to carry them into execution. The reformers, excited by Spinello Tolomei were betrayed by one of their associates, and one of their chiefs, Nanni di Data, was beheaded; but Tolomei was too powerful a man for such a government to dare to make an example of; he was therefore admitted to a treaty with the magistrates. Soon afterwards the count Guido di Santa Fiora submitted to the commonwealth, and after him Monaldo di Visconti di Campiglia.—Another 1386. conspiracy was discovered in Siena among the reformers, under the conduct of Spinello Tolomei. A spy, whom he sent with a letter to his correspondents in the city, was intercepted, threw himself out of a window in despair, and was killed in the fall, and a few of the conspirators were beheaded. The city by these continued plots, so often discovered, was kept in constant terror, as was

was every village and castle of the whole dominion: for example, in the castle of Casole was awakened a violent sedition: the Casolans were divided into two parties, and coming to arms among themselves, skirmishes happened every day, and many were killed, and more wounded. The same mischievous divisions were suffered too in the city of Massa. Montepulciano likewise was governed by a single assembly of signori, who by their divisions occasioned similar seditions and civil wars among themselves, and their different parties excited a long war between Florence and Siena; at the conclusion of which the Florentines, by their intrigues, laid the Sienese under many disadvantages, which would have been greater, if at this time it had not been known that the Sienese were

Galeazzo. in intimate correspondence with Giovan Galeazzo Visconti, lord of Milan, who, after having taken the city of Verona, had, with a great increase of his power, taken the city of Padua, and made prisoner of Francesco da Carrara, who was lord of it. On the

1387. 26th of November, 1387, to give some satisfaction to the people, who began again to shew signs of discontent, it was determined in Siena, that to the number of the ten lords priors there should be added one of those popular men, who had been reformers; and it was declared, that when mention should be made of the persons of those, who were of the reformers, and who might be admitted to reside in the office of the signori, and who called themselves of the people of the larger number, the same should be understood of their fathers, sons, brothers, by the masculine line, and those who had been admonished between 1371 and 1384 should be comprehended in the number of the other popular men, who had not been of the reformers nor signori; and if any of the monte of the nine (for
this

this was now the name of distinction) or of the monte of the twelve, had been of the said reformers, they might be signori for the monte of the people of the greater number; but his person only should be considered of the reformers, and not any of his ancestors, descendants, or connections: but these should all remain in the monte (heap, lump, or collection) of which they had been before. They ordained moreover, that of the chamberlains and notaries, who were eleven in number, four should be of the nine, four of the twelve, and three of the other popular men. And whereas in the other magistracies there used to be in each two nobles, one of the twelve and one of the nine, there should now be added one popular man, who had not been either of the nine or the twelve; and thus in each of those magistracies there should be two nobles and three populars; that is to say, as it is expressed in the record of the deliberation of the council, "one of the nine, one of the twelve, " and one of the other populars;" and of these other populars, one at one time was to be of those who had been reformers, and of the signori, for the monte of the people of the greater number, and one other at another time of those of the same monte, who were not of the reformers, nor the lords defenders: and by these provisions, those who held the government in their hands studied to conciliate the friendship of the little people, and take away, in some degree, the occasions of conspiracies. And that they might not alienate from their government the minds of the nobles, they resolved that all the podestaries, and ordinary captainships, such as the captainship of Maremma, Montagna, Valdichiana, and others, should be given to the nobles, and to no others; and when occurrences should oblige them to send abroad extraordinary

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Simigli-
anti.

extraordinary captains, they might send part of them from the nobles, and part from the populars; and this order in favour of the nobles was made perpetual. These and other regulations were not sufficient to satisfy, nor the hostile designs of Florence, nor the victory obtained by Niccolò Piccolomini over the Brettoni, to divert the people of Siena from their discontents: so that on the 11th of May, 1388, another amendment of their constitution was attempted. The apprehensions of foreign war as well as domestic broils increased, and to facilitate the public deliberations, that they might not upon every occasion have to call a general council, they introduced a council of substitutes, with the same forms and the same authority, and called them the Simiglianti, which the council formerly had in the times of the twelve and the nine. This council comprehended all those who had been of the lords priors governors, and those who had their names in the boxes of the same magistrates, to whom they afterwards added, that they might not appear to be diffident of them, twelve noblemen, elected from the nobility in general; and to gratify and oblige those of their citizens who were abroad, and prevent them from joining their enemies within and without, they gave a pardon to those rebels, who had been confined for six months, and had observed their limits, and although their time was not expired, gave them leave to return to the city: those who were confined for a year, might return in two months; and those who were confined for more than a year, in six months.

At this time, returned from Milan Batista Piccolomini, who had been sent as ambassador there, and with him was sent M. Giovanni della Porta, treasurer of the lord Giovan Galeazzo, with orders

to raise and take into pay as large a number of soldiers as possible; and to this end the treasurer sent his paymasters, with the count Ugolotti Bianchiardi, who having been sent with the ambassador by Giovan Galeazzo, for the service of the city of Siena, went to Marca, and engaged in the pay of Visconti, M. Brogliole and Brandolino, each with an hundred cavalry, and ordered that Boldrino da Panicale should form another company.

The Florentines carried on their intrigues with so many factions in the state, and discovered a disposition so hostile, and designs, or at least desires, of making themselves masters not only of Montepulciano and the other dependencies, but of Siena itself, that the government thought it adviseable to hasten their deliberations upon a subject they had in contemplation for several months, a league and confederation with Giovan Galeazzo Visconti, lord of Milan, and Conte di Virtu. This prince, since he possessed Verona and Padua, had intended to take possession of Bologna, which had been sometimes under the dominion of the house of Visconti: and because the Florentines, as confederates of the Bolognese, had sent them assistance, and favoured them as much as they could with their armed men, took upon him the protection of the city of Siena, and promised her ambassador to assist her, and sent the signor Paulo Savello, with three hundred lances, upon whose arrival uncommon rejoicings were shewn in the city. Galeazzo engaged in this warfare, not so much for the service of Siena, as to have an opportunity of maintaining the war in conjunction with them, upon that side, against the Florentines, that they, having employment enough to defend their own houses, might not be able to
send

send succour to Bologna ; and by this means to endeavour to make himself master of several places in Tuscany, from whence he might hope, by maintaining the divisions and most ardent hatred, which on account of Montepulciano, from the injuries the Florentines and Sienese committed against each other, went on every day increasing, to make himself master of the province, and at length king of Italy, an ambition he had long entertained. To this end he entered into negotiation with the ambassadors of Siena, and on the 1389. 22d of September, 1389, the treaty was signed. The articles were, that the league should continue ten years ; that common cause should be made in a war against Florence ; that Galeazzo should maintain during the war, which was to be declared in fifteen days, seven hundred lancemen, with three horses to each lance, in his pay in Tuscany, for the service of the commons of Siena, and the Sienese were to have three hundred in their pay in the same manner, with two hundred cross-bowmen ; that if their enemies should send forces from Tuscany into Lombardy, it should be lawful for the count to avail himself of these his forces, but that Siena should not be obliged to send her forces out of Tuscany ; that the count should not be obliged to make war or defend the Sienese against any other enemies than the Florentines ; that any other community of Tuscany might be admitted into this league ; that all the cities, lands, fortresses, and places, which by the league might be acquired in this war, should belong to the republic of Siena, if he had any previous pretensions to the dominion of it, otherwise every one should be left to his liberty, upon condition of holding the league and their allies for friends, and their opposers for enemies, and
of

of giving hospitality, passage, and provisions, paying for them to the people of the league. Galeazzo might make peace, truce, or armistice, with the people of Florence, including the commons and people of Siena, with all their lands, cities, and subjects; but the Sienese could not make either without his consent; and the ratification was to be on both sides exchanged in three months. A war ensued, which lasted till 1389, and was then concluded by a peace, and a confederation between many republics and princes; the Conte di Virtu, Florence, Bologna, Perugia, the marquis of Ferrara, Siena, the lord of Mantua, the lords de Malatesti, Lucca, the count de Montefeltro, Pisa, &c. This confederation, however, was not well observed, and the inhabitants of Montepulciano particularly violated it, as was supposed, at the instigation of Florence. This occasioned not only a ratification of the former treaty, but the formation of a new one between the republic of Siena and the signor Giovan Galeazzo Visconti, Conte di Virtu, lord and imperial vicar of Milan. The country or earldom of Virtu is a state in France, in the province of Champaign, which was given by king John in dower to Isabella his daughter, married to this prince Giovan Galeazzo Visconti, which acquired him the title of Conte di Virtu; and of which marriage was born Madame Valentina, wife of Louis, duke of Orleans, brother of Charles the Sixth, king of France, who had in dower the same Conte di Virtu, and the city of Asti in Piedmont; of Charles their first-born, duke of Orleans, was the king Louis the Twelfth; of Giovanni their second son, count of Ango-leme, was born Charles of Angoleme, father of the king Francis the First. These successors of Valentina pretended, after the death without issue of

1389

of

- of Giovan Maria and Filippo Maria their brothers, sons of Giovan Galeazzo, that the state of Milan belonged to them: and for this reason the king Louis the Twelfth, and the king Francis the First, made afterwards that celebrated war in Lombardy, and several times over recovered and lost the duchy of Milan.—
1389. To return from this digression, on the 9th of November, 1389, the treaty was ratified and exchanged between Siena and the count; yet a fresh conspiracy was discovered in the city, excited by Spinello Tolomei in banishment, and the reformers, in conjunction with foreigners, and Montepulciano again rebelled: but the arms of Siena, aided by the count and his captain Charles Malatesta, were triumphant at home and abroad, and this year was practised the first bombardment ever seen in Tuscany. Upon some little reverse of fortune, when the count lost the fortress of Padua, and when, to the calamities of war, those of pestilence and famine were added, in 1390
1390. the noble families of Salimbeni, Tolomei, and Malavolti, unable to bear one another, and some of them still less willing to submit to a superior, resumed their old employment of exciting seditions. Florence wanted peace, and the pope exhorted it. The families of Tolomei and Malavolti, jealous still of the Salimbeni, and their superior influence and favour with the count, began to stir up discontents. In their opinion it was neither profitable nor glorious, nor even honourable, for the republic to waste itself on all sides for the service of the count Galeazzo, who in the greatest exigency of the war had, by withdrawing his forces, left it a prey to the enemy. From this specimen of his conduct the Sieneſe could only expect, if he had been or should be victorious,

victories, a servitude, which they would find very bitter and irksome. That every one, who was not blinded by an immeasurable hatred, which the vulgar had conceived against the Florentines for the injuries they had done the republic, must already see the disposition of the count; and especially since the arrival from Milan of the marquis Andreaſto Cavalcabo, of his privy council, to take upon him the office of ſenator of Siena, to which he had been elected. This marquis had demanded with great ceremony, in the name of his maſter, and on his behalf, that, for the common utility, the dominion of the city of Siena ſhould be given to him. The embaffy cauſed a wonderful change in the minds of all thoſe who deſired that their country ſhould remain independent and free, and the more, as they knew that the generality of the citizens, without liſtening to any arguments againſt it, and without any conſideration of futurity, or of the nature of princes, never content with a middle flight, and never long to be depended on, were not only inclined to it, but had prepared a petition to the general council, that an answer ſhould be given to the count's ambaffador in theſe words: "We are content; and as a ſingular favour we ſuppllicate his lordſhip, that, from his benignity, he will be pleaſed to take upon him, and accept the dominion and government of the city of Siena, its country and diſtrict, and of us his devoted children and ſervants, and rule and govern us as to his excellency ſhall ſeem convenient;" and deſcending to particulars, they added and affirmed, "We are ready to give and confer upon him the city of Siena, its country and diſtrict, with its ſimple and mixed empire, and to transfer to him, liberally, the lordſhip and government of it, ſo that he may freely diſpoſe of

it, in all things, as of the city of Milan, or Padua, or any other the most submissive to him." The contents of this petition, although at first prepared in secret, had reached the ears of those, who endeavoured to promote peace with Florence and the public tranquillity, wonderfully irritated their minds, and incited them to shew to their fellow-citizens the incredible damage to the city, which must arise from such an unlimited submission; and to foretel, that in a little time, when they should begin to experience the bitterness of servitude to such as are born and bred to liberty, they would in vain repent of their levity, rashness, and error. They recalled to the recollection of the citizens the great virtues of their fathers and other ancestors, which had defended their country, preserved their liberties, and transmitted both to them; and with how much generosity, bravery, and magnanimity, they themselves had defended it in arms against Charles the Fourth, when present in Siena in 1368 with a powerful army. That they were under the most tender obligation to transmit the sacred trust to their posterity; and this they might easily do, to the inestimable benefit of the city, by a peace, which they had the power and opportunity to make. That when they should be delivered from the calamities of foreign war, and the yoke of tyranny which hung over their necks, they should be at leisure to make provisions of grain against the famine, and to find alleviations of their distresses from the plague. To these reasonings of the Tolomei and Malavolti were opposed those of the Salimbeni, who having been long favourites of the Ghibelline party, were mortal enemies of the others who were Guelphs. Moved by the interests of faction more than those of the public service, having procured the petition

to be heard, and the decree passed and proclaimed by the council, to oppress the opposite party by arms, when they had not been able to answer their reasons, they drew over to their side M. Giovan Tedesco, head of the Ghibellines in Arezzo, with his cavalry, and marched through the city, accompanied with a great multitude of people of their faction, and proclaimed the name of Giovan Galeazzo Visconti, conte di Virtu and lord of Milan, protector, and chief of the Ghibelline faction in Lombardy, and assassinated in this sedition twenty men of the followers of the adverse party, and made many prisoners; among whom was Niccolo Malavolti, who, though he had often honourably acted for the service of the republic, was, with many others, beheaded. The other members of the families of Tolomei and Malavolti, with many of their followers, left the city, and retired to their castles. The people of Siena, wearied out of patience by being the dupes and tools of two or three ambitious families, were easily led by one of them to rejoice in placing a master over all. They were now so inclined and disposed to servitude to one, in preference to a few, that, blinded with anger, they would not see the evident ruin which must come with the destruction of public liberty; and neither themselves nor their leaders knowing the true cause of their divisions and misfortunes, nor any remedy by which union and liberty might be reconciled by law, they humbly solicited the subjugation of their country, and the privilege—of passive obedience.

On the fifteenth day of March, in the same year, 1390, the record was approved in the general council, and authority was given to the lords priors to appoint a syndic, and a deputy of the commons of

Siena; to execute all that was contained in the resolution, and deliver the keys of the city to the commissaries of the count Galeazzo, with its absolute dominion, without pact or convention of any kind. The example is here complete: and although the tyranny of the Visconti was afterwards overturned, various forms of a republic attempted, exiles sent out and recalled as usual, yet as the executive power was always left in an assembly, and inveterate factions were not legally separated from each other, nor impowered to controul each other, the same divisions, seditions, and civil wars, were perpetual, till the same weariness induced the people again to confer the sovereignty on the grand duke of Etruria, where it remains to this time. It is not easy to conceive what further experiments can be made of a sovereignty in one assembly, or how the consequences to be drawn from them can be more decisive. Whether the assembly consists of a larger or a smaller number, of nobles or commons, of great people or little, of rich or poor, of substantial men or the rabble, the effects are all the same: *No order, no safety, no liberty, because no government of law.*

It is often said, that the republics of Greece, Rome, and Tuscany, produced in the minds of their citizens great virtues; an ardent love for their country, undaunted bravery, the love of poverty, and the love of science, &c. But if a little attention is bestowed upon the subject, these will be found to be very feeble arguments in their favour. —It was not the love of their country, but of their faction. There was in every city three factions at least; every citizen loved one third of his fellow-citizens, and hated the other two-thirds. It is true that, in such a state of things, affection for
friends

friends strengthens in proportion to the fear and hatred of enemies, and the desire of revenge becomes as strong a passion, and demands gratification as imperiously, and perhaps more so, than friendship. How was it possible, when men were always in war and danger, that they should not be brave? Courage is a quality to be acquired by all men by habit and practice. When scenes of death and carnage are every day before his eyes, how is it possible that a man should not acquire a contempt of death, from his familiarity with it, especially if life is made a burden by continual exertion and mortification?—The love of poverty is a fictitious virtue, that never existed.—A preference of merit to wealth has sometimes existed under all governments; but most of all under aristocracies. This is wisdom and virtue in all. But can much of this be found in the historians of any country, that was not poor, and obliged to be so? Can you see much of it in Florence and Siena? The love of science and literature always grows, where there is much public deliberation and debate, and in such governments, where every faculty as well as passion is always on the stretch, great energy of mind appears. But there is a form of government which produces a love of law, liberty, and country, instead of disorder, irregularity, and a faction; which produces as much and more independence of spirit, and as undaunted bravery; as much esteem of merit in preference to wealth, and as great simplicity, sincerity, and generosity to all the community, as others do to a faction; which produces as great a desire of knowledge, and infinitely better faculties to pursue it; which besides produces security of property, and the desire and opportunities for commerce, which the others obstruct. Shall any one hesitate then to prefer such a government

at this to all others? A constitution in which the people reserve to themselves the absolute controul of their purses, one essential branch of the legislature, and the inquest of grievances and state crimes, will always produce patriotism, bravery, simplicity, and science; and that infinitely better for the order, security, and tranquillity they will enjoy, by putting the executive power into one hand, which it becomes their interest, as well as that of the nobles, to watch and controul.

LETTER IV.

BOLOGNA.

DEAR SIR,

THE Tuscans were an ancient and original people of Italy, whose power was so considerable, that they extended their dominion from one sea to the other. These people, some ages before the foundation of Rome, built twelve cities, among which Bologna was made the capital of the kingdom.* When some years were elapsed, after Constantine, from his reverence for the holy see, had transported the throne of the empire to Byzantium, and the majesty of the emperors was become, from its distance, little respected by the Italians, many cities, and Bologna among the rest, in 382, instituted a republic. Claterna, a neighbouring city, at the distance of twelve miles, which had been built also by the Tuscans, likewise erected an independent republic; but an emu-

* Bombaci, p. 2.

lation arising first, and a war afterwards, in which the Claternates were subdued, and being discontented with their obedience to the citizens of Bologna, as they had been formerly with that to their king, they were received, according to the custom of the Romans, into the country of the conquerors. This city was afterwards ruined by the barbarians, so entirely, that no vestige of it remains but in history.

In 961 Otto,* emperor of the Germans, came into Italy, delivered it from the yoke of the Berengarii, obtained of the pope the crown imperial, and with general applause the title of Otto the Great. This prince perceiving that the cities of Italy, from their natural generosity of sentiment, and their distance from the emperor, could not be held in subjection, conceded to many of them their liberty, reserving a light tribute. 961.

† Bologna obtained, with a sort of pre-eminence, and with a smaller tribute, her usual liberty, with the privilege of electing her magistrates with a mixed authority, and conformably to the institution of Otto, with three councils, gave a form to her republic, with the title of a community. The one was the Council of the Credenza, which was that of the consuls and the other magis-

* Muratori, Annals, tom: v. p. 397, anno 961-2.

† Conseguì Bologna con maggiori preminenza, e minori gravezze la esperimentata libertà con facoltà d'eleggere i magistrati conmero e misto impero, e conforme all' istituto di Ottone, contre sorte di consigli diede forma alla sua repubblica, contitolo di commune. L'uno fù il consiglio di credenza che era quello de' consoli, e de gli altri magistrati: l'altro fù il particolare che comprendava i nobili: il terzo fù il generale, et era quello del popolo, quale però senza podestà de suffragi, si raddunava ad esser presente a giuramenti de' magistraté, et ad altre somiglianti apparenze.—Historie memorabili della Città di Bologna restrette da Gasparo Bombaci, p. 9.

trates; the other was called the Special Council, and comprehended the nobility; the third was called the General Council, and was that of the people, which, without the power of suffrage, was assembled, in order to be present at the administration of the oaths to the magistrates, and other similar public appearances. In this constitution there is a shadow, and no more, of three branches. The people, who ought to constitute an essential part, were excluded from all influence, and only called out occasionally to look at their rulers, and gratify their senses with shouts of acclamation. The credenza and the nobility formed an aristocracy, in which the magistrates were appointed, and the administration conducted. It seems to have been an imitation of the Roman consuls and senate, without even the poor expedient of a tribune to controul them.

1153. In 1153 the cities of Italy began to elect pre-tors, whom they named podesta or bailiffs; and, excited by their example, the citizens of Bologna elected Guido Saffo to that magistracy, and invested him publicly with the scepter and the sword of justice. This was a reduction of the divisions of the republic to that union which is the effect of the government of a single person, against the corruption of which they endeavoured to provide by the college of consuls, and by the brevity of annual magistrates.

Felfinus, king of Tuscany, was the founder of the royal city of Bologna, the mother of arts, sciences, and studies, and the nurse of laws, and, after his own name, called it Felfina. This city, which the Italian authors delight to describe, is situated at the foot of the Apennines, in the middle of the Æmilian Way, in the 44th degree of latitude,

latitude, between mountains and plains equally beautiful and fertile; in the north a fruitful plain, in the east the river Savena, in the west the Rhine; nor far from the sea, and in the neighbourhood of lakes and rivers abounding with fish. The air is temperate, and the country plentiful of every thing necessary and useful to human life.* This glorious city was by the kings of Tuscany made the metropolis of their dominion, and the seat of their residence. Their empire indeed extended only over the twelve cities, of which this was the first; the others were Veii, Chiusi, Cortona, Populonia, Tarquini, Vetulonia, Volterra, Volsena, Roselle, Perugia, Arezzo, and Fiesole.

In the year 1123 the form of the republic of 1123.
Bologna, the state of the city, and the customs of the citizens, were as follow. Those who shall read their history, will easily perceive that this republic did not, in those ancient and rude times, administer the city scientifically, nor conduct skilfully the affairs of war. They elected three councils, a special council, a general council, and a council of credenza, in the authority of which, with their magistrates and judges, consisted the supreme government. The special council was elected annually in this manner: In the beginning of December the special council and general council were convoked, either by the consuls or by the pretor, according as one or the other of those officers happened to be in the government of the republic, in presence of whom, every one of the council, observing the order of his tribe, made his election and extraction of his lot. For this purpose, there stood before a tribunal two urns, out

* Ghirardacci, *Historia di Bologna*, p. 2.

of one of which were taken as many blank votes, as there were men of that tribe present in council, and on them their names were written; in the other were as many other blank briefs, ten excepted, written by the hands of two brothers, hermits of St. Augustin, deputed by the council for that purpose. When the extraction was to be made of the first tribe, a boy of the age of twelve years, or less, drew a brief from the principal urn, and he whose name came out presented himself at the tribunal; and the boy at the second urn drew another brief, which if by chance it was blank, such a one was excluded from the election of the council; but if the ticket was written, such a one was an elector: and this method was followed, until the ten black tickets declared the ten electors of that tribe. This being done, the same was repeated by the men of the other tribes, one by one, until forty men, that is to say, ten for each tribe, were electors. Then the forty electors retired to a secret place, and elected six hundred men, that is to say, 150 for each tribe, excluding however the mean and poor artisans, occupied in low and base works, and none of the minors of eighteen years were obliged to accept of this office; and these six hundred men presented themselves to the special council. In the same manner and order, in substance, in three days, was elected the council of credenza; but all the doctors of laws, without other qualification or appointment, might enter this council, and that of the six hundred. After three days more, exactly in the same mode, were elected the general council; but he who had been an elector in one council could not be an elector in another. These councils congregated sometimes all together, and at other times one by itself, according to the nature of
of

of the business, and assembled at the sound of the bells or the trumpets. There were provided by these councils three bells, the lesser, the middle, and the greater; for the special council the smaller bell was rung, for the council of credenza the middle, and for the council general the greater. It was forbidden to the consuls, or the pretor, to convocate the councils, if he had not previously ordered to be written in the chancery, in a book provided for that purpose, the business which was to be proposed and treated. When the council was collected, the chancellor proposed in public the subject that was to be considered; and this being proposed, the orators, who were four, and stood near the tribunal of the magistrates, reasoned in public: a like privilege was granted to the orators of the magistrates, who were also four; but this merely relating to the affairs of the magistracy, whose opinions, in answer to the question separately put to them, were written down, and called the resolution or division. It was sometimes tolerated, when it appeared to be necessary that private or individual magistrates should harangue in council, who ascending a pulpit, with a loud voice delivered their opinions; and upon the questions proposed by them a division was made, or a resolution taken. These divisions were made in various ways: sometimes the opinions of every one were taken in secret, and written down by a notary, one by one; at other times every one gave his vote openly and audibly, and frequently the decision was made by white and black beans: now those of one opinion went to one side of the room, and those of a different judgement to the other; then one party stood up and another sat down; and in these cases the voices were numbered by the ministers publicly. The will and resolution

resolution of the council being determined, the decree was published, and recorded in a book, and another council could not be convoked till this decree was made. A number of notaries were employed; some to write the speeches and opinions, others to publish the decrees, and others to receive the laws. Such were the usages of the councils of this republic, which was honoured with the name of commons, or community. Of the magistrates, some were ordinary, others extraordinary: the ordinary were created and deputed every year in the republic, and were called the magistrates of the court; the extraordinary were those who were deputed for some extraordinary business. The principal ordinary magistrates were the consuls of the community, or the pretor instead of them. The consuls of justice, the judges of the community, the attorney general, the judges of appeals, the judges of new crimes, the judges of the office of exiles or outlaws, the judges of new causes, a judge who was the executioner of sentences, the quæstor, and all others, had their soldiers and notaries. The extraordinary were the legates, curators, and syndics. The same mode was observed in the choice of consuls as of counsellors. The election of pretor was in this manner: In the month of September the councils general and special were called together at the pleasure of the magistrate; but before they convened, the day and hour that this and that tribe was to appear was published; and in the manner already described in the election of counsellors, the forty men were drawn from one and the other council assembled, excluding however the magistrates: these forty suddenly retired to a secret chamber, where they were locked up by the consuls of the state, and those of

of the merchants and bankers, that no one might, by word or letter, be corrupted; and if, through the whole night and the next day, by consent at least of twenty-seven of them, they had not created a pretor, they lost the authority of the election, and the next day the pretor convoked the general council, and the council of the credenza, and from one and the other were deputed, as before, forty men; and if these, to the number of twenty-seven, could not agree, the election and deputation of the pretor was reduced to a suffrage or joint ballot of the general council and council of credenza. The pretor might be elected from any city, at the pleasure of the council, provided he was not a relation of any of the electors in the third degree, or nearer, possessed a real estate in Bologna or its territory, was not less than six and thirty years of age; and it was an injunction always to elect a man of reputation, virtuous, noble, and wise. Of right, according to the statute, a pretor might be elected from the place of the antecedent pretor (and this was sometimes practised) but he might not be his relation. The election ended and published to the councils, public letters were written to the pretor elect, requesting his acceptance of the honour that was offered him; and upon the day when he made his entry into the city, he was met and honoured by all the people. The pretor had the same prerogatives and authorities which the consuls had, and therefore according to the times, the republic was governed sometimes by consuls, and sometimes by pretors, and sometimes there were at once both consuls and a pretor, as appears by instruments signed both by the consuls and a pretor in the years 1177 and 1179. It appears, that the consuls citizens sometimes came to an election of a foreigner for a pretor,

pretor, to compose the discords which arose between the citizens and such as abused their liberty, to the end that they might call delinquents to account, and punish with more severity, and not fluctuate so easily from love or hatred, fear or favour. But because for the most part the pretors were not skilled in the laws, they conducted with them at first two, and afterwards four judges of the law, and the pretors were decorated with high hats, long swords, and a scepter, to denote their power; and from this they were afterwards vulgarly called *podesta*. Besides the consuls or the pretor, in whom resided almost the sum-total of the republic in peace and war, certain other magistrates, as has been mentioned, governed, and the mode of electing them was the same. Two tribes were called out to the lot one day, and the two others the next; and they deputed, or rather casual electors, were prohibited to choose a father, son, brother, or any other relation, and moreover such as were inept, unskilful, or incapable of such government: and according as any one was elected, he was proclaimed with a loud voice in council. And to obviate all frauds which might be attempted, the ten briefs, or written tickets being drawn, all the rest were examined in presence of the council, to see that there were no more than the law allowed. It was provided by law, that no one could elect or publish a magistrate who did not pay twenty pence into the purses of the treasury, which were recoverable by the pretor; and it was forbidden to any one to accept of the office if he had not been out of it one year. None could be elected but by that tribe in which he had his domicile; and every one who entered on a magistracy, took an oath to exercise his office with integrity and fidelity. Besides the magistrates already mentioned,

tioned, there were those of the militia ; the mode of electing whom was the same, but the government different. The *command in chief* of the militia was given to the consuls, or to the *pretor*. The officers of the army were different among the cavalry, in the infantry, of the people, and lastly of the triumphal chariots. The officers or prefects of the foot, of the horse, or of the people, because they carried a standard (gonfalone) were called gonfaloniers, and each one in his tribe, in council, by his own fellow tribunes, was elected in the manner before described. Moreover, some citizens served in the militia on foot, and some others on horseback ; and these performed the service more voluntarily than when deputed by commission of the magistrates to that purpose ; wherefore, when any enterprize was undertaken by the military order, every one, whether of the foot or the horse, according to the necessity, went out under his own standard or ensign ; and if the service required a greater appearance, each gonfalonier of the people led out his own tribe, and then it was said, that the people were gone out ; and it rarely happened that all the tribes went out at once, but at one time the infantry of one tribe and the cavalry of another, at another time one whole tribe, and upon another occasion another. In the militia were enrolled all the men from eighteen years of age to seventy, at which age men were released from all public offices, so as to be even rejected from the council ; and if by accident any old men, who exceeded that age, rashly entered the council, they were forbidden the election. In every parish, by deputed muster-masters, were described or registered in order those who kept horses for war. These orders, which were enregistered sometimes by tens, and sometimes

times by twenty-five, according to the number of the soldiers, and described by the muster-masters, at certain periods conducted their horses to officers deputed for the service, to be reviewed and approved, and notaries took down their names, with their furniture, and the qualities of the horses. Military expeditions were of two sorts; one with squadrons or legions of light horse, the other with regular armies; and very great was the difference between being commanded out upon an excursion of troopers, and an expedition with the army; and so frequent were the excursions of the cavalry, that it was ordained, that in every tribe there should be public marshals or horseshoers, and every master of a bourg should have always ready, and in order, all the instruments for shoeing horses, to the end that the cavalry passing that way, and having occasion, might be always served. The treasurer paid a certain stipend to every magistrate, and kept an account of the public revenues and all expences. The revenues consisted in tributes, gifts, tolls, and customs. The gifts were upon the doors, bankers, lands, mills, oxen, &c.; and if the revenue was not sufficient for the expences of the war, by order of council was imposed a tax upon polls and estates, according to every man's possessions and incomes. Thus much concerned the ordinary magistrates.— The extraordinary were always elected by the pre-tor, as the ambassadors, directors of public works, and the syndics. No magistrate could go upon any embassy: and whoever was sent abroad out of the territory upon any embassy, they assigned him three horses, two notaries, and one cook; and if the embassy was to the pope or the emperor, the expence and the company and attendants were ordered at the discretion of the council. A commis-

sion was given the ambassador in writing, and the whole legation was governed by their instructions. It was ordained in general terms, that no one should petition or *seek* to be created of the number of magistrates, and if any one was known to *seek* it, his conduct was publicly related in council, and it was reproached to him as the greatest infamy. The officers of state, with the title of *podesta*, with his judges and notaries, were elected part from the mountains, and partly from the plains or low lands. The castles which were subject to the Bolognese elected also their own consuls, and, when they were commanded, went to war with them, and carried various standards. All the burthens and tributes were much heavier upon them than upon the citizens, excepting those who, for some particular merit, had been exempted by the council. There were many colleges or companies in the city, as that of the merchants, the goldsmiths, and the artificers. The merchants and goldsmiths created their own consuls, and the companies of artificers appointed their own seigniors or treasurers; and those, who were able to do it, collected together in associations for the promotion of commerce and improvement in the arts. The people and the city afterwards increasing, there were elected certain colleges of arms, one called that of the Lombards, another della Branca, and another del Griffone; and these had the care of the arms of the republic, and were decorated by the city with many privileges: and the foreigners, who were of these companies, were made citizens of Bologna, if they had been householders ten years in the city, and might be of the council of the commons, stewards of companies, and magistrates, equally with other citizens. The greatest part of the labourers in the country were

slaves of the nobles, from which servitude however they were afterwards liberated, the community paying a certain sum of money to their masters. All these particulars of their constitution were found in the ancient customs, or the privileges granted or confirmed by the emperors, or in the decrees of the councils, or in the laws of the city: the former were called reformatations, the latter statutes. The decrees were those ordinances which, at the prayer of the pretor, were accepted by the councils, or made by him, and approved by them. The laws were no other than the ordinances made by the legislators, which were called *statutieri*, or law givers. No ordinary magistrate was of these legislators, but they were deputed, according to the wants of the city, from time to time, and, after the example of the Athenians, reviewed the old laws, and altered, amended, accommodated, and reformed them, according to their judgements. The laws which these legislators made were reported to the council, by them recited publicly to the people, and written in the volumes of Civil Reason, which were called the Statute Books. This constitution was preserved till after the year 1250.—The houses were of wood, without much ornament or skill in architecture; and from this cause they were frequently exposed to terrible fires. Among all the buildings, the most noble objects were the steeples and towers, built upon the churches and all the houses of the principal citizens. The frequent fires, and the common calamities of Italy, the deluges of water, and the frequent exiles of the citizens, are supposed to have destroyed many objects, and buried in oblivion many facts worthy of eternal remembrance.—There are greater traces of an artificial and scientific legislation in this constitution, than in either
that

that of Florence or Siena ; nevertheless all authority, legislative, executive, and judicial, was in one council, for when the special and general council met together they acted as one, and when one met alone it acted as sovereign : the podesta, and his judges and notaries, were only deputies of the council. Although so much pains was taken, by mixing lot with choice, by rotations, and other prudent precautions, to prevent ambition, faction, and sedition from entering, all was ineffectual.— Omitting most of the wars, foreign and domestic, we may select a few instances from whence the operation of this form of government may be evinced.

Henry the Fifth, as he was called, but of Germany the Sixth, after his succession to his father Frederick, passing through Bologna with Constantia his wife, in his way to Rome, to receive the imperial crown, was magnificently received by the people, and entertained by Gerardo, bishop of Bologna, in the bishop's palace ; and, in acknowledgment of his kind reception, gave to Gerard the title of prince, which was afterwards retained by the bishops of Bologna. Henry was not only crowned as emperor, but with much ceremony invested in the kingdom of the two Sicilies, as the inheritance of his wife Constantia.

In the next year, Gerardo, bishop of Bologna, by his favour with the emperor and the pope, and the privileges he had obtained for the city, was grown into such reputation for justice and virtue with all men, that he was constituted pretor with great popularity, and in the beginning of his dignity he contracted a friendship with Albert the count of Prato, and made a treaty for mutual defence. Gerardo having the first year administered in such a manner as to be thought a

bright example of a good and moderate government, a little afterwards seemed to be changed in his whole nature, began to desire innovations, openly to favour the plebeians, oppressing the nobles and first men of the city, which gave occasion to great disorders and seditions: for the patricians, who had conferred upon him the office, and were accustomed and habituated to the command of others, could not easily tolerate the injuries and humiliations imposed upon them, and the evident partiality of the pretor; so that having congregated in the palace, they created twelve consuls, of men of great authority in Bologna. Gerardo hearing of the election of consuls was in high wrath, and began to threaten them with an angry countenance; but they suddenly published to the people that he was deposed from the office of pretor. Giacomo Orsi, a powerful citizen, and a favourer of Gerardo, collected a company of armed men, and attempted to oppose the resolution of the consuls and patricians; whereupon Specialino Griffoni, not less celebrated in letters than in arms, and one who was studious and intent upon maintaining the republic, turned round to the nobles, and harangued them as follows: “ Is it consistent with our duty or our
“ honour, fellow-citizens, to suffer that autho-
“ rity, which for three hundred years and more
“ we have enjoyed, of directing this our republic,
“ to be wrested from us by a private person, by
“ us alone, for the universal safety of the city,
“ placed in the government of it? Shall we sub-
“ mit to become like the vilest populace, esteem-
“ ed of no importance or authority, and subjected
“ to that Gerardo, to whom we are, and for
“ ever shall be, objects of jealousy and terror, as
“ long as our republic shall have any energy, or
“ be

“ be in safety ? Let your generous souls enkindle
 “ in a moment : never think of bearing this in-
 “ supportable tyranny ; and let the object itself,
 “ and the opportunity of the moment rouse you
 “ to this enterprise, infinitely more than my
 “ words ; and accept of me, according to your
 “ pleasure, either as a soldier, or a captain in the
 “ service, to which I am willing to devote my
 “ soul and body.” Amidst all this aristocratical
 thunder, the still voice of reason and experience
 whispers to a candid reader the probability that
 the nobles were more tyrannical than Gerardo ;
 that the people were impatient under it ; Gerardo
 disposed to alleviate their burthens ; and the no-
 bles thence alarmed with the apprehension of a
 master over themselves, rather than over the peo-
 ple. The speech being ended, he seized his arms,
 and, accompanied by the consuls and the greater
 part of the nobles, marched to the bishop’s palace.
 Giacomo Orsi, with those devoted to him, oppos-
 ing them in arms, they came to action ; but Giaco-
 mo not being able to resist the impetuosity of the
 assailants, with great difficulty saved himself, with
 Gerardo, by flying from the city. The consuls,
 disappointed by their flight, were the more ex-
 asperated against Orsi, and seeing they had them
 not in their power, they declared them rebels
 against the republic, confiscated all their property,
 and ordered their houses and towers to the ground.
 Such decision delivered the city for the present
 from this violent sedition, and with as much vir-
 tue as that which delivered the Roman patricians
 from Melius or Manlius.

But the next year, under new consuls, although
 it appeared that the the sedition of Gerardo was
 quieted, and that no disposition remained for in-
 novation, yet all on a sudden, on the first of July,

1194.

some of his abettors proceeded from words to blows with some of the adverse party, in which affray Pietro Scannabecci lost his right hand, and Scannabecci Rampeni lay mortally wounded, among many others both killed and wounded. The day after, both parties having prepared their arms, came to battle again in the palace of the community, when Giuseppe Occellette and Tomaso Taschi da i Gieremei, fautors of Gerardo, were slain; whereupon the consuls were again obliged to recur to arms against Gerardo, who, having taken possession of a castle called Sorresano, had there fortified himself. They sent out Guglielmo Malavolti, a consul, with a chosen band of soldiers, who conducted with so much skill and bravery, that he chased Gerardo from his fortress, and burnt his castle. In a short time the emperor Henry, by a decree, liberated the bishop, Gerardo, whom he still called his prince in all his causes, from his oath of calumny, and permits him to exercise his functions in all his causes, and those of the bishopric, by an administrator, or other legitimate person.

1195. The next year, 1195, it seems they tried the experiment of a pretor again (that is to say, as we may conjecture the family of Gieremei, and their party, prevailed in the public councils to carry this point), and Guido Cino was elected. But in his administration, following the steps of Gerardo, after having done insupportable things against many persons, he was dishonourably deposed from his office, and accused of an infinite number of iniquities; and attempting to fly, was by those whom he had offended made prisoner, and for his punishment all his teeth were drawn out of his head, and then he was set at liberty, and in his place was appointed Guido da Vilmercato, of Milan.

In

In 1202, civil discords arose in the city, by which 1202.
Bologna was not a little troubled and afflicted. The
first disorder that occurred, arose from an ancient
enmity between the Asinelli and the Scannabecci. Asinelli,
These two factions meeting in the high street, and Scan-
with a sudden and impetuous onset engaged in nabecci,
arms, and many were killed and wounded on both
sides. This quarrel was composed, by the inter-
position of the pretor and the other nobles; but
another soon arose from a more private offence,
because Giovanni Tettalafini had killed Guido
Peppoli: this enmity between these two fami-
lies continued for forty years before it was
pacified.

In 1212, upon some public occasion, among a 1212.
great concourse of nobility on horseback, Giere-
mia Malavolti falling from his horse, was killed,
to the grief of the people and the emperor, and
probably to the equal joy of the nobility.

In the year 1218 there were in the city of Bo- 1218.
logna, ten thousand scholars at the academy for
the study of the law, in such reputation was that
university.

The quarrel between Frederick the emperor, and 1227.
Gregory the pope, revived in Bologna the party
distinctions of Guelphs and Ghibellines, drawn from
Germany in the time of Henry the Fourth. Not
only some cities favoured the emperor, and others
the pontiff, but in the city of Bologna the citi-
zens arrived at that degree of extreme madness,
that, in hatred of each other, they strove to deprive
each other of their lives and fortunes together.
Sons became enemies to their fathers, and bro-
thers to brothers, and, as if it was not enough to
shed their own blood, like mad dogs, they pro-
ceeded to demolish houses, and to burning the
cities.

cities, the trees, and the corn. This diabolical pestilence produced such an aversion to each other, that they studied to distinguish themselves in all things: in their clothes, in the colours they wore, in their actions, their speech, their walk, their food, their salutations, their drink, their manner of cutting bread, in folding their napkins, in the cut of their hair, and innumerable other extravagances equally whimsical. A plague truly horrible, a flame wholly inextinguishable, which proved the extinction of so many noble families, and the ruin of so many miserable cities.

1228. The next year, under the pretorship of Uberto Visconti, out of a violent sedition arose a cruel war. Gottifredo, count of Romagna, favourite of Frederick, took Manzolino, a castle of Romagna, and from it drove out the prefect of Bologna, who returned home, and excited the people to a violent revolt, because every one lamented that the castle, by the neglect or misconduct of the pretor, and of those who governed in the city, was lost, as they pretended; and in such manner did this conceived indignation increase in the hearts of all, that seizing their arms, against the resolution of the republic, they collected together in the piazza, made immediately a captain of one Giuseppe Toschi, a man not only bold but rash, and, with terrible huzzas, ran tumultuously to the palace of the pretor, where Giuseppe demanded the standard of the people, and the armed guards of the palace, declaring that he would go out and meet the enemy, that he might not commit further depredations on the territory of Bologna. The pretor refused his demand; but Giuseppe, consulting only his own temerity, broke open the gates of the palace, forced his entry into it, ransacked

facked every thing, and having burnt all the papers of the pretor, to acquire more favour with the people, turned out all the public tables, rung the bells against the orders of the pretor and the guards, and having thus collected all the people armed in the piazza, he conducted out the triumphal car of the pretor, and ordered all things for war. He then arranges 4000 infantry under Bornio Gieremei, whose tool he probably was, 800 cavalry under Orso Caccianemici and Prendiparti Prendiparti, four hundred men at arms under Alberto Gallucci and Lodovico Ariosti; and in this curious manner a foundation was laid for a change in the commonwealth, and an institution of the People. They called by this name, *The People*, the new republic placed in the hands of the people, whose superintendants were appointed to be, the prefect of the people, the antiani, the consuls of the merchants, and the Antiani. masters of colleges, According to Thomas Aquinas, the antiani were instituted in the cities of Italy, that they might take the part of the plebeians, as were the tribunes in Rome: but after this Giuseppe, whom they created prefect of the people, no other prefect is mentioned till 1255. The Florentines and the Genoese having ordained a republic of the people about the same time, introduced also the prefect of the people and the antiani; and these popular republics were sustained, with their proper councils, to whom the prefects were rectors or presidents: and at the head of the antiani also were the pretors and their judges; and six antiani were created from all the four and twenty tribes, and as long as the use and creation of these antiani continued in this sort of republic, their number was often increased, as well as that of the consuls of merchants and masters

masters of colleges. By this change of government the republic became involved in two wars at once, with Imola and Modena; and the people of Bologna, finding their affairs not succeed to their wishes, rose in a tumult, and killed Rolando Formaglini, superintendant of Piumazzo, because his fortress was taken by the enemy, alledging their suspicions that he had betrayed it for money. The animosities of the Guelphs and Ghibellines mixing with the disputes between the nobles and commons, produced convulsions in every city, especially in those adhering to Frederick, that in Modena, Reggio, Parma, Cremona, Bergamo, and Pavia, those who favoured the church were finally expelled by the power of their adversaries, and driven into exile; and Bologna still continued to be agitated with seditions, as well as with disputes with their bishop and the pope, by whom they were excommunicated.

1234. In 1234 they settled the controversy with the bishop, but a greater tumult than had ever been known arose, on account of Alberto Lambertacci, who being in the piazza, and seeing Gabriel Sanzio his enemy, killed him. This homicide put arms into the hands of a multitude of citizens. The pretor not having the criminal in his power, published a proclamation against him. The relations and friends of the deceased looked out for a severe revenge; and as they saw that the party of the Lambertacci were upon their guard, and went about prepared, with a great retinue of armed men, they consulted together about the manner of coming to action. Meeting one day with Alphonso, the brother of Albert, they came to a rude scuffle together, in which much blood was shed, and much more mischief would have been
been

Lambertacci.

been done, if the interposition of the pretor had not interrupted it for the present: but this broil was the beginning of discords and seditions which lasted a long time. The hatred between the most considerable families had grown so inveterate, having continued, with few interruptions, for forty years, viz. from the death of Guido Peppoli, that much bloodshed was apprehended; but John of Bologna, a famous preacher, coming into the city, preached peace, charity, and benevolence, to his immortal honour, with so much success, that a kind of reconciliation was made between the families of Delfini and Malataschi: Torelli and Andalo; Griffeni, Artemissii, and Castel de Britti; Gallucci and Carbonefi; Lambertini and Scannabecci; Peppoli and Tettalafini; who had been constant enemies—and several intermarriages were contracted among them. 1243.

In the year 1244 is found the next mention of the antiani of the people, who presided in the instituted republic of the people, and moderated in two councils; one called the little council, which they, with the consuls of the merchants and goldsmiths, masters of the arts and of arms, with the gonfalonier of the people, and the colleges and their counsellors, composed; and the other they called the grand council, in which they also were again found, with the other larger number of counsellors; and all that was by these ordained was perpetually to be observed: so that all laws were made, executed, and judged by the majority of this single council, or by persons deputed by them; the same original and essential fault that had occasioned their miseries, and continued to increase them. 1244.

In 1248, making secretly great preparations for war, and calling to their assistance La Marca Romagna and Azzo da Este, they created eight 1248.

eight noblemen to conduct the war against the Modenese; these were Alberto Gallucci, Lambertacci, Prendiparti, Samaritani, Scannebecci, Ariosti, Guido Gieremei, and Cottellani. For captain general they elected the marquis Azzo da Este; but he being infirm, to shew his gratitude to the senate, he sent them three thousand cavalry, and two thousand foot. Gieremei had command of half the men at arms, and Lambertacci of the infantry. It appears from this, that though the government was called popular and the people, that the people was no more than an aristocracy, and that the nobles were not excluded. The two families of Gieremei and Lambertacci were very near the head of the republic, and, as we shall soon see, most eagerly contending for the foremost station. An obstinate battle was fought, in which great exertions both of skill and bravery were shewn, and a complete victory obtained by the Bolognese, and king Hentio taken prisoner.

1254. In 1254, in the council general and special of the commons of Bologna, were confirmed the treaties with the marquis da Este and the commons of Ferrara. The next year the republic adorned itself with a new magistrate, Ricardo Villa being made pretor; but because the pretor was the superintendant of the republic of nobles, which was called *The Commons*, it was now their pleasure that there should be a prefect, or captain of the people, who should govern the popular republic called *The People*. This dignity had been laid aside a long time, though it had been the original title of the first magistrate, but was now revived, and Giordino Lucino was elected to it.— Separating the functions, it was ordained, that the pretor should have the authority and jurisdiction

of the city, and be superintendant of the councils of the commons, and that the captain should administer in war abroad; that within the city the councils of the people should govern, and confer in the public business with the antiani.

In the year 1257 a transaction was completed, 1257.
which alone ought to be sufficient to immortalize the republic of Bologna. There is among the records of that city a book, intituled "The
" Paradise of Pleasure," which contains the decree of the 3d of June, 1257, by which all the slaves and villains were manumitted, and taxed annually in a certain quantity of corn, which was consigned to the care of an officer, already instituted and called the pretor of the sack, who was appointed in the same manner with the pretors of the castles. This law, prepared at first by legislators, was, by the councils of the people, congregated by the ringing of bells according to the usage, recited and approved. The record is in substance—"In the beginning God Almighty
" planted a paradise of pleasure, in which he
" placed man, whom he had created and cloathed
" with a white robe of innocence, giving him a
" perfect and perpetual liberty; but the wretch,
" unmindful of his own dignity and the divine
" munificence, tasted of the apple forbidden him
" by the commandment of Heaven, and thereby
" dragged himself and all his posterity down into
" this valley of misery, poisoned the human race,
" and most miserably bound it in the chains of
" diabolical servitude: and thus, from incorruptible it was made corruptible, from immortal,
" mortal, subjected to continual vicissitudes and
" most grievous slavery. God, however, beholding that the whole world had perished, had
" compassion on the human race, and sent his
" only

“ only-begotten Son, born of the virgin Mary, who,
 “ co-operating with the grace of the Holy Ghost,
 “ to the glory of his own dignity, breaking the
 “ bonds with which we were held captive, re-
 “ stored us to our primitive liberty : and there-
 “ fore it is very justly questioned, whether men,
 “ whom nature from the beginning produced and
 “ created free, and the law of nations only sub-
 “ jected to the yoke of servitude, ought not to be
 “ restored to the blessing of manumission;---these
 “ men, who are the disgrace of the cause of
 “ liberty ! In consideration of which the noble
 “ city of Bologna, which has always contended
 “ and fought for liberty, recollecting the past
 “ and providing for the future, in honour of Jesus
 “ Christ our Lord and Redeemer, has redeemed,
 “ by a price in money, all those who, in the city
 “ of Bologna and its bishopric, were found con-
 “ fined in a servile condition, and decreed them to
 “ be free, after a diligent examination, ordaining
 “ that no one, constrained in any kind of slavery
 “ in the city or episcopacy, shall dare to remain
 “ or be detained in it. And lest so great a mass
 “ of natural liberty, redeemed by a price, should
 “ corrupt, by any remaining mixture of slavery,
 “ as a moderate fermentation corrupts the whole
 “ mass, and the society of one evil depraves many
 “ that are good---in the time of that noble man
 “ and podesta, D. Accursius of Sorixana, whose
 “ reputation spreading far and wide, shines like a
 “ star, and under the examination of D. Jacob
 “ Grataceli, his judge and assessor, whose skill,
 “ wisdom, constancy, and temperance, recom-
 “ mend him to all men, the present memorial is
 “ made, which by its proper name ought justly
 “ to be called a Paradise, containing the names
 “ of all the masters and all the slaves, both male
 “ and

“ and female, that it may appear by what ser-
 “ vants and maids liberty is acquired, and for a
 “ price redeemed; to wit, ten pounds for those
 “ of more than fourteen years of age, whether men
 “ or women, and eight pounds for all under that
 “ age, to every master, for every one whom he
 “ holds in servitude. This memorial was written
 “ by me, Conrad Sclariti, a notary deputed to
 “ the office of servants and maids; and may it
 “ remain to posterity a monument of this tran-
 “ saction.”* Amidst the melancholy gloom of
 factions and licentiousness, of injustice and cruel-
 ty, of fraud and violence, such a gleam of hu-
 manity, equity, and magnanimity, is refreshing.
 It shall be left to your own reflections, the first of
 which will undoubtedly be a wish to see a para-
 dise of pleasure in each of the United States of
 America.

The temporary reconciliation of the nobles 1258.
 had produced prosperity and success to the re-
 public; but as the constitution remained the same,
 and war alone had preserved the benevolent im-
 pressions of John the preacher, as soon as war was
 over the seditions of the citizens again disturbed
 all their quiet and felicity. The Gallucci, Lam-
 bertacci, Artenesi, Britti, Carbonefi, Scanna-
 becci, all noble families and greatly esteemed
 in Bologna, could no longer restrain their passions,
 and, as the historian very justly observes, God
 knows how they could have restrained them so
 long. The Lambertacci were the first to set fire
 to the train of jealousy and indignation, hatred
 and revenge, and to begin the ruin of their
 country. Provoked by some words, reported to
 them by their flatterers, and perhaps invented or

* Ghirardacci, lib. vi. p. 194.

exaggerated,

- exaggerated, they took arms, and coming fiercely to action with the Gieremei, a great quantity of blood was shed on both sides; and would have proceeded to greater extremities, if Ramponi, a man in high esteem, had not bravely interposed, and by his wisdom and valour, partly by persuasion and partly by force, brought them to an accommodation; yet the quarrel continued to break out at times, and prevailed even among the scholars. One of the tribunes of the city was dangerously wounded, and Raimendo, a Genoese, was beheaded, but this did not end the disorder. The Gallicci and Carbonefi took up the dispute, and several horrid murders were committed, and several of the dependencies of the republic, taking advantage of the opportunity, or excited by partisans, rebelled. The disorder lurked however in
1260. some degree of secrecy till 1260, when it broke out again, and the parties began to collect together companies of idle vagabonds, and on a thousand occasions endeavoured to come to action. Finally the Gieremei went out in arms against the Lambertacci, the Galucci against the Carbonefi, and the Lambertini against the Scannabecci, the Artinesfi against the Britti; and continued for a long space of time in battle, each party assisted by the families of its adherents. The pretor, with all his court, and all their forces, were obliged to turn out, and partly by his menaces, and partly by some small remains of reverence for authority, he put a stop to this most sanguinary and horrible rencounter. and obliged those who remained alive to return to their houses.
1264. In 1264 these intestine broils were renewed, particularly between the families of Lambertacci and Gieremei, and while many were anxious to make peace between them, and were occupied in contriving the means of it, the

the Lambertacci, little inclined to any accommodation, by exerting all their influence and intrigues, on purpose to offend the Gieremei, procured that Peter Pagani, a powerful citizen of Imola, should be made lord of it, to the end that he might expel from thence all the friends of the Gieremei, and demolish all their houses, a commission which he fully executed. Imola, thus revolted from the obedience of Bologna, drove out Giacomino Prendiparte of Bologna, or, as others say, killed him, who was commissary and governor in the name of the city of Bologna. This action so displeased the senate, that they suddenly sent out a powerful army with the triumphal chariot, under the pretor, and obliged the usurper and his men to evacuate the post. But before this enterprise was finished, another tumult happened against the judges, one of whom, Ugucione, was assaulted and killed, and the parties were again upon the point of coming to a bloody decision, and it required the whole court in arms to disperse the tumult.—Before the end of the year another tumult arose in Imola, where the Bricci, principal leaders of that city, favourers of Cujano and Soffatello, had secretly introduced many men, and drove out of the city the Imindoli, their enemies or rivals. But the people were so displeased with this violence, that they rose upon the Bricci and their followers, and with the point of the sword drove them out of the city, and called in again the Imindoli. The senate, on the news of this fidelity, bestowed the highest praises on the people, and to reward them, by removing the cause of such inconveniencies, ordered that for the future they should have no pretor at all, and that all their differences should be brought before the pretor of Bologna, to be adjudged with

equity and celerity, upon condition that they should pay the auditors or judges who should hear their controversies five hundred pounds a year. All this was cheerfully accepted by the people of Imola, as much preferable to continual quarrels in arms, to determine whether the Gieremei or Lambertacci should have the appointment of one of their instruments to be a pretor among them.

1265. Clement the Sixth, among the first acts of his pontificate, invited into Italy, Charles of Anjou, brother of St. Louis, king of France; and Uberto, count of Flanders, general of Charles's army, passed into Italy with 40,000 men. Bologna, with Milan, Bergama, Verona, Mantoua, Ferrara, joined the church and France; 4000 men under Guido Antonio Lambertini, a noble Bolognese, joined the pope and the king. The Lambertini indulging their enmity against the Bochetti, laid a plot one day to kill one of them, and thinking to find him in a certain place, where their spies had informed them he was, they went to seek him, but he was gone. In their return they met one of the Scannabecchi; letting loose their malice against him, they killed him, and fled. The pretor, informed of their crime and flight, issued a proclamation against them, rifled their houses, and, to intimidate other malefactors, burnt them to the ground. Finding by these continual homicides that the government was too weak to restrain the parties, a new magistracy was created in the city of three men, who were to hear and prudently examine the differences among the nobles, and endeavour to appease them. Andalo, Malavolti, and Ramponi, all men of great candour and singular prudence, were chosen. Andalo was of great authority with the Ghibellines, Malavolti with the Guelphs,

Guelphs, and so was Ramponi. These, without respect of persons, judging with impartiality, had a wonderful effect in the city, and with great mildness composed many discords and long enmities, particularly between the Afinelli and Scannabecchi, among whom a great deal of blood had been spilled, and who had been a long time enemies; and, in a word, brought the city to a degree of tranquillity. It was this year that, hearing of the defeat and death of Manfred, the Ghibellines began to tremble, and the Guelphs to triumph. Florence chose two pretors from Bologna, the same Malavolti and Andalo, and erected their council of thirty-six Guelphs and Ghibellines, distinguished the city into factions of greater and lesser arts, and gave every art its gonfalonier; and this year Dante the poet was born.

Dante.

1267.

In 1267 Charles Calzolaio, finding a young man in Bologna in bed with his wife, killed him, to maintain his own honour, but was taken into custody, and sentenced to death by the pretor, as one who, contrary to the laws, had, by his own authority, done himself justice. This sentence appeared to be unjust to the other Calzolai, who tenderly loved their brother Charles, and they united together, mutually pledged their faith to each other to rescue him, and taking arms, went to the palace of the pretor, and forcibly delivered Charles from his prison. This excited in the city a mighty tumult, and so intimidated the pretor, that he concealed himself in a place of safety. The commotion subsided by the exertions of the consuls, and the fury of the Calzolai evaporated so far that the senate ventured to inquire who were the authors of the tumult; but the heads of it were by this time escaped from the city, so that the company of the Calzolai were only fined in a sum of money. To

this uproar succeeded another still greater, between the Lambertini and Scannabecchi, in which many were left wounded, and many slain; among whom was Bartolomeo Guidoagni, a friend of the Lambertini. This tincture of blood enkindled the minds of the two parties to vengeance to such a degree, that, like mad dogs,* they thought of nothing but persecution, murder, and extermination; and they collected their friends, both within and without the city, together to this effect. The consuls in office, to whom information was given of the danger, published a proclamation, that no man should be introduced or let into the city, if he were not previously known to the deputies appointed to superintend, who might know by that means the reason of his coming, and oblige him to lay down his arms. This prudent precaution in a few days quieted the factions, and the consuls, thinking the late disorder too light to be very severely punished, only made an example or two in each of the families, by confining one of the Lambertini in Mantoua, and one of the Scannabecchi in Florence; and because the consuls saw the violent enmities which prevailed among many noble families, which were in danger of increasing every day to more mortal rancour, they availed themselves of the resolution and prudence of Andalo and Malavolti, lately returned from Florence, by electing them to compose the peace of the city, giving them ample powers for that end: and this measure succeeded so far, that the Lambertini and Scannabecchi, the Gozzadini and Arienti, Guidoagni and Orsi, Calamatoni and Sangiorgi, Bianchetti and Piccigotti, and many other noble families, were reconciled, in the pre-

* Come cani arrabbiati. Ghirardacci, p. 212.

fence of the consuls in the palace, with much satisfaction to the whole city. But as no measure of the executive could be taken without offence to some part of such a divided executive authority, the consuls, by annulling all the condemnations in the late disturbances, excited the indignation of the pretor Dandolo, so that he resigned his office. The consuls, who were not sorry for it, appointed Aurelio Roccadalla Torre, of Milan, in his stead; in this instance, as in many others, before and after, being obliged to appoint a foreigner for their first magistrate, to avoid the certain seditions and rebellions that would have been excited by the adverse party, if any natural-born citizen, however distinguished by merit, had been raised to this eminence, among his jealous peers.

In 1268 Alberto Caccianemici, for some offensive words of his nephew Guido, son of his brother Giuamonte, which were reported to him, without examining the truth of the information, in a fit of impatience for vengeance, called his two sons to him, and ordered them to go and put their cousin to death. His orders were executed with great inhumanity; but, in such a state of government and parties, the laws are overborne by popular and powerful individuals, and there is no justice to be had against them in a regular prosecution: so thought the people in this case, and therefore took upon themselves the punishment of so atrocious a cruelty, by rising in arms, and demolishing their houses. 1268.

In 1269 another instance of a similar but more important nature happened. The captain of the people governed severely in his office, and did not do justice to the people, as they said; and this provoked the wrath of the people so far, that they deposed him. The pretor took this deposition in 1269.

ill part, and thought that the principal authors of it ought to be punished, at least in some small degree, to discountenance such irregularity. But this irritated the people so highly, that, perceiving his danger, he thought it prudent to fly; and a new pretor, as well as captain, were appointed. Thus the discontented nobles, although they could not, from their opposition to each other, obtain the first offices in the state, had it always in their power, by secret machinations with the people, to excite tumults, and distress, embarrass, and depose the foreigners who held them. There is an example of generosity in the gentlemen of Bologna, in the year 1270, too much to their honour, amidst all their quarrels, to be omitted. A great scarcity prevailed in all the cities of Tuscany and Lombardy, and the people of Bologna were reduced to extreme misery by famine. Upon this occasion all the noblemen, and other rich men of the city, had the charity to open their stores, and expose all their corn and grain to the people; and, not satisfied with this, they united together, collected all the money they had, or by their credit could borrow, and offered it to the senate, that it might be sent to Romagna, and other distant provinces, to procure a supply of bread for the city. This benevolent effort, however, produced an accidental ill effect; it occasioned a rivalry in the markets for grain between Bologna and Venice, which produced resentments, retaliating imposts and duties, and at last a war, in which the Venetians were conquered. But the city of Bologna could not enjoy its triumphs in peace: malignant spirits in secret scattered reports and calumnies to disturb the public tranquillity, sometimes against one illustrious citizen, and sometimes another. These rumours coming to the ears of the senate,

senate, they exerted all their skill to discover whether the crimes alledged had been committed or not; but, after all their diligence, found no evidence, but idle suspicions. Nevertheless the senators and people, taking the hint from these endeavours to excite disorders, judged it would be useful to create a new magistracy of three men, of the best lives and most wisdom, to conserve the quiet of the city, and to administer justice, by rewarding the good, and chastising the insolent disturbers of the peace of others. To this end was given them ample authority to bear arms, and to take with them armed men; to imprison delinquents, and accommodate all disputes which should arise: and these were called the Magistrates of Peace. The three chiefs divided their people into three military classes: one was called of Lombardy, and to this was committed the red standard, with the figure of Justice holding a drawn sword in her hand; the second was called the Griffin, and to this was consigned the white standard, with a red griffin; the last was called della Branca, to which was allotted the white standard, with a red lion holding a sword. These companies were greatly esteemed in the city, and much honoured by the senate, who granted them signal privileges, registering the magistrates as true and noble citizens. While this new magistracy was wholly employed in the conservation of the honour and peace of the city, and daily reconciled the minds of the citizens, the rancour of private animosity broke out again in the murder of Philip of Bologna, one of the company of della Branca, by Soldano de Galluci, who fled, which beyond measure displeased the senate; and not having the murderer in their power, in order to give complete satisfaction to the company, they

published a capital proclamation against him, and demolished to their foundations all the houses he had both in town and country. By this exemplary punishment alone would the irritated minds of the company, who had arms in their hands, be pacified.

1272. The next year it appears by the records, that, besides the pretor and captain of the people, four and twenty wise men (*sapienti*) were elected, six for each tribe, out of all the tribes of the city, by the *antiani*, to preserve the companies of the city. They elected also four citizens to oversee the plentiful supply of the city; and five and twenty other wise men to superintend the fortresses and castles in the country, as well as some things relative to the government in the city. All these inventions, dictated by distress, and the feeling as well as fear of the evils of discord, were only aggravations of the evil, as they only divided still more the executive power, without dividing the legislative; whereas the direct contrary ought to have been the remedy, viz. they ought to have united the executive power, and divided the legislative, and by that means have produced that trinity in unity, which is neither a contradiction nor a mystery, but is alone efficacious to curb the audacity of individuals, and the daring turbulence of parties. The judicial power, independent of all, is able to encounter any man, or combination of men, without recurring to such rigorous measures, inconsistent with liberty, as these new magistrates in Bologna were obliged to adopt. In order to purge the city of its many popular disorders, they were obliged to forbid a great number of persons, under grievous penalties, to enter the palace: nor was it permitted them to go about the city, nor to bear arms. All this they were obliged

obliged to do to prevent collections of people in the streets. Afterwards some of the first people of the city were banished, and confined to certain places abroad, and, upon pain of death, sentenced to depart the city in three hours. It is provoking to read the perpetual cant of these historians, such as, that in this year, 1273, Bologna having compelled the Venetians to peace, and ruling over Imola, Faenza, Forli, and the castles of Romagna, in peace, and by fear, by the valour of its citizens might have become great and glorious, if civil discords had not begun again to commit their cruel ravages. These dissensions, on the contrary, proved the ruin of the city, and were the cause that, by little and little, she lost her ancient authority and grandeur, and from a patron she became a client, from a mistress a subject; a miserable fall, which began in this manner. There were in Bologna two most noble families, the Gieremei and the Lambertacci, between whom had long subsisted, not only the party prejudices of Guelphs and Ghibellines, but a rivalry for power and pre-eminence in the state: but neither party animosities nor family jealousies were able to prevent Imelda, a daughter of Orlando Lambertacci, a most beautiful young lady, from entertaining a partiality for Boniface, a son of Gieremia de Geremei, a most beautiful young man, who was desperately in love with her. This mutual passion thus increasing in their hearts from day to day, the two lovers at last found an opportunity to meet and converse together. The lady's brothers being engaged in some amusement at the house of the Caccianemici, having information of this interview, went to their sister's chamber, and finding Boniface there, fell upon him with their envenomed tempers and weapons,

weapons, and perforated in an instant his breast and his heart, their miserable sister flying in despair from their fury. Having committed the murder, they concealed the body in a sink, which ran under some apartment in the house, and fled from the city. The murderers departed. Imelda, full of apprehensions and terrible presages of what she should discover, ventured to return to her chamber, and seeing upon the floor a rivulet of blood, she followed its direction, and opening the place where her lover lay, she threw her delicate person on his body, still warm and bleeding, and distracted with tenderness and grief, applied her lips to his wounds, and drew in the poison with his blood; and while her thoughts were wholly confounded with the pangs of her grief for her lost lover, the poison spread over her whole frame to her heart, and Imelda fell dead into the arms of her Boniface. A catastrophe so tragical could not be recited on a stage without affecting in the most sensible manner the most unfeeling audience. The discovery of it to the public in Bologna could not, one would think, but melt the most obdurate heart of faction, and soften the savage monster to humanity; but the effect of it was so contrary to this, that it wrought up the hatred between the two factions to a mortal contagion, which increased and spread till it ruined and enslaved the republic. While the unfortunate fate of Boniface and Imelda depressed the spirits of the two noble families, the senate understanding that the city of Forli had rebelled, and that the Aigoni, according to the stipulation, were not restored to their country, called the council together, and the question was proposed, Whether they ought first to march against the rebels of Forli, or merely to restore the Aigoni to Modena? The Lambertacci advised, that the first

first attention should be given to the cause of the Aigoni; and, on the contrary, the Gieremei advised that they should first endeavour to subjugate Forli. The parties not agreeing in opinion, they began to fall into confusion. Finally, the council of the Gieremei prevailing, the army was sent out, and laid close siege to Forli.

The following year, the senate having much at heart the reduction of Forli, resolved, in order to chastise so great a disobedience, to order out the triumphal chariot, and all their army. The pretor enters the senate to take leave for his departure to the war, and there found Antonio Lambertacci labouring to convince them that the enterprise against Forli would not succeed. After having urged many arguments, he began to trample under foot the honour of the Gieremei, who had carried this point against him. Gieremeo Gieremei, who was present, provoked at his insolence, gave him the lye, and by mutual agreement they went out of the palace into the piazza, where they drew their swords and began the combat. A great crowd of the two factions soon gathered about them, and fell to fighting all together, so that much blood was shed, and the battle grew more hot, and greater numbers collected; when Gozzadini and Cavaliere, with many others, intervened, parted the combatants, and the Lambertacci returned to their houses. The pretor, who went with the people to the tumult, wishing to put some restraint of fear upon both parties, ordered four of the houses of each party to be demolished: but this severity had little or no effect; for having grown more cruel than ever against each other, they were almost every day in arms and action together. As this revolt was already divulged to the circumjacent cities, the companies della Branca,

ca, of the Griffin, and of Lombardy, understanding that the Guelphs of Modena and the Ghibellines of Forli intended to come in to the aid of the two parties, took their arms, and, together with the people, posted themselves to guard the passages of the city; and receiving intelligence that the Guelphs of Modena were on their march, went out to meet them, and put them to flight and confusion at the point of the sword. The count de Panigo, who had armed himself in favour of the Lambertacci, hearing of this defeat of his friends, made his escape from the city; but his people were put to the sword by the company della Branca, who afterwards rased to the ground all the houses, not only of the count, but of his followers. The Ghibellines from Forli, friends of the Lambertacci, hearing of the slaughter of the Modenese and the followers of the count, made by the soldiers della Branca, suddenly retreated. These civil wars in Bologna were scarcely divulged abroad, when all Romagna, taking advantage of the occasion, rebelled; and for this reason the senate, together with the pretor and the companies, posted themselves at all the ways, to make peace between these two factions; in which enterprise they fortunately at length succeeded, and, after much reasoning and persuasion, they obtained hostages from both sides, and thus the city was quieted. While this peace was in treaty, the principal heads of the rebellion of Imola, of Faenza, and of Salarolo, dreading the resentment of the Bolognese at Forli, saved themselves by flight. The Bolognese were indeed formidable, for they were collecting a powerful army to march into Romagna. When it was embodied, the pretor of Bologna attempting to go out upon the campaign, Antonio Lambertacci,

bertacci, forgetting his plighted faith, and disregarding the fate of the hostages delivered, flew out again in arms to prevent the triumphal chariot from going out, and again commenced a plentiful effusion of blood. This sedition was the most terrible of any that had ever yet happened: it lasted forty days without intermission: so that Bologna became a haunt of murderers, and the streets ran down with human blood; the property of all men was subjected to depredation, the edifices were ruined, and the grandeur and glory of the city trodden under foot.

The Lambertacci were at last however overcome, fled from the city with all their accomplices, and went to Faenza, leaving their houses and palaces a prey to the people, which, in one word, were all levelled with the ground; and because the pretor and captain of the people had always held a good understanding with the Lambertacci, they were now deposed from the magistracy, although it is universally agreed that his judgement and decrees were unexceptionably impartial and upright. Fifteen thousand citizens were banished with them, whose names are distinctly written in a book among the records in the chamber of Bologna. These persons, scattered in various places, planted new families, as the Guerrini in Forli, the Bazzani and Sacchi in Parma, the Malpigli in Lucca, the Carrari in Ravenna, the Buoninsegna in Terni, the Maffei in Rome, the Bagarotti in Placentia and Padua; from which families have arisen men famous both in arms and letters. The Lambertacci sought an asylum in Faenza and in Forli, and fortified themselves in both those cities; but the Gieremei, not content with having driven them out of the city, endeavoured to chase them from the places where they were received;

received; wherefore, that they may not be taken by surprize, they sent to their friends in every place, particularly to the count di Montefeltro, the counts of Modiana, and to others of their faction, for succour,. The banished citizens of Ravenna being united with those of Forli, Ariminum, and other places, went to Forli, and from thence to Faenza, and there fortified themselves, and a little afterwards drove out the Manfredi, and passing afterwards to Castel San Piero, and from thence to Salarolo, where the Manfredi had resorted, and having taken the castle, many of their enemies were put to death, and many made prisoners and sent to Forli, among whom was Alberico Manfredi. At Bologna many of the faction of Lambertacci were imprisoned; and, as a report was spread that a powerful succour was arrived to the Gieremei, the Lambertacci, with their wives and children, fled to the mountains, and from thence to Faenza, where, with the assistance of their friends, they began to collect forces. The Gieremei, receiving information that the Lambertacci were preparing to return to Bologna, consulted in council upon the project of going out first in search of them. The resolution was taken with great precipitation, and they marched out with the triumphal chariot with great spirit to Romagna. The Ghibellines, who were apprised of their approach, went out suddenly to meet them in arms, and the Guelph party were defeated, leaving three of the Gieremei dead upon the field, and Alberghetto Manfredi mortally wounded and a prisoner. This reverse of fortune spread a terror in Bologna; but dreading the total loss of their city, they exerted themselves to the utmost to fortify it, and had recourse again to their confederates and friends, and in a short time assembled a strong army.

army. It is unnecessary to enumerate all the places and parties from whence each side drew their aids; but the triumphal chariot again went forth, and was met again by the Lambertacci and their allies, when another terrible engagement ensued, and the Lambertacci again remained victorious. Two thousand men were slain, among whom a great number of the principal nobles. The Lambertacci pursued their victory into the territory of Bologna, where they put every thing to fire and sword, destroying vines, trees, corn, and houses, and took a great number of castles, and it is supposed might have made themselves masters of the city, such was the panick in it, without striking another blow: but thinking they had done enough for the present, they returned to Faenza. The Bolognese finding their affairs unfortunate, both at home and abroad, deliberated on sending to king Charles for assistance, and two ambassadors accordingly went, Passaggieri and Prendiparti. Many citizens displayed their public spirit in defence of the city and senate, and subscribed large sums to defend their liberty: Passaggieri, for example, was so attached to the Gieremei, that he gave six thousand pounds for the common good. The senate by proclamation ordered, that every citizen possessed of a horse should have him recorded in a book, that they might know what assistance the militia might have in case of extremity, and the name of every man who then owned a horse is very carefully preserved as a family distinction.

The Lambertacci, after their victory over the Gieremei, did not fail to make incursions into the country of Bologna every day, disturbing now one place, and then another, in such a manner, that of that party there was not a castle, village,
or

1278.

or city, that was not infested, or threatened with their arms. The Bolognese, apprehensive that the evil might extend itself too far, and that the people, wearied with so many calamities, might revolt, and having before their eyes what Ridolph the emperor had done, they began to meditate a surrender of the city to the pope: ambassadors were appointed, who were humanely received, and their petition attended to, at Viterbo. The pope was vastly pleased with the submission of Bologna, and she acknowledged the church and the pontiff for her patron. The instrument is dated 29th July, 1278, by which the ambassadors, in the name of God, and of the podesta, captain, council, and commons, recognized the dominion, diction, law, jurisdiction, power, and principality of the city, territory, and district, in St. Peter, the keeper of the key of the kingdom of heaven, and in Nicolas the Third and his successors, Roman pontiffs, reserving the laws and rights of the city, territory, and district. Although the Gieremei discovered an obstinate aversion to any kind of peace or reconciliation with the Lambertacci, the pope conceived a great desire of uniting Romagna and Bologna in his interest, and, after long negotiations to that purpose, he succeeded to persuade both parties to listen to his proposals, and submit to his decision. The constitution of the pope Nicolas the Third, upon the reformation of the peace of the Bolognese, to wit, the Gieremei and Lambertacci, was made, and the prisoners on

1279. both sides set at liberty; and in 1279 the two factions of Gieremei and Lambertacci were assembled once more in the piazza of Bologna, in presence of the cardinals legates of the pope, appearing in great pomp and splendor. The families on the

the party of the Lambertacci and Gieremei were all recorded by name, and, after long orations made by the cardinals, the instruments were signed, and the oaths of perpetual peace and friendship taken by them all. The proceedings, as they remain on record, are very voluminous, and it is not possible a peace should be made with more solemnity or less reserve; but of what avail are pious exhortations, charitable resolutions, or solemn oaths, against inveterate passions in unbalanced governments?

In 1280 the Lambertacci, who could not live 1280. under the operation of the secret venom of their personal hatreds, which daily corroded in their hearts, making little account of the peace made, or the penalties imposed, burning with desire to imbrue their hands in the blood of the Gieremei, having taken their arms, flew to the piazza, and finding there a great number of their enemies, fell upon them with a sudden fury, and, after a long combat, pushed the Gieremei out of the piazza, and made themselves masters of it, and would have easily possessed the palace, if the captain, with two thousand men, had not rushed into the midst of the danger, and with the Caccianemici, Lambertini, Ariosti, Prendiparti, and other friends opposed them, and, at the points of their swords, driven them back, and pursued them out of the city. The battle on both sides was bloody, and many principal men were killed in it, after performing prodigies of valour. The Lambertacci, thus again driven from the city, with their arms retired to the mountains with great loss, and the Gieremei proceeded to the old work of ruining their houses within and without the city; and having issued a proclamation against a great number, they sent others into confinement, according to the usage in such cases in those times.

Berthold, the count of Romagna, the pope's nephew, immediately summoned all parties to appear before him, and gave an account who were the aggressors in the late revolution, and prevailed upon the Gieremei and Lambertacci to give hostages to perform the award for settling their differences; but before the affair could be finished the pope died, and Berthold restored the hostages to the Guelphs, but the Lambertacci not conducting to his satisfaction, he carried theirs to Rome.

Bologna now remaining in the hands of the Gieremei, four officers were immediately created, whose duty it was to preserve the peace of the city, and to them was given the highest possible authority; and they began their operations with so much prudence and firmness, that their proceedings gave great satisfaction to the citizens, and whatever they ordered or desired, the people complied with affection and confidence, excepting some of the followers of the Lambertacci, who not being able to bear the sight of the city at peace, while their party were driven out of it, began, by slow degrees and secret practices, to consult of measures to make themselves masters of the city, and restore their banished party. For many days they discoursed together in secret upon this project, and hoping that fortune might for once favour and assist them, they determined finally to assault the piazza; and because all the city was in security, and lived in peace, they readily persuaded themselves, that by surprize their design would succeed. One day, at the hour of dinner, issuing out in arms, and crying with a lively accent, *The people and the church!* they seized on the two mouths of the piazza. The Gieremei, as soon as they were alarmed, ran out with the people in general

general, with arms in their hands, and coming to a fierce engagement with their enemies, after a plentiful effusion of blood, drove them out of the city to the mountains, to go from thence to Faenza and inhabit with their friends. The city of Bologna now purified of all tumults, the senate attended to the fortification of all the fortresses and castles in the country, placed strong garrisons, and furnished plenty of provisions, and all things necessary; and the commanders placed in them, we may well suppose, were all good Guelphs and Gieremeites. The Lambertacci having taken refuge in Faenza, and partly in Forli, those who were in Faenza following the activity, ardour, and boldness of their genius, began to live with so much liberty, that it appeared as if Faenza was their own: this conduct was observed, and excited not only much censure, but the greatest malevolence in the citizens, and among others, in Tibaldello Zambrasio, one of the most noble in Faenza. This nobleman, seeing himself exposed to the ridicule of the town, on account of a pig which the Lambertacci had made so free as to take from him, and because they had threatened his life for demanding the restoration of it, grew into such a rage, that he swore he would lose his life, or have satisfaction. After talking much of various projects, he at last determined upon one which he had never talked of at all. He pretended to be sometimes seized with a melancholy humour; went strangely out of his house sometimes, flying the company of his friends and relations; appearing in the streets uncommonly thoughtful, sometimes talking to himself of a variety of things, and muttering imperfect sentences. Having held this course of life for some days, his infirmity became divulged through the whole city. In a few

days more, without confiding his secret to his father or any other, he counterfeited the part of a complete idiot; and his behaviour was so wild, whimsical, and extravagant, that he appeared both to his father and brother to be wholly bereaved of his understanding, threw his family into distress, and the whole city into the utmost astonishment, to see a nobleman, who had ever shewn so much prudence as to be held in high esteem, fallen suddenly into such misfortune and disgrace, though so worthy of compassion. In a few days more he took from his own farm an old mare, wholly worn out, and reduced to a mere skeleton; and having shaved her with a pair of scissars, transformed her into such an object as excited the laughter of every one who saw her. In this condition he led her into the city, and there turned her loose. The boys soon collected about the animal, and beat and terrified her till she ran, with all the strength and spirit that remained in her, throughout the whole city, and occasioned a general hubbub wherever she went. The Lambertacci, knowing nothing of the notorious fact, any more than of the secret motive, were alarmed with suspicions that their enemies were rising, seized their arms, and ran about to every place where they heard the loudest shouts and noises. Finding it was only an idle populace insulting Tibaldello's mare, they joined with others in the laugh, and returned to their houses. The same pageantry having been repeated more than once afterwards, the Ghibellines became so secure, that when they heard a similar cry, they said it was only Tibaldello's mare. Rising at length to the third stage of counterfeited madness, Tibaldello ran about the streets in the night and cried out, "To arms! to arms!" and taking in his hands the padlocks and bars of the city

city gates, which were sometimes carelessly left, he raised a very great multitude, and a mighty rumour, so as again to alarm the Lambertacci, and drive them to their arms: but finding it another freak of Tibaldello, they threatened him severely if he should make any more such disturbance, and returned. By these whimsical movements, frequently repeated, he so effectually quieted the suspicions of the Lambertacci and Ghibellines, that upon any such uproar they laughed with the rest, and made themselves merry with the crazy whimsies of Tibaldello. With so much art and perseverance was the folly simulated, that all suspicions were quieted, not only in the Ghibellines, but in the whole city; and the belief of his irrecoverable folly was universal. Having pursued his plan thus far with success, he opened himself in perfect confidence with a very faithful friend, made him acquainted with his design, and desired him to prepare with secrecy two habits of monks, in a sack, and meet him the next day in a forest in the neighbourhood of Faenza. This was done, and at the hour prescribed they met, Tibaldello having gone out of town with all the appearance of a madman, disguised like a falconer, with two dogs attending him, and an hawk in his hand, to the high diversion of every one who met him. Arrived at a lonely place in the forest, he set his dogs and his hawk at liberty, and with his faithful companion, putting on the habits of friars, that they might not be known by any whom they might meet on the road, and travelling all night, at the opening of the gates in the morning they arrived at Bologna, and took lodgings at the house of Alberto Battagliucci. To Guido Ramponi he related all that had passed, explained his intentions, and by his favour obtained an introduction

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duction to the council of secrecy. Here he opened his whole design, and the desire he had to chastise the Lambertacci; and shewed them of how much importance it was to them to embrace the present opportunity to remove from their sight and their apprehensions those enemies of their city and people, who were constantly employed in schemes of mischief against both. The counsel of Zambrasi was received with pleasure by the whole body, and the business was referred to the four superintendants of peace, under oath to keep this a secret. To this Tibaldello methodically communicated his plan, and demanded only for himself, and all the family of Zambrasi, and Ghirardone his faithful friend, and his family, to be made citizens of Bologna; and to send hostages for security for what was to be done. The offers of Tibaldello were very satisfactory to the pretor, and Guidotto Prendiparte pledged himself for the family of Zambrasi. The four superintendants made him relate the method and means by which every thing was to be conducted; and the stratagem appearing to be practicable, they took an oath again to keep the whole a secret. The whole business concluded on, they took leave of Zambrasi, who went to conduct the hostages, and setting out the same evening, reached Faenza at the opening of the gates, and entered the city without being known by any one. Arrived at his house, he found his whole family in great affliction. To his aged father alone he related in order the progress he had made, by means of a feigned madness, in his plan against those who had made a little account of the honour of his family and blood: the father, with joy beyond expression, and a thousand embraces of his son, caused to be assembled in his house all their relations,

tions, to whom, in an eloquent and prudent harangue, Tibaldello related all his actions and designs. All with one voice and one heart offered to devote themselves to take vengeance on the Lambertacci. Tibaldello, to whom an hour appeared a thousand years, till he could see an end to his enterprise, the next day sent secretly his three brothers, viz. Zambraso, Guido, and Fiorino, to Bologna, conducted by Ghirardone, informing the four superintendants of what they had to do, and of the hour when their soldiers ought to appear at Faenza. The hostages received, the council assembled digested every particular, and secretly gave orders that all the passes should be secured, that no one might be able to send intelligence of any thing that happened. On the 23d of August, 1281, the army of Bologna was formed, and in order marched out of the city, with all the Guelph party; and, by a forced march the whole night, they were early in the morning at the gate appointed: finding it open, they freely entered the city, and were conducted to the place intended for action. The Zambrasi had embarrassed and stopped up the streets where they thought proper; and Tibaldello, as usual, feigning to excite a rumour with his keys at the gates of the houses of the Lambertacci, in truth many of them were shut up by the mob, so that they could not go out. The whole apparatus being ready, he set up a cry of, *Live the church!* and *Away with all the traitors!* and while he was terrifying the city with this horrid outcry, the Bolognese, with the utmost security, made themselves masters of the piazza of the city. The Ghibellines, followers of the Lambertacci, hearing the noise of voices, and the sound of arms, rang the bells, assembled a great number, and hastened to the piazza, there to for-

1281.

tify themselves ; but finding the Guelphs already in possession, began the conflict. The particulars of this engagement, the danger of one and intrepidity of another individual, are not now material. The action was sharp and bloody ; and after mighty feats of valour on both sides, and many killed and wounded, the Lambertacci were defeated, and such as could, obliged to fly into the country ; all who could not were put to the sword. Nine of the principals fled to a church or monastery for sanctuary, but were there miserably put to death. Besides five hundred prisoners, a multitude of others wretchedly perished in the sinks and ditches. The Bolognese having obtained the victory, and by means of it the complete dominion of Faenza, pardoned the Faentines, but confiscated all the property of the Lambertacci and their adherents, both within and without the city. Finally, they appointed a new pretor, and a sufficient guard, and triumphantly conducted Tibaldello Zambrasi, his father, and with them Zambraso, Guido, and Fiorino, who were hostages, and their sister, and other relations, who were all made by the senate not only citizens, but nobles of Bologna. The same honours and immunities were conferred on Ghirardone and his relations, to all of whom the senate gave houses and possessions, and they enjoyed all the most respectable offices in the state. As the victory was the 24th of August, the senate ordained an annual festival of St. Bartholomew's day, in perpetual commemoration of Tibaldello ; in which his pig, his mare, his hawks, dogs, friar's dress, and city keys, were all transmitted, in sculpture and marble, to the amusement and astonishment of posterity.

The

The nobles of the party of Lambertacci, who were still remaining in Forli, sent ambassadors to the pope to obtain peace, but they could accomplish nothing: the pope not only refused to receive them, but ordered them to return. The Gieremei sent ambassadors, and they were admitted to an audience, and received with dignity; and by their persuasions the pope sent Giovanni Appia, a French gentleman, a counsellor of king Charles, with eight hundred cavalry, to recover Forli. The pope made him count of Romagna, and he went with the ambassadors to Bologna, where he was received with great honour; where he remained, however, but a short time: for having in 1282 dispatched what belonged to his office, he took with him two of the tribes of the city, and marched into the territory of Ravenna. From thence he wrote to the republic of Forli, commanding them to send out of their city the count Guidone da Feltrio, and all the foreigners; but he was not obeyed, because neither the count, nor the Lambertacci, to whom he wrote at the same time, were willing to go. Their refusal gave occasion to another long war, and to all the fire and sword, stratagem and massacres, as well as carnage in battle, that usually attended all their wars. But though these evils also originated in the same source, the imperfect constitution of Bologna, they may be passed over. 1282.

It seems there were still some persons left in Bologna of the name of Lambertacci, one of whom, in 1285, came to blows with one of the Scannabecchi, under the piazza, which occasioned another rising of the people in arms. They were both put to flight, but overtaken in the country, and beheaded; and all the party of the Lambertacci were again declared rebels, and all their families 1285.

milies banished to a certain distance in the city, and confined to places assigned them. The wise men (*sapienti*) afterwards made a provision, that all those of the party of the Lambertacci, who had taken an oath of fidelity to the church and the party of the Gieremei, according to a general regulation made in the council of the commons and people of Bologna, should be cancelled from the books of the exiles, excepting those who, since taking the oath, had gone to live in Faenza, Forli, and other places, and united themselves with the enemies of the people of Bologna, with this exception, that none who had been of the party of the Lambertacci, at the time of the first commotion, should be of the council, or hold any office. This regulation gave great satisfaction to the city, and a general tranquillity. But the government

1286. had not strength to preserve the peace. In 1286 a private quarrel, arising, however, probably from the general state of parties, happened, in which Guarladi, of the company della Branca, was killed. The government was neither able to punish the murderer, nor to prevent the people from taking it upon themselves in their own way. They took arms for revenge, and ruined all the houses, towers, trees, and other property of the persons guilty or suspected, both in the city and out of it, and of all their relations. But the new go-

1287. vernment could not long remain quiet. The council of eight hundred, and the people, having their eyes fixed upon the general utility of the city and its district, that all things might be governed with consummate prudence, gave orders to the *sapienti* to examine how a new council might be established, of two thousand persons, of sufficient wisdom, charity, and property, to support the weight of the commonwealth. The *sapienti*,
elected

elected by the antiani and consuls, having maturely deliberated and debated, ordained that the new council of two thousand should be elected by ballot in that council; that is to say, that an hundred electors for each tribe should be appointed, each of whom should have the election of five members of the new council; that each one should be not less than eighteen, nor more than seventy years of age, and should be truly of the party of the church and of the Gieremei of the city of Bologna, and so held and reputed in the time of the first commotion which happened in the city; that he should not be a servant,* a puppet-shewman, a porter, nor a foreigner, &c. nor a constant inhabitant of the country of Bologna, and shall have been a constant resident in the city for twenty years; shall be rated to the public taxes, and have paid his share of the public collections; shall be known in the lists of the public factions, but shall not be a clergyman, or ecclesiastical person, nor of any other city, castle, or land, which has favoured the Ghibelines, or the party of the Lambertacci. If there were any one at present in the council, if any of the cases enumerated in this order, he may not be chosen by any elector whatsoever; and if he shall have a brief of an elector, he may not elect himself in any manner. That no one should be elected contrary to the preceding form, under penalty of banishment, and a fine of twenty pounds, for every one that should violate it, and for every offence; and none who should be elected contrary to this order should take the oath of a counsellor, nor proceed to choose another, under the

* Non sia servo, burattino, brentatore, fachino, nè fumante, o forrestiero.

same penalty. That every election made against it should be null, and that any one might inform secretly or openly of a breach of this law, and obtain the penalty. That the antiani, consuls, and doctors of laws and their notaries, should be of this council ex officio, in addition to the number of two thousand; but none was to be a member who was not a native of the city. The senate then caused to be distinctly recorded, in three books, the names of the banished Lambertacci, and repaired the triumphal chariot* and its standard, and painted it with the portraits of six saints, and laid out upon it no less than thirty pounds and ten pence. Many other regulations and precautions were taken by the triumphant faction of the Gieremei, to fortify themselves in the government, and exclude, in the most decided manner, every man who had any tincture or connection of the opposite party; but still there were not wanting many seditious persons insidiously meditating to undermine their tranquillity, and to favour those who were held to be rebels against them: so that the senate were frequently alarmed, and full of apprehensions of the total ruin of the city. They saw that almost the whole country was one continued tavern of the banished (banditti), and to put some restraint upon their temerity, purge the city and country both of such a dangerous plague, and quiet the seditions of the nobles, they assembled the antiani, consuls, and all the sapienti, and made many ordinances against the banished rebels, to the end that no fresh revolution might be attempted; and made it a capital crime to attempt or propose, or even to speak or reason about, their restoration or pardon.†

In

1288.

* Carrocio.

† There is another anecdote in 1288, which, although it remains in mysterious obscurity, may yet be alledged as an instance.

In the beginning of the year 1289 all their 1289.
prudence appeared to be ineffectual; for in their
own faction, and in the new government, were

instance of these extravagant characters, irregular events, and atrocious actions, which always abound in such governments, render the protection of the laws precarious, and life and liberty insecure. Ambassadors had been sent by the republic to Forli, and to the count of Romagna; and other ambassadors were sent to the marquis of Este, to congratulate him upon his interposition to promote an accommodation between the cities of Reggio, who were truly of the party of the church; and that by his councils and mediation he would prevail upon Bettino Gallucci, elected captain of Reggio, to hearken to reason, and restore some merchandises taken at Rubiera from Bolognese merchants. Lamberto Baccilieri, a Bolognese, had contracted friendships with many persons in the court of Obizzo, marquis of Este, and frequented familiarly all the courtiers of that prince; so that he was held to be one of that court. Finding Obizzo at table one day at dinner, Lamberto, without being observed by any one, approached very near the person of the prince, drew his dagger, and with a rapid and malicious force of his arm gave him an unexpected stroke across the visage. Azzo, the prince's son, and all the other courtiers and citizens present, laid their hands upon their arms, and rushed upon the malefactor to put him to death; but Obizzo, though his face was covered with blood, had the presence of mind to command them to desist, but ordered him to be put to torture, to make him confess from what motive, and at whose instigation, he had made such a desperate attempt. After a long and cruel examination on the rack, he declared that he had not done it by the orders, or at the desire, or by the advice of any one, nor excited by any hope, nor in consequence of any previous conversation or thoughts, but that he had been urged on by a sudden fury. This confession not being credited, he was examined again repeatedly; but, with the same constancy and fortitude, persevered in the same confession, nor could all his torment extort from him any other answer. Finally, bound to the tails of four asses, he was dragged through all the city of Ferrara, and afterwards hanged. This action is an example of that contempt of life, that inveteracy of resolution, and that immovable fortitude, which is sometimes inspired by the inflamed passions of party; but his denial is by no means a proof that the plan was not concerted.

two parties still, the nobles and plebeians, and a tumult arose between them. The senate, the pretor of the preceding year, and the people, became involved in the dispute, till the pretor thought his life in danger, and secretly went away from the city with many of his friends. The want and the necessity of representatives of the people was felt at this time; and whether it was to obtain information, or to throw off a burthen of care and labour, or to gratify some aspiring individuals, or to please the people, or to extend their influence, or whether all these motives concurred, the antiani, assembled in the chamber of the pretor, considered among themselves what ought chiefly to be done relative to the war, at this time to be carried on in conjunction with their confederates; and they ordained, that two wise men, of exemplary lives, should be elected from each tribe, who should examine, and in concert with them, the antiani, inquire in what state were the stipendiaries of the commons of Bologna, and see whether the soldiers had their horses according to law, and whether provision was made of money to pay salaries, wages, &c. But who was to elect these wise men? Not the people; not the tribes themselves: this would have made two centers, and all authority must be in one. The antiani themselves therefore elected them; and in the afternoon the antiani and the wise men assembled together, and consulted generally about the soldiers; and it was concluded, that the number in pay ought not to be diminished, but rather increased; and that particular attention should be given to the collection of the revenue upon several articles, as grain, salt mills, &c. that money might be had in season to pay the soldiers their stipends, &c.

But

But there is not time nor room to pursue this relation. It must be sufficient to add, that the affairs went on in this curious manner to the final catastrophe of all such governments, an establishment of absolute power in a single man. There were in Italy, in the middle age, an hundred or two of cities, all independent republics, and all constituted nearly in the same manner. The history of one is, under different names and various circumstances, the history of all: and all had the same destiny, excepting two or three that are still decided aristocracies, an exit in monarchy. There are extant a multitude of particular histories of these cities, full of excellent warning for the people of America.* Let me recommend it to you, my young friend, who have time enough before you, to make yourself master of the Italian language, and avail your country of all the instruction contained in them, as well as of all the art, science, and literature, which we owe to Greece, Italy, and Palestine, countries which have been, and are our masters in all things.

* By all of them is verified the observation of a liberal writer, quoted before; "These republics were all exposed to almost daily revolutions, and seldom did the system of administration continue a whole year the same." *Danina, Revolutions of Literature, c. v. sect. 10.*

LETTER V.

NEUCHÂTEL.

DEAR SIR,

THE sovereign, or rather the first magistrate of this monarchical republic, is the king of Prussia. The principality is composed of two counties, Neuchâtel and Valengin, which were united in one single sovereignty by the dukes of Longueville, whose family became extinct in 1707; the country submitted to the king of Prussia, who, by right of reversion, re-demanded Neuchâtel as a vacant fief of the house of Châlons, inherited by the princes of Orange, who laid claim to all its rights.

The authority of the king is limited by the great privileges of the country. The sovereignty is exercised conjointly, 1. By the king's governor, who presides in the assembly of the states. 2. By the body of the three estates, composed of twelve judges, who administer justice in the last resort, and are four counsellors of state for the nobility. Four officers of judicature for the second rank, taken from the four chatellanies and the fifteen mayories. Four counsellors of the city, which is governed by sixty-four persons, who administer ordinary justice, and who are the four ministraux. Twenty-four persons for the little council, and forty for the grand council.—The relation of this republican principality with the Helvetic body consists in an ancient fellow-citizenship with the four cantons of Berne, Lucerne, Fribourg, and Soleure; but the canton of Berne is particular protector,

protector, and the declared arbiter between it and its prince, since 1406. The city of Neuchatel has also a strict alliance of fellow-citizenship with Berne. The whole country subject to it contains twelve leagues in length, and six in breadth, and is extremely well peopled: for it contains three cities, one bourg, ninety large villages, and three thousand houses, scattered at a distance from each other. It is consolidated out of two counties, Neuchatel and Valengin; two baronies, Gorgier and Vaumarcus, which belong to a nobleman of Berne; four lordships, Travers, Noiraque, Rosieres, and Colembier; one priory, Vautravers; five abbeys. At this day this princely republic is divided into four chatellanies, and fifteen mayories. The first count of Neuchatel that is known is Ulric, who lived towards the end of the twelfth century. He had a son named Bertold, who, in 1214, made a convention with the inhabitants, concerning the rights, liberties, and franchises of the citizens and people of the country. 1214.

In 1406 the inhabitants of Neuchatel obtained a confirmation of their liberties of John of Châlons, lord of the county. In 1519 they obtained another confirmation of their rights and liberties, and an acknowledgement, that their princes have no power over them but with their own consent. They have even changed their religion; and, in 1530, abolished the mass, and all the rites and ceremonies of the Roman Catholic church, without the consent of their prince. Yet they suffered the house of Orleans Longueville to continue to enjoy their rights and revenues. The last male of this line died in 1694. The prince of Conti wanted to succeed by a testament; but the three estates were against him, and rejected his demands in 1694 and 1699. At this time William, prince of 1694. 1699.

- of Orange, and king of Great Britain, maintained that he had pretensions on the county, derived from the house of Châlon. At the death of his
1702. prince, in 1702, the king of Prussia declared himself his heir, as the son of the eldest sister of king William's father; and contended, that the principality of Orange, and the county of Neuchâtel,
1707. belonged to him. In 1707, after the death of Mary of Orleans, who had been invested in this principality by the three estates in 1694, the king of Prussia demanded the investiture of Neuchâtel of the three estates, who granted it him because he was of their religion, and rejected the relations of the deceased; and all other pretenders. His son, by the ninth article of the peace of Utrecht, obtained an acknowledgement from Louis XIV. of him as sovereign lord of Neuchâtel and Valengin. Although the inhabitants are jealous of their liberties, they are nevertheless attached to their prince. It is to the body of the states alone that it belongs to make statutes, laws, and ordinances, and they represent the sovereignty, and exercise the supreme authority. The king's governor presides in it, but enters not into consultation with the counsellors. It was this tribunal which gave the investiture to the kings, and before whom every pretender must make out his claim. Without descending to a particular account of this princely republic, let me refer you to the Dictionnaire de la Martiniere, and to Faber, printed at the end of the sixth volume of it, and to Cox's Sketches, and conclude with hinting at a few features only of this excellent constitution. — None but natives are capable of holding any office, civil or military, excepting that of governor. The same incapacity is extended to natives, who are in the service of any foreign prince. All the citizens
- have

have a right to enter into the service of any foreign state, even though at war with Prussia. The three estates of Neuchatel and Valengin shall be assembled every year. The magistrates and officers of justice hold their employments during good behaviour; nor is the king the judge of all behaviour. The king at his accession takes an oath to maintain all the rights, liberties, franchises, and customs, written or unwritten. The king is considered as resident only at Neuchatel, and therefore, when absent, can only address the citizens through his governor and the council of state. No citizen can be tried out of the country, or otherwise than by the judges. The prince confers nobility, and nominates to the principal offices of state, civil and military; the châtelains and mayors, who preside in the several courts of justice, are also of his nomination. The prince in his absence is represented by a governor of his own appointing. He convokes the three estates; presides in that assembly, has the casting vote, and the power of pardon: in his absence, his place is supplied by the senior counsellor of state. The three estates form the superior tribunal; and to them lies an appeal from the inferior courts of justice. They are composed of twelve judges, divided into three estates: the first consists of the four senior counsellors of state, who are noble; the second, of the four châtelains of Landeron, Boudry, Valde Travers, and Thielle; the third, of four counsellors of the town of Neuchatel. The judges in the first and second division hold their places for life; those in the third are appointed annually.

The council of state is entrusted with the execution of the laws, the administration, and police. They are nominated by the king, and not limited in number.

The legislative authority resides conjunctively in the prince, the council of state, and the town or people, each of which has a negative. Their criminal laws are mild, and the penalty marked out with precision: and personal liberty is tenderly and securely protected, as it is in England or America, where the same laws in substance and spirit prevail. The liberties of the people, though the most absolute monarch in Germany is first magistrate, are better secured than even in the most democratical cantons of Switzerland, where there is no property to contend for beyond the value of a pail of milk, a kid, or a lamb. Liberal encouragement is given to strangers to settle in the country. They enjoy every privilege of trade and commerce. This enlarged policy has greatly augmented their population, while a narrower principle in some of the Swiss cantons occasions a decrease of their people. The ancient constitution of Rhodes was probably much like this of Neuchatel, in three branches, and was accordingly celebrated as one of the best models of government in antiquity, and had effects equally happy upon the order, liberty, commerce, and population of that country. This happy mixture in three branches has been the never-failing means of reconciling law and liberty, in ancient and in modern times. Ita demum liberam civitatem fore, ita æquatas leges, si sua quisque jura ordo, suam majestatem teneat.* This is the only constitution in which the citizens can be truly said to be in that happy condition of freedom and discipline, sovereignty and subordination, which the Greeks expressed so concisely by their *Ἀρχὴν καὶ ἀρχεσθαι*

* Liv. lib. iii. c. 63.

*Who knows in union's closer bands to draw
The opposing claims of liberty and law,
Shall gain from virtue's breath a purer fame
Than all the poet or the sage can claim.**

*When will the tut'lar gods of Rome awake,
To fix the order of our wayward state?
That we may once more know each other;—know
Th' extent of laws, prerogatives, and dues;
The bounds of rule and magistracy; who
Ought first to govern, and who must obey?
It was not thus when godlike Scipio held
The scale of power; he who, with temperate poise,
Knew how to guide the people's liberty
In its full bounds, nor did the nobles wrong.†*

* Pye's Poems, vol. i. p. 154, 155.

† Otway's Fall of Marius, Act i. sc. 1.

DIRECTIONS TO THE BINDER.

CUT the title off from the first sheet in Vol. I. and place it after the bastard-title.—The two bastard-titles at the end of Vols. II. & III. to be cut off and placed before the general titles.—The portrait of Mr. ADAMS to face the general title in Vol. I.—The half sheet containing the account of the author, to precede the work.

