

enviable prestige and renown unanimously granted her by all other Powers.

Pope Alexander VI was fortunate enough to coöperate in that colossal enterprise, although he opposed some limitations to the boundless desire of expansion of the Conqueror, by means of Bulls, and papal edicts, which were a reflex of the unbounded influence of the religious idea in the XVI Century.

It was thus that the peoples of America became subject to the Spanish Crown, were submitted to a political organization more or less suited to their characters and tendencies, the lapse of three centuries being hardly sufficient to assimilate the interests and the characters of the subjected peoples to those of the Iberic Metropolis which displayed before the World the multiple details of her immense power.

Nevertheless, it was the fate of America to escape the unjust despotism of the European conqueror because, inspired as she was in the most lively feelings of liberty and independence, she did not spare her efforts to attain those cherished ideals. She contrived to make new elements of activity subservient to the support of her sovereignty and to the confirmation of such wholesome principles. That end once attained, the Mexican Nation, furrowed divers fields of intellectual culture under the aegis of the new political precept drafted for the establishment of a fundamental organization, adequate to the aspirations of her children. Therefrom arose the redeeming formula which assured the rights of Man. Free thought and free teaching penetrated into the sanctum of the household, and, in their turn, into the wide field of the school. Lastly, the publicist and the professor, stimulating with words of encouragement the young, led them to the adoption of a new or-

der of ideas—a vigorous, vital sap, which was to develop the budding tree.

Soon afterwards the collective efforts of the national jurists, cooperating with the Government, efficiently helped the Mexican forensic literature to show tangible proofs of progress and development. It is to this, perhaps, that we owe the juridical credit given them by our Courts of Justice in their decisions. Thenceforth, the professors of Jurisprudence, in view of such an stimulating impulse, have not hesitated in publishing text-books suited to the subject matter, as a means to take the place of foreign works that have been previously used for the study of National Law.

The importance of such a signal conquest revealed, without the least doubt, a preceding stationary epoch in juridic science, notwithstanding the respectable nucleus of national professors called to interpret it. That inaction may be explained as the result of different causes, and, among them, we shall point out those furnished us by the historical record of typography in Mexico, and by the eagerness of publishers to print mystical books, destined to the propaganda of that kind of publications.

Such signs of inactivity could not remain unobserved in the presence of the last improved typographical and industrial works, and less still before the principles recently adopted in contraposition with those in which, at the expense of all reasonable discussion, the worship of the dogma promulgated by the voice of the teacher,—which did not always acknowledge just limitations,—was enthroned.

What the causes may have been of the above mentioned conquests, and what preliminary signs may have determined such important improvements, are revealed to us by the acknowledgement of the rights of man, and the sanc-



tion of the same in our Constitution, for, under its guardianship and protection, the freedom of industry and the freedom of teaching, together with the freedom of thought, were relieved from all censorship. It was then that the voice of the teacher recovered its natural and just prestige, as the germ of useful and profitable knowledge.

Under the shelter of these ideas, there flourished, in Mexico, during the second half of the XIX century, valiant champions of Science, loyal interpreters of Law, whose illustrious names deserve all honor: Diaz Covarrubias, Prieto, Garcia Peña, Lozano, Castillo Velasco, Joaquin Eguia Lis, and Protasio Perez de Tagle, worthy models to be imitated by the studious youth, and the founders of the Special School of Jurisprudence of the City of Mexico; Ignacio Luis Vallarta, Lerdo, Iglesias, Gomez del Palacio, Ramirez, who undertook deep conscientious and transcendental studies on Constitucional Law.

The scientific annals reserve, likewise, a post of honor to Mariano Yañez, Antonio Martinez de Castro, Manuel M. Ortiz de Montellano, Dr. Justo Sierra, Luis Mendez, Ezequiel Montes, Jose Maria Lafragua, Isidro Montiel y Duarte, Rafael Dondé, and Fernando de J. Corona, eminent jurists, conspicuous members of the Bar, especially for having coöperated in the institution, on solid fundamental bases, of the National Legislation, compiling the Civil and Penal Codes. Some other jurists there were, whose names and deserts I mention in a fit place, acting cautiously in order not to incur in flattery praising what does not deserve to be praised. Should any omission have occurred, in the foregoing enumeration, I hereby declare that it has been involuntary, and for it I beg to be excused, as it is my earnest desire—in writing this—to act in good faith and with absolute loyalty. Future researches in the field

of bibliography, will amend any omission on my part, bringing before the public the names of the forgotten writers, whom science and truth shall, in due time, allow the place they deserve among those mentioned above.

Let us bow, for the present, before the remembrance of such distinguished workers of Science, before those intellectual energies that bequeathed a well deserved honor to our Republic, before that distinguished group of compatriots who, in eloquent manifestations of the most sublime devotion, gave unmistakable proofs of the heroism of their souls, fighting, intrepid and undaunted, for the triumph of their ideal.

The success and the importance of their titanic efforts impressed a special character to the century in which they flourished, and it is, perhaps, owing to both, that the Mexican people are fully justified when they sang hymns and discoursed in eloquent phrases to their memory and glorification, in schools and colleges. Such was the energy of those outbursts of enthusiasm, that they reverberated with a majestic echo within the Halls of the National Representation and of the Concourse organized by the Scientific Associations of the City of Mexico, just at the close of the XIX Century.

It was proper to remember those illustrious jurists, paying a tribute of high esteem—even in only a few words—to their important forensic labors, with the secondary purpose of doing away with erroneous ideas about the scientific development of Mexico, and of setting forth the degree of intellectual level that our country has attained.

It was furthermore necessary to point out which works could be consulted on some special matters, and which works had been published by a given author—thus contributing to the realization of that ideal pursued by the



International Bibliographical Institution, which establishment was founded at Brussels in the year 1895; also, to organize, in a definite manner, the International exchange of scientific works, as it was resolved by the Royal Society of London (founded in 1898), which efficiently coöperated in the establishment of the City of Mexico National Board of Scientific Bibliography, in 1899, and of the Mexican Bibliographical Institution, on the 29th. May of that same year.

Speaking for myself, I must declare that I have felt bound to contribute to the labors of the Society both as an expression of my gratitude, and as the fulfilment of a duty. My share as a contributor is most scanty, indeed,—I am fully convinced of it—but, nevertheless, it purports to amend a similar labor which I undertook subsequent to 1894, and which I published at my own expense under the title of «*A Memoir*,» as a contribution to the Mexican Forensic Bibliography.»

The essay which I have now the honor to submit to you, shows in a concise manner the historical succession of the evolution accomplished in Mexico as regards Law, an evolution which, although slow, has been steady from its embryonic stage until its actual development. A great undertaking, indeed, far superior to my ability and skill, the success of which can only be secured by the wisdom and learning of my colleagues.

Before closing, it affords me great pleasure to offer my congratulations to the honorable members of the Mexican Bibliographical Institution, who, impelled by high and ardent aspirations, meet within that sacred edifice with the purpose of utilizing the legacy of our learned predecessors, transmitting it, in their turn, to the coming generations. Thus a noble, and worthy activity shall be engender-

ed an activity inherent in the character and the spirit of the Society. We, likewise, shall have paid, in that way, a moral tribute to Science and to her interpreters, our satisfaction and gratification being great at having surmounted such a transcendental and most noble task.

City of Mexico, October 31st., 1904.

M. CRUZADO.