

CHAPTER VIII

Vice-President Ramon Corral—The Minister of Education—José Yves Limantour, Minister of Finance—Guillermo de Landa y Escandon, Governor of the Federal District—Minister of Justice—Minister of Fomento—Minister of War and Marine—Minister of Foreign Affairs—Secretary of Fomento—Sub-Secretary of Fomento—The late Thomas Braniff—Connection with the Republic's chief enterprises.

SEÑOR DON RAMON CORRAL, Vice-President of Mexico, is entirely unlike most vice-presidents of Republics, who are usually colourless and somewhat useless individuals, without any particular or pronounced opinions of their own and wholly subservient to the greater power of the President, whose foil they are expected to be. Señor Corral is, however, a strong and a telling personality, and as active as he is shrewd. He occupies the double position of Vice-President and Minister of the Interior, and to his highly-important duties he brings to bear his undoubted talents and a vigorous spirit. Formerly Governor of Sonora, and Governor of the Federal District of Mexico City in 1901, Señor Corral joined the Cabinet in December 1904, and has since proved a living but not overpowering factor in the affairs of the Republic. His presence at the St. Louis Exhibition (Louisiana Purchase) was generally voted a success on account of his great influence with the more intelligent and thoughtful part of the community. Unquestionably Señor Ramon Corral is a powerful and beneficent force in Mexico. The post of Vice-President was newly created by Congress in June 1904, and Señor Ramon Corral is the first occupant of it.

Señor Justo Sierra, Minister of Education, holds the Portfolio of Public Instruction and the Fine Arts. The office was created as recently as July 1905, and M. Sierra is the first occupant. Up to that time educational interests had formed a sub-



MADAME CARMEN ("CARMELITA") RUBIO DIAZ, WIFE OF THE PRESIDENT OF THE REPUBLIC.—see p. 64.

department under the jurisdiction of the Minister of Justice, of which M. Sierra held the Secretaryship. M. Sierra speaks French fluently and understands a little English.

M. José Yves Limantour, the Minister of Finance, is the best known of all the President's Cabinet among European financiers, principally on account of the potent influence which he has always exercised over the country's finances, but due also to his several visits to Europe. The present prosperous condition of the Republic is unquestionably greatly due to the brilliant Minister who has rescued it from the danger of bankruptcy, which at one time threatened it, to raise it high among the financially-sound countries of the world. Speaking of M. Limantour, a keen Mexican critic observed: "I consider him one of the most remarkable and most capable Ministers of the age. If one analyses the works of the different statisticians of Europe and America and estimates their accomplishments from a practical and efficacious point of view, one sees that Limantour is not alone their equal but in many instances their superior. I do not make this statement because Limantour and I are both Mexicans, or from natural sentiment of race, which we all naturally feel every time that a son of Latin-America becomes eminent in any of the branches of human activity; I believe sincerely that Limantour is a genius, and one of the most brilliant financiers that ever lived."

I am disposed to endorse this praise, extravagant though it may appear to those who know neither the Minister nor of what he has succeeded in accomplishing for the national finances of Mexico. To those who do know, these terms of commendation will appear little more than the truth.

Señor Limantour was born of French parents in the city of Mexico in 1853, and is therefore in his fifty-fifth year. He was sent to the best schools and colleges and still further benefited by a long European tour while still a lad, his parents being very wealthy and sparing nothing upon their son's education. He studied law at the School of Jurisprudence, Mexico City, graduated four years afterwards and then devoted considerable time to political economy, in which he has become a pastmaster. He was sent by his Government upon more than one important mission to Europe, and

in every case scored successfully. He entered political life in 1893, when he was appointed Sub-Secretario de Hacienda. His chief, Señor Romero, soon found out his great shrewdness and ability, and when he was appointed American Minister to Washington, Señor Limantour was promoted to the office of Secretario which he has since retained.

Señor Don Guillermo de Landa y Escandon, Governor of the Federal District of Mexico, is one of the most popular of the higher officials with Americans and British, principally because of his warm-hearted sympathies with the Anglo-Saxon races and partly because he speaks English with remarkable fluency and frequency. Don Guillermo has travelled considerably both in Great Britain and the United States, in both of which countries he has many warm personal friends. It may be mentioned that he attended the Coronation of his present Majesty in August, 1903, as the Representative of the United States of Mexico. He was educated in this country, at Stoneyhurst Jesuit College, and began his political life in 1879 as Deputy for the State of Morélos. In 1900 he became President of the Ayuntamiento (Municipality), equivalent to our Lord Mayor of London, and subsequently Governor of the Federal District. Don Guillermo has done more for the benefit of the City in the few years he has been in office than all his predecessors had been able to effect collectively. There is practically no limit to the improvements which he has introduced, such as cleaning of streets and public vehicles, removal of long-standing nuisances and obsolete restrictions, stamping out of drink and vice where they had been rampant, provision for the poor, amelioration of the condition of prisoners awaiting trial, and numerous other humane and necessary matters. Don Guillermo de Landa y Escandon was one of the initiators of the National Railway.

Señor Justino Fernandez, Minister of Justice, is considered one of the ablest as he certainly is one of the most intellectual men in the Republic. He was a strong opponent of General Santa Ana, and suffered under his dominion for the courage of his opinions. For many years he was in private practice as a lawyer, but rendered the Government of his day eminent services as occasion presented itself, eventually winning both wealth and honour for himself. For several

years he was Governor of the State of Hidalgo, but was afterwards elected to Congress. As Director of the National School of Jurisprudence, and afterwards as Minister of Justice, he has found his true vocation. Born in 1828 he has never left the Republic, and has given up the greater part of his life to its services.

Señor Lic. Olegario Molina, formerly Governor of the State of Yucatán, was last March appointed Minister of Fomento—the post having been vacant since the death of Señor Blas Escontria—and consequently as one of the President's Cabinet. The Department of Fomento is an exceedingly important one, and upon its proper administration depends the development of new industries and the vast resources of the country. That Señor Molina will bring to bear upon his duties a good deal of intelligence and discrimination, may be regarded as certain. He was born in 1843 in the village of Bolonchenticul, which was formerly in the State of Yucatán but afterwards determined to be within the State limits of Campeche. Among his Government appointments have been those of Secretary of State of Yucatán (afterwards its Governor), Deputy to Congress for his State and finally Minister of Fomento. Señor Molina has been identified with all the projects, commercial and industrial, which have carried the State of Yucatán to its present successful position. He was first elected Governor in 1901, and although his removal will be a distinct loss to Yucatán, it is just as great a gain to the Republic at large.

General Manuel Gonzalez Cosio, Minister of War and Marine, has devoted practically the whole of his life to the services of the Republic. He has fought through many of Mexico's great wars, always with distinction and success.

Señor Ignacio Mariscal, Minister of Foreign Relations, was at one time Secretary of the Mexican Legation at Washington, before the Legation was raised to an Embassy. He married an American lady, who died in December 1903, after thirty-six years' married life. One of the daughters is married to Señor Julio Limantour, brother of the Finance Minister.

Señor Leandro Fernandez, Secretary of Public Communications and Works, was appointed to fill the place of Señor Leal, in December 1900, after the latter's services of

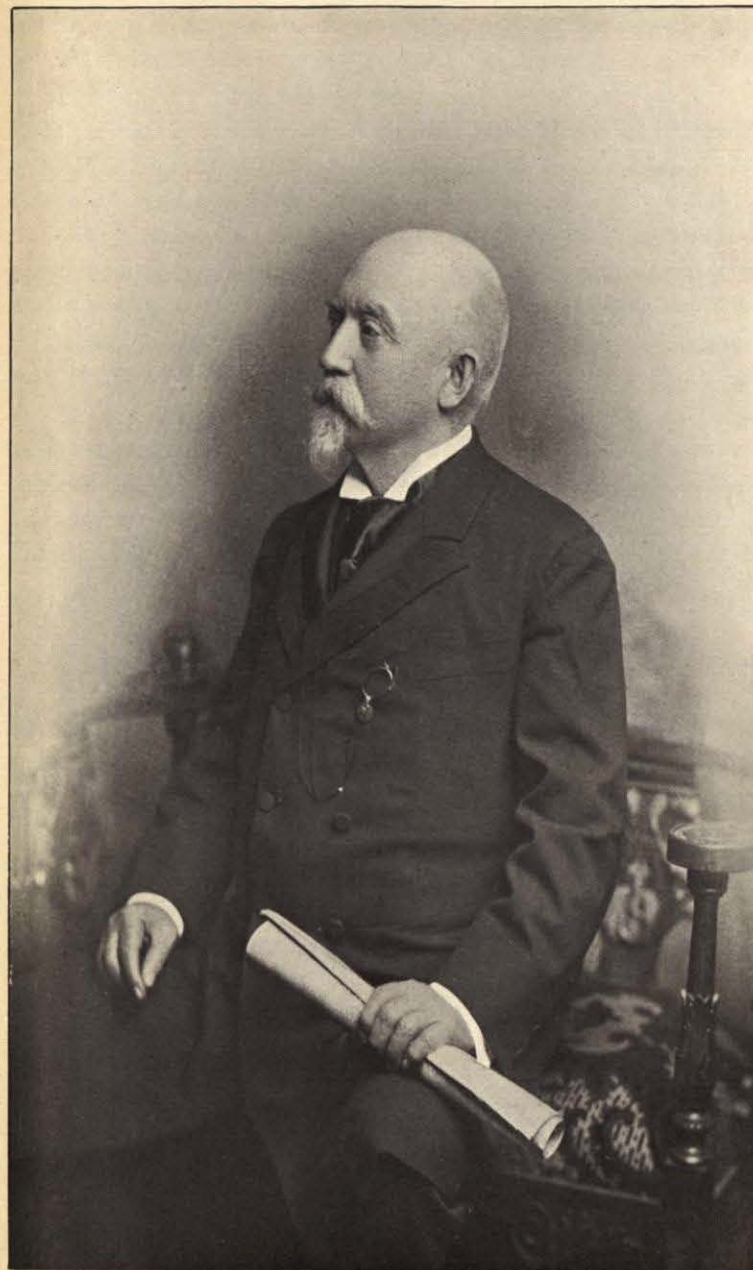
something like 40 years, during 10 of which he had been a Cabinet Minister. Señor Fernandez, who is a brother of the Governor of Durango, was born in that State about 56 years ago. His tastes lay strongly in the direction of physical science, and his subsequent career as a civil engineer has been brilliant. He has studied in the workshops and academies of the United States, and naturally he speaks English fairly well. He formerly served as Governor of Durango and made a great feature of the education question in that State.

Sub-Secretario de Fomento Signor A. Aldasoro is a gentleman of great tact and a singularly sympathetic nature, which have called forth due recognition from all who have come into contact with him. Señor Aldasoro has a quick and keen power of discernment, is rapid in his judgments, and very seldom makes a mistake. Many Mexican, and a large number of foreign, owners of schemes and projects have received from this patient and intelligent Minister much encouragement, and always his kindly sympathy; and it may be said that no one is denied a hearing by Señor Aldasoro, whose spacious ante-rooms are daily crowded with callers, many of whom wait as late as 10 o'clock at night to obtain an audience. Señor Aldasoro speaks English and French, and is a ripe scholar.

In one of the "Books of Horace," Ode XXX., the celebrated Latin elegiac poet says:—"I have completed a monument more lasting than brass, more sublime than the regal elevations of the pyramids, which neither the wasting shower, the un-availing north wind nor an innumerable succession of years and the flight of seasons shall be able to demolish."

In spite of the forgetfulness of humanity at large, especially in this period of haste, bustle and hurry, there are a certain number of men to whose lives these lines might apply, men who have, in their time, left so deep an impress of their personalities and their usefulness upon their surroundings as to have veritably raised monuments to themselves more lasting than the brasses which record their achievements.

I think such a man was Mr. Thomas Braniff, of Mexico, who, unfortunately, died in the midst of his busy useful life, but not before he had contributed vastly to the welfare of the



THE LATE MR. THOMAS BRANIFF, ONE OF THE EARLIEST PIONEERS OF MEXICO, AND FIRST PRESIDENT OF THE LONDON BANK OF MEXICO AND SOUTH AMERICA.

community and amassed an enormous fortune by sheer hard, conscientious and reproductive work.

Mr. Thomas Braniff was an American by birth, having been born on Staten Island, New York, his parents being of Irish descent. Although quite comfortably situated at home, his strong character and wide ambitions proved too unrestrained to enable him to remain very long in the somewhat restricted circles of New York of 60 years ago; and the ever-attractive gold craze of the early 50's drew him to the Californian fields, as it drew thousands of others. There, however, the crude, half-savage and wholly licentious existence proved rather more than he anticipated or could endure, and abandoning the fields in disgust without having lingered to make a fortune he accepted an engagement with the famous railway engineer Meiggs — whose splendid achievements throughout North and South America are too well recognised to need much comment—helping him to construct some of the first of the South American railroads.

Provided with some years' experience under this distinguished engineer, Mr. Braniff next took service with Mr. Geo. Crowley, acting with Superintendent Buchanan in connection with the construction of the first railway in Mexico, namely the Mexican, between the City of Mexico and Vera Cruz. Some of the extreme difficulties which beset the paths of those who were engaged upon this stupendous undertaking, and the many attendant disappointments, are referred to in my chapters upon Mexican railways. But the indomitable pluck and perseverance which were displayed by all those who were responsible for the undertakings eventually carried them in triumph to completion.

When the Mexican Railway line was completely finished, namely in 1873, Mr. Thomas Braniff was about to accept an offer to construct a railroad for the Government of Russia, when the Directors of the Mexican Railway very wisely offered him the General Management. Liking the country, and foreseeing, if but dimly, some of its brilliant future promise, besides having a distinct aptitude for railway management, Mr. Braniff accepted the offer, and finally settled down permanently in Mexico City. His opportunities then came fast, and were readily recognised and as promptly

adopted. The London Bank of Mexico and South America was being organized by a group of British and Mexican financiers, and his many English friends at once sought and received the co-operation of Thomas Braniff. He was unanimously elected its first President, a position which he held for five and twenty years, in fact until the day of his death. About the same time that he helped to found this—the oldest and still one of the most respected banks in the Republic—Mr. Braniff invested a substantial amount of money in the erection of the San Lorenzo cotton mill at Orizaba, here, again, displaying his keen appreciation of the requirements of the Republic, and a surprisingly acute knowledge of the prevailing conditions. This mill is now absorbed by the *Campaña Industrial de Orizaba*, employing some 4,000 operatives, and paying a regular dividend of $12\frac{1}{2}\%$ upon a capital of £800,000. The foundation of the successful San Rafael Paper-works Company, and fully half a dozen other enterprises, followed, and so uniformly fortunate was he in all his undertakings, so shrewd in his management, that he came to be looked upon as the "Mexican Midas," and was sought for either as co-operator or adviser in practically every new commercial enterprise which was launched.

Mr. Thomas Braniff died in January 1905. Thus I never had the privilege of knowing him. But I have met his son, Mr. Oscar J. Braniff, who, in character and commercial rectitude, is said to closely resemble his father. But those who did know him, worked with him, and were witnesses of his everyday life, assert that his great power consisted in his quick and accurate perceptions, his knowledge of men, and his ability to hold the scales of justice and judgment evenly between different and conflicting interests. Here came to his help his great tact, discretion and keen sense of fairness, so generally recognised, indeed, as to result in his acting as arbitrator in numerous commercial disputes.

An incident not wholly unconnected with this phase of his character is worth relating. Upon a certain official occasion Mr. Braniff met the President of the Republic, his close and valued friend of many years, and upon greeting him as "Mr. President," General Porfirio Diaz, with his ready wit and good-nature, responded—"Now I wonder, Mr. Braniff, who is after all more of a President—you or I?"

It was Mr. Thomas Braniff who, driving himself in a double-seated buggy, and with a passport made out to him in his capacity of Superintendent of Construction for the Mexican Railway, secretly conveyed the Empress Carlota from Córdoba to Veracruz, early in the year 1867, when departing from Mexico on her ill-fated journey to Europe, destined, poor lady! never to return.

Probably the demise of no resident of Mexico has given rise to more general expressions of regret and sorrow than that of Mr. Thomas Braniff. Although a multi-millionaire, he made such excellent use of his money that he was much beloved by the poor, and as highly esteemed by the wealthy and official classes. His charities, if quietly and unobtrusively pursued, were both large and discriminating, and his death revealed their widespread nature in a manner but little suspected during his lifetime.

CHAPTER IX

Judicial power—Supreme Court—Federal Courts—Judges' salaries—Amparo—Criminal Courts procedure—Spanish system of Criminal Jurisprudence—Detention of accused persons—Preliminary proceedings—Criminal cases between 1901-1905—Comisarias—Belém Prison—First Aid Law and its absurdities—Federal District regulations—Jury system—Mexican jurors—Trial by jury—*Pros and cons.*

THE judicial power of the Republic, as already briefly pointed out, is vested in the Supreme Court of Justice, the District Courts, the Circuit Courts and the Police or Minor Courts. There are three Circuit Courts and thirty-two District Courts, as well as many Police Courts and Alcaldes.

The Supreme Court of Justice is composed of eleven justices, or "magistrados," four alternate "magistrados," an Attorney General and a Public Prosecutor. The term for which they are elected is six years, and their election is indirectly by popular vote, in the same manner as with Senators and Deputies. The qualifications are not as severe as with us or as in the United States, but sufficiently strict nevertheless. Knowledge of the laws of the Republic, according to the opinions of the electors, a minimum age of thirty-six years, and Mexican citizenship in the full exercise of their rights, are the main essentials.

The Supreme Court naturally has unlimited jurisdiction, and the last word in all cases except that of the capital punishment, there being one final appeal—that for clemency—to the President of the Republic. The Supreme Court has also original jurisdiction in all cases arising between two States, and in those wherein the Union is involved or to which it is a party. This Court is called upon to decide all controversies arising among the Federal Courts, between the Federal and the State Courts, or between the Courts of two or more States.

The salaries attached to Supreme Court judgeships will be found set forth upon page 31.

The Federal Courts have jurisdiction—

(a) In all cases which arise from the enforcement and application of the Federal laws, except when such application affects only private interests, when the ordinary Courts of the Federal District, of the States and of the Territories are deemed competent to assume jurisdiction :

(b) Over Admiralty cases :

(c) Over cases to which the Federation is a party :

(d) Over cases between one or more States :

(e) Over cases arising between one State and an individual, or individuals, or between one or more individuals in two or more States :

(f) Over civil or criminal cases arising from Treaties concluded with Foreign Powers ;

(g) Over cases affecting diplomatic and consular agents.

The jurisdiction of the Federal Courts extends likewise to all cases arising out of (1) laws or acts of any authority infringing upon individual rights ; (2) laws or acts of the Federal authority violating or limiting the sovereignty of the States ; (3) laws or acts of the latter encroaching upon the Federal authority.

The salaries of the District and Circuit Judges are given also on page 31.

There is a law of protection in Mexico known as "amparo," an original kind of law of appeal, entirely unlike anything met with in other countries. It has for its main object the defence of the individual against any abuse of power as the outcome of a trial by any of the Courts of first instance. Convicted prisoners may demand "amparo" against the decisions of every one of the Courts except the final one—Supreme Court—providing the appellant pleads either injustice, abuse of power or incompetency of the tribunal. Needless to say no prisoner once convicted omits to plead one or all of these, and consequently few cases are settled in the first Court, but are appealed from Court to Court until the last is reached, thus providing fine fat fees for the lawyers and much sickness of heart for their clients. In all cases where "amparo" is pleaded, and the consequence of carrying out the sentence—

such as that of death—would be irreparable, the Court passing it must withhold its execution until the appeal has been heard and finally decided.

The proceedings in the Mexican Criminal Courts are somewhat similar to those of the French Courts. The Courts are composed of Judges of Instruction, who institute the proceedings, refer them to the public prosecutor and to the defendant (through his counsel or direct), and finally bring the case before the jury who decide the guilt or innocence of the party accused. Once the jury have returned a verdict of guilty the same judge as their spokesman passes the sentence, from which appeal can be made.

The jury is composed of nine persons (thirty are summoned), native or foreign, who must have some occupation, education or independent means. The jury are selected from the official lists kept, and are picked out specially to try special cases. That the "calling" of jurors in Mexico is defective and needs revision is clear from the fact that a citizen, native or foreign, may be called upon to serve upon a jury thirty times in the course of three months. Imagine the awful outcry that would go up to the heavens were a free-born Britisher to be summoned even as much as twice within one year! Moreover, there are no fees for jurymen in Mexico, nor reward of any kind but the consciousness of having done their duty. This may be consoling, but it is not remunerative.

In all criminal cases, the Constitution guarantees that the accused shall not be detained more than three days (unless the crime alleged against him should demand it), before being examined and confronted with his accusers. He is to be acquainted with the names and number of his accusers, and he is to be confronted with the witnesses who testify against him. He is to be allowed to call any and every one he needs to his assistance, and to be in consultation with his advocate as often and as long as necessary; and, in the event of his having no means to engage counsel for his defence, he can choose from a list of the Court's counsel any one he wishes to act as his advocate, the Court paying the necessary fees. All these regulations are eminently fair and reasonable, and unlike the customs of many countries—our own included—a prisoner is given every opportunity and rendered every aid

to prove his innocence if he can, and is not presumed to be guilty as a commencement.

Under the system of criminal jurisprudence which prevails in the Federal District of Mexico, all the preliminary proceedings in a criminal trial, such as the examination of the accused and the taking of testimony, are held before a judge of the first instance, whom we should regard as a "magistrate." This official proceeds without a jury, and when he has completed the case, so far as he can, it is remitted to a higher court, and when the trial eventually takes place before a jury, the evidence is all read over again, as it is contained in the record. The prosecuting counsel then presents the charges, defending counsel is heard, and the witnesses of both parties are examined and cross-examined. The jury then renders its verdict, judging the accused either innocent or guilty, and following substantially the same practice as in vogue under the common law of England and the United States of America.

Outside the Federal District of Mexico, however, the old Spanish system of criminal jurisprudence still obtains. As in most Spanish-American countries, testimony is taken down in writing, and, after being read over to the witness, it is signed by him in proof that his statements have been correctly recorded. While this process is extremely tedious and cumbersome, it undoubtedly gives a degree of certainty to the correctness of the statements which cannot be secured by a stenographic report, and at the same time it renders it impossible for the judge or counsel on either side to put into the mouth of a witness language different from that which he has actually used.

Some idea of the work which the Federal and District Courts have to perform may be gleaned from the figures which I have obtained dealing with the number of cases filed during five years. The *data* relates to actions tried between the years 1901 and 1905 inclusive, and may be regarded as normal and therefore typical of the condition of criminal and civil law business in the Republic of Mexico.

During this period the District Courts handled 21,120 cases, of which 16,999 were completed and 4,097 adjourned or appealed. The Supreme Court received for revision from June 1st 1900 until June 30th 1905, 3,479 criminal cases,

which, added to the above-named figures, give a total number of cases outstanding of 6,396. Out of these 3,031 *habeas corpus* proceedings were disposed of, leaving, therefore, but 3,903 for further consideration.

At present, the various Courts are distributed somewhat widely over the city; but when the handsome new Palace of Justice building is completed, practically all the Courts will be found under one roof, which must of a necessity contribute to the carrying on of the Federal District's amount of legal business in a much more expeditious and satisfactory manner.

While some districts and towns contribute very considerably more cases than others, depending greatly upon the character of the population to be found there, some few cities and towns are almost immune from crime or litigation. For instance, Pachuca, the capital of the State of Hidalgo, a great mining town and the centre of an immense peon population, had not one single criminal case to try for the whole month of December 1905, and, as a community, it is almost free from crime. The Attorney Perez, who lives near Pachuca, attributes this condition of affairs to the increase of wages paid in the district, the spread of education and the firm hand with which the authorities deal with lawlessness when detected.

Until the present year, it must be admitted that the police-courts, or *Comisarios*, throughout Mexico City and other cities in the Republic were found to be far from satisfactory from many points of view. The Government readily recognised that some improvement must be made, and they have now inaugurated a new system which will serve to place Mexico in line with the other civilized countries of the world. The different *Comisarios*, with hardly an exception, were not originally intended as prisons, but have been adapted to such use, and badly adapted at that. As a consequence, they have lacked sufficient accommodation, sanitary appliances and conveniences, and being situated some distance from the Correctional Courts the prisoners have had to undergo the additional and undeserved humiliation of being marched through the public thoroughfares in the full light of day.

One entirely new stone-built Correctional Court has already been erected, adjoining the *Carcel General* (the General Prison), and has been found to thoroughly answer the require-

ments. The Government has lately allotted the sum of \$200,000 (£20,000) to the erection of a *Comisaria* upon a somewhat similar plan, and no doubt others will follow in due course, the idea being to establish a Correctional Court in conjunction with each *Comisaria*, as is the case in London and other large English cities. The great central prison, Belém, at present receives all the prisoners who have undergone preliminary, but not final, examination, and as this gaol is situated at the extreme end of the City both inconvenient and unnecessary suffering to the unfortunate accused result from the journeys to and from the Correctional Courts. Several prisoners have taken the favourable opportunity to escape and have remained at large, the number of Police escorting the gang usually being fewer than the requirements demand.

It is to the eternal credit of the Governor of the Federal District of Mexico (Don Guillermo de Landa y Escandon) that one of the most senseless and barbarous customs of Spanish-American countries has been abolished. I refer to the law (Art. 696, Penal Code) which forbids immediate and unofficial aid being given to injured or sick persons. If a man or a woman be run over, knocked down or faint in the street, the Penal Code referred to ordains that he or she must remain precisely where he or she fell, no matter even if in danger of further injury from passing vehicles, until a policeman can be found. And in what country was a policeman ever found when he was most urgently wanted? If the injury sustained be serious or fatal, the afflicted sufferer must be left on the identical spot until a judge can be found and prevailed upon to come to the scene and authorise the removal to the hospital or the dead-house.

This unnecessary and inhumane law prevails all through Spanish America to-day, and its abrogation is invariably defeated when it comes up periodically for discussion before Congress. The idea seems to prevail that if a wounded person is touched or moved before the arrival of the authorities, the necessary evidence to prosecute an official enquiry may be missing. Thus, human life and human suffering must be sacrificed so that the law of the land may have no doubts to trouble its mind when it begins to ask questions. Men

may bleed slowly to death or die of asphyxiation—as they have done to my personal knowledge upon several occasions in Buenos Aires and in Valparaiso—when perhaps a prompt application of some simple remedy, or the uplifting of the patient's head to a more comfortable position, would have saved his life. All credit then to Don Guillermo de Landa y Escandon for having abolished such legalised barbarism in the wide district over which he has jurisdiction.

No one country is in a position to cast stones at another in regard to particular laws, their administration or their failure. We are somewhat prone to pass hurried judgments upon the acts of our neighbours, and to call attention to the motes in their eyes while disregarding the beams in our own. All the world cried shame on Great Britain when the two notorious child-torturers—Mrs. Penruddock and Mrs. Montague—were allowed to go practically scot-free. Great Britain and every other nation denounced France for the atrocious persecution of Captain Dreyfus. The entire universe has called for vengeance against Bloody Russia for her criminal conduct towards the unfortunate Jews. The lynching of luckless negroes in America has sickened and disgusted every other Christian country. And thus we all have our sins to answer for, and should rather concern ourselves with lessening, and atoning for, these, than with denouncing the backslidings of our neighbours.

Mexico has in times gone by received, and I think merited, much adverse comment on account of the defective Jury system in that country, and the many abuses to which it has lent itself. The native power has exhausted its vocabulary of epithets in connection with the numerous miscarriages of justice occurring from time to time, and has called for the abolition of Juries *in toto*. The same demand has been made in other countries, and will no doubt continue to be made when any particularly flagrant case comes before the public, which, in its indignation, forthwith attacks the entire judicial institution, oblivious of the fact that the whole fabric of society would go with it, were trial by jury really to be abolished.

It is not alone in Mexico that controversy has raged over the *pros* and *cons* of the jury system. While some declare

that nine or twelve ordinary men are more likely to arrive at the truth than a single judge, and that the system has generally worked well, others will be found as certain that an innocent man would in nine cases out of ten prefer to be tried by a judge rather than by a jury, as he would be appealing to a higher order of intelligence. Undoubtedly a jury of average men, and the jurors empanelled in Mexico are culled from an intelligent and honourable class of citizens, are better able to form a correct opinion as to facts connected with daily life of the working and commercial classes than a judge, who has only an academic knowledge; while a jury also are likely to be freer from class prejudice and less precipitate in arriving at a decision. On the other hand, there is always the danger of some of the jurymen in a limited community like that of Mexico—either in the cities or the towns—being known to the accused or the plaintiff; and unfortunately “trial by newspaper” is very common in Mexico, both by the native and the foreign press, which, of course, has great weight upon the jurymen selected from the public readers of the journals, whereas a judge would probably be entirely uninfluenced by such publications. Certainly facts come out before a jury which would be overlooked by a judge, while on the other hand the latter is likely to be less affected by emotionalism than would a jury. The whole question bristles with difficulties and contradictions, but since trial by jury is an institution time-honoured, and in force in practically every civilised country in the world, and inasmuch as sufficient proof of its evils has not been adduced, it will probably continue in force both in Mexico and elsewhere until, by some other means—

“Truth shall e'er come uppermost
And Justice shall be done.”