

the canonical laws of Spain: those which relate to civil and criminal matters, are derived principally from the Roman laws, which were freely translated without acknowledgment of the fact. The Partidas were not promulgated until 1343, and were not actually put in operation until 1505, when Ferdinand and Joanna gave them their sanction at the Cortez held that year in the city of "Toro."

The Partidas are divided into seven parts, each part divided into titles, and each title sub-divided into laws.

The first part treats of the canons and liturgy of the church. The second is a summary of the ancient usages of the Spanish nation and of the rules of its government. The third, fifth and sixth parts contain an abridgement of the principles of the Roman laws on actions, suits, judgments, contracts, successions, testaments, minority and tutorship. The fourth is a compendium of the laws relative to marriage and family relations, legitimate and illegitimate, freedom, slavery and enfranchisement. The seventh treats of crimes, offences, and punishments, and, in imitation of the Pandects, concludes with one title on the signification of words, and another on the rules of law.

The Partidas contain the fundamental principles of the Spanish law, expressed with grace, with simplicity and in the purest idiom of the Spanish language. The elevation of the sentiments of the Pandects has attracted the admiration of the learned. They contain these remarkable words, "despotism tears the tree up by the roots; a wise monarch prunes its branches."

The laws of Toro were published at the Cortez held at the city of Toro, in 1505; they relate principally to wills, successions and donations.

The Royal Ordinance was published by Ferdinand and Isabella in 1496; it is divided into eight books and the greatest part of it has been inserted in the "Recopilacion of Castilla," which completes the system of Spanish legislation. This recopilacion was published by Philip II., in the year 1567. The ordinance of Alcala, the Royal Ordinance and the laws of Toro, are contained in it.

The laws of Spain regulating and governing her immense dominions in America were collected and digested by order of Philip IV., and published in the year 1661, under the title of "Recopilacion de las Indias."

The transfer from France to Spain did not change the system