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INVESTIGATION OF MEXICAN AFFAIRS

PRELIMINARY REPORT AND HEARINGS

U.S. Congress. Senate

OF THE

COMMITTEE ON FOREIGN RELATIONS UNITED STATES SENATE

PURSUANT TO

S. Res. 106

DIRECTING THE COMMITTEE ON FOREIGN RELATIONS TO INVESTIGATE THE MATTER OF OUTRAGES ON CITIZENS OF THE UNITED STATES IN MEXICO

IN TWO VOLUMES

VOL. 2

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SUBMITTED BY MR. FALL.

MAY 24 (calendar day, MAY 31), 1920.

Ordered, That the hearings held before the Committee on Foreign Relations, pursuant to a Senate resolution of August 8, 1919, providing for an investigation into certain matters in Mexico affecting American citizens and American property rights, together with the report of said committee thereon, be printed with accompanying illustrations.

Attest:

GEORGE A. SANDERSON,
Secretary.

INVESTIGATION OF MEXICAN AFFAIRS.

WEDNESDAY, FEBRUARY 11, 1920.

UNITED STATES SENATE,
SUBCOMMITTEE OF THE COMMITTEE ON FOREIGN RELATIONS,
El Paso, Tex.

The subcommittee met, pursuant to the call of the chairman, at 3.40 o'clock p. m., in room 30, Sheldon Hotel, El Paso, Tex., in open session, Senator A. B. Fall presiding.

Present: Senators A. B. Fall and Marcus A. Smith and Dan M. Jackson, Esq., clerk of the subcommittee.

TESTIMONY OF CAPT. FREDERICK J. HERMAN.

Senator FALL. You are in the military service, Regular service?

Capt. HERMAN. Yes, sir.

Senator FALL. And your title—what is your rank?

Capt. HERMAN. At the present time my rank is captain of the Eighth Cavalry.

Senator FALL. How long have you been in the military service?

Capt. HERMAN. I have been in the military service of the United States for 20 years and 9 months, and 10 years prior to that I was in the National Guard of Ohio.

Senator FALL. Where were you on or about August 27, 1918?

Capt. HERMAN. On the 27th of August, 1918, I was a lieutenant colonel of the Tenth Cavalry, commanding a troop stationed at Nogales and commanding the subdistrict of Nogales of the district of Arizona.

Senator FALL. The Tenth Cavalry is a colored regiment, is it?

Capt. HERMAN. Colored regiment; yes, sir.

Senator FALL. Did anything of any particular interest or out of the ordinary in peace times occur at Nogales on that date or about that date?

Capt. HERMAN. Yes, sir?

Senator FALL. Will you just state exactly, giving the story of what occurred, Capt. Herman, in your own words?

Capt. HERMAN. At 20 minutes after 4 o'clock on the afternoon of the 27th of August, 1918, while riding into the city of Nogales from my camp I noticed a truck tearing at excessive speed in the direction of the camp. I stopped the driver instantly, because such speed was contrary to existing orders. I discovered from the driver, and by hearing firing when the noise of the truck ceased, that the American troops along the line, known as the line guard, and Mexicans across the international line were engaged in a rifle fire in the vicinity of the railroad station in Nogales, Ariz.

Senator FALL. Just a moment, Capt. Herman; let's get for the record the situation with reference to the international boundary there, if you will kindly state it?

Capt. HERMAN. The city of Nogales, Ariz., and the city of Nogales, Sonora, lie in a canyon, or sharp valley, extending northwardly and southwardly across the international line, which runs at right lines approximately with the canyon in which the two towns are located.

Senator FALL. How did the street, for instance, on the American side run with reference to the Mexican town; do the American streets end when they reach the boundary or continue on through the Mexican town?

Capt. HERMAN. They practically end at the international line, although streets that might be said to be a continuation of them extend on north and south. There are also east and west streets running in both towns in a general parallel direction. The valley is traversed north and south by the Southern Pacific Railroad and two main streets running northward from the international line.

Senator FALL. Those main streets run through both towns?

Capt. HERMAN. Yes; I don't recall, but they probably have different names on the Mexican side. The eastern one of the main street is known as Morley Avenue; I don't recall the name of the western street, close on either side of the railroad.

Senator FALL. Now, the railroad itself—I mean the station itself—the railroad runs north and south, running from, we will say, Tucson to Guaymas.

Capt. HERMAN. Yes.

Senator FALL. And the station—is there both an American and Mexican station?

Capt. HERMAN. Yes, sir. The American station consists of a well-built and commodious stone structure, the south end of which is approximately 60 feet from the international line. At a distance of about, I should say, 500 feet, to the best of my recollection, south from that is the Mexican station. If my memory serves me there, that is built of wood. When I stopped this truck driver and received the information just stated from him I also heard firing, and having anticipated this action for some time I went into the nearest place where there was a telephone, the office of the Nogales water works, and telephoned to my headquarters directing the Cavalry to come to arms and immediately proceed to the Bowman Hotel, in Nogales. I then called up subdistrict headquarters—I don't recall who answered the phone, but I think Field Clerk Sebastian—and notified the Infantry to assemble command and report to me near the railroad. I was driving a closed coupé, and my wife was with me. I turned the coupé and went back to camp, 2 miles, as fast as I dared drive through the traffic. When I got to camp the squadron of Cavalry had already mounted and formed in the street and had just wheeled into line. They had my horse and arms ready. I drove my wife to the house and left my private car standing and sprang into a Government car waiting for me and went back to Nogales, where I arrived just about the time the troops dismounted under cover to the north of the Bowman Hotel. I kept the troops where they were a few minutes while I went forward and made

a reconnoissance of the situation, located the Mexican forces as near as I could, and then made the disposition of the troops that I thought was proper to meet the emergency. When I arrived on the line, which was not more than 20 minutes after the firing began, because I was moving very fast, firing was general from a sharp knoll or hill just south of Nogales, Ariz., on the Mexican side, and along International Avenue, from the buildings, alleyways, and doorways of the houses on the Mexican side; this extended westward along the international line. I found that a considerable force of Mexicans were located in and about the freight warehouses, railroad depots, and lines of freight cars drawn diagonally across the wide street.

The situation of the railroad cars, I had never seen there before. I also found considerable forces of Mexicans entrenched on a high hill commanding Nogales, Ariz., and to the Southwest across the international line. I found Mexicans in the windows of the house of Gen. Obregon, firing at our troops. I then made the necessary disposition of my men, and after a brief interval I found no cessation of firing, and apparently no chance to get anywhere with that kind of an arrangement, so I began to advance my line across the international boundary. The Cavalry troops on my left flank, under command of Capt. Joseph D. Hungerford, moved with instructions to clear the commanding position to the southeast of the town, held by Mexicans entrenched, and that force moved up to Reservoir Hill, and down in the cleft across the line, and started upward for the Mexicans' position; another troop, A of the Tenth Cavalry, I sent across International Avenue with instructions to clear the houses and drive all male Mexicans to the south that didn't have to be shot, and to be careful that no woman or child was injured. A message came back soon there were no women or children visible in that area, and that they had gotten to the back of the first block of houses, and could do nothing further there unless a rocky height due south of the town was taken possession of, which would command the entire town of Nogales, Sonora. I went forward, and just as I got to the international line for the purpose of giving the necessary directions, after verifying these statements, I was shot by some one in the second story of a building across the international line, and that man was instantly cleared up by several of my men who witnessed the affair. I didn't know I was severely hit; I thought I was struck in the leg by a stone and looked around for the bowlder. I kept on, checked up the positions, and gave the necessary orders for the troops to quiet it, which was done at once; and about that time my orderly advised me I had better get my leg attended to. I found I had a gunshot wound in the right thigh, and it hadn't penetrated through; the bullet was in there, and about that time I became painfully aware of it. The troops in the commanding position carried on the fight until 5.45 that afternoon, when Mr. Lawton, American consul, came to me at Dr. Chenoworth's, where I had gone to have first-aid dressing put on my leg, and told me that the Mexicans had raised the white flag over the customhouse, and that they wanted us to cease firing. At about the same time Sheriff Earhart, of Santa Cruz County, delivered a message from the Mexican consul in Nogales, Ariz., requesting us to raise a white flag and the Mexicans would stop firing. The reply was somewhat profane, and there was no white flag displayed.

Senator FALL. Have you any objection to repeating the reply?

Capt. HERMAN. Well, if the stenographer doesn't mind, I simply told him to go to hell; that American troops don't carry white flags and don't use them. I went with Mr. Lawton down Morley Avenue, through the firing of the troops, which came in unabated manner, looked over the situation, and I could see in the street across the line that the Mexicans had been rather severely punished. I thought I would go over and see what they wanted to do; I accompanied the American consul to his consulate on the Mexican side, and there we met a number of persons, including the commandante of the Mexican force. If I may refer to a memorandum of the names, I can give them. I was accompanied then by Mr. E. M. Lawton, United States consul, and was joined later by the customs collector, C. L. Hardy, and Lieut. Robert Scott Israel, representing United States Intelligence Division. Those awaiting us at the consulate were Capt. A. J. Abasolo, commandante of the Mexican troops in Nogales; Jesus M. Palma, and F. Sandoval, representing the Mexicans. These latter two gentlemen, if my recollection serves me right, were civil officials, one of whom occupied a position corresponding to our county attorney. We held a conference there and discussed ways and means of stopping all further disturbance and to arrange for an investigation of the causes which brought it about. During all of the time the Mexican firing continued, although I had given the command on the trumpet to cease firing, and the American troops, in obedience to orders, had ceased firing. It became necessary for the Mexican commandante to send buglers and orderlies out to the various points to stop the firing of the Mexican forces. I noticed that particularly because I thought this a very significant matter. The men he sent out were undoubtedly men who had had some military training, were evidently Mexican de facto soldiers; the men he sent out who appeared to be officers had the same earmarks. They were given specific directions immediately where to go; they went and got results and reported back in a military manner.

Senator FALL. They were not in uniform?

Capt. HERMAN. Not in uniform. No uniforms were visible on any Mexican person. The commandant of the Mexican forces in the very beginning of our conversation explained and insisted to my interpreter, and I understood him myself, because I understood Spanish to a fair extent, that the de facto troops were all cooped up in the cuartel, which was not true, because with powerful glasses we saw that the cuartel held only a few, and the fact that these men went out in the military manner, in which they did, directly to points they wouldn't have known anything of, if the Mexican belligerents had been irresponsible citizens, as was alleged, made me believe firmly then, and I believe so yet, that the entire attack and the subsequent action was not only prearranged and premeditated but under the guidance and control of the de facto military authorities. The firing ceased about 7 o'clock, and I returned, and after some physical attention I established my headquarters at National Hotel, in Nogales, and issued the necessary orders for the rationing of the troops on the line, procuring of water, water and forage for the horses, and additional ammunition, and issued the necessary orders for the action of the American forces during the night. We had arranged to begin the

investigation at 8 o'clock next morning, where I said I would either be present in person or some officer who might succeed me during the night would be there to represent the United States.

I was relieved at 5.30 in the morning by Gen. Cabell. During this time I remained constantly on duty, because I feared to leave. I had not a single officer with me of more than about a year's experience. I had three troops of the Tenth Cavalry, one of which—C Troop—had at Carrizal lost its captain, Capt. Boyd, and Lieut. Adair, and that day had lost another captain in the person of Capt. Hungerford. The men were vengeful and anxious to get at the Mexicans, and I knew they would get out of hand unless an officer who knew them well and had served years with them, as I had, would remain on the job and hold them to their duty. I was finally informed on the following day by a memorandum from the Intelligence Division that their investigations had proved that as early as noon on the 27th of August Mexican women and children in large numbers had begun to leave the town to the South. In the beginning of my statement, if you will note, I said I had suspected an occurrence of this kind.

Senator FALL. I noted that.

Capt. HERMAN. That is predicated upon the fact that we had had information through the Intelligence Division and by a letter written by a Mexican, who stated that he was signing an assumed name, that he had been a major under Villa, but had been disgusted with the inhumanity of warfare under that chief; that he had friends living in Nogales, Ariz., and that he himself was earning a livelihood there. That he wished to warn us that the Mexican forces were increasing in the vicinity of Nogales, Sonora; that they were being supplied by unknown forces, which he thought were Germans, with military supplies in the form of rifles and ammunition and some food. He said the majority of the soldiers were desperate, hadn't been paid for a long time, hadn't been fully fed, and they had been given stories of the vast wealth and loot that could be gotten in Nogales, Ariz. That he thought that in the latter part of August the city would be attacked by a largely superior force of Mexicans, who intended to take advantage of the leaving of the Thirty-fifth Infantry, then under orders to proceed to Camp Travis. The Intelligence Division made some investigation about this letter, and after gathering all the ends of their information together, positive and negative, we decided there was a good deal in that letter that deserved consideration, and rather than make any mistake we prepared for what might occur on the assumption that what did occur did occur.

I made an effort to get additional troops, including machine guns, and succeeded in part. The men had been carefully cautioned and prepared exactly what to do under an emergency like that, which finally came up, and when the firing began there was no delay in meeting it in the most energetic manner. The trouble started at the customs gate by an argument between a Mexican customs guard and some one trying to cross the line. The Mexican customs guard fired at short range, within a few feet, but missed the man fired at and wounded an American soldier, and then got ready to fire again, and simultaneously probably a score of armed Mexicans came out of the house across the international line and began to fire on the line

guard; then five minutes after the first firing rifle fire came steadily and continuously from the entrenched height southeast and southwest of Nogales. During the action a machine gun from the tower of the Mexican customhouse inflicted considerable damage to our troops until I sent a platoon of riflemen to clear them out, which they promptly did. That machine gun was in position before the fight; it couldn't have gotten in after it began without being observed.

Senator FALL. What were the losses among your soldiers?

Capt. HERMAN. The ultimate loss, as determined later, was one captain of Cavalry and first lieutenant of Infantry killed, two American officers wounded, three enlisted men killed, two civilians killed, and five or six civilians wounded—none very seriously; 20 enlisted men of the Cavalry and Infantry forces were wounded.

Senator FALL. Have you any information as to the casualties on the Mexican side?

Capt. HERMAN. I never could get definite information on that subject. The information of the Intelligence Division reported, up to the 15th day of September, 129 Mexicans supposed to have died of gunshot wounds had been buried, in addition to which, among the dead of the first day's fight, were found two white men who appeared to be Germans from letters found on their person that were burned at that time. That, however, is hearsay evidence given me by the Intelligence Department, and isn't known to me as a fact personally; that is, from personal observation.

Senator FALL. However, you depend on the Intelligence Department?

Capt. HERMAN. I imagine it was right, because for a month after that—for two months after that—I was in Nogales before I was promoted and sent to the Thirteenth Cavalry, and we had abundant opportunity to hear all kinds of tales of what had occurred to the Mexicans, and while some of them were largely exaggerated, some of the reports indicated that the Intelligence Department figures were approximately correct.

Senator FALL. You were not demoted or reprimanded by the Government for your acts?

Capt. HERMAN. No, sir; I was commended by the department commander and by the district commander, Gen. Cabell, for my decision in the matter. Existing orders prohibited American troops from crossing the line or firing across, and we endeavored to carry out those orders as long as we could, until we knew that the continuance along those lines would mean death to citizens of the United States and our soldiers, and great loss and damage to our citizens, and to act in any other way would be to the eternal disgrace of the American Army. During that night the line was constantly patroled by officers inspecting our position; not a shot was fired from the American side, only a few pistol shots were fired from the Mexican side, which were not replied to; but about 10 o'clock seven or eight coaches, passenger coaches, were rolled up from the south and the outpost reported that Mexican armed men, presumably soldiers from the garrison south of Sonora, were detrained there. That didn't bother us much because during that night we had gotten a truck load of machine guns from Fort Huachuca, and it didn't make any difference to us how many Mexicans they would bring up.

Senator FALL. How far was Fort Huachuca from Nogales?

Capt. HERMAN. Seventy miles, sir.

Senator FALL. You casually mentioned that Gen. Obregon had a house there?

Capt. HERMAN. Yes, sir.. His house is located very close to the international line.

Senator FALL. Did I understand you to say there was firing upon your forces from that house?

Capt. HERMAN. Yes, sir; I saw armed men in the windows of that house, and Lieut. Isreal, who was acting as aide for me, reported to me personally that he had seen men firing from that house. I must state, however, that the report was, at that time, and I think it was correct, that Gen. Obregon was not at home or in Nogales at that particular time. I am personally acquainted with that officer, having met him at Naco in 1913, and if he had been around Nogales, Sonora, I would probably have known it.

Senator FALL. Were you at Naco in the service in 1913?

Capt. HERMAN. Yes, sir; I was part of the Ninth Cavalry at that time. In command of C Troop of the Ninth, and I was present at both sieges of Naco, and the assault, and taking of Naco by Constitutionalists forces by Obregon in 1913.

Senator FALL. Were there any casualties at that time among the soldiers?

Capt. HERMAN. In 1913 very few. A trumpeter of my troop was shot through the shoulder as he was mounting. He was holding my horse, and one or two others were slightly wounded, but in 1914, October and November, during the long siege, a number of American soldiers were killed and wounded.

Senator FALL. Do you recall the number of American soldiers killed there?

Capt. HERMAN. I don't think there were over three or four men killed, but the total casualties, I imagine, were in the neighborhood of about a dozen. But there were between 50 and 55 persons, soldiers and civilians, shot while on American soil by rifle fire coming across the international line. A number of these were Mexicans, men, women, and children, whether American Mexicans or real Mexicans, I don't know. However, they were on the American side and presumably residents on that side.

Senator FALL. Did the military forces of the United States interfere with that shooting?

Capt. HERMAN. At Naco?

Senator FALL. Yes.

Capt. HERMAN. Not physically, although I think in January, 1915, when the American forces were there at full strength a number of field batteries were placed in firing position, and all preparations were made to resent physically with fire action any further casualties on the American side, or any fire that was directed so the bullets would strike on the American side, and when those batteries were placed in position, and the other troops stationed to meet that emergency, the Mexican authorities of both contending forces were duly notified and considered it prudent to desist.

Senator FALL. Prior to that time, in the long siege, in the fighting in 1913. as well as 1914, measures of that character not having been

taken by American troops, the firing was almost continuous upon this side, as long as there was any firing at all between the factions?

Capt. HERMAN. Yes; they were firing at each other day and night, all hours of the day and night. In 1913, Obregon had some 800 Yaqui Indians on the line west of Naco. They dug themselves into the hillside, and would go to sleep awhile, then go to the top of the hill and fire at Naco, and then go back and smoke a cigarette, then shoot at Naco, then sleep awhile; they kept that up day and night for, I judge, a period of about 12 days.

Senator FALL. Do you know where the house of the Cananea Copper Co. is situated in Naco?

Capt. HERMAN. I don't believe I remember. If I knew I have forgotten.

Senator FALL. It is the largest house there, the most pretentious house. Do you know anything about shrapnel being used by the contending factions while you were there?

Capt. HERMAN. At Naco?

Senator FALL. Yes.

Capt. HERMAN. Oh, yes; they used several explosive projectiles. The Mexican federal troops, I think they were called at that time, held the town and the Constitutionalists were trying to take possession of it. The federals had two small Howitzers of French manufacture; the caliber of which, I think, was something like 75 or 77 millimeters.

Senator FALL. Did you observe the accuracy of their fire?

Capt. HERMAN. No; because there wasn't any; but we saw them firing. We incidentally captured a lot of ammunition that came up on the El Paso & Southwestern Railroad to the Naco, Ariz, station. Mexicans seemed to be on hand to take charge of it, but our troops beat them to it and took charge themselves. On the last day of the siege, and final assault in 1913, they were running short of ammunition, and firing only about one shrapnel shell out of every five shots. So far as the effect on the Yaqui Indians and Constitutionalists were concerned, it didn't make much difference, because they stopped just as promptly for the blank shots as those containing real ammunition, but the most formidable explosive handled there consisted of hand grenades, which were largely home made. The Constitutionalists decided they were going to blow up the Federal cuartel one night, and advertised it quite extensively. Their process was to be to send an empty freight car full of dynamite down the gradient from the direction of Cananea. There is a gradient there about 2 miles long, and they were going to send that dynamite with a time fuse that would blow it up just as the carload got to the nearest point to the cuartel. That was about as close to our camp and houses as to the cuartel, so we were on the lookout for that, and apparently on schedule time that car was started. Of course, we didn't expect a very violent explosion, because we always divided the Mexican military effort by about 20 to get at the actual thing that would be pulled off.

The car was started, but when it got four or five hundred yards out of Naco it promptly ran off a couple of loose rails, and on the prairie, and the Federals slipped out and got the dynamite, not a great deal, and made hand grenades, which consisted of a piece of dynamite laid in a piece of raw or green cow hide, surrounded with

nuts, nails, and some stones, and sewed in after, with an ordinary percussion cap, and a piece of common mine fuse stuck in. It was sewed up tight, and as the green hides contracted it made a hard knot, and they sent those forth with the aid of the ancient sling we used when we were boys to throw stones. Sometimes they went off too soon and blew up the fellow at the sling, and sometimes somebody else. The fuse was lighted ordinarily with a cigarette, and the Mexicans would whirl the sling and let it go. I saw one fellow make a mistake and sling it too long, but I did see one do some execution. It landed in a bunch of three or four Yaqui Indians behind an adobe wall and I think they were all destroyed.

Senator FALL. Shrapnel fell in the American town of Nogales during some of that fighting?

Capt. HERMAN. I can't state that positively. My impression is what fell in the American town was all small-arms fire from the Constitutionalists who were to the south and southwest of the town, who were aiming at the town, and missed and shot into our lines. They had several 75-millimeter guns, not very serviceable. On quite a number of occasions they actually missed the town of Nogales, with this artillery fire, and some of those shells undoubtedly went over into the United States.

Senator FALL. Capt. Herman, who was the lieutenant killed in this fight at Nogales?

Capt. HERMAN. First Lieut. L. W. Loftus, Company G, Thirty-first Infantry.

Senator FALL. The captain; you gave his name?

Capt. HERMAN. Captain of Cavalry Joseph B. Hungerford, Troop D, Tenth Cavalry.

Senator FALL. You know whether the Mexican Government, or authorities, ever disciplined anyone, the military commandante, or any civil authorities or citizens of Nogales, for this attack?

Capt. HERMAN. I have never heard that anything occurred to any man connected with that.

Senator SMITH. Except what occurred on the ground?

Capt. HERMAN. Yes. I didn't mention it before, but it may be of interest to state that the mayor of Nogales, Sonora, was killed that day with a rifle in his hands.

Senator FALL. You have made a very full and interesting statement, Captain, and the committee is under obligations to you for your testimony; if there is nothing further you care to say, we will not detain you longer.

Capt. HERMAN. I was in command at various periods of the subdistrict of Nogales prior to this engagement, and from time to time thefts of cattle were reported. In the investigation of those thefts it was discovered on several occasions that the cattle had been seen in the hands of the de facto soldiers of Mexico, and it was generally known that they furnished the beef for the Mexican detachment; that was a matter of general knowledge up and down the line. I don't know this personally. I do know, however, that a number of horses stolen at different times from American ranchmen were found in the possession of the Mexican troops, and upon representations from me or from some other subdistrict commander at different times these animals were in part returned to their owners.

Senator FALL. And you received some cooperation from the Mexican military authority?

Capt. HERMAN. Only to that extent, the return of a few horses.

Senator FALL. You spoke of the de facto Mexican forces, you have reference to the Carrancistas?

Capt. HERMAN. I refer to the soldiers of the existing Government. It was very difficult at any time to know whether a Mexican with a gun was a soldier or a civilian as they wore no uniform and had no distinctive marks and no uniform or equipment to indicate that they were regularly constituted military forces.

Senator FALL. You didn't hear that they had any rule there that upon entering an engagement they rolled up their left pantaloon legs above the knee and sleeves above the elbow so as to distinguish them from the ordinary civilian?

Capt. HERMAN. I never heard that before, and I have some doubts about that. If a thing like that occurred, I would have heard. That is such an absurb thing it would have attracted attention.

Senator FALL. The testimony here is, in the last engagement in Juarez in which our forces crossed the line and took part, that the chief of staff of the American forces in asking the commandante of the Carranza forces upon the other side how he would distinguish Carrancistas from Villistas, was told that upon entering upon an engagement the Carrancistas had orders to roll the left trousers leg above the knee and sleeves above the elbow, and he could distinguish them in that way from Villistas.

Capt. HERMAN. Nothing of that kind ever occurred on the western end of the line where I was in service.

Senator FALL. In fact, you didn't ask in this particular engagement for any distinguishing marks?

Capt. HERMAN. There was no time to do anything but shoot there.

Senator FALL. Capt. Herman, is that wound you received so serious as to permanently cripple you?

Capt. HERMAN. Why, I don't think so; I have suffered no particular inconvenience from it since. I don't know how the advancing years will affect it.

Senator FALL. At any rate it hasn't disabled you?

Capt. HERMAN. It didn't even disable me from constant supervision of the engagement at that time.

Senator FALL. Evidently not, upon which fact, I think, we are to be congratulated. Thank you very much, sir.

(The committee then, at 4.30 o'clock p. m., adjourned to 10.30 o'clock Thursday, February 12, 1920.)

THURSDAY, FEBRUARY 12, 1920.

UNITED STATES SENATE,
SUBCOMMITTEE OF THE COMMITTEE ON FOREIGN RELATIONS,
El Paso, Tex.

The subcommittee met pursuant to the call of the chairman, at 10.30 o'clock a. m., in the Sheldon Hotel, room 30, El Paso, Tex., Senator A. B. Fall, presiding.

Present: Senators A. B. Fall and Marcus A. Smith, and Dan M. Jackson, Esq., clerk of the subcommittee.

TESTIMONY OF MR. NORMAN WALKER.

(The witness was sworn by Dan M. Jackson, Esq., secretary of the subcommittee, duly authorized thereto.)

Senator FALL. Where do you live, Mr. Walker?

Mr. WALKER. In El Paso.

Senator FALL. How long have you lived here?

Mr. WALKER. It will be 13 years the 1st of April.

Senator FALL. Were you here at the outbreak of the revolution known as the Madero revolution in Mexico?

Mr. WALKER. Yes, sir.

Senator FALL. What were you doing at the time?

Mr. WALKER. I was then a reporter on the El Paso Herald.

Senator FALL. As a reporter, I presume you were interested in watching the fight and in the distance engaged in it?

Mr. WALKER. Yes, sir; I was assigned to the Mexico business most of the time, and I devoted most all of my time to it.

Senator FALL. Do you remember what occurred in the city of El Paso about the firing of shots that interfered with the peace of the city?

Mr. WALKER. At what time, Senator?

SENATOR FALL. At the time of the Madero revolution.

Mr. WALKER. Yes, sir; they were fighting two days and two nights and part of three days.

Senator FALL. That was what date?

Mr. WALKER. The 8th, 9th, and 10th day of May, 1911, the fight started about 9 o'clock and continued until about the same time on the morning of the 10th.

Senator FALL. I am not going to ask you what occurred in reference to the details of the fight, what occurred on the other side, but I would like to ask you if any parties were killed or wounded in this city from the firing?

Mr. WALKER. The Herald at that time printed a list. I will state offhand—I have not refreshed my memory—but there were 18 killed and wounded during those 3 days of fighting.

Senator FALL. Were the military forces of the United States here at that time?

Mr. WALKER. Only a small number compared to the number that has been here since then; as I recollect, the Fourth Cavalry was here, and a part of an Infantry regiment, I don't remember the number.

Senator FALL. They took no military steps to prevent firing on this side?

Mr. WALKER. No; simply patrolled the bridges to keep them from coming over, and patrolled the border.

Senator FALL. What became of the civilian population of the city of Juarez, Mexico, at that time?

Mr. WALKER. The civilians came over in great numbers and continued to come. The next morning, I remember, they were coming over during the fight at that time.

Senator FALL. When was the next fight at Juarez, if you know?

Mr. WALKER. There was a sort of an attack in 1912 by a force that was known then as the Red Flaggers, and afterwards joined with Orozco, or Orozco joined with them; there were only a few shots fired, one morning early, and the town capitulated without any resistance.

Senator FALL. What became of the civilian population at that time?

Mr. WALKER. Great numbers of them came over to this city at that time. The so-called Orozco revolution, or the Red Flaggers, were down the railroad and threatened to come in several times before they ever did; it was in command that time of a medical officer—I forget his name—educated in an American—St. Louis—medical school.

Senator FALL. You can not at present recollect his name?

Mr. WALKER. I can not recall his name; he was supposed to be in command; they advanced on Juarez and there were a few shots fired, and then the civilians came over to this side.

Senator FALL. Prior to the date of May 8, 9, and 10, had there been any attempt to attack in the neighborhood of Juarez?

Mr. WALKER. There had been several threats about it; nothing done. The rebels were up in the hills during the winter—I don't recollect the exact time, but some time during the winter of 1910—and they staid there in the hills outside of Juarez for some time; the town was threatened several times, but the actual attack did not occur until May 8.

Senator FALL. When the rebels came in, do you remember the occasion of what is known as the Battle of Bauche?

Mr. WALKER. Yes, sir.

Senator FALL. That was prior?

Mr. WALKER. I won't say whether it occurred before or after; but it started on a Sunday. There was a battle of Bauche when there was a real battle—when those troops were coming up from Casas Grandes for the relief of Juarez. The troops were under the command of Gen. Rabago, and were riding on a train to Juarez, and were attacked on the train at Bauche. During the day—Sunday—many El Paso people went down.

Senator FALL. During these different pretended or actual attacks where did the attacking forces procure their water, if you know?

Mr. WALKER. There was water at Flores Ranch, and they also came down to the river at the smelter ford, and that is as much as I know. I know that they had, comparatively speaking, always had plenty of water; they came down to the river quite often.

Senator FALL. The people of El Paso, were they able to see them when they came in?

Mr. WALKER. Yes, sir. I know I saw a number of them personally, both from this side and, of course, I went over.

Senator FALL. Let's go back. When did the next attack occur on Juarez, causing the population or any portion of it to come over to this side, if you know?

Mr. WALKER. There was a mutiny, as I recollect it; there was a sort of mutiny there in Juarez preceding this. To get at it chronologically, there was some unrest in the garrison at Chihuahua; they revolted on the Juarez garrison and that resulted, as I recall it, in the mutiny in Juarez, and they looted the stores and shot up the place; that was at the time Orozco definitely announced his revolution. That must have been prior to the taking of Juarez by the Orozco revolutionists, so called; and then the next—this is the only incident, or only particular situation on this border that I am not perfectly familiar with, but we have the files of our papers and they show that Villa took the town in November; I think November 17, 1913.

Senator FALL. Pancho Villa?

Mr. WALKER. Pancho Villa; yes, sir.

Senator FALL. He made an armed attack on the town?

Mr. WALKER. He made an attack on the town and captured it according to the newspapers; I was not here at that time.

Senator FALL. Do you know what became of any portion of the population of Juarez at that time?

Mr. WALKER. As I read about it and know, they came to this side. I know the military commander did; in fact, the commander of the Juarez garrison is in town now; I saw him on the street yesterday; Gen. Francisco Castro.

Senator FALL. Who, if anyone, took the town away from Villa?

Mr. WALKER. Villa abandoned it. After Villa was defeated at the battle of Celaya later, he was more or less driven north to Juarez and came into Juarez, and then from Juarez his troops percolated into the Casas Grandes country and he more or less abandoned Juarez, leaving comparatively small forces there, and through arrangement with Andres Garcia made with them they joined the Carranza forces.

Senator FALL. What became of it later?

Mr. WALKER. Juarez?

Senator FALL. Yes, sir.

Mr. WALKER. It continued in the hands of Carranza, excepting, I think—continued in the hands of Carranza since then.

Senator FALL. Do you know anything about the battle of Tierra Blanca?

Mr. WALKER. Yes; I know of the battle, but I was not here. Following the taking of Juarez in November, 1913, I was not here.

Senator FALL. Salazar and others came up from the South and Villa went out to the town and place known as Tierra Blanca?

Mr. WALKER. Yes, sir.

Senator FALL. That battle did not injure the lives of anyone here?

Mr. WALKER. As far as I read of it and know, it did not.

Senator FALL. Now, there has been various occasions upon which rumors of an attack upon Juarez have been made, but there were none actually made during these years—following these rumors what has been the action of the people of Juarez generally.

Mr. WALKER. Well, these rumors circulated in Juarez would cause a natural unrest and they would, a good many of them, come to the American side of the river.

Senator FALL. What would become of the banking paraphernalia and money?

Mr. WALKER. I personally know of one instance and have heard of others where they brought the money to the American side and deposited it in an American bank for safekeeping.

Senator FALL. Since the turning over, or the capitulation by Villa forces, there has been no direct attacks on Juarez until recently?

Mr. WALKER. No; as I recall offhand, no direct attack; many threatened attacks. Troops would come within a radius of a hundred miles of Juarez, but there has been no direct attack on Juarez until June 14, 1919.

Senator FALL. Very often raiders, or those opposed to the then occupants of Juarez, would come into the town of Guadalupe, or other places below?

Mr. WALKER. Yes, sir.

Senator FALL. In this last battle between Villa and Angeles forces on one hand and Carranza forces upon the other, of course, there were shots fired into this town and people injured? We have an account of that.

Mr. WALKER. Yes, sir.

Senator FALL. Do you remember the occasion Villa was reported in 1915 below Juarez, coming this way with a large number of troops to attack Juarez and also to attack El Paso?

Mr. WALKER. Yes, sir; I recall the incident; that was probably the most alarming one El Paso ever experienced; that is the only time I sent my family out of Sunset Heights; they hung a lantern on the corner of my house, which they said they wanted to shoot by, and I did not think it was safe and I sent them out to East El Paso. The report was that Villa was down at Samalayuca with a trainload of artillery to be used in the attack on Juarez and El Paso, and our forces had practically no artillery here at that time.

Senator FALL. From time to time, then, during the last nine years there has been actual firing endangering the lives of the people in El Paso, and rumors of attacks upon Juarez and exodus of citizens of Juarez to this side, and preparation upon this side against attack?

Mr. WALKER. Yes, sir; repeatedly.

Senator FALL. So there have been such conditions existing in Juarez and along the border near El Paso as to keep the people of the city of El Paso subject to almost continuous rumors of a more or less alarming character?

Mr. WALKER. I would hardly say continuous, but at intervals there were.

Senator FALL. It has been necessary to keep the United States forces here to guard the city of El Paso and suburbs of El Paso and the boundary line?

Mr. WALKER. Yes, sir.

Senator FALL. And that condition still exists?

Mr. WALKER. Yes, sir.

Senator FALL. In your capacity as reporter, were you at the border town of Ojinaga at any time during the attack made upon that town?

Mr. WALKER. I was at Presidio in November, 1917; Ojinaga is almost directly across. Not across as Juarez is from El Paso, but Ojinaga is up the stream, I should say, about 4 miles distance from Presidio, but right near the border.

Senator FALL. What occurred there at that time?

Mr. WALKER. Villa, with 800 men, came in about this time, came in from what is called La Mula Pass on the morning of November 17, 1917, and attacked the town just before daylight of that morning; the fight lasted about an hour, started about 4 o'clock and lasted until a little after five, when the firing stopped until six. Villa was driven back out through the operation of machine guns by American Army deserters of the Eighth Cavalry. He staid out along the river bank all day and in the evening attacked about six and captured the town. In fact, the entire military garrison capitulated and came to the American side, and surrendered to Col. Langhorne's forces immediately after they crossed, about 8 o'clock.

Senator FALL. Do you remember something of a similar character about that time in Ojinaga when the garrison were driven out and came over to this side and surrendered?

Mr. WALKER. Yes; twice before, once I know being there in June of the same year, the same thing practically happened; I don't know that the force came across to the American side, but they abandoned the town to the civilian population and they immediately evacuated it. Villa took Juarez in November, 1913, and early in January, 1914, he took his forces and attacked Ojinaga, held by the Huerta federals under command of Gen. Salvador Mercado, who had marched from Chihuahua to Ojinaga and was making a last stand at Ojinaga with Orozco and some ot ers who had joined his forces and Villa attacked there and that was the battle that lasted something like four or five days and ended on Saturday night, and the Huerta federals crossed to the American side to Marfa, I mean at Presidio, and they were brought to Marfa overland and from there to Fort Bliss where they were interned in camp, something like 3,000 of them.

Senator FALL. Of course, you remember the attack on Columbus?

Mr. WALKER. Yes, sir.

Senator FALL. Just west of El Paso?

Mr. WALKER. Yes, sir.

Senator FALL. In 1916? Have you been at Nogales, Ariz., during any fight?

Mr. WALKER. Yes; I was at Nogales on August 17, 1918; that is just a little over a year ago, at the time the Carranza officers in Nogales and the officers of the Tenth Cavalry clashed there, starting with an effort on the part of the Mexican civilians to run the border there. They had quite a skirmish in which a captain in command of

the Tenth Cavalry was killed. A few days later, I counted forty-two fresh graves in the Nogales, Sonora, cemetery on the Sunday following. It was generally supposed there were 200 killed. Now, Nogales, Sonora, is backed by a series of very steep hills and I was told by Col. Herman that his troops drove the Mexicans back over the hills and killed a number of them that were not buried. I think the civilian population was largely buried in the cemetery.

Senator FALL. Do you remember the different occasions in which Agua Prieta and Naco, on the Mexican side, have been attacked?

Mr. WALKER. Yes, sir.

Senator FALL. Do you recollect whether on these occasions the American population on this side were injured?

Mr. WALKER. Yes; I recollect offhand twice that the people of Douglas were subjected to a fire and several killed or wounded; I don't remember the exact number, I was not entirely familiar with it. On the occasion of several attacks the revolutionists came in and attacked Agua Prieta and another time Villa attacked Agua Prieta, or tried to defend it, and also the town of Naco, Ariz., was attacked—was subjected to fire.

SATURDAY, MARCH 6, 1920.

UNITED STATES SENATE,
SUBCOMMITTEE OF THE COMMITTEE ON FOREIGN RELATIONS,
Tucson, Ariz.

The subcommittee met pursuant to the call of the chairman at 8.30 o'clock p. m., in the Santa Rita Hotel, Tucson, Ariz., Senator A. B. Fall, presiding.

Present: Santors A. B. Fall and Marcus A. Smith, and Dan M. Jackson, Esq., clerk of the subcommittee.

TESTIMONY OF MR. J. E. ANDERSON.

(The witness was sworn by Dan M. Jackson, Esq., secretary of the subcommittee, duly authorized thereto.)

Senator FALL. What is your name?
Mr. ANDERSON. J. E. Anderson.
Senator FALL. What is your residence?
Mr. ANDERSON. Tucson, Ariz.
Senator FALL. Are you an American citizen?
Mr. ANDERSON. Yes, sir.
Senator FALL. Of what State are you a native?
Mr. ANDERSON. Brooklyn, N. Y.
Senator FALL. What is your business?
Mr. ANDERSON. Motor truck driver.
Senator FALL. Are you now engaged in business in Mexico, or have you been recently?
Mr. ANDERSON. Right now; yes, sir.
Senator FALL. Whereabouts?
Mr. ANDERSON. San Xavier.
Senator FALL. Who are you with?
Mr. ANDERSON. J. W. Love & Co.
Senator FALL. How long have you been in business in Sonora?
Mr. ANDERSON. Since October, 1917.
Senator FALL. Were you operating by yourself, or did you have a business associate?
Mr. ANDERSON. By myself, sir.
Senator FALL. Have you had occasion to observe any outrages, murders, anything of that character?
Mr. ANDERSON. Yes, sir.
Senator FALL. What?
Mr. ANDERSON. The murder of Hazelton Stanley White, the date I forget, 1919; June, 1919.

Senator FALL. Was he an American citizen?

Mr. ANDERSON. Yes, sir.

Senator FALL. From where?

Mr. ANDERSON. Los Angeles.

Senator FALL. Was he a man of family?

Mr. ANDERSON. Yes, sir.

Senator FALL. What was his wife's name?

Mr. ANDERSON. Mrs. Florence White.

Senator FALL. What is her residence?

Mr. ANDERSON. I don't know where she is right now, I have her address at home; at that time she was living in Los Angeles, with his mother, and she had a little baby girl.

Senator FALL. A minor child?

Mr. ANDERSON. Yes, sir.

Senator FALL. He was killed in June, 1918?

Mr. ANDERSON. 1919.

Senator FALL. Have you investigated the incidents concerning his death?

Mr. ANDERSON. No, sir; only what we got from the Americans passing down there. White and I were in camp together; we left for La Colorada with one of my red trucks, to look for some steel wheels; when we got to the Colorada the wheels were not there, so Mr. White decided to turn around and go back to camp and I went on.

Senator FALL. When you say La Colorada, you mean the mines?

Mr. ANDERSON. No, sir; La Colorada. The mines are at La Colorada. While I was on the train coming to Nogales I heard he was killed, if I remember right, Wednesday or Thursday, somewhere along there, about the middle of the week.

Senator FALL. What is your best information concerning his death?

Mr. ANDERSON. Why, the Mexican Government, or Mexican authorities, claim Mr. White was killed by Yaquis. White was killed at Secardo. He was shot from ambush, from the right-hand side of the road. Way back from this killing, on the right-hand side of the road, from the direction of the shooting were tracks of animals, horses and mules. Horses and burros, new prints showing they were shod; the horses and the burros were shod, which seems almost unknown for the Yaquis to have, also the prints of the men's shoes; they were not Yaqui prints; some were wearing shoes, and some were wearing zapatos, but not Yaqui zapatos A Mexican driver by the name of Avila was following, my truck was in the lead. Anyway, they had passed this little abandoned ranch on the left-hand side of the road, and were going down through a wash, and after they got out of that they had to go through another, a second wash; my truck was in second gear. The first shot that was fired cut the magneto wire and my truck stopped, of course. White was shot through the head, and through the arm here, and another shot went in the body, and his body was stripped of clothing except his B. V. D.'s, and the Mexican helper who was with him, a fellow by the name fo Garcia, his body was mutilated as if his head was banged on the wheel. His body was mutilated, but White's body was not, a little on the head but nothing to speak of.

Senator FALL. Did the Mexican helper have other wounds except the crushed skull?

Mr. ANDERSON. Bullet wounds in his crushed skull. Both evidently were killed before they had a chance to get out of the seat. There was a gas tank in the back of the cab. From the way Garcia was shot it looked as though they saw this obstruction, or something in the road, and White used to carry his gun in the back of the seat, but he evidently did not get a chan e to shoot it from the way Garcia was shot. I suppose that Garcia reached up like that for the gun, and was shot through the head. This fellow Avila claimed he saw a Mexican, or some Mexicans. He stopped his truck in this wash, backed the truck up in the wash and went ahead, got stuck in the wash, backed it up again and then started back for Mazatlan. No shots were fired at that truck, and he had on a man passenger.

Senator FALL. An American man?

Mr. ANDERSON. No, sir; a Mexican man. Now, they stole all the stuff in the automobile, flour and sugar; some flour they did not take. They cut the sacks open and threw the flour on the side of the road and took the sacks and left the flour lying there in a heap. When—this I got from hearsay, when the word was sent in to Mazatlan—they got word to the mine first, and the boys started out from the mine and they got to a place—there is a little station between Tepic and Mazatlan, the name I can not just recollect, there is a large ranch there, they kept from 12, 15, or 25 soldiers there all the time. That is the closest place where they kept Carranza soldiers to the place where Mr. White was killed.

Senator FALL. What is the distance?

Mr. ANDERSON. Oh, it must have been 7 or 8 miles.

Senator FALL. Was any effort made to track these animals from the scene of this killing?

Mr. ANDERSON. No, sir; they tracked them a little ways, and Mr. Williams, from the camp—when they got word into San Xavier, my other truck started out—a man by the name of Fred Williams was in La Colorada, of Nogales, Ariz. He is now at the hotel in Nogales, Bowman Hotel in Nogales. He was going to Col. Lancaster's ranch, and there was a man with him by the name of Harry Marcott. The soldiers stopped them, would not let them go any farther, saying it was dangerous, and after another truck came down there with the rest of the boys from camp, why they went on; in the meantime the soldiers had been there and trampled over and obliterated quite a number of the tracks, but Mr. Williams went out with a Mexican—he was an old trapper down there—and Mr. Williams swears it was not Yaquis; he followed the tracks as far as he could, he could not get very far because it was getting dark, but the tracks right in the vicinity of the killing were obliterated.

Senator FALL. What effort was made by the Mexican authorities to apprehend these assassins?

Mr. ANDERSON. Not any that I know of.

Senator FALL. Has any one ever been arrested or punished for this?

Mr. ANDERSON. No, sir. Some months ago, a few months ago, the claim was made that the murderers of Mr. White were killed, being Yaquis. They claimed they recognized the murderers from the fact

that in one of the pockets of the khaki shirt the Yaqui had on was a letter of Mr. White, which is all foolishness. No Yaqui would keep a letter in a shirt for three or four months.

Senator FALL. Now, do you know of any other killing in Mexico, Mr. Anderson?

Mr. ANDERSON. Yes, sir; Mr. Hennessey, in September.

Senator FALL. What was his name?

Mr. ANDERSON. That, I dont' know.

Senator FALL. Al Hennessey?

Mr. ANDERSON. I don't know his initials.

Senator FALL. When was he killed?

Mr. ANDERSON. In September.

Senator FALL. Of 1919?

Mr. ANDERSON. 1919.

Senator FALL. Whereabouts?

Mr. ANDERSON. It was about 11 or 12 miles from San Xavier.

Senator FALL. Do you know the circumstances of his killing?

Mr. ANDERSON. He was going out to work for W. C. Love, driving a Jeffery-Quad truck, accompanied by the same Mexican who was following Mr. White, Avila. Hennessey was sitting on the left-hand side of the truck and Avila was driving on the right-hand side. They had a guard of four soldiers—two Mayo Indians and two Yaquis. There were bullet holes in the radiator and bullet holes through the borders on the truck. One soldier was killed and one wounded. Avila never had a scratch. Poor Hennessey was very badly shot up, evidently as though they had made a mark of the American. We went out after that. Mr. Marcott drove the truck. A fellow named Barnes took my truck over there. When they got over there the truck had been robbed of everything on it that they could carry away. When he got back to camp with that Jeffery-Quad truck there was just the mail and one or two little minor packages; but there was a sack of coffee on there that was gone when the truck got back; and some few days afterwards the Mexican soldiers sold this stuff or tried to sell it to another man over in a little town down on the river, on the Yaqui River—I can not think of the name right now. When we got to the truck all the stuff was stolen except the powder. We had a load of powder. A bullet went right through the powder, grazed every stick as it went across, and did not blow the stuff up.

Senator FALL. You say there were Mexican soldiers around there?

Mr. ANDERSON. Mexican soldiers were on guard within a mile of where this killing took place. I will think of the name of the outpost in a few minutes. There was a sentry, though, if he had been on duty, in sight of the holdup of this Jeffery-Quad truck; and the night that this Jeffery-Quad truck was held up there was a detachment of 75 cavalrymen at this particular camp, besides the guard that was around there, 12, 15, or 25 men.

Senator FALL. Was any effort made to track these assassins?

Mr. ANDERSON. No, sir.

Senator FALL. Do you know anything about whether these horses were shod or not?

Mr. ANDERSON. No, sir; I do not.

Senator FALL. Has anyone ever been arrested for that killing?

Mr. ANDERSON. No, sir; not to my knowledge.

Senator FALL. Did you ever know of any effort by anyone to locate any of the personal belongings of Mr. White?

Mr. ANDERSON. No, sir.

Senator FALL. Whether they were found?

Mr. ANDERSON. No, sir; not that I know of.

Senator FALL. Do you know whether Mr. Hennessey was an American citizen?

Mr. ANDERSON. He was drafted before he went—got this job with W. C. Love & Co. In fact, he belonged to the American Legion. I am positive he belonged to the American Legion in Nogales.

Senator FALL. Do you know where his relatives are?

Mr. ANDERSON. No; except I heard that his father was living in Phoenix; how true it is I don't know.

Senator FALL. Do you think of anything else that would be of benefit to the committee?

Mr. ANDERSON. Yes, sir; I would like to remember the names of those two camps, for the reason in July I was going back out to camp. I left for La Colorada in a little Ford truck with a Mexican boy and a one-armed Mexican, and we got to this Wash right at Secardo and broke down; I took the stuff off the truck and hid it out in the bushes and started afoot for this camp—I can not think of the name. When I got into the camp I was very glad to get some beans or whatever I could get, but the Mexican lieutenant or Mexican captain in charge of the soldiers invited me to his house. While I was in there I saw a carbide lamp that was taken off the truck that Mr. White was driving; it was mine. That was the only thing I could see without snooping around that did belong to me, but that was my lamp and it was in his house. Whether he took it after the killing or not I don't know. That lamp was there, but it was on my truck when it left La Colorada.

Senator FALL. This was in the commanding officer's house?

Mr. ANDERSON. Of the guard; yes, sir.

Senator FALL. This was within 30 days, approximately, after the death of Mr. White?

Mr. ANDERSON. Yes, sir.

Senator FALL. Do you think of anything else?

Mr. ANDERSON. No, sir.

(The committee then, at 9.30 o'clock p. m., adjourned to meet at the call of the chairman.)

SUNDAY, MARCH 7, 1920.

UNITED STATES SENATE,
SUBCOMMITTEE OF THE COMMITTEE ON FOREIGN RELATIONS,
Tucson, Ariz.

The subcommittee met pursuant to the call of the chairman at 10.30 o'clock a. m., at the Santa Rita Hotel, Tucson, Ariz., Senator A. B. Fall presiding.

Present: Senators A. B. Fall and Marcus A. Smith, and Dan M. Jackson, Esq., clerk of the subcommittee.

TESTIMONY OF MR. BRACEY CURTIS.

(The witness was sworn by Dan M. Jackson, Esq., secretary of the subcommittee, duly authorized thereto.)

Senator FALL. Your name to the reporter, please.

Mr. CURTIS. Bracey Curtis.

Senator FALL. Mr. Curtis, you are, of course, a citizen of the United States?

Mr. CURTIS. I am.

Senator FALL. Of what State are you a native?

Mr. CURTIS. Massachusetts.

Senator FALL. Where do you reside?

Mr. CURTIS. Nogales, Ariz.

Senator FALL. How long have you been living in Arizona?

Mr. CURTIS. About 20 years.

Senator FALL. Nogales how long?

Mr. CURTIS. Oh, I suppose 17 years, in and out.

Senator FALL. What is your business?

Mr. CURTIS. Banking.

Senator FALL. Are you president of the First National Bank of Nogales?

Mr. CURTIS. I am.

Senator FALL. Are you also chairman of the chamber of commerce?

Mr. CURTIS. President of the chamber of commerce.

Senator FALL. Where does the principal business of the city of Nogales lie, in what country?

Mr. CURTIS. South, in Mexico.

Senator FALL. Nogales is a dual city, American side and Mexican side?

Mr. CURTIS. Yes, sir.

Senator FALL. The international line runs through separating the two towns?

Mr. CURTIS. Yes, sir.

Senator FALL. What banks in the State of Sonora are operating at the present time?

Mr. CURTIS. There is one bank in Hermosillo; I don't remember the name just now. There is only one bank in Sonora.

Senator FALL. There is a small bank in Cananea?

Mr. CURTIS. Oh, yes; I beg your pardon, that is right.

Senator FALL. Up to 10 years ago where was the banking business of Sonora done?

Mr. CURTIS. In Sonora; we enjoyed some business, but nothing like we have now.

Senator FALL. There were banks also, established banks, in the State of Sonora at that time?

Mr. CURTIS. Oh, yes.

Senator FALL. Which was the principal bank there? The Bank of Sonora and Hermosillo?

Mr. CURTIS. The Bank of Sonora and Banco Nacional, a branch of the Banco Nacional of Mexico City, and a branch of the Banco de Londres y Mexico.

Senator FALL. A branch of the Banco Central also?

Mr. CURTIS. No; the Banco Central did not have a branch there. The Banco Occidental of Guadalajara. The Banco Minero also had a branch there.

Senator FALL. That is a Chihuahua bank.

Mr. CURTIS. That is a Chihuahua bank.

Senator FALL. Were you familiar with the banking system of Mexico at that time?

Mr. CURTIS. Yes, sir.

Senator FALL. These different banks you have mentioned were members of an association of banks under the Banco Central, in the City of Mexico?

Mr. CURTIS. Yes, sir; in the last few years before they moved out.

Senator FALL. They were banks of issue?

Mr. CURTIS. The State banks, one bank in each State was a bank of issue, and the Banco Nacional in Mexico, and then the Banco Central, which was supposed to be a redeeming agency for all banks, kind of a clearing house.

Senator FALL. The Bank of Sonora was a bank of issue?

Mr. CURTIS. Yes, sir.

Senator FALL. The Banco Nacional was a bank of issue?

Mr. CURTIS. Yes, sir.

Senator FALL. In 1910, prior to the Madero revolution, what was the value of the currency of these banks of issue in Sonora?

Mr. CURTIS. Practically two for one, might have been a few points below.

Senator FALL. That is in comparison with American gold?

Mr. CURTIS. With American gold.

Senator FALL. In other words, the currency of these banks and the national currency issued by the bank of the City of Mexico?

Mr. CURTIS. That was not national currency, that was bank currency.

Senator FALL. They called it National currency because issued by National banks?

Mr. CURTIS. Yes, sir.

Senator FALL. It was circulated on a par with silver, was it not?

Mr. CURTIS. Yes, sir.

Senator FALL. A bank of Sonora bill was on a par with silver.

Mr. CURTIS. Yes, sir. That was the basis.

Senator FALL. It was so maintained up to 1910?

Mr. CURTIS. Yes, sir.

Senator FALL. You are familiar with the conditions as they have existed in Mexico, particularly along the west coast, since that time?

Mr. CURTIS. Yes, sir.

Senator FALL. In 1910, prior to 1911 or 1912, how was the principal business of the west coast; that is, Sonora and Sinaloa and the present State of Nayarit; how was the principal export business done?

Mr. CURTIS. That is pretty hard for me to answer, Senator. There was a very large export business by water, also a large amount by rail through Nogales. After the—especially after the European war started the boats became scarce, and practically all the business in the last two years, maybe more, has been done through Nogales. Now new boat lines are started in there again, and, of course, they have a big oceanic frontage; in fact, they have a very large water transportation business for those three States.

Senator FALL. Prior to January, 1911, I might say until the middle of the year 1910, what were the conditions in and along the west coast States, including the State of Sonora, with reference to law and order, or violence?

Mr. CURTIS. That is, prior to 1910?

Senator FALL. Yes?

Mr. CURTIS. Very excellent.

Senator FALL. Had there been any revolution of any kind or character prior to that time since you had known the country?

Mr. CURTIS. That was at the time the revolution started?

Senator FALL. Yes; prior to that time, in the years prior to that time?

Mr. CURTIS. No, sir.

Senator FALL. You were quoted in the papers as desiring to make a statement before the committee which might be of interest to the committee in reference to the conditions along the west coast of Mexico. You were correctly quoted in that, were you?

Mr. CURTIS. Yes. I was not particularly desiring to appear before the committee and testify any more than there was a statement—I don't know how it came about—may I be permitted to go ahead?

Senator FALL. Yes; certainly.

Mr. CURTIS. Stating Nogales people were afraid to testify before the committee. How in the world it ever came about I don't know. In fact I did not see the article until an Associated Press man came in and wanted to know what position the Nogales people would want to take when they were accused of being afraid to testify. I said, "most certainly we would resent it," then he asked for a statement, and I made it; it was the friendliest kind of a spirit, any more than we did not like to be accused—I don't think any Arizonian likes to be accused of being afraid of doing his duty; that was the reason

for the statement I put in the paper: we were not afraid to do our duty any time, and it is a pleasure to do whatever is considered our part as American citizens.

Senator FALL. Do you regard it as your duty to appear before this committee and give evidence as to the facts as you see them?

Mr. CURTIS. Yes, sir; I certainly do. I consider it a duty and pleasure to do whatever I can to shed light on the situation.

Senator FALL. Have you had your attention called to orders issued by the Foreign or what we would call the State Department of the Mexican Government, with reference to what would happen to witnesses who appeared before this committee?

Mr. CURTIS. I have seen it in the newspapers. As far as I am concerned personally, I do not consider it seriously because I don't believe it would affect me anyway. I don't believe the people in our section would be so antagonistic as to make any trouble for me doing what I consider is my right or my duty. I might be wrong, in that matter, Senator, but that is my personal opinion.

Senator FALL. Your opinion is based upon your personal judgment——

Mr. CURTIS. My personal relations.

Senator FALL. I mean your personal relations.

Mr. CURTIS. I had arrangements made to go South next Tuesday——

Senator FALL. So the committee learned.

Mr. CURTIS. I was very glad to receive your telegram; I had definite engagements all along the line. I was glad to come up here this morning, but I expect to go South on Tuesday; there can not be any reason why anybody would bother me; of course I might be wrong about that but I fear no trouble at all.

Senator FALL. After this statement of yours had been published, or what purports to be published in the press, the committee supposed, of course, you would hold yourself in readiness in the event the committee went to Nogales, to appear before it; upon the committee having information that you were expecting to go South today, it was thought best to subpoena you at once, for that reason a subpoena was telegraphed to you. Now, there is no spirit at all of any resentment because of any personal statement you might have made, but what I want to know is if you have read the order of the Mexican Government as issued by the subsecretary or acting secretary of foreign affairs of Mexico to the effect that no passport of any person appearing before this committee would be viséd so they might go into the City of Mexico or Republic of Mexico, without respect to the character of evidence they might give—a general order?

Mr. CURTIS. No; I don't think I have read any orders from any authorities; I have simply seen comments on it.

Senator FALL. At any rate you would not think it applied to you?

Mr. CURTIS. I would not think so.

Senator FALL. Did you notice in the public press that this Government has requested the Mexican Government that they rescind that order and allow the witnesses who appear before it to go into Mexico?

Mr. CURTIS. Yes; I saw that in the press.

Senator FALL. You noticed the answer of the Mexican Government in the particular case of Forrest? That is, that Forrest himself had testified against the Mexican Government?

Mr. CURTIS. No; I don't believe I saw that reply.

Senator FALL. What I was getting at, whether you understood that the order in reference to witnesses appearing before this committee was a general order of the Mexican Government that no witness appearing before this committee should be allowed to go back to Mexico, and whether you had your attention called to the fact that in the Forrest case, in answer to the protest of this Government, it had undertaken to make the distinction that Forrest had testified against the Mexican Government?

Mr. CURTIS. Yes; I understood that to be a general order, but I don't believe it could—I don't believe it was taken very seriously in our section. I don't believe Mexico would take the stand prohibiting people generally.

Senator FALL. Do you think any Mexican consul at Nogales or in the State of Arizona would visé the passport of any American who gave testimony before this committee publicly in reference to any damage which he had sustained, to person or property in Mexico, and allow that witness to return to Mexico?

Mr. CURTIS. I don't know, if you have orders on that—I can not answer that, Senator.

Senator FALL. You don't know what their orders are?

Mr. CURTIS. I don't know what their orders are.

Senator FALL. Of course, this committee may be misinformed; but orders were issued by the Department of State of Mexico to our State Department, and to each consul along the border.

Mr. CURTIS. That may be true.

Senator FALL. And also the consuls throughout the United States; and if there is a distinction being shown along the border in Arizona the committee would like to know it.

Mr. CURTIS. That is a question I can not answer. I don't know. I haven't heard of a single case where anybody has been refused in Nogales.

Senator FALL. There has been no hearings by the committee in Nogales.

Mr. CURTIS. I may be refused; I don't know; but I don't think so.

Senator FALL. You read Spanish, don't you?

Mr. CURTIS. I don't read it fluently.

Senator FALL. Well, read this order. [Here the witness read said general order.]

Mr. CURTIS. I have not read it all through. I see the purport of it; that is some order.

Senator FALL. This document which you have just been reading in Spanish is the order issued—the general order issued to the consuls along the border—in the matter of witnesses appearing before this committee. It has been taken up in specific cases with the United States. The Congress of the United States thought it had a right to appoint a committee of its Members to proceed within the boundaries of the United States to any investigation it might order; and when this committee was informed, at first privately, that the appearance before this committee of witnesses would be resented by the Mexican

Government the committee took the matter up officially with the Department of State of the United States Government.

Mr. CURTIS. Well, Senator, I had read articles in the newspapers more or less along the line of that order, but I did not know—I could not believe that such would be the case, and I still do not take that fact seriously. I might be absolutely incorrect and foolhardy in it, but I do not think it would affect a person giving a fair statement, unless it was to bring up some old score in Mexico. I think there will be individual cases that will get in trouble.

Senator FALL. You say, "fair statement." You mean fair statement according to the foreign department of Mexico, or local Mexican consuls?

Mr. CURTIS. No; statement of facts.

Senator FALL. A statement of facts?

Mr. CURTIS. Yes. I might be wrong on that; I might be wrong on that, Senator.

Senator FALL. I have a telegram forwarded to this committee by the party to whom it was sent:

BROWNSVILLE, TEX., *February 6, 1920.*

This consulate is unable to visé your passport.

R. G. DOMINGUEZ, *Consul.*

The committee then wired Mr. Forrest, advising him to apply to the Eagle Pass consul to see whether his passport would be viséd. We have the following telegram sent us:

LAREDO, TEX., *February 6, 1920.*

Mr. HENRY FORREST,
Eagle Pass, Tex.:

Your wire according to my department's instructions. Am unable to visé your passport to Mexico, you being considered undesirable.

CONSUL MELQUIADES GARCIA.

Mr. Forrest gave his testimony in public before the committee, which is part of the printed hearings of the committee. Now, of course, you would not be prepared to say that Mr. Forrest's testimony was not fair or was not the truth?

Mr. CURTIS. No, sir.

Senator FALL. Then it must be left to the Mexican officials as to whether it is fair or not the truth. Therefore if they consider your testimony fair they will allow you to go back; if, in their judgment, they consider it unfair, you would be precluded from returning to Mexico under this order.

Mr. CURTIS. That is the condition.

Senator FALL. That being the condition, are you not inclined to think that some of the people along the border in Arizona might be deterred in giving testimony publicly before this committee?

Mr. CURTIS. Might be in many cases; yes. I am speaking, Senator, on generalities; that is, people as a class. I can not but feel that if you go to Nogales with your committee and request the people to testify—that might be some of my Yankee ideas—I can not conceive of a good American citizen not wanting to testify. I might be narrow minded or it might be my personal opinion, but that is my viewpoint.

Senator FALL. Your statement, as you say, is a general statement?

Mr. CURTIS. Yes, sir.

Senator FALL. Did you consider the statement purporting to come from the chairman of this committee applying to cases in general or specific cases?

Mr. CURTIS. I considered it applied to the communities in general.

Senator FALL. And you thought that that general statement, attributed to the chairman of the committee, that witnesses would be deterred because of the Mexican order, you thought that was offensive to the people on the border?

Mr. CURTIS. Yes; I thought it was a reflection on the citizenship of Nogales.

Senator FALL. Do you think so now?

Mr. CURTIS. I don't think it was a good thing to get out a statement referring to Douglas and Nogales as the two places where they would not do their duty or would not testify; I don't think that was exactly a fair thing to do, Senator.

Senator FALL. That is exactly what we want, your idea about it.

Mr. CURTIS. I don't think it is good ground that the whole reputation or Americanism of the whole community should be reflected on. I think our people in Nogales have done their part well, and are trying to do their part well, and have taken pleasure in doing what was put up to them during the war, and in the Mexican situation. I think they are a fair people in general.

Senator FALL. The people of Nogales have often defended themselves or assisted in their defense against attacks of bandits or others from Mexico?

Mr. CURTIS. Certainly. Bandits started troubles one time on the line, and then we have had several little skirmishes which usually have started from some unfortunate circumstances of some smugglers or some undesirable party coming across the line, and would evade the guard, then there would be a shot fired, and then be two, and then be a general mix-up on the line. It was very much regretted on both sides of the line when one of those unfortunate things came up in the last few years.

Senator FALL. This particular matter, as to the attitude of the committee or as to my personal attitude, and as to yours and Mr. Barnes's, we will take up a little bit later so it may be cleared up.

Mr. CURTIS. I want to say right here if I was discourteous in any way I did not intend to be. The article I put in the interview was simply resenting that Nogales people as a class should be reflected on as to their loyalty and patriotism in the sense of doing their duty as citizens. Absolutely no personal matter; your name was mentioned in the article, by the way.

Senator FALL. We will get back to that directly. I think it will all be perfectly satisfactory and ironed out before we get through with it, both to your satisfaction and mine. I want to say that the report published in Texas emanating from myself, as published and as quoted in one of the local papers in Nogales, is practically correct, is a practically correct report of the statement that I made, but we will not pursue that further at this time.

What have been the conditions with reference to law and order, or violence and disturbance, in the State of Sonora particularly, and generally on the west coast of Mexico during the last 8 or 10 years?

Mr. CURTIS. Well, of course, during the revolutionary period they were fighting, and they were not good, but now——

Senator FALL. What do you mean by revolutionary period?

Mr. CURTIS. Especially since 1910.

Senator FALL. Up to when?

Mr. CURTIS. I haven't the date in my mind; you might say up to the Madero revolution, practically. There has been no fighting down there to speak of, you know better than I do, but I should think three years.

Senator FALL. Mr. Madero was recognized immediately by this Government when he was elected as President, or declared elected President of Mexico. Madero's revolution, if you recollect, resulted in the resignation of Gen. Diaz, and by agreement, the substitution of Mr. de la Barra as President pro tempore, followed by an election resulting in the election of Francisco Madero. Mr. Madero was deposed or resigned, and, I believe, later was murdered, early in 1913. No government in Mexico was recognized by this Government then until October, 1915, when Mr. Carranza was recognized by this Government, formally recognized as the de facto head of the government in November, 1915. Now, the years prior to the recognition of Carranza you have reference to as the revolutionary period?

Mr. CURTIS. I don't remember the date, but the time we had the last trouble was at the time Villa came over to Sonora; I think I am correct in stating that was the last fighting we had in Sonora.

Senator FALL. That was early in 1916?

Mr. CURTIS. I don't remember the date, Senator; but, as a matter of fact, during the period there has been much less fighting, much less disturbance on what we call the west-coast States; that is principally Sinaloa and Sonora, than there has been in other parts of Mexico. Their troubles and disturbances have been prolonged. Ours have been very short. We speak of the west coast because that is practically the part of Mexico, to the west of the Sierra Madre Mountains, that we are interested in and we know very little about the interior of Mexico.

Senator FALL. Well, assuming the fact, as it is, that the last fighting you speak of was in the early part of 1916 when Obregon, bringing his troops through the United States, participated in the defeat of Villa—Pancho Villa—at Agua Prieta and Naco?

Mr. CURTIS. And Hermosillo.

Senator FALL. And Hermosillo. I was speaking of the border. Did those occurrences end the disturbed conditions in Sonora?

Mr. CURTIS. I think that was about the end of the disturbed conditions; it has gradually been getting normalized and settled down.

Senator FALL. They have been greatly improved?

Mr. CURTIS. Greatly improved.

Senator FALL. At the present time what are they?

Mr. CURTIS. They are very good. They have their troubles of reconstruction, getting their country back in shape the same as we had in the Southern States after the Civil War. They are using very good efforts and are sincere, I believe, and doing their very best to get their States back in good condition.

Senator FALL. You are speaking of the State authorities?

Mr. CURTIS. State authorities; yes.

Senator FALL. The administration of Calles, followed by that of de la Huerta up to the last few days, has been satisfactory generally to the Americans in Sonora?

Mr. CURTIS. I think there has been some preparation of strikes in the State, but there has been no actual occurrence; whether there will be strikes or not remains to be seen; but, as a matter of fact, it has been feared there would be trouble. I met Gen. de la Huerta and I have a great deal of faith in him; I believe he is trying to do the fair thing. He is anxious to get his State to producing; he surely talks sincerely and friendly with us; he has a lot of justice and fairness in his talk. He might talk to some one else differently, but that is our experience, just coming back from the trade excursion.

Senator FALL. Your experience has not been confined merely to this recent trade excursion down there?

Mr. CURTIS. No; but with de la Huerta, which is the first time I met him on this trip.

Senator FALL. Is he the present governor?

Mr. CURTIS. The present governor of the State of Sonora.

Senator FALL. You don't know whether he has been called to the City of Mexico from the governorship of Sonora?

Mr. CURTIS. No; I don't; I don't think that is official.

Senator FALL. You noticed the announcement in the paper?

Mr. CURTIS. A great many of these announcements in the paper we don't take very seriously.

Senator FALL. How is the business in the Yaqui Valley now—the agriculture?

Mr. CURTIS. On the other side it is very good, and improving; on this side of the river it is very dull on account of the Yaqui Indians.

Senator FALL. Do you know anything about the recent negotiations between the State government and the Yaqui Indians in reference to peace and other matters?

Mr. CURTIS. Nothing definite, except what Gen. de la Huerta told me.

Senator FALL. Did you see any Yaqui Indians on your trade trip?

Mr. CURTIS. Yes, sir.

Senator FALL. Were they armed?

Mr. CURTIS. Apparently we saw a thousand from the car windows, and at Oro Station I don't know how many, some at the station and more out in the bushes; those that we saw at the station were armed, I think; besides there were a great many at Hermosillo that were there to negotiate peace terms.

Senator FALL. You don't know the result of the negotiations?

Mr. CURTIS. I don't know; I don't think it is concluded.

Senator FALL. Do you know of any trouble of a violent character with the Yaqui Indians in the last month anywhere close to the border of Arizona?

Mr. CURTIS. I don't recollect about it.

Senator FALL. Do you know where the Mascareña ranch is?

Mr. CURTIS. Yes, sir.

Senator FALL. South of Lochiel, or in that direction?

Mr. CURTIS. It seems to me I heard something about it, but I was away. I think that was during the trade excursion; I did not read anything about it.

Senator FALL. You don't know whether it was true, as reported, that there were nine Mexican soldiers killed, as reported, by the Yaqui Indians within a half mile of the border?

Mr. CURTIS. I do not.

Senator FALL. You did hear something of it?

Mr. CURTIS. Yes, sir; I heard something of it, but nothing very definite.

Senator FALL. They are shipping a great many tomatoes out of Mexico now, are they not—out of Sonora?

Mr. CURTIS. Yes, sir; mostly out of Sinaloa.

Senator FALL. Coming through Nogales?

Mr. CURTIS. Yes, sir.

Senator FALL. Reported about 1,400 cars?

Mr. CURTIS. I presume there has been at least that—not 1,400 cars; no; I don't think so; I don't know what the crop would be; I don't imagine the whole season would be less than 2,000 cars, I should imagine.

Senator FALL. No; I don't mean that there has been shipped; but what has been and would be shipped, approximately 1,400 cars?

Mr. CURTIS. Yes, sir.

Senator FALL. The garvanzo business has been pretty good in Mexico in the last few years?

Mr. CURTIS. Yes, sir; it is a very important crop.

Senator FALL. There has been a great many shipments through Nogales of garvanzo?

Mr. CURTIS. Yes, sir; I don't remember the figures; I think the last year the market price was something like $45,000,000 worth of garvanzo that went through Nogales.

Senator FALL. They were in bond generally to what country?

Mr. CURTIS. Well, mostly consumed in Spain and Cuba and Porto Rico, and in all the Spanish countries. Some go to Italy and some go to France, and a few used in the United States.

Senator FALL. There is no friction, in so far as you know, between the American property owners in Sonora and the State government at Sonora pending at the present time?

Mr. CURTIS. Yes, sir; the Richardson Construction Co.—I would not say about the Government, Senator, but the Richardson Construction Co. has a case on with the Mexican Government in court being thrashed out in Mexico City now, a question of the difference of their opinion as to the value of their concession; that is, the judicial question that is in the court.

Senator FALL. Originating from an attempt to forfeit their concession?

Mr. CURTIS. Yes, sir; claiming that they did not comply with the terms of their concession.

Senator FALL. They are not only in trouble with reference to the national concession but also in some trouble with reference to the State attempting to take certain portions of the land?

Mr. CURTIS. I don't think the State has any—this is just offhand—I don't know the conditions, of course; I have understood that

the State did not have any of their lands now. I believe I have heard, Senator, there is some law whereby agricultural land on a ditch not being used, that under certain conditions people can work it. I am not familiar with that law, but I believe they have a law to compel people to cultivate their cultivable land.

Senator FALL. Have you had your attention called to what is known as the agrarian law of the State of Sonora?

Mr. CURTIS. Yes, sir.

Senator FALL. Have you had any talk with Gov. de la Huerta concerning the enforcement of that law?

Mr. CURTIS. I told Gen. de la Huerta—we talked very friendly with Gen. de la Huerta, he talked friendly to us. We told him that the agrarian law was an unfortunate law for them to have on their books, for the reason it deterred people from coming and opening up their country, from considering it at all, for the reason that that law provided that the land should be cut up in small pieces, and it was impossible to carry out any large irrigation project with that law. He said that the law had never been put into effect, had never been enforced and did not have any idea that it would be; the probability is that it might be changed. He could not see why the people at large should take that law seriously. We told him that the reason we thought it would be was because it was on their statute now, and that it did keep back development.

Senator FALL. He thought it would not be enforced, and that it should not interfere with development?

Mr. CURTIS. Yes, sir; he thought it would be rescinded.

Senator FALL. It would be rescinded?

Mr. CURTIS. That is the way he felt; of course, he is not in control of the State congress. He is simply governor; they do what they think is their duty; he does what he thinks is his; I don't think he would dominate Congress as has been done in some other periods. He was not in sympathy with that law.

Senator FALL. Did he say anything to you concerning any protest by the United States Government?

Mr. CURTIS. He did not.

Senator FALL. He did not tell you?

Mr. CURTIS. No, sir.

Senator FALL. That he had had the matter up himself with the United States Government?

Mr. CURTIS. No, sir.

Senator FALL. I might call your attention to the fact that on December 5, 1918, the Department of State received from E. M. Lawton, American consul at Nogales, a telegram and report in reference to the then proposed agrarian law, and the labor laws of the State of Sonora that were then pending in Congress. That on March 20, 1919, the State Department of the United States, dealing directly with the consul at Nogales, instructed him to bring to the attention of the appropriate State authorities the fact that the American Embassy at Mexico City had been instructed to renew protest previously made against the proposed agrarian law, referring to advices given them pursuant to instructions contained in department's former telegram. Mr. de la Huerta, you say, did not call your attention to that?

Mr. CURTIS. No, sir.

Senator FALL. He did not call your attention to the protest of the American Government to the State government of Sonora concerning this law?

Mr. CURTIS. No, sir; he did not.

Senator FALL. You did not know that this Government had had the matter up before this law was passed protesting then?

Mr. CURTIS. No. sir.

Senator FALL. He did not, as you stated a little while ago, call your attention to the fact that the Government had had the matter up with him since the passage of the law, our Government?

Mr. CURTIS. No, sir.

Senator FALL. Of course, he did not tell you that he had replied in an entirely different way directly over his own signature to our Government?

Mr. CURTIS. No, sir.

Senator FALL. I do not intend to place this matter in the record except for your information, to say to you that the committee has in its possession a letter, an official letter from Mr. de la Huerta upon this subject which is entirely contrary to the statement which he made personally to you in reference to the enforcement of this law, and that the American Government has renewed its protest against the enforcement of the law. For your private information, not for the public. (Here the witness read said letter.) You can not always tell from private conversation what may be going on officially?

Mr. CURTIS. No, sir.

Senator FALL. As a matter of fact the people—many of the people, I presume those at Nogales—have an idea that the protests of this Government to the Mexican Government in reference to their official action in matters of legislative decrees, etc., have been largely in reference to oil?

Mr. CURTIS. I think that is the general opinion; yes.

Senator FALL. You did not know this Government had up directly with the National Government and directly with the State government in reference to protests?

Mr. CURTIS. I knew Mr. Lawton had this matter up with the State Department at the time he had it up. I did not know about a formal protest.

Senator FALL. If this law was enforced in the State of Sonora how would it affect the interests of Americans as well as Mexicans owning land in the State?

Mr. CURTIS. I don't remember, Senator, how small the divisions were to be made, but——

Senator FALL. Assuming that the largest possible holdings could be 20 hectares, we will say, for grazing purposes, which would be approximately 50 acres, how would it affect the American owners?

Mr. CURTIS. Well, it would affect them adversely. I don't think there are very many American holdings over there except the grants.

Senator FALL. You know Mr. B. A. Packard?

Mr. CURTIS. Yes, sir; Mr. Packard's lands, it would affect them adversely—bad.

Senator FALL. How about this company you spoke about—the Richardson Construction Co.?

Mr. CURTIS. It would be very bad; they have approximately 550,000 acres, as I remember, in the Yaqui Valley.

Senator FALL. Which they have been attempting to redeem for agricultural purposes?

Mr. CURTIS. It is practically all agricultural land.

Senator FALL. Assuming that the total agricultural acreage would not be one-tenth of that I just spoke of, it would seriously affect it?

Mr. CURTIS. Yes, sir.

Senator FALL. How about the Slaughter ranch?

Mr. CURTIS. I am not familiar with that.

Senator FALL. You are familiar with the number of cattle that usually graze upon a given area in Sonora?

Mr. CURTIS. I suppose 1 to 12 or 15 acres.

Senator FALL. A fortunate owner who had the land would carry that now?

Mr. CURTIS. Or more than that.

Senator FALL. There are numbers of other Americans owning comparatively large farms in Sonora?

Mr. CURTIS. Yes, sir.

Senator FALL. Those owning the amount of land which I suggested, and this amount I named as being the amount that the law provided, I simply put it at that large figure for the purpose of illustration; it would affect injuriously all those people?

Mr. CURTIS. Oh, yes.

Senator FALL. Now, under the law itself, would they receive any benefit for the land so taken away from them?

Mr. CURTIS. I really don't know what the provisions would be under that law.

Senator FALL. Do you know what the bonded indebtedness of the State of Sonora is?

Mr. CURTIS. I do not; I don't know that they have bonds; I am not familiar with that.

Senator FALL. Do you know whether any bonds issued by the State or by the National Governments in Mexico at any time are being paid, or the interest thereon is being paid?

Mr. CURTIS. No; I think they are not.

Senator FALL. What would you regard as the value of an agrarian bond of the State of Sonora of the par value of $3 at the present time?

Mr. CURTIS. I don't think think it would be very good security.

Senator FALL. You would not like to sell your land and be compelled to accept agrarian bonds?

Mr. CURTIS. No; I would not.

Senator FALL. Do you think if the United States Government in its communication had made the statement that the purpose of paying for confiscated lands under said bonds—agrarian bonds of the State of Sonora—don't you think the position of the Government, that it would be practically confiscatory, would be correct?

Mr. CURTIS. You might call it confiscation. It is a plan of theirs to give bonds I would not consider as very——

Senator FALL. You, as a banker, would not consider a very desirable investment?

Mr. CURTIS. No; I would not consider it a safe bond.

Senator FALL. Then you think the United States would be correct in stating to the Mexican Government it would be practically confiscation?

Mr. CURTIS. Yes, sir.

Senator FALL. Particularly in view of the fact they have no court to condemn the property, but simply a commission appointed to fix the value?

Mr. CURTIS. Yes; but I have not heard of that action being taken, and in the second place they claim there is no appropriation for any commission to enforce that law. That is what they state, what they told us.

Senator FALL. That is very much like the provisions of the constitution of Mexico which prohibits any minister of any denomination holding services in Mexico, or preaching in any church or private house, unless he is a native-born citizen of Mexico, and the suspension of that by Mr. Carranza in some particular instance where he invited the preachers in and told them he would not enforce that provision of the constitution. This law in Sonora in reference to taking over this property is in that situation, it will not be enforced as long as Mr. de la Huerta is there?

Mr. CURTIS. Apparently that is the situation; yes; and to the best of my knowledge it has not been enforced.

Senator FALL. Your information is correct, it has not been enforced as far as we know.

Mr. CURTIS. We explained to them that the agrarian law was just as bad for them as anybody, due to the fact it kept capital out of their country. Article 27 keeps capital out of Mexico. They have been through a terrible experience in the revolution; they have had their established Government very much upset, and are trying to get on their feet with a new bunch of Government officials.

Senator FALL. You are speaking of the Government of Mexico?

Mr. CURTIS. The whole Government of Mexico, the whole of Mexico putting in effect article 27, and this agrarian law, keeping out foreign capital. If a bank is going to loan money to you the last analysis is, could they go into court and get a judgment for the debt; if they could get a judgment could they get execution on your property and take it to satisfy the debt? Down there it is—if you were to use that analysis, you could get a judgment, no doubt, for your debt, you could get execution probably, but you could not take the property to satisfy that debt. Now, in any country we must have the last analysis for collecting your debt. They keep capital out of their country, and they need capital down there to reestablish and develop the country, just as much as we needed money to build railroads in the Middle West, when we had to go to Europe and sell our securities; they could have come in at that time and gotten judgment, and gotten execution, and taken our railroads if we had not paid our interest. Mexico at large is interested in seeing that the country is developed, and it is interested in having plenty of work for the poor people, and having a lot of people producing to reduce taxation. That was why Sonora and those people down there through Sonora should be made to stimulate production, get a lot of men producing, consequently taxation would not fall heavily on anyone.

Senator FALL. Did the people of the west coast appreciate your views?

Mr. CURTIS. Exactly; we talked to them like we were conferring with you; we had no hesitancy about criticizing, and sometimes we

got a favorable or adverse reply to our suggestions. We went down there with a friendly feeling, and to stimulate better feeling, and I know, I remember at the time of our planning to go in that country, it was impossible for everybody to get passports, and while it is customary to get identification cards on the border we did not like to take in a lot of people so the State Department would say we abused that privilege, so to put it up fair, we telegraphed them asking if they would give the authorities permission to grant us identification cards for fellows to go in the last minute, to go on the excursion, which they declined. We took it up with our Senator, who was the last resort, and he went and explained the situation to the State Department and they gave us that permission; we telegraphed to them and explained to them we were going down there in good faith, to get in closer touch with the people down there to stimulate a better feeling, and better relations, and we were surprised the State Department would decline us that, because we felt if our people along the line would try and do some charitable work instead of criticizing them so much we might come to a good deal better understanding. The attitude of many of the people is simply to criticize and antagonize all the time instead of getting in and giving them your hand; we felt that we were going down there trying to cooperate with them, and be of some service if we could. They treated us very well and we tried to treat them just as well as they treated us.

Senator FALL. Mr. de la Huerta took your view officially?

Mr. CURTIS. I don't know what you mean by officially, Senator.

Senator FALL. He was the official who spoke to you in reference to your statement of the effect, possible and probable effect, of this agrarian law, and gave you to understand it would not be enforced?

Mr. CURTIS. I don't know why that would be. He said that it had not been enforced, and so why worry.

Senator FALL. And so why worry?

Mr. CURTIS. I don't remember that he said definitely it would not be, but he gave me the impression it was not a serious thing to foreigners, or anybody else to worry about.

Senator FALL. What else does it need to be enforced, except his putting it in force, his act as executive; it is the law if he proclaims it is in force.

Mr. CURTIS. I suppose nothing.

Senator FALL. If he is removed or resigns, and some one else saw it a little differently, and he became governor—for instance, if Gen. Dieguez should become governor, he could enforce it immediately?

Mr. CURTIS. I suppose so.

Senator FALL. So the continuation of the very pleasant relations which have grown up between the citizens here and citizens there depend very largely upon the will of who happens to be in office in Sonora; the same thing is true, to a large extent, in the entire Republic, is it not?

Mr. CURTIS. Yes; I suppose so.

Senator FALL. Did you know that the enforcement of article 27 of the constitution has not yet been adopted by the National Congress?

Mr. CURTIS. I did not; no, sir.

Senator FALL. Did you know that the protest of this Government against the enforcement clause of article 27 has been made against

Mr. Carranza's edict, and not against enforcement by any act of Congress?

Mr. CURTIS. No; I did not know that. I knew that our Government had protested; I did not know the technique of the objection.

Senator FALL. You have not had your attention called to the reply—any reply by Mr. Carranza to any position of our Government against the enforcement of confiscatory decrees?

Mr. CURTIS. Nothing in an authentic way, only what is in our papers.

Senator FALL. I might call your attention to an authentic declaration by Mr. Carranza on that subject. He stated that "If the difficulty could not be settled except by war or intervention he was sorry, but was prepared to confront this alternative." Apparently he did not like the reference in my former communication to the possibility that the United States Government would have to protect the property of its citizens. The alternative is war; if so, he was prepared for it. Do you think it is the duty of this Government to protect property of its citizens in Mexico?

Mr. CURTIS. I do; that was in the plank of the last presidential campaign. I think it is the duty of all Governments to look after its citizens.

Senator FALL. You have always expressed yourself that way in reference to Mexico—that it is the duty of this Government to protect——

Mr. CURTIS. I do. I think it should have better diplomatic relations. It seems like the whole thing from beginning to end has been antagonistic—absolutely all antagonistic—instead of giving a helping hand. I don't know how the interior might be, but the people on the west coast are very glad to cooperate. I can not understand why the people of the interior should not be the same if they had the right men to treat with them.

Senator FALL. Suppose, Mr. Curtis, for a moment if some one else than Mr. de la Huerta, in whom you have confidence, became governor of Sonora and sought to enforce this agrarian law, do you think it is the duty of the Government of the United States to see that it is not enforced?

Mr. CURTIS. I do.

Senator FALL. Then, if this Government protests and says it will not allow it to be enforced, this Government is doing its duty that far?

Mr. CURTIS. Yes, sir.

Senator FALL. And, with reference to the National Government, where it is not purely a State matter, if this Government has notified the Mexican Government that it will protect the rights of its citizens, then it is doing its duty that far?

Mr. CURTIS. Doing exactly what all others——

Senator FALL. All others are doing?

Mr. CURTIS. That is, the European countries are doing.

Senator FALL. If it is answered by the statement that that means war and "I am prepared for it," why, diplomacy has come to an end there?

Mr. CURTIS. It looks to me most extraordinary, and a surprising thing to me. I can not see how a man would be so undiplomatic as to make a statement like that.

Senator FALL. Yet Mr. de la Huerta has declined to make a statement to the United States in reference to the agrarian law such as he made to you privately?

Mr. CURTIS. Of course, that is a Federal law. That was his opinion. Isn't that a Federal law?

Senator FALL. No; the constitution of 1917 permits it.

Mr. CURTIS. Permits it; that is right.

Senator FALL. And the State has done it in this instance, and it is up to Mr. de la Huerta, as I stated there, to enforce it or not. The protest of this Government was first to the State government, and then to the National Government, and answered by the National Government, and later answered by the State government.

Mr. CURTIS. Of course, that does not say what the State congress will do with that again.

Senator FALL. The State congress has enacted the law.

Mr. CURTIS. I mean the law.

Senator FALL. Oh, a new congress may repeal it; we hope the influence of you gentlemen along the border, who are on friendly terms with them, will have some effect. Now, Mr. Curtis, was there an armed conflict in Nogales in August, 1918, between the Government soldiers on this side and some of the citizens and Mexican citizens and soldiers in Nogales, Sonora?

Mr. CURTIS. I believe about that date.

Senator FALL. There were a good many people killed?

Mr. CURTIS. Several. That was in 1918?

Senator FALL. Yes.

Mr. CURTIS. I was not at Nogales at that time.

Senator FALL. Do you know whether the Chamber of Commerce at Nogales at that time appealed to the United States Government for additional troops? Whether they appealed through Senators of the United States Senate to send them artillery, etc.?

Mr. CURTIS. I think they did appeal; I don't remember about the date. I know we appealed to the Senators several times to give us more troops after those troubles.

Senator FALL. You don't think troops are needed there now, do you?

Mr. CURTIS. Well, I don't think—I think they ought to have some troops stationed along the border.

Senator FALL. Why?

Mr. CURTIS. Well, it is the frontier; you never can tell what might come up. I think we are entitled to a moderate number of troops. They are having trouble over in Texas all the time, raids along the border. We have a good many new laws now, to stop arms and ammunition, if you are going to have those laws—you can not expect the customs department to guard that line. It is a big, long line—then, I think it is proper to have soldiers along the border, anyway.

Senator FALL. The law in reference to arms and ammunition is a general law; it applies to the Canadian border as well as the Mexican border. It is not necessary for us to have troops along the Canadian border.

Mr. CURTIS. I did not know that; I thought it applied to the Mexican border.

Senator FALL. It is not necessary for the United States to maintain troops on the Canadian border, is it?

Mr. CURTIS. I don't think so.

Senator FALL. It is about as long as the Mexican border?

Mr. CURTIS. Yes.

Senator FALL. That is because Canada is a peaceful country like the United States, is it not?

Mr. CURTIS. Yes, sir.

Senator FALL. So far as the Mexican border is concerned, why we are a peaceful people, and in Nogales, and on this side of the border, are we not?

Mr. CURTIS. Yes, sir.

Senator FALL. It is not necessary to keep troops here to protect the law-abiding citizens over here, is it?

Mr. CURTIS. No, sir.

Senator FALL. Why is it necessary to keep troops along the border?

Mr. CURTIS. You have got a lot of bad conditions, such as Villa.

Senator FALL. Villa is not in Sonora.

Mr. CURTIS. He is on the other border, and whatever would happen on the other border would no doubt influence the whole policy of the United States and Mexico. You can not consider, so far as the policy of the United States goes, to any particular State in Mexico. It would be a policy toward the Republic of Mexico.

Senator FALL. Of course, you realize that since the reorganization of the United States Army the Army is very much depleted. We are asking for troops now to bring it up to its standard, to even 250,000 men. We haven't them, and we do need troops. If they are not needed at Nogales why they may be needed at other places. Now, do you think it is safe to withdraw the troops from Nogales?

Mr. CURTIS. I think there ought to be troops at Nogales; certainly as long as they have them along the border.

Senator FALL. Suppose they withdraw them from other borders, do you think it would be safe, and would you be satisfied?

Mr. CURTIS. If they withdrew them from Texas points, and New Mexico, I think we could—we would be satisfied to have them withdrawn as at any point.

Senator FALL. Let's speak frankly, Mr. Curtis. Are you willing to have troops—you are speaking now, you are a business man there, you are chairman of the chamber of commerce—would you be satisfied to have the American troops at Nogales withdrawn?

Mr. CURTIS. No; I think we would be satisfied to have them reduced to a smaller number.

Senator FALL. About what number do you think would be sufficient?

Mr. CURTIS. Suppose we reduce them down—I don't know what would be convenient—I suppose five or six hundred; something of that sort would be about as small a working unit as you could have.

Senator FALL. Do you think that they need troops at—a squad, say, of four or five men—at Ruby or Arivaca, west of Nogales?

Mr. CURTIS. I think it is a good thing to have them there; there are smuggling trails over there; there were a couple of fellows killed there the other day. I think it is very proper.

Senator FALL. Do you know that American troops on the border at Lochiel, immediately after this little occurrence which I asked you about south of the border, prevented Americans from going over

there into Mexico because of the danger that might ensue to them, and would not allow them to go across unless they had some object?

Mr. CURTIS. I did not.

Senator FALL. Do you think a precaution of that kind was proper precaution for the American troops to take?

Mr. CURTIS. Oh, they get excited after those fights. I think any precaution of that sort is very wise.

Senator FALL. The conditions had been good, but you found you needed not only what troops you had in Nogales in August, 1918, but you asked for more, didn't you?

Mr. CURTIS. I was not there, Senator, at that time. I believe that is true, though.

Senator FALL. And they have maintained practically the same number of troops there since?

Mr. CURTIS. Yes, sir.

Senator FALL. But you don't think they need them now?

Mr. CURTIS. I don't think they need as many; no, sir.

Senator FALL. Do you think probably 500 would be sufficient along at Nogales, immediately along that border?

Mr. CURTIS. I don't know how they divide them up, Senator, but I presume at Lochiel, I don't know whether they have one or two troops, and at Arivaca one or two troops.

Senator FALL. They are appealing to this committee now to see if it can not get troops, and that is in Arizona.

Mr. CURTIS. I think they ought to have a troop or two of Cavalry out in those places; it is open country.

Senator FALL. When do you think conditions along the border will be such that the United States need no longer maintain troops at all in Arizona?

Mr. CURTIS. It will take a pretty good prophet to answer that question, I don't know.

Senator FALL. You have no reason, from your knowledge of Mexico, to anticipate there will be any armed disturbance in the State of Sonora?

Mr. CURTIS. Why, of course, at every election they have talk of a revolution.

Senator FALL. You have heard such talk?

Mr. CURTIS. Yes, sir.

Senator FALL. And the election will be held in June, this year?

Mr. CURTIS. I believe so; yes.

Senator FALL. Gen. Obregon, who is a citizen of Sonora, is a candidate for the presidency?

Mr. CURTIS. Yes, sir.

Senator FALL. Gen. Pablo Gonzales, who has been in command of the Army around in the city of Mexico is also a candidate?

Mr. CURTIS. Yes, sir.

Senator FALL. And there are various other candidates of whom we have all heard?

Mr. CURTIS. They have spoken of Bonillas, I don't think he has formally announced yet.

Senator FALL. There is talk that there may be revolutionary troubles in Sonora and along the border?

Mr. CURTIS. Yes, sir.

Senator FALL. At any rate, you think American troops should remain along the border?

Mr. CURTIS. I do. I think we should have a good force.

Senator FALL. Why should revolutionary troubles over the election endanger the lives of American citizens on our own soil?

Mr. CURTIS. Oh, if some crazy fools come along and start something, that is the reason, Senator. That is the trouble that we have had. It is not the officers at Nogales, it is some stupid thing pulled off—not altogether stupid, but some overt act, such as ignoring the authorities, and an unfortunate incident starts trouble. That is the way they start, you know.

Senator FALL. Have those unfortunate incidents happening started on this side of the line?

Mr. CURTIS. I think usually; yes.

Senator FALL. By Americans?

Mr. CURTIS. I think—I don't want to be quoted as to the fact—if I remember correctly in that 1918 instance that was some Mexican ignored the American immigration man, and I think he was shot, and then somebody else shot.

Senator FALL. Then that was the fault of the Americans in Nogales?

Mr. CURTIS. You can not accuse them that way exactly, because the customs guard there was doing his duty, and he stopped the fellow that ignored him; but it was one of those unfortunate things that seem to be along the border, along the frontier, where people are not supposed to ignore your authority.

Senator FALL. Did the Mexicans on the Mexican side, from your information obtained after your return—were they prepared for any trouble?

Mr. CURTIS. I was not there; I understood they were.

Senator FALL. That they were prepared?

Mr. CURTIS. Yes, sir.

Senator FALL. You know, as a matter of fact, that was the report of the United States Army?

Mr. CURTIS. I think that is true.

Senator FALL. That they were waiting for something of that kind to occur?

Mr. CURTIS. You can not say that. I think that might be true of all countries.

Senator FALL. The citizens of Nogales did not carry guns openly, and cartridges around with them, starting trouble, did they?

Mr. CURTIS. No; not with them; they did not on the other side, either. I have not observed that. I think very few people carry guns; I don't think you see them on the other side.

Senator FALL. Then the trouble at Nogales originated through some official on this side?

Mr. CURTIS. I don't know about that; I understood that was what started it. I don't want to get mixed up. I was not there.

Senator FALL. I don't want to mix you up.

Mr. CURTIS. What I mean, I don't want to get mixed up on the facts.

Senator FALL. The committee is very much gratified to know, as it has known prior to your testimony, that conditions along the

west coast of Mexico have grown much better. Personally, I would be exceedingly gratified to know that conditions throughout the Mexican Republic were very much better than they have been and are. The conditions, however, from 1916 up to 1918—August, 1918—in Sonora were good, were they not?

Mr. CURTIS. Yes, sir.

Senator FALL. From the time that Villa——

Mr. CURTIS. They always have been good, Senator. The Sonora people have never been troublesome people; they started out in the revolution; I think Mr. Bonillas was down there——

Senator FALL. The American people of Arizona neither have been troublesome people?

Mr. CURTIS. No, sir.

Senator FALL. They have never started any trouble with Mexico?

Mr. CURTIS. No, sir.

Senator FALL. You never have known of any raiding party going across into Mexico committing robberies or murders?

Mr. CURTIS. No, sir.

Senator FALL. There has been no aggression to your knowledge, since you have been here along the border, on this side into Mexico?

Mr. CURTIS. No, sir.

Senator FALL. No acts of people on this side have placed in jeopardy the lives of the people of the town of Nogales, Sonora?

Mr. CURTIS. Absolutely not.

Senator FALL. Can you say the acts of Obregon and Villa and others in the border town of Nogales, Sonora, have not placed in jeopardy the lives of the people of your town, on this side?

Mr. CURTIS. I can not say—when Obregon came in, of course, there were some stray shots came into Nogales, Ariz., but Obregon had no disposition to make any disturbance or any trouble on the American side; when he came into town he came in in a very nice, orderly way. I don't think you could put Obregon and Villa in the same category. I would say when Obregon came in unfortunately there were stray bullets that come to our side, but when Villa came in—Villa was a bad element; he started trouble right off.

Senator FALL. Villa was there before Obregon came in?

Mr. CURTIS. Yes, sir.

Senator FALL. It was when Villa was there that Obregon attacked the town, and Americans on this side were hurt?

Mr. CURTIS. Yes, sir.

Senator FALL. The same thing was true at Agua Prieta and at Douglas?

Mr. CURTIS. Yes, sir; I think it was. In fact, I remember distinctly it was.

Senator FALL. You think Mr. Obregon has displayed very much more care in his protection of American lives along the border than Villa?

Mr. CURTIS. Yes; I do. Of course, if Villa was in town and the other party was attacking it was an unfortunate situation for the party attacking, but I don't think the disposition of Obregon was ever to molest or harm anybody on the American side.

Senator FALL. And you think at that time that the disposition of Villa was to attack Americans?

Mr. CURTIS. Well, I don't know. He did absolutely, at that time, fire in Nogales; of course, he did absolutely fire on the American troops.

Senator FALL. Who was in command of the American troops then?

Mr. CURTIS. I have forgotten; I think Col. Sage.

Senator FALL. Sage?

Mr. CURTIS. I think so.

Senator FALL. Did the Obregon troops fire at all across the line?

Mr. CURTIS. Oh, no.

Senator FALL. Didn't they come over the hill and fire into Nogales?

Mr. CURTIS. Well, of course, not deliberately fire into the United States. According to my understanding, I presume it was one of the Obregon men that shot Stephen D. Little, but that was purely accidental.

Senator FALL. Now, I want to say to you, Mr. Curtis, for your information and that of others, that this committee is not defending Mr. Obregon or Mr. Villa or attacking them. The committee plays no favorities at all in its investigation. We are trying to ascertain the facts—some are gratifying, and some are pessimistic.

Mr. CURTIS. We are optimistic ourselves, because we feel very happy and very encouraged over their condition.

Senator FALL. Despite official action and the laws they have?

Mr. CURTIS. They might do better on many laws, yet, on the other hand, many of our States in the United States make some very crazy laws. They haven't a monopoly on some of these foolish laws; they have been making them all over the United States.

Senator FALL. Then you think that the law-making bodies and enforcing bodies in Mexico are on a parity with those in the United States?

Mr. CURTIS. No, sir; I don't think so. I think they are doing their best, but I don't think they measure up to our standard. I think they are doing their best; sometimes I don't think we do our best.

Senator FALL. Mr. Curtis, in your business in Mexico during the war, particularly in the year 1918, do you know how the garvanzo crop of Mexico was handled, on the west coast?

Mr. CURTIS. What year was that?

Senator FALL. Say in 1918.

Mr. CURTIS. I don't know that I remember the particulars about it.

Senator FALL. Do you know who financed it?

Mr. CURTIS. That was a year ago that we handled a good many. I forget which it was in 1918; W. R. Grace & Co. handled a good many. Wasn't that the year?

Senator FALL. Yes; W. R. Grace & Co., of San Francisco and New York, an American firm?

Mr. CURTIS. Yes, sir.

Senator FALL. Do you remember about the extent of their dealings, in American money?

Mr. CURTIS. Very large.

Senator FALL. It amounted to about $6,000,000?

Mr. CURTIS. Six or seven. There was not over five million last year. Might have been the high price brought it up to six.

Senator FALL. Where are those garvanzos shipped?

Mr. CURTIS. Shipped to New York, San Francisco, Cuba, and Spain.

Senator FALL. Are they used by the allied countries or are they used in Spain and Cuba?

Mr. CURTIS. Spain is a big market, Cuba is a large market, Porto Rico is a large market, Italy even some, and France even to a smaller amount.

Senator FALL. Do you think any of the garvanzo shipments reached France or Italy?

Mr. CURTIS. I can not say about that; I don't know. There were, however, a few sold in the United States.

Senator FALL. How were they paid for—in what currency?

Mr. CURTIS. American currency.

Senator FALL. Gold?

Mr. CURTIS. Yes; a good many of them paid for in American gold.

Senator FALL. At that time was there a rule, regulation, or law against the exportation of gold in this country except by permission of the War Trade Board?

Mr. CURTIS. Yes, sir.

Senator FALL. Permission of the War Trade Board was obtained for the shipment of gold, wasn't it, for handling the garvanzo crop?

Mr. CURTIS. Yes, sir.

Senator FALL. At that time the War Trade Board also gave permission to ship foodstuff from the United States to Sonora?

Mr. CURTIS. Yes, sir.

Senator FALL. Handled by Gen. Obregon at that time, flour and lard?

Mr. CURTIS. I don't know that you would say largely; he handled large amounts, of course. There were others handling it all the time.

Senator FALL. Then, while the United States were attempting to conserve for itself and its allies foodstuff they allowed gold to be exported into Mexico for the handling of a food crop, garvanzo?

Mr. CURTIS. Yes, sir.

Senator FALL. And then——

Mr. CURTIS. And there were other things being produced, however, besides garvanzo.

Senator FALL. For which gold was exported under orders of the War Trade Board?

Mr. CURTIS. Gold was not exported for that.

Senator FALL. I am speaking of the exportation of gold which was prohibited?

Mr. CURTIS. Yes, sir.

Senator FALL. Then foodstuff was being shipped out of Mexico in return for American gold?

Mr. CURTIS. Yes, sir.

Senator FALL. Still there was a necessity for importation into Sonora of American foodstuff needed for the Allies and people of the United States?

Mr. CURTIS. In less amounts; yes.

Senator FALL. Yes; in a less amount. Now, Mr. Curtis——

Mr. CURTIS. Of course, that was all done, Senator, through Washington; that was not local. We did not know anything about that. That was arranged with the War Trade Board at Washington.

Senator FALL. I am not inclined to be at all critical of the Nogales people. I think we will go into that a little bit further for your satisfaction. What currency or medium of exchange is used in commercial dealings with Sonora and the people in Nogales.

Mr. CURTIS. American gold, American paper and silver.

Senator FALL. American paper passes as current there?

Mr. CURTIS. It passes very well now. We took the matter up with the Federal reserve board for Arizona and we told them that—we told the Federal reserve board that our experience in the last year's trade excursion was that American gold was very much at a premium, which made American paper money at a discount. The Federal reserve bank figured it was at a discount. We said no, it is not at a discount, but they have to have gold and they will have to pay anything for gold, and they have to get it. For instance, the Mexican Government saw that gold was made the basis for taxes, two for one, and did not receive paper money.

Senator FALL. They would not receive their own paper money?

Mr. CURTIS. They did not have any paper money and would not receive our paper money; they wanted taxes collected on a gold basis, and we asked the Federal reserve bank why they did not turn loose a lot of American gold and go down there and see if we could not stabilize that condition; the money exchanges down there were getting a tremendous premium for gold and we suggested that they just try out and see if that gold came back again in just about the amount that we sent out, and they said "All right, we will try it. You might be right, and you might be wrong." It brought paper money on a par with gold; it is a differential now. Our paper goes freely; they take it seriously and they take it just the same as they would gold, except in some cases where they have to pay taxes they have to have gold. We corresponded with the Federal reserve bank and they are very well satisfied. We found it was a good thing to do and not ship our supply of gold.

Senator FALL. I have no doubt of that. Of course, I am not a financier, but your explanation is entirely satisfactory to me. Now, as to the statement that you made that they had no paper.

Mr. CURTIS. Yes; I take that back; they have paper, the bank paper is still outstanding but they don't use it.

Senator FALL. How about the paper money which they have?

Mr. CURTIS. The infalsificables—they are being used too.

Senator FALL. They are being used; that is the national Mexican currency of the country; that is fiat money. Are they being accepted in Sonora in small transactions?

Mr. CURTIS. People buy them; anybody importing into Mexico buys them, as part of their customs regulation is that they have to pay so much with infalsificables.

Senator FALL. How much do they pay?

Mr. CURTIS. I don't know; some certain percentage of the amount.

Senator FALL. I mean in buying it for the purpose of using it as you state they use it, how much do they pay on the open market for it?

Mr. CURTIS. A very small amount. I have not paid any attention to it; we do not handle it at all, and I really don't know.

Senator FALL. You don't handle it?

Mr. CURTIS. No, sir.

Senator FALL. You would not accept it in your business transactions?

Mr. CURTIS. Well, we did handle a fiat money for a while, but we got in a lot of mix-up and trouble about it, and we thought it was better for money brokers to handle it than for the banks.

Senator FALL. You handled, as a matter of fact, from time to time, their State money?

Mr. CURTIS. We did at the beginning of the issuance.

Senator FALL. You handled Villa money, and Madero money, and Carranza money?

Mr. CURTIS. Yes; we handled anything that came along for awhile and then discontinued it.

Senator FALL. Any that you happened to have on hand at a certain period was worthless?

Mr. CURTIS. Yes, sir.

Senator FALL. You presented me at one time with samples of various issues of currency?

Mr. CURTIS. It was not a good business for a bank; it brought about embarrassment for us.

Senator FALL. And, as a matter of fact, infalsificables are only received by the Mexican Government, then, as a bonus upon payments which must be made in gold; are they not?

Mr. CURTIS. Yes, sir.

Senator FALL. And they are required to be paid in that way? In other words, for the purpose of getting it out of the way they require you to pay a peso in infalsificables for $1 in gold, although $1 in gold is the same?

Mr. CURTIS. Yes, sir.

Senator FALL. That is their method of redeeming their outstanding currency?

Mr. CURTIS. Yes, that is about the idea.

Senator FALL. Do you know what outstanding currency of the Vera Cruz issue was taken up in Mexico?

Mr. CURTIS. No; I haven't any idea.

Senator FALL. Is there any Mexican gold in any appreciable amount on the West coast?

Mr. CURTIS. Yes, sir.

Senator FALL. That, of course, is received at its bullion or coin value?

Mr. CURTIS. No; it is received as a dollar on the basis of——

Senator FALL. Silver?

Mr. CURTIS. No; they are supposed to be on a gold basis.

Senator FALL. Well, that is because in 1905 Diaz put Mexico on a gold basis, didn't he?

Mr. CURTIS. Yes, sir.

Senator FALL. You say that one of the banks, and a bank of issue, which had branches over the Republic and doing business prior to the Madero revolution, was the Bank of Sonora, I understood you to testify to that?

Mr. CURTIS. Yes, sir.

Senator FALL. Is that institution in existence now, the Bank of Sonora?

Mr. CURTIS. I think it is; yes.

Senator FALL. Where is it doing business?

Mr. CURTIS. It don't do business at all, but it is in existence.

Senator FALL. Has it an office and a representative?

Mr. CURTIS. Yes; they have had one in Nogales but they have not been doing business in Nogales.

Senator FALL. Who is their representative down there, Mr. Winegar?

Mr. CURTIS. I don't really know whether Brower or Winegar. Mr. Brower has been down in Mexico, I suppose Mr. Brower will be the bank's representative, he has been down there a good deal lately.

Senator FALL. They are no longer conducting a banking business in the State of Sonora?

Mr. CURTIS. No; with the exception, I suppose, they are collecting their notes.

Senator FALL. Now, I want to ask you a hypothetical question: I base it on a case such as actually has occurred. Suppose that an American citizen on this side of the line would come before this committee and testify that he has recently lost property on this side of the line by theft or robbery at the hands of officials of the Government of Mexico, supposedly stationed within the State of Sonora, and were to give facts to the committee; after reading this general order issued by the Mexican Government to its consuls as to viseing passports, do you believe that American could go across into Mexico legally, that is, that his passport would not be viséed.

Mr. CURTIS. Where, at Sonora?

Senator FALL. By the consuls?

Mr. CURTIS. I believe they would, I might be absolutely wrong. This order you showed me is absolutely new to me, as an official document.

Senator FALL. I am speaking now of a witness who might not think so well of some of the officials or people in Mexico with whom he might do business as you might with whom you do business.

Mr. CURTIS. Yes.

Senator FALL. Suppose he were to give evidence reflecting upon the conduct of officers of the National Government of Mexico as against himself personally, do you think that under this order and under the conditions that exist his passport would be viséd, and he would be allowed to go over there?

Mr. CURTIS. I tell you Senator, that is a long guess; the order says absolutely "no"; I am talking about the whole Republic of Mexico.

Senator FALL. I am talking about Arizona, and a case pretty close to Nogales.

Mr. CURTIS. I don't know; if they had orders to stop them, they would refuse to issue the visé; but I have not heard of cases where they have been. There have been a lot of Americans made complaint to the Society for the Protection of American rights and through our State Department. You know that a lot of them have made complaints, and many of those people go right down there, back and forth, all the time. They have not reported to the Senator, but they have reported to the State Department and they are silent.

Senator FALL. Have you seen publicity given to such reports by the State Department?

Mr. CURTIS. No; they don't make them public.

Senator FALL. Then the Mexican Government would have no method of knowing it?

Mr. CURTIS. No; that is true. But we used to have a society down there; it was not a big one, Society for the Protection of American Rights in Mexico, that several of us joined, it was on the same idea, and we did not put personally in any complaint, but I know several were put in by friends of mine and they would be sent to the State Department, and the State Department would send them over to the Mexican ambassador, and then they would go down to Mexico City and back to the governor of the State, and then the governor of the State would be peeved and make it more or less disagreeable for the fellows and ask them why they did not come directly to him. We would always go directly to the State authorities and we would tell them just what we thought about it, and they would adjust it in a very satisfactory manner to us. I am speaking of my own individual interests and others; it might take several weeks or a month to get it adjusted on a satisfactory basis.

Senator FALL. You have referred to certain instances in which certain citizens have appealed to their own Government against acts of injustice and their protests were given to the Mexican Government and the Mexican Government would in turn send them to the State authorities or to the border authorities of Mexico, and the authorities of the State would be peeved at the American citizens?

Mr. CURTIS. Yes, sir.

Senator FALL. You have referred to cases of that kind?

Mr. CURTIS. Yes, sir. Instead of that process we go right straight to the State authorities and we get very good satisfaction.

Senator FALL. For something happening on this side of the line?

Mr. CURTIS. No.

Senator FALL. Whom would you go to?

Mr. CURTIS. I did not understand happening on this side of the line.

Senator FALL. Suppose you had a ranch on this side of the line and the people on the opposite side of the border the officials, Army men, came across right into your pasture and took your stock out and carried it into Mexico and you wanted a return of the property, what would you do?

Mr. CURTIS. Go to the American Government.

Senator FALL. Suppose the American Government made protest to the Mexican Government, and the Mexican Government sent that protest to the very men who had committed the depredation?

Mr. CURTIS. That is different; in that case I would go right to the American Government. Over here conditions are different from what those other fellows have over in Texas.

Senator FALL. No; I am talking about Arizona.

Mr. CURTIS. Arizona?

Senator FALL. Arizona, yes; and New Mexico and Arizona in the immediate vicinity of Nogales.

Mr. CURTIS. I have not heard of any of those, except some of those cow men all the time have had trouble for many years, cattle driven

across the line and getting mixed up. I have thought more particularly about the business of Americans in Mexico.

Senator FALL. Do thieves come across the line from Mexico into Arizona from time to time?

Mr. CURTIS. I guess they do; I don't know; they claim they do.

Senator FALL. Have you ever known in the last two years of the Mexican authorities ever deporting or turning over to the American authorities any man accused of an offense on this side?

Mr. CURTIS. I dont' know of any specific instance. I know that Col. Carnahan since he has been in Nogales has been in very close touch with the Mexican authorities very frequently.

Senator FALL. You are talking about the military law. We are not under military law; I am speaking of the enforcement of the every day law.

Mr. CURTIS. I can not say about specific instances of cattle offenders, but I know——

Senator FALL. I don't mean for the extradition of a cow. There is no extradition treaty in reference to the return of a cow; but I am talking about the return of a man charged with an offense against the law on this side of the line. Have you ever known of the Mexican authorities in the State of Sonora in the last seven or eight years ever returning a man who was wanted here for the violation of the law?

Mr. CURTIS. I don't remember any specific instance but I know this, since I have been on the council in Nogales with our mayor, we are in harmony with the peace officers on the Mexican side. They work together, they cooperate, I don't know about the specific extradition of any individuals, but I know that they help each other and those fellows over there are very decent with us in trying to find pilferers on the American side who escaped across the Mexican line and send them back.

Senator FALL. Do you remember any instance?

Mr. CURTIS. I don't remember any instance, you can get that from Mr. Lowe. He will tell you that we are getting along very nicely and that they work together. You could not ask for any better cooperation than we have had there.

Senator FALL. That is a fact in reference to the military also?

Mr. CURTIS. I know that Col. Carnahan, who is the commanding officer in our district, has got along very well with the military men on the Mexican side and they have frequent conferences and they get along very well and they are disposed to help us in running down these bad actors along the line.

Senator FALL. I asked you if you could relate any particular instance where they have returned to this side any man wanted on this side?

Mr. CURTIS. I don't remember, Senator.

Senator FALL. The cooperation which you have spoken of has extended to the immigration department and to the collector's department also?

Mr. CURTIS. I am not familiar with that, Senator. I don't know how that works out. The best evidence of that would be the representatives of those departments, that would be my opinion; I don't know about that.

Senator FALL. You are aware of the fact, I presume, that this committee which is now sitting here is the committee of the United States Senate formed from the membership of the Foreign Relations Committee of the United States Senate?

Mr. CURTIS. Yes, sir.

Senator FALL. Do you read the Congressional Record?

Mr. CURTIS. I do at times, Senator, I do not read it right along.

Senator FALL. Have you ever been informed as to how this committee was appointed, Mr. Curtis?

Mr. CURTIS. Appointed by the President, I understood, I am not familiar with it though.

Senator FALL. Do you know what instructions were given to the committee here?

Mr. CURTIS. No, sir.

Senator FALL. And your impression has been it was appointed by the President?

Mr. CURTIS. That is what I understood; yes, sir.

Senator FALL. Mr. Secretary, get me a copy of the resolutions under which this committee is acting. I will read to you the resolutions under which this committee is acting:

SENATE RESOLUTION 106.

Resolved, That the Committee on Foreign Relations, or any subcommittee thereof, is authorized and directed to investigate the matter of damages and outrages suffered by citizens of the United States in the Republic of Mexico, including the number of citizens of the United States who have been killed or have suffered personal outrages in Mexico, and the amount of paper indemnities for such murders and outrages; the quantity of damages suffered on account of the destruction, confiscation, and larceny of personal property and the confiscation and deprivation of the use of lands and destruction of improvements thereon; the number of citizens of the United States residing in Mexico at the time Porforio Diaz retired from the Presidency of Mexico, and the number of citizens of the United States at present residing in Mexico, and the nature and amount of their present holdings and properties in said country; and, in general, any and all acts of the Government of Mexico and its citizens in derogation of the rights of the United States or of its citizens; and for this purpose to sit at any time or place during the session of Congress or during recess, and with authority to subpœna such witnesses and documents as may be necessary, and to make a report of its findings in the premises to the Senate; and the said committee shall further investigate and report to the Senate what, if any, measures should be taken to prevent a recurrence of such outrages.

The committee is appointed by the Senate itself, under the authority given in the resolution which I have read, and under the directions and instructions—resolution 163 was reported out of subcommittee and adopted, and is as follows:

SENATE RESOLUTION 163.

Resolved, That the Subcommittee on Foreign Relations, appointed under authority of Senate resolution No. 106 to investigate Mexican affairs, be, and it is hereby, authorized to send for persons, books, and papers; to compel the attendance and testimony of witnesses; to administer oaths; to conduct hearings; to travel to and from any points where a sitting of the committee may be necessary; to employ interpreters, stenographers, clerks, and any other necessary assistants; and to provide for the care and preservation of testimony, papers, and documents.

The expenses of said subcommittee and its necessary assistants in discharging its duties under the provisions of said resolution No. 176 and of this present resolution to be paid out of the contingent fund of the Senate, upon vouchers to be approved by the chairman of the subcommittee.

Now, Mr. Curtis, have you any reason to think that this committee, from anything that you have heard of the proceedings, in any way has exceeded the authority or gone beyond the directions given it in the resolutions which appointed it?

Mr. CURTIS. No, sir; I do not. Reading that, Senator, it seems to me to read as though it was to find out the dark side more—to find the damages to be paid and outrages that have been committed, not so much as to get the true side. How does that read to you?

Senator FALL. No; you are mistaken entirely, I read and emphasized the last direction—

and the said committee shall further investigate and report to the Senate what, if any, measures should be taken to prevent a recurrence of such outrages.

In other words, this committee must report upon the facts as it finds them, not only the specific facts of the amount of damage, or the specific acts under which the damage was done, but what, if any, measures shall be taken by the Government of the United States to prevent a recurrence of such acts.

Mr. CURTIS. I understand.

Senator FALL. Now, in doing so the committee has opened its hearings with a general invitation everywhere it has had its hearings, from Washington to Tucson, general invitation for everybody who wished to come forth to come before this committee and make a statement in reference to the condition of affairs in Mexico, so that we can conscientiously perform our duty as we see it in making report to the United States through the Senate. The meetings are open except where, at the request of the witnesses themselves, they are held in executive session. We hold no executive session except where especially requested; where such is the case we do hold executive sessions, as we are authorized to do.

This resolution was offered in the United States Senate by Senator King, of Utah, and referred in the ordinary course to the Foreign Relations Committee, the Foreign Relations Committee unanimously adopted same and directed me to make a report to the Senate. I did so, and the resolution was then amended in the United States Senate, and as amended was adopted as it stands now without a dissenting voice; every Senator present voted for it. The next resolution in reference to its powers, and giving the committee the right to use any amount of funds in its discretion necessary, I was directed to report out of the Foreign Relations Committee by a unanimous vote of that committee, and it was adopted by unanimous vote of the United States Senate. The first act of the committee was officially to take up with the different departments of the United States, administrative departments, furnish them with a copy of the resolution, and take up with the different departments the matter of cooperation between the War Department, State Department, and the Treasury Department, and the Department of Justice of the United States, the question of close cooperation between those departments and this committee. The committee is exceedingly gratified to say to you

and takes this opportunity to state to the public that this cooperation up to date has been very close.

The committee has been able, I think, to give to the departments information which was not furnished their offices. It has received, without any hesitancy, from the departments such information, official and otherwise, as it has requested. It is not a political committee; the majority of the committee are of one party. It is constituted of three members, Senator Smith, of Arizona, Senator Brandegee, of Connecticut, and myself; I am chairman of the committee. Under these directions we are in close cooperation with the different departments of the Government; we are directed sincerely to carry out the directions given us by Congress in good faith, with no animosity toward anyone, without bias or prejudice for or against anyone. I think I can say that, having 39 years intimate knowledge of Mexico and the Mexican people, irrespective of my own views founded upon intimate knowledge of Mexican people and officials of Mexico, there has not been a word of bias or prejudice or condemnation uttered by any member of the committee in reference to any Mexican faction, revolutionary or otherwise, or in reference to any individual holding office in Mexico. In the course of its investigation the committee were confronted at San Antonio, Tex., with this condition: A great many witnesses were subpœned from Brownsville, the Big Bend District, and towns west, at San Antonio. Through its private sources of information the committee ascertained that Consul de la Mata at San Antonio wired his state department and wired the ambassador for instructions as to how witnesses appearing before this committee should be treated by himself and other consuls.

The committee at once took the matter up with the State Department in Washington. Shortly thereafter appeared this general circular issued by the Mexican Government. Immediately secret sessions of this committee were forced to be held because witnesses who had business in Mexico stated that they could not go back to Mexico. In El Paso, Tex., one witness who appeared before the committee went back with his passport, which had been honored at the Port of Nogales, desiring to return, asked that his passport be viséd; he was not allowed to go into Mexico. In the case of the sheriff of one of our counties on the Rio Grande, having constant business across the border, he testified before this committee under subpœna that visé of his passport was refused. In the case of one—two prosecuting attorneys, the Mexican authorities refused to visé their passports. They were American citizens and under compulsory process to attend the meetings. Those of you who know the border understand conditions here; we know conditions in Nogales; we know that four-fifths of your business is done with Mexicans. We know that people along this border have had very severe times in the last few years, those who have been doing business with Mexico, and that now, due to present conditions along the west coast, they have an opportunity to do business with Mexico without such immediate fear of loss as they have been compelled to face in the past.

This committee has associated with it several investigators. It has associated with it the regular intelligence officers of the United States Army. It has associated with it some of the officials of other departments of the Government; they make reports constantly to it,

and they have preceded the committee wherever it has gone; they have been in Nogales; they have interviewed citizens and have interviewed merchants, and they have absolutely requested all of those who have been interviewed that no publicity should be given to their names nor to any evidence which they might give, and they have testified only because they were served with process, and they have made these requests of this committee. The chairman of this committee, in a letter to one of the officials of this committee in Washington recently in reference to other matters, explained that certain conditions existed along the border which would hamper the work of the committee; this was in relation to the return of the committee to Washington, that its work had been delayed due to just exactly the conditions which I have just stated—that is, to the order of the Mexican Government that no witness appearing before this committee should be allowed to return to Mexico. This order which you have read. That that has been given general publicity and that the work of the committee was hampered. That a deplorable condition existed in various places along the border. The reason that Douglas and Nogales happened to be mentioned was because the committee had concluded its business at other points along the border and was coming here next. Then, one reason the names of those two places happened to be mentioned, the writer of the letter himself deplored conditions as they have existed.

Now, the reason I have made this statement to you is because of the statement purporting to be signed by yourself and Mr. Barnes, yourself as chairman or president of the Chamber of Commerce, and Mr. Barnes as chairman of the Young Men's Business Association, I believe, and because of the use of the language as reported in the paper: "The business men of Nogales emphatically resent reflection cast upon them by Senator Fall. In no matter pertaining to America has Nogales ever shown the white feather. The business men of Nogales are not afraid to testify before the Fall committee, and desire the opportunity to present certain facts about Mexico, particularly the West coast, which might be enlightening to that body." The committee is grateful to you for the views which you have presented to this committee, which are enlightening to this body in reference to the present conditions. "Nogales business men do not see how a policy founded on low passion and hatred can benefit us as a liberty-loving country or Mexico struggling to settle her internal difficulties." Now, what did you have reference to in the statement, "policy founded on low passion and hatred"?

Mr. CURTIS. All this stuff the papers were putting out—now, the newspapers were just full—for instance, the Los Angeles Times, they are not intended to bring about friendship between the two countries.

Senator FALL. Now, what do you refer to?

Mr. CURTIS. Hardly a day the papers don't come out and say something tending to antagonize.

Senator FALL. That is a rather broad statement, let's see; can you point out some specific instance?

Mr. CURTIS. I don't know that I can, Senator. But it seems to be the spirit of a whole lot of the newspapers to criticize all the time. They very seldom say anything good, or attempt to bring about better relations. Our policy in Nogales has been to bring about better

relations instead of criticizing all of their people, and not criticize ourselves. They don't pretend to be perfect. Our policy has been to cooperate and encourage instead of criticize.

Senator FALL. Have you reference to the activities of the Association for the Protection of American Rights in Mexico?

Mr. CURTIS. No; I did not refer to that.

Senator FALL. You referred to the activities of the Los Angeles Times?

Mr. CURTIS. Not specifically the Los Angeles Times; all papers seem to be getting out articles to antagonize and attack the Mexicans in general. That is our feeling. That was not intended for this committee so far as that goes. I think there was a whole lot of unjust criticism going out in the press, that is what we were criticizing. Senator Smith was down in Nogales the other day, he said in an address that this committee was impartial, and glad to get evidence on both sides, so I considered this committee just as you said, that it is—up to that time I had thought it wanted only one side, after Senator Smith said that——

Senator FALL. But it was after Senator Smith's address that you gave publicity to this statement?

Mr. CURTIS. I don't consider that applies to your commission. That is an attack on the unjust criticism floating around through a large section of the country.

Senator FALL. Can you give us one instance of that unjust criticism?

Mr. CURTIS. It is the disposition of a whole lot of people to take a crack at Mexico every time they get a chance; I don't know of any particular instance, Senator.

Senator FALL. Well, there have been statements of that kind, and other charges of that kind, same being made through the public press. You have not, of course, paid any attention to the printed hearings of this committee?

Mr. CURTIS. No, sir; I have not been here.

Senator FALL. I mean for the last four months this committee has been holding hearings and sending them out?

Mr. CURTIS. I have read several, not very many.

Senator FALL. Mr. Curtis, the charge was made, and made by a committee—a subcommittee of some committee in New York, the general committee, I have forgotten the name of it, composed of good people, of course; a certain subcommitte, dealing with Mexican affairs, with whom Dr. Inman was a prominent member, and a man by the name of McDonald, chairman, I believe, made exactly such charges as you just stated, but more particularly with reference to the activities of the Society for the Protection of American Rights; that they were filling up the papers with these charges against Mexico and the Mexican people; that this association and this committee was sending out subject matter for all the newspapers and asking publicity for it. They voluntarily came before the committee and stated their offer to appear had been rejected by the House committee which had been investigating affairs. These gentlemen were asked, like you, to particularize; they undertook to do so in reference to two instances, one article published in a San Francisco paper and another published in a Washington paper. They charged that

the Society for the Protection of American Rights in Mexico had secured these articles and that they were untrue and were calculated to inflame opinion; they were making a defense of the Carranza government, issuing these special articles and sending them out for free publication. I would be glad for you to read the testimony of Mr. McDonald, Mr. de Bekker, and Dr. Inman on that subject.

Mr. CURTIS. I would be glad to.

Senator FALL. Then a director of the Association for the Protection of American Rights was called before this committee and was examined and cross-examined as to the foundation for these two stories, which, it was charged, were published for the purpose of inflaming opinion against Mexico. One was checked up with Gen. Churchill behind it, in command of the Intelligence Department of the United States Army. The other was also checked up, showing that they were not guilty of seeking publicity or doing anything which they could not prove and which was not founded in fact. When we hear that general charges are made that papers are trying to inflame public opinion, why, we try to particularize, and in no case have we been able to find anyone that can do so better than you now.

Mr. CURTIS. I say it is generalities. I can not state; it is just my feeling that they are; and it is the feeling of a great many.

Senator FALL. Don't you think that feeling is—possibly that feeling is encouraged by some of the publications, and the publications to the contrary, which charge this committee and certain interests in the United States with seeking intervention in Mexico for their own personal interest?

Mr. CURTIS. It might be. Now, let's go down to this thing. As far as Senator Smith goes I have known him ever since I came to Arizona. He is a Democrat and I am a Republican; I have voted for him several times. If I had thought he was a man of low passion it is a cinch I would not have voted for him; and so far as you are concerned I have known you a long time; I have the utmost respect for you as being a man of good character, so far as that goes, either one of you two gentlemen, as being men of good character, and I would be sorry if you thought I was making a slam at you, because that was not in my mind. I think you men are fair-minded and are endeavoring to get the truth of this thing, and I would be very, very sorry for you to get the interpretation that I was making a slam at you personally, because that was not in my mind.

Senator FALL. So far as that goes, so far as I am concerned, I am accustomed to criticism of a very much more virulent character than that contained in your statement; even if you had intended it I don't care anything about it, but any statement made by you American citizens, tending to reflect upon the activities of this committee, does a very great injustice and injury to your own country.

Mr. CURTIS. I agree with you.

Senator FALL. If you have reasons to believe that this committee is guided with some ulterior motive—I am perfectly aware of the fact that it is reported here in Tucson that I am guided in my activities in regard to Mexico because of my personal pecuniary interests. I don't care. The facts can easily be ascertained if they want to ascertain them.

Senator SMITH. They are charging that you and I are representing the money interests of Mexico; that is the propaganda that they are circulating. It is ridiculous. I want to say in this connection that Senator Fall's letter, of which you complain, may have been somewhat due to me. I don't know; I never asked the Senator about it, but I spoke to him about holding meetings at Douglas and Nogales. I told him that the business men told me that if they were to be called upon to testify that they would be subjected to the absolute loss of all their property that they had in Mexico, or their trade with Mexico, if they made a public statement before the committee, to their ruin, and there was no criticism of the very high spirit that Senator Fall and I both recognized in both the people of Douglas and Nogales, and that instead of casting any reflection on them, it was the contrary, whereas, knowing the condition of this, that a man would not be able to go into Mexico; it was not directed to Nogales or Douglas people, as to their attitude, because it would apply to all, but that was our purpose in stating the trouble to get testimony, because we had noticed the attitude of the witnesses who went before the committee; they had refused to visé the passport of witnesses who had been before the committee. It is hardly fair to put those men in that hole, and the committee can not afford very well to do so. It was not a slur on the patriotism of those people.

Mr. CURTIS. I am frank to say that when that statement came out it kind of got under my hide. It did not consider I was a good enough American to do my duty, I was afraid to do my duty. I was very sorry it should come out to cast reflection on us. I did not think it was hardly fair. I think it is unfortunate.

Senator FALL. I have no apologies to make for it. It stated the absolute truth in reference to Nogales, and with reference to Douglas. I am not at liberty to give the names of the witnesses to have been present who have made the same request; I am not at liberty to give the names of your own citizens and business men who have made that request of this committee, who have positively stated it would mean ruin to them if they testified in public. I must guard them just as we try to guard the interests of any American citizens, and as we would guard any Mexican that came before the committee.

Mr. CURTIS. What you refer to, Senator Fall, about the information you had from people in Nogales, I realize that you have sources of information, I have no doubt, confidential, and very likely better than I have. I am not criticizing you.

Senator FALL. You did criticize us.

Mr. CURTIS. I did; but I can see now your side of it, that many people very likely have——

Senator FALL. I have been in Nogales since Christmas myself, you did not know that.

Mr. CURTIS. I did not know that. There are two sides to the thing, your information might not be—there might have been conditions that people might not have been free to come to me as they were to you, knowing that the information was going with absolute confidence.

Senator FALL. Now, we had testimony given publicly here yesterday afternoon of a witness, and we presume that every witness taking the oath here to testify to the truth, is testifying to the truth, and we

are prepared to defend him against any insinuations to the contrary, until the facts are submitted to prove that he was not—the witness testified openly here yesterday afternoon that certain murders and outrages committed down in Mexico, in reference to one particularly, it was attributed to the Yaqui Indians, while, as a matter of fact, it was committed by Carranza soldiers. Do you feel that man's passport would be viséd if he attempted to go back?

Mr. CURTIS. That is a hard question, I don't know whether it would or not. Under that order, of course—that order is broad, straight right off the shoulder, that they would be prohibited from going into Mexico.

Senator FALL. And on account of your very pleasant associations with the officials, the Mexican Government along the border, will you ascertain immediately upon your return to Nogales whether this order has been received by the consul in reference to viséing passports of Americans?

Mr. CURTIS. I would be very glad to. Can I get the date of that, please?

Senator FALL. That is the first question, and second, whether, in the event he has received this order, he will obey the instructions of the order.

Mr. CURTIS. I don't know that he would tell me, I can ask him.

Senator FALL. I am very free to say to you, Mr. Curtis, I have no doubt in the world but what your passport will be viséd and you will be allowed to go backward and forward.

Mr. CURTIS. I don't know, sir; but I hope so. Well, sir, I will do my best.

Senator FALL. I would like to know by telegram, if possible, so I might reassure witnesses from Nogales.

Senator SMITH. We don't want to get them into any trouble if we can help it.

Senator FALL. You don't know whether there were any handbills circulated in the streets of Tucson here containing instructions that witnesses should not be permitted to return?

Mr. CURTIS. No, sir.

Senator FALL. Then you have only looked at this from one viewpoint—that is your own willingness to come before the committee and testify without fear of the results?

Mr. CURTIS. Well, I am not looking for trouble, but it is inconsistent with my views of citizenship that I or any other citizen would not do my duty; that is what gets me. I might be a fool in this thing, I don't know; I feel it my duty; I don't see how anybody could criticize me for it—what I think is doing right—tell the truth; still some other fellow might do different.

Senator FALL. The committee has very consistently refrained from asking you in reference to specific injuries either to American citizens or to American properties in Mexico, and it has been very largely for the purpose of protecting you.

Mr. CURTIS. Thank you.

Senator FALL. Unless you desire to make some further statement of your own will, Mr. Curtis, we thank you very much for your attendance; you have given evidence confirmatory of other that we have had, that present conditions in Sonora at this immediate time are comparatively peaceful.

Mr. CURTIS. And Sinaloa. Well, I thank you.

(The following letters, received by the chairman the day following from Mr. Curtis, are made part of the record by instructions of the chairman:)

FIRST NATIONAL BANK,
UNITED STATES DEPOSITORY.
Nogales, Ariz., March 8, 1920.

Hon. ALBERT FALL,
Santa Rita Hotel, Tucson, Ariz.

MY DEAR SENATOR: For your information I will state that in order that there would be no misunderstanding upon the part of either the Mexican Consul or through him, the Mexican Government, I called upon the Mexican Consul, Hon. E. Tamez, and informed him that I had testified before your committee and desired to know whether or not that would have any bearing upon my going into Mexico or coming out. He informed me that he is authorized to use his own discretion in the matter of whose passports shall be viséd or refused visé. He very kindly informed me that there would be absolutely no objection to viséing my passport under the circumstances.

Yours, very truly,

BRACEY CURTIS.

THE FIRST NATIONAL BANK,
UNITED STATES DEPOSITORY,
Nogales, Ariz., March 8, 1920.

Hon. ALBERT FALL,
Santa Rita Hotel, Tucson, Ariz.

MY DEAR SENATOR: Since returning to Nogales, after appearing before your committee, it has occurred to me that in my testimony regarding the part of my interview "Low passion," I desire to explain my position clearly, and will thank you to correct your records in case it does not conform to this letter.

The mistake which I made was in the choice of words, and not of sentiment, but neither the words nor sentiment expressed were intended directly or indirectly against your committee.

Taking the statement as it is, my thought was to condemn those always willing and looking for an opportunity to agitate and promote intervention, international misunderstanding, and in general promote trouble along the border between Mexicans and Americans, especially as applies to Sonora and Sinaloa.

Our policy in Nogales has been to cultivate friendly relations between Mexicans and Americans, feeling that the required patience and encouragement in their reconstruction rather than wholesale criticism. They fully realize that they have difficult problems to work out the same as most other countries in the world, especially at this time, and resent obstacles and interference by any foreigners the same as the American Government in cases of deporting undesirable foreigners. Their contention is that they will go half way and be reasonable.

The Chamber of Commerce of Nogales are arranging to have a governor's day in Nogales on April 12, 1920, at which time Gov. de la Huerta, of Sonora, Mexico, and Gov. Campbell, of Arizona, will meet.

We feel by such exchange of idea and courtesies, the two people better understand each other and work more in harmony, and that this class of work, as well as trade excursion, is constructive and to be encouraged by all Americans; and Nogales is working on these lines, which we consider a proper, constructive, and neighborly policy, and thus condemn those agitating and urging intervention, conflict, or misunderstanding between Mexicans and American people.

Respectfully, yours,

BRACEY CURTIS.

TESTIMONY OF MR. A. C. BARNES.

(The witness was sworn by Dan M. Jackson, Esq., clerk of the subcommittee duly authorized thereto.)

Senator FALL. Of what State are you a native?

Mr. BARNES. I am a native of the State of Alabama.

Senator FALL. Where have you lived during the last few years?

Mr. BARNES. What do you term the last few years?

Senator FALL. During the last eight years.

Mr. BARNES. During the last eight years I have lived in the States of Colorado and New Mexico and Arizona.

Senator FALL. How long have you been living in Arizona?

Mr. BARNES. I have been living in Arizona approximately 10 months.

Senator FALL. Where?

Mr. BARNES. Nogales.

Senator FALL. You are chairman of the Young Men's Business Association, of Nogales, are you?

Mr. BARNES. Well, under the term of president.

Senator FALL. You joined Mr. Curtis in his statement which has been referred to in his statement—in his testimony—here?

Mr. BARNES. Yes, sir.

Senator FALL. You heard the statement of Mr. Curtis made in reference to that statement; you have also heard the statement made by the chairman of the committee?

Mr. BARNES. Chairman of which committee?

Senator FALL. This committee.

Mr. BARNES. Yes, sir.

Senator FALL. Have you anything to add to the statement made by Mr. Curtis as to the conditions, etc.?

Mr. BARNES. No, sir; I have not. I would be glad to answer any specific questions that I can.

Senator FALL. Upon what information do you base your statement that the chairman of this committee was in error—to put it mildly—in stating that the citizens of Douglas, Ariz., and along the border were loath to appear before this committee or deterred from doing so by the order of the Mexican Government?

Mr. BARNES. Why, nothing; but it reflected upon, as Mr. Curtis stated, upon the patriotism of the citizens of Nogales.

Senator FALL. Did you interview especially the citizens of Nogales who might be called before this committee to ascertain what their views upon the subject were?

Mr. BARNES. I did not know we would likely be called upon, but several of them interviewed me.

Senator FALL. Among whom?

Mr. BARNES. Mr. Gil Rankin, Mr. Curtis, Mr. William Haley, and several others.

Senator FALL. They all expressed a willingness to appear before this committee and give evidence?

Mr. BARNES. No, sir; they did not express any willingness.

Senator FALL. But simply indignant at the statement made by the chairman of the committee that witnesses were deterred from appearing before the committee?

Mr. BARNES. Mostly regarding the question of patriotism that we owed to our country.

Senator FALL. The use of the word "patriotism" or equivalent term—I believe the term you referred to, "patriotism" in the letter of the chairman of the committee, was that which caused your statement to be made, was it?

Mr. BARNES. Yes, sir; that and that alone, that was the interpretation which we intended, I think.

Senator FALL. If you considered the use of the word, reading it with the context, if you considered the use of that word by myself in the letter to reflect upon the willingness of the citizens of Nogales to come to the assistance of their country in time of peril you were in error. If you, on the other hand, construed it to mean that these citizens, in doing what I considered their duty in giving evidence which might enable the committee to perform its duty, they were deterred because of their financial interest you were correct, and I know the hardships that they were liable to.

Mr. BARNES. Well, personally, I don't consider it a hardship, I feel most willingly to testify to anything that would assist this committee in getting correct information, which I believe they are seeking.

Senator FALL. The chairman of this committee in this letter deplores the conditions existing which prevent American citizens or deters American citizens from giving evidence except in pledged secrecy, that their names will not be disclosed. Those conditions exist, and those gentlemen should know it, if you don't you can ascertain it, and for your private information I will correspond and take it up with the officials and citizens of your town and ask them, if you think it will thrown any light upon the subject, as to their willingness to appear before this committee and take the consequences. I am not reflecting upon their patriotism either, but deplore the conditions that exist that deter them in their mind in coming before the committee and testify. Do you know anything about the conditions in Sonora of your own knowledge?

Mr. BARNES. Only my experience based upon visiting Nogales, Sonora, quite frequently within the past 10 months, possibly three or four times a day, and crossing the line about the 1st of February accompanying the trade excursion through the States of Sonora and Sinaloa.

Senator FALL. You know nothing about specifice instances of deprivation of property, murder of American miners, American citizens in Mexico, and hardships worked upon them during the last few years?

Mr. BARNES. I know nothing personally; no. Of course, like every citizen of the United States, we read it is bad; that is transmitted through the Associated Press.

Senator FALL. Who is the Associated Press correspondent, if you know, there?

Mr. BARNES. I don't know, but I understand it is the representative of the Herald.

Senator FALL. Do you read the Associated Press dispatches published in the American papers coming through Douglas? I just call your attention to a specific instance.

Mr. BARNES. I presume the El Paso papers come through there.

Senator FALL. In reference to the Associated Press dispatches, for your information, I call your attention to a letter from the superintendent of the Associated Press at San Francisco, in which he uses this language, for instance:

I regret very much that any member should have published this, and especially that they should have credited it to the Associated Press. Denver advises

that the story was killed by that office as unverified. Neither the clipping nor your letter gives any clue to the paper that published the story. It was distinctly wrong for this paper to have used the story after the Associated Press had sent the kill. Please let me know the name of the paper, so I may write direct.

I won't read all the balance. Another, addressed to myself:

I have the honor to transmit to you a clipping from this morning's issue of the El Paso Morning Times, containing a correction of a dispatch from Douglas, Ariz., credited to the Associated Press and printed in the Times of February 6.

CORRECTION.

In an article from Douglas, Ariz., dated February 5, credited to the Associated Press, and published in the El Paso Morning Times of February 6, 1920, there were set forth charges, attributed to Orientacion, a Hermosillo, Sonora, newspaper, that United Senators Albert B. Fall, of New Mexico, and Marcus A. Smith, of Arizona, had exercised "extraordinary pressure" against Mexicans in San Antonio, Tex., to coerce them to testify before the Senate subcommittee investigating Mexican affairs, of which committee the two Senators are members.

The publication of this dispatch was an inadvertent error on the part of the Times, since the Associated Press sent a correction requesting all editors not to publish the story, since it was "obviously untrue."

And that Orientacion untrue story came from your Hermosillo, Sonora, paper, attacking the members of this committee.

Mr. BARNES. That is not my paper.

Senator FALL. Of course, I referred simply, in connection with your testimony. I asked who the Associated Press correspondent was because I have a desire to know, and, of course, I will ascertain.

Mr. BARNES. I believe I am correct; I am not sure.

Senator FALL. Do you know the editor of your paper, there in Nogales, the Oasis?

Mr. BARNES. I believe Mr. Bird. I am not sure. He is connected with that paper, I don't know whether editor or owner; possibly both.

Senator FALL. I notice one of the very recent issues of that paper, possibly the issue before the last, quotes a long article in reference to this very matter, which we have been talking about. Did you read that article?

Mr. BARNES. I don't know that I did. I would like to see it, and perhaps I would tell you if I read it.

Senator FALL. In regard to the west coast of Mexico, the committee is perfectly satisfied that no business man in Nogales fears to come before this committee and testify that at present conditions are very much better in Sonora than they have been, particularly prior to the battle between American soldiers and the Mexican soldiers at Nogales in the streets and around Nogales in August, 1918; we have no doubt that business men of Nogales generally will testify to that.

Mr. BARNES. I don't know anything about that; did not at the time.

Senator FALL. And it was not the intention of the chairman of the committee to say that any business man of Douglas had any need to fear that if he came before this committee and testified to the fact that conditions have improved, as they undoubtedly have, that he had no need to fear coming before this committee and giving testimony

in secrecy; nor did the letter of the chairman of this committee bear or warrant any such construction. This article continues:

But their testimony would not be the kind for which Senator Fall is looking. Perhaps that is one reason why the Fall committee has not come to Nogales to take testimony.

Mr. BARNES. I don't believe——

Senator FALL. Do you believe that represents the sentiment of the community?

Mr. BARNES. I don't believe the Young Men's Business Association or chamber of commerce made any statement like that.

Senator FALL. This is an article from Mr. Bird's paper.

Mr. BARNES. Oh, I see.

Senator FALL (reading):

The testimony they would get here would tend to discredit that they have been taking down the Rio Grande and would not cause the other to look well if printed in the same report.

Is that the sentiment that the young business men entertain there as to the activities of this committee?

Mr. BARNES. No, sir; that is not the sentiment among the young business men. Our young business men mostly consist of—well, I will say we have forty or fifty ex-service men.

Senator FALL. Oh, well, it is unnecessary to say that personally I know perfectly well there are no more loyal people in the world than the people of Arizona, certainly not any more loyal than the young men, business men, who have been in the service; they have shown that, and no possible construction could have been placed upon my letter whatever of any such thing. Do you happen to know Mr. Bird personally?

Mr. BARNES. I do.

Senator FALL. Do you know anything about his paper?

Mr. BARNES. No, sir.

Senator FALL. Do you know whether it has any circulation in the State of Sonora?

Mr. BARNES. I think so.

Senator FALL. Do you know whether 175 copies are bought and paid for by the Mexican authorities of the State of Sonora?

Mr. BARNES. I do not know.

Senator FALL. Now, Mr. Barnes, if you have any statement you want to make, the committee would be glad to hear it; if not, why, we thank you very much.

Mr. BARNES. Yes, sir.

(The committee then, at 1.45 o'clock p. m. took a recess until 4 o'clock Sunday afternoon, March 7, 1920.)

The committee met pursuant to adjournment at 4 o'clock p. m. Sunday, March 7, 1920; all members present as in the morning session.

TESTIMONY OF CAPT. HARRY WHEELER.

(The witness was sworn by Dan M. Jackson, Esq., clerk of the subcommittee duly authorized thereto.)

Senator FALL. Captain, of what State are you a native?

Capt. WHEELER. I was born in Florida.

Senator FALL. Where do you reside?

Capt. WHEELER. In Tombstone, Ariz.

Senator FALL. How long have you been residing in Arizona?

Capt. WHEELER. Since 1901.

Senator FALL. What is your business now, Captain?

Capt. WHEELER. At the present time I am employed by Toore & Co.

Senator FALL. Cattle and stock business?

Capt. WHEELER. Yes, sir.

Senator FALL. What official positions, if any, have you held in the State of Arizona?

Capt. WHEELER. I was sergeant, lieutenant, and captain of the Arizona Rangers from 1903 until, I believe, 1909, when they were abolished by the legislature; sheriff of Cochise County, Ariz., from 1912 to shortly after the outbreak or entrance of the United States into the war, when I resigned and joined the Army.

Senator FALL. You saw service abroad?

Capt. WHEELER. Yes, sir.

Senator FALL. Had you seen any military service prior to this time—United States service?

Capt. WHEELER. Yes, sir. I was a member of Troop H, First Cavalry, from 1897 to 1900; then a member of Troop M, Fourteenth Cavalry from 1900 to 1902.

Senator FALL. Were you in the service during the Spanish-American War?

Capt. WHEELER. Yes, sir.

Senator FALL. During your service in the Rangers, with the Arizona Rangers, also particularly during your position as sheriff of your county, your duties called you to the international border between the United States and Mexico?

Capt. WHEELER. Frequently.

Senator FALL. At what points, generally?

Capt. WHEELER. Nogales, Naco, and Douglas; in the country adjoining the Slaughter's ranch, about 17 miles east of Douglas.

Senator FALL. Where were you in June, 1906, if you recollect, Captain? Do you remember the occasion of what was called the Cananea riot?

Capt. WHEELER. Yes, sir.

Senator FALL. Where were you at that time?

Capt. WHEELER. I was at Benson at that time—lieutenant of rangers.

Senator FALL. Did you go to the border at that time?

Capt. WHEELER. I went to Naco from Benson, and arrived just in time to meet the returning bodies of Americans.

Senator FALL. Under Capt. Reining?

Capt. WHEELER. Capt. Reining.

Senator FALL. Capt. Reining was in command of the Arizona Rangers then?

Capt. WHEELER. Yes, sir.

Senator FALL. Then returning from where?

Capt. WHEELER. From Cananea.

Senator FALL. They had gone there on account of the riot and threatened danger to Americans?

Capt. WHEELER. Yes, sir.

Senator FALL. Captain, were you in Douglas or Naco during any of the armed conflicts between the Mexican factions at or near those places?

Capt. WHEELER. Yes, sir.

Senator FALL. You were not in Douglas, were you, in 1911, during "Red" Lopez's attack on Agua Prieta; or do you recollect?

Capt. WHEELER. I was absent during this attack.

Senator FALL. When were you a witness to the first conflict between Mexican factions at or near any point on the international border?

Capt. WHEELER. I believe a month later. I think the Lopez attack was about April, 1913; a month from that time the second attack, by Gen. Blanco, on Agua Prieta.

Senator FALL. Was this attack on Agua Prieta by Blanco forces successful?

Capt. WHEELER. No, sir.

Senator FALL. During this attack, were the lives of the Americans on this side of the line endangered?

Capt. WHEELER. Not during that attack. The Federal troops, under Diaz, went out of town and met the Blanco forces outside of town about two miles, and distributed.

Senator FALL. Then the Diaz forces were distributed out of town, where they would not endanger the American lives?

Capt. WHEELER. Yes, sir.

Senator FALL. Were you in or around Douglas at any other time when an attack was made?

Capt. WHEELER. Yes, sir.

Senator FALL. When was the next, approximately?

Capt. WHEELER. I wonder if I have gotten mixed up. The first attack, I remember, was the Blanco attack; and the Lopez attack must have been subsequent to that, because the next engagement, I remember, was the Federals attacking the rebels. I have got the cart before the horse. I don't remember how long that was after Lopez had taken the town, but Gen. Medina Barron, I understand, with Gen. Felix Diaz and Gen. Chapa, of the Federals, to my recollection, made the next attack on Agua Prieta, and occupied it.

Senator FALL. During this attack, were any shots fired across the border?

Capt. WHEELER. Yes, sir.

Senator FALL. Were American lives on this side endangered?

Capt. WHEELER. Yes, sir.

Senator FALL. Were any Americans on this side injured, that you recollect?

Capt. WHEELER. I did not see any, but it was rumored that several had been shot, one man at the Gadsden Hotel.

Senator FALL. In what capacity were you there at that time—as a ranger, or was that prior to your service as ranger?

Capt. WHEELER. I believe I was in the customs service at that time.

Senator FALL. Do you recollect the issuance of any orders by the United States Government, through the commanding officers along the line, communicated to the Mexican contending factions in reference to shooting across the line?

Capt. WHEELER. Not at that time; I do not.

Senator FALL. Later you remember that such orders were issued?

Capt. WHEELER. Yes, sir.

Senator FALL. Do you remember the occasion of the successful attack by the Madero forces upon the city of Juarez opposite El Paso?

Capt. WHEELER. Yes, sir.

Senator FALL. Shortly prior to that there had been an attack made by the followers of Madero upon Agua Prieta?

Capt. WHEELER. Yes, sir.

Senator FALL. It was upon this occasion of the attack upon Agua Prieta by the Madero followers that I intended to question you about, in reference to any orders issued to American soldiers guarding the border, supposed to be communicated to the contending factions?

Capt. WHEELER. I did not hear at that time of any orders.

Senator FALL. Now, after this attack by Chapa and the other officers upon Agua Prieta, when was the next attack, if any, that you recollect?

Capt. WHEELER. The next attack, as I remember, was when Villa attacked.

Senator FALL. In 1916?

Capt. WHEELER. Yes, sir; opposite Douglas.

Senator FALL. Were you there at the time of that attack?

Capt. WHEELER. Yes, sir.

Senator FALL. In what capacity?

Capt. WHEELER. Sheriff of Cochise County.

Senator FALL. Did you meet or interview any of the members of the contending factions?

Capt. WHEELER. Yes, sir.

Senator FALL. Who?

Capt. WHEELER. I met the advance guard of Gen. Villa several miles east of Douglas, right at the line; wire fence separating us, I, and one of my deputies in the early morning of the day of the attack; my deputy was named Charlie Cross.

Senator FALL. What was the condition of the advance guard of the Villa forces you encountered there; physical condition?

Capt. WHEELER. Excellent.

Senator FALL. Did you have a conversation with them?

Capt. WHEELER. Yes, sir; they rode up to the fence and addressed us; I was struck by their appearance. They were well disciplined; I had been in the extension of a little gully, a little draw, which they thoroughly, in a military method explored; after they had advanced several hundred yards they returned to where we were. One of them thought that we were in Texas and seemed surprised when he learned it was not Texas.

Senator FALL. Was your conference with these men of a friendly character?

Capt. WHEELER. Yes, sir.

Senator FALL. Did they ask you any questions about the disposition of the other forces at Agua Prieta?

Capt. WHEELER. They did.

Senator FALL. Did you give any advice in reference to it?

Capt. WHEELER. I did, Senator, I wished to avoid any more fighting. I had seen my people killed, and wounded in those various skirmishes; I did not intend to lie or take sides, but I wanted to avoid a conflict at Agua Prieta if I could do it; I told them the truth, 7,000, I believe that number of troops had been permitted to cross the United States to reinforce that garrison, and I hoped by telling them the truth it would avoid a conflict.

Senator FALL. Did you convince them that you were telling the truth, or did they doubt it?

Capt. WHEELER. They left me as I started in telling about it, they did not appear to believe me; they said that Gen. Scott, I believe it was, in whom they seemed to have great faith, told them that the United States would not permit troops of the other side to pass through the United States.

Senator FALL. These Villa troops themselves had marched across the country entirely within the boundaries of Mexico?

Capt. WHEELER. Yes; so I understood.

Senator FALL. Did they have any artillery with them?

Capt. WHEELER. Yes, sir.

Senator FALL. How did they transport their artillery, do you know; did you see any of it?

Capt. WHEELER. I saw it after it was placed; I did not see it in actual transit.

Senator FALL. It is a pretty rough country. You know something about the country they had to cross?

Capt. WHEELER. Very rough; they had trouble, no doubt.

Senator FALL. Then later ensued the battle between the attacking forces and those under Calles and Obregon?

Capt. WHEELER. Yes, sir.

Senator FALL. How long did the fight last?

Capt. WHEELER. To the best of my recollection, two days.

Senator FALL. Did it endanger the lives and safety of the American citizens on this side?

Capt. WHEELER. One soldier was killed.

Senator FALL. One American soldier?

Capt. WHEELER. One American soldier; his name was Jones; the camp there is named after him. There was firing into the United States, but not with the volume or extent that usually accompanies those battles.

Senator FALL. Did Villa make such disposition of his forces as to evidence an intention not to fire into the United States, or did he fire from the south where necessarily he would fire into the United States?

Capt. WHEELER. No, sir; he attacked—I can not say south, but throughout the engagement I noticed the fact that there was very little firing entering out side. He attacked from the east.

Senator FALL. Parallel with the border?

Capt. WHEELER. And to some extent from the west, and I heard he did attempt to attack from the south, but I did not see that.

Senator FALL. Were the American troops in Douglas along the line at this time?

Capt. WHEELER. Yes, sir; great numbers.

Senator FALL. During any of the previous attacks to which you have referred, or the armed conflicts along the line about Douglas or Agua Prieta, were there American troops there?

Capt. WHEELER. There were patrols; this was the first time they paralleled the line in any force; they took possession of that great ditch that bounds Douglas on the south, for drainage purposes. They formed an entrenchment out of them and had advance posts fully two or three miles east of Douglas.

Senator FALL. Did you know Mr. Rutherford who was in the employ of the smelting company?

Capt. WHEELER. No, sir.

Senator FALL. Captain, were you present at any other point along the line when conflicts took place between any contending factions?

Capt. WHEELER. I was at Naco.

Senator FALL. When?

Capt. WHEELER. In 1913, I believe, and I believe—not sure as to that time—1913, I was there.

Senator FALL. Do you remember who the leaders of the contending factions were at that time?

Capt. WHEELER. Gen. Ojeda was in command during the first attack, I remember, at Naco; they were attacked by Gen. Obregon and Calles for a period of five or six weeks. It finally culminated in the Ojeda forces being driven out of town, and the place being occupied by Obregon, Calles, and the Yaqui Indians.

Senator FALL. During this five or six weeks of fighting, were the lives and safety of the American citizens in danger?

Capt. WHEELER. Yes, sir.

Senator FALL. Were there any casualties among them?

Capt. WHEELER. There were a few at that time.

Senator FALL. Were there American soldiers there?

Capt. WHEELER. Yes, sir; the Ninth Cavalry.

Senator FALL. Under whose command?

Capt. WHEELER. At that time I believe Col. Guilfoyle.

Senator FALL. Were you there during any subsequent attack?

Capt. WHEELER. Yes, sir.

Senator FALL. Or conflicts? Were American soldiers on the border?

Capt. WHEELER. Yes, sir.

Senator FALL. Under whose command?

Capt. WHEELER. I believe at this time Col. Hatfield of the Ninth Cavalry was in command.

Senator FALL. How long did the fighting last at that time?

Capt. WHEELER. That was at the time Gen. Maytorena fought Calles and Gen. Hill into Naco. I understood there were about 15,000 men all told involved in that; that, to my recollection, lasted 80 or 90 days.

Senator FALL. Was there firing across the border at this time?

Capt. WHEELER. Continuously.

Senator FALL. Were the lives and safety of American citizens on this side endangered at that time?

Capt. WHEELER. Yes, sir.

Senator FALL. Were there any casualties occurring on the American side at that time?

Capt. WHEELER. Seventy-one, Senator, at that time. Eighteen soldiers were killed and wounded. The majority of them wounded, and among the refugees, and citizens something like 30.

Senator FALL. You were sheriff of what county in Arizona?

Capt. WHEELER. Cochise.

Senator FALL. Naco is in Cochise County?

Capt. WHEELER. Yes, sir.

Senator FALL. Were you in Naco at any time during this fighting in the performance of your official duties?

Capt. WHEELER. I was there all the time.

Senator FALL. What were you engaged in doing there?

Capt. WHEELER. I was attempting to protect my people.

Senator FALL. Were your efforts successful?

Capt. WHEELER. Only partially.

Senator FALL. Well, what means did you take to endeavor to protect the people of Arizona?

Capt. WHEELER. I requested the Federal troops to actively protect my people; which apparently, through some source, they were prevented from doing much against the wishes of the troops.

The troops were willing, as were the officers. I called upon the governor of the State for help, but fearing a conflict of possible conflict between the State troops and the Federal troops I then requested Gov. Hunt not to send the troops.

Senator FALL. You say Federal troops; you mean United States troops?

Capt. WHEELER. United States troops.

Senator FALL. What reason did you have to fear a conflict between the United States and the State troops?

Capt. WHEELER. There were so many people being killed and wounded. One particular day after repeated requests that the firing be stopped I noticed a machine gun that had recently been located in such position that its fire fell into the heart of our town at regular intervals during the day; most of the firing from this gun would fall in our main street. One day a bullet from this gun struck in the street and passed through the window of the Hotel Naco. There was a girl in the office; a young girl I had known from babyhood almost; and entered her piano. I heard her scream and I ran into office and found her face slightly bleeding from broken glass. It made me believe that the thing had to end one way or another. I requested one of the Maytorena agents who was at this hotel continuously to take some steps to end the firing of this gun, and he refused, and I told him then that I would appeal to the troops to drive this faction out of the trench, he said I could appeal all I wished. I told him then if the troops did not do it I would call a posse as sheriff of that county and enfilade his trenches and drive this man out myself, he said that would not be permitted. I went immediately to the colonel and on his reply about the matter I told him what I intended to do, and was told if I did it would be his painful duty, as much as he regretted it, to arrest me and my posse. I said: "There is no martial law, no declaration of war; it is my belief that I am the supreme authority here." He said: "My orders as a soldier will compel me to take the action I have indicated to you," and tears came in the old gentleman's eyes when he told me;

and having been a soldier myself I did not question him further; but I had requested aid of the governor, and upon being told by this Army officer that I would be prevented, even arrested if I attempted to protect my own people, and not wishing to embarrass him, or to in anyway cause further embarrassment I requested the Governor not to send his troops.

I did ask the colonel if it was not true then that instead of being there to protect our people he merely occupied the position of being there to prevent us from protecting ourselves, and he said that was about the size of the thing.

Senator FALL. It looked like war to you?

Capt. WHEELER. It looked like war; I knew that was no declaration of war. I could not understand it for this reason, that had a ranch been attacked a mile east or west of this town by bandits I would have proceeded there and protected that ranch.

Senator FALL. But within the territory actually covered by the United States troops on this side you were prevented under orders from protecting the citizens living in their houses?

Capt. WHEELER. Absolutely.

Senator FALL. Americans could not proceed about their business in the streets of an American town?

Capt. WHEELER. They went about the streets at their own peril; I saw a little girl shot in the neck when she was going home with her little arms full of bundles.

Senator FALL. How far were the American troops from the place where this little girl was shot?

Capt. WHEELER. They must have been pretty well back at this time. They had moved into a safer locality; they were about half a mile from the line in their camp. They had certain outposts up near the line part of the time, but they had moved, at that time, to safer quarters.

Senator FALL. Even at the expense of leaving the people, citizens of an Arizona town, at the mercy of these people, who were firing indiscriminately across the line. Was that the status?

Capt. WHEELER. Senator, I can not make any reflection on the troops.

Senator FALL. I don't mean any reflection on the troops.

Capt. WHEELER. I do not wish to answer in any way that would reflect on the troops because both officers and men felt the humiliation and embarrassment to the extent that many times I have seen tears in their eyes over the situation. They were helpless under some one's orders above them.

Senator FALL. Of course we know that.

Capt. WHEELER. I wish to answer fully, only not to——

Senator FALL. Did this action and the occurrences to which you have referred at Naco influence you in the performance of any of your official duties thereafter?

Capt. WHEELER. Yes, sir; I became a very humble personage, and supplicated the authorities on the other side for protection.

Senator FALL. What means did you use when you say supplicated?

Capt. WHEELER. I asked Gen. Calles—their trench faced the west, the Maytorena trench, 600 yards west of the Calles trenches, faced

the town. Of course there was a great volume of firing from those two trenches, back and forth, and evidently this gun of the Maytorena faction, machine gun, from the southwest section of this trench, was firing at the gun on the north—on the northern end of the Calles trench, which brought the extreme fire through Naco, Ariz. I asked Gen. Calles to have his trench cease firing to give me an opportunity to attempt to enter the Maytorena trench with a white flag on a stick. He consented, and did cease firing. I took my deputy, William Brakefield, to the monument west of town, beyond a few feet of the Maytorena trench, left him there, meaning at that monument, and went over to the Maytorena trench with a handkerchief on a stick. They saw me approaching, and they began to cease firing, and also permitted me to come into their trench. I held a conference with them there in a body for about an hour and proceeded then to find this gun, and change its direction of fire.

Senator FALL. During that fight, this period, there was a total of approximately 48 casualties between the American troops and citizens and refugees in the town of Naco?

Capt. WHEELER. I heard at that time 52; I don't know the exact number.

Senator FALL. Do you know the house commonly known as the Greene Cattle Co. house on the American side of the line there at Naco?

Capt. WHEELER. Yes, sir.

Senator FALL. Did you ever have your attention called to the condition of that house after the battle of Naco?

Capt. WHEELER. That house that was struck by shrapnel?

Senator FALL. Yes, sir.

Capt. WHEELER. Yes, sir.

Senator FALL. What was the condition of the house?

Capt. WHEELER. The shrapnel had entered the corner of that house from the west, had come through a room or two—I mean through the roof—and evidently exploded as it entered the kitchen and destroyed the kitchen and stove and nearly everything in the room.

Senator FALL. And perforated the wall on the inside?

Capt. WHEELER. Yes, sir; it entered and exploded; the shrapnel shell was all over the room.

Senator FALL. This house was situated on the American side, was it?

Capt. WHEELER. Yes, sir; across the line on the American soil.

Senator FALL. Did the shrapnel strike this house during the time when American troops were at or near the border?

Capt. WHEELER. Yes, sir.

Senator FALL. Now, Captain, in the performance of any of your official duties, aside from those performed by you immediately upon the border, were you influenced thereafter by what had occurred at Naco between yourself and the Federal forces, by our Federal troops?

Capt. WHEELER. Yes, sir; I was.

Senator FALL. You were in charge of the protection of the people of Bisbee, Ariz., in 1917, as sheriff of that county?

Capt. WHEELER. Yes, sir.

Senator FALL. In the discharge of your duties there in preserving order did you think it necessary to call for outside assistance?

Capt. WHEELER. Twice.

Senator FALL. Upon whom did you call?

Capt. WHEELER. First upon the governor of the State and then the Government at Washington through the governor of the State.

Senator FALL. What response did you receive from there?

Capt. WHEELER. From the governor of the State the response was, "We haven't any troops," and I never received any response from Washington.

Senator FALL. Did you regard the position at that time in the town of Bisbee, and in that vicinity, as warranting you in calling upon the Federal Government for assistance in the preservation of peace?

Capt. WHEELER. I did.

Senator FALL. In connection with your activities and the performance of your duties as peace officer, were your actions thereafter investigated by any commission or department of the Government of the United States?

Capt. WHEELER. Yes, sir.

Senator FALL. By whom were your acts investigated aside from any subsequent court proceedings?

Capt. WHEELER. Secretary of Labor Wilson and a man by the name of Frankfurter—Felix Frankfurter, I believe—Marsh, and I forget the other name.

Senator FALL. Walker?

Capt. WHEELER. Walker, and one other man.

Senator FALL. They constituted what was known as the mediation committee appointed by the President of the United States, were they not?

Capt. WHEELER. Yes, sir.

Senator FALL. This mediation committee proceeded to Bisbee to investigate occurrences, some of which occurrences you were connected with in your official capacity?

Capt. WHEELER. Yes, sir.

Senator FALL. Did the commission have you before it?

Capt. WHEELER. Yes, sir.

Senator FALL. Did they question you as to why you had not called upon the National Government for assistance?

Capt. WHEELER. They did not question me; I offered that information to them.

Senator FALL. You did make a statement?

Capt. WHEELER. Yes, sir.

Senator FALL. Practically what was the purport of that statement?

Capt. WHEELER. I told them I had called on both the Federal and State Governments for assistance in my extremity, that my appeals had not been answered; that the treatment I had received as sheriff in previous times gave me thoroughly to understand, especially since my last appeal went unanswered, that I was upon my own initiative, and I took the only course left to me.

Senator FALL. You referred to the facts you have repeated to the committee as to the action of the Federal troops at Naco?

Capt. WHEELER. Yes, sir.

Senator FALL. In connection with this occurrence at Bisbee to which we have just been referring, did you come in contact with any citizens of Old Mexico?

Capt. WHEELER. Yes, sir.

Senator FALL. Were such Mexicans involved in these occurrences at Bisbee?

Capt. WHEELER. A great many.

Senator FALL. What did you learn from these Mexicans, if anything in reference to their action, and proposed action as to the causes leading them to pursue the course which they were pursuing?

Capt. WHEELER. You understand, Senator, that a sheriff will frequently have stories related to him, both correct and incorrect, many of which he is unable personally to run down, but I was frequently told that the Mexicans of the Villa army had cached arms and ammunition in the mountains of Sonora, upon their retreat from Sonora; that many of these Mexicans were former Villa soldiers, and knew where these caches were and intended to secure them at the proper time. I personally heard one Mexican—if you will remember a few weeks before that, or a month or two, the Mexicans ran the Americans out of Cananea, Sonora.

Senator FALL. Drove them out?

Capt. WHEELER. Drove them out.

Senator FALL. The Americans took refuge on the American side.

Capt. WHEELER. Most of them at Bisbee. After six weeks or two months, when peace was restored in Cananea, a great many of the Mexicans came into Bisbee. I heard one Mexican distinctly, heard him remark to an American workman going up the hill with his lunch pail: "We run you out of Cananea a short while ago; we will run you out of here." That is one of the remarks I heard.

Senator FALL. Did you hear what character of arms and ammunition had been cached by the Villistas in the mountains?

Capt. WHEELER. I heard that he had left most of his artillery in the mountains, but the arms spoken of at that time were their rifles. Most of his men were armed with Mausers.

Senator FALL. From information which you obtained through your deputies, and which you regarded as a reliable source, was the purpose disclosed of using those arms in connection with trouble at Bisbee?

Capt. WHEELER. When the proper moment arose.

Senator FALL. Did you ever hear of the plan of San Diego, Captain?

Capt. WHEELER. Yes, sir.

Senator FALL. Where did you first hear of it, do you know?

Capt. WHEELER. I heard of it in various places. The time I remember best of all was in Tombstone. I heard a Mexican speak of it, and say that the time would soon arrive when this country would be restored to Mexico, and the Mexicans would take their proper station; they would receive what was due them.

Senator FALL. That was the first time you heard of the plan of San Diego?

Capt. WHEELER. I don't know that it was the first time; it was the time most distinct in my memory; I remember the Mexican and his looks; he was a stranger in town.

Senator FALL. By this country being restored to Mexico he meant Arizona?

Capt. WHEELER. Arizona and these border States.

Senator FALL. The border States which had formerly been a part of Mexico; and at Bisbee you heard at least one Mexican say that in a short time—they had run these American miners out of Cananea—in a short time they would run them out of Bisbee?

Capt. WHEELER. "We ran you out of Cananea; we will run you out of here."

Senator FALL. How many—about how many Mexican miners were there is Bisbee during these disturbances?

Capt. WHEELER. Oh, that would be hard to say; I have seen about—extending probably four or five hundred yards in length, column of twos, each day marching up to the I. W. W. headquarters to receive their rations. The I. W. W. was feeding them, all of them on strike.

Senator FALL. These were Mexicans?

Capt. WHEELER. Mexicans; and, of course, a great many Mexicans did not cease work, and there were many Mexicans in camp not interested one way or another.

Senator FALL. Now, who were these Mexicans who were being fed by the I. W. W., as near as you could ascertain; where were they from?

Capt. WHEELER. I believed, and still believe, the majority of them were former Villistas.

Senator FALL. Soldiers in Villa's army?

Capt. WHEELER. Ex-soldiers.

Senator FALL. And you had reasons to believe that more than one of them knew of the arms which had been left by Villa?

Capt. WHEELER. Absolutely.

Senator FALL. Did you have any reason to fear that some arms might be used by these Mexicans in connection with threatened disturbances at Bisbee?

Capt. WHEELER. Yes, sir; I did.

Senator FALL. Was this one of the reasons that guided you in pursuing the course which you did with reference to the lawless element at Bisbee?

Capt. WHEELER. It was.

Senator FALL. Then there were several hundred Mexicans, who, as near as you could ascertain—the largest proportion of whom, as near as you could ascertain, had been with Villa, who were in Bisbee being fed by the I. W. W.?

Capt. WHEELER. Yes, sir.

Senator FALL. And who were causing the disturbance there?

Capt. WHEELER. Yes, sir.

Senator FALL. Now, do you know of any statement being made by the I. W. W. who were there to the Mexicans with reference to their purpose—how it would affect the Mexicans themselves?

Capt. WHEELER. Yes, sir.

Senator FALL. What statement do you know of?

Capt. WHEELER. I had arrested A. E. Embree, I believe under indictment now in the Federal court, one of the leaders of the I. W. W. He was brought to Tucson and tried in this court and acquitted by a jury; I believe eight of the jury were Mexicans, but

during that trial the statement was sworn to by a Mexican whose name was Peralta—Antonio Peralta—saying that the Mexicans were induced to quit work. This was subsequent, all having been told by these head men in Bisbee, that it was to their interest that Germany should win the war; it was to the interest of the Mexicans and to Mexico that Germany should win the war. That was the inducement to them to cease work by the head men. That testimony can be corroborated because it is in the court records here in Tucson.

Senator FALL. Do you know whether the Mexican citizens passed backward and forward with comparative freedom across the line between Cananea and Bisbee about this time? You spoke of some.

Capt. WHEELER. It is much more difficult now than it was in those days. In those days anyone could go a mile east or west of these ports and cross.

Senator FALL. Captain, what has happened down along the international boundary with reference to the safety of American citizens on this side of the boundary unless protected by forces or troops, for several years past, if you know?

Capt. WHEELER. Why, I can only speak for my own county. Outside of those attacks on those towns we have been singularly free from occurrences. I remember only one instance where I was called upon to allay any excitement or trouble among the Americans or Mexicans in my county. That was over here at Johnson's the whites had taken their women and children into the little school house and the Mexicans had separated and gone up in the mountains, each side feared the other; I never learned the cause, but it was of such a nature I was able to go alone among them and pacify both parties; that is the only trouble I ever had.

Senator FALL. The country is not very thickly settled?

Capt. WHEELER. No, sir.

Senator FALL. And there is no canal or river such as exists below El Paso on the international boundary?

Capt. WHEELER. No, sir.

Senator FALL. The boundary line between Arizona and Old Mexico generally, particularly that portion within your jurisdiction, simply is an imaginary line, marked by monuments, and in some places by wire fences?

Mr. WHEELER. By wire fences; yes, sir.

Senator FALL. Have you ever known of any attempt by citizens on this side of the line to commit any act of outrage or aggression or attack upon the lives or property of Mexicans on the other side of the line during these years; I mean citizens?

Capt. WHEELER. Not of American citizens, except that time I referred to, I referred to when that unfortunate conflict took place when these people went across and rescued the officers at Amarillo.

Senator FALL. That you have not referred to in testimony, but in conversation between you and me. What was that occurrence?

Capt. WHEELER. Of course, Senator, this is what I have been told; I was not there and did not see it.

Senator FALL. Yes.

Capt. WHEELER. But there was a law in force on the Mexican side at that time which prohibited any one from going into Mexico at any time with firearms. They were duck hunting in some water close to the line, but in Mexico, within a short distance of where a

troop of Cavalry was stationed on our side. As I was told, the officers went across the line with shotguns to hunt ducks and were arrested by the Mexican fiscal guard or gendarme rural, as they call them.

Senator FALL. Acting under Mexican law and orders?

Capt. WHEELER. Acting under Mexican law and orders. These troopers went over and rescued their officers, and in doing so killed several of the Mexican guard.

Senator FALL. You thought and I thought that the action of those troopers was to be criticized.

Capt. WHEELER. I could not help but think that.

Senator FALL. The Mexicans were performing their duty under their orders in arresting officers who had gone across there with arms?

Capt. WHEELER. I believe any soldier should obey his orders. I have always regarded those men as having died in obedience of the orders they were acting under in having arrested these officers. I want to be just in any statement I make to you.

Senator FALL. Now, Captain, to refer back a moment to what was known as the Bisbee trouble, resulting later in what was known as the Bisbee deportation cases, you took action upon your own initiative finally after appealing to both the State and the National Government, which was investigated by this committee of which you have spoken?

Capt. WHEELER. Yes, sir.

Senator FALL. That action resulted in the driving out, or escorting out of Bisbee of quite a large number of people whom you regarded as threatening to disturb the peace of other law-abiding citizens of Bisbee?

Capt. WHEELER. Yes, sir; and in the interest of the country, which at that time was in war.

Senator FALL. And threatening to cut off the production of copper, which was necessary to this country in carrying on the war?

Capt. WHEELER. Yes, sir.

Senator FALL. You took the action which you did under those conditions and under that belief.

Capt. WHEELER. Yes, sir. I will state had it been in time of peace that action would not have been taken.

Senator FALL. Was the gravity of the situation there, in your judgment, increased by the fact that there were a large number of Mexicans over there from the other side, and the fact that it was claimed that they knew where there were at least a thousand rifles cached which they could avail themselves of at the proper time, when that time might arise. Did those facts increase the gravity of the situation as you understood it?

Capt. WHEELER. Yes, sir; as I said before it was a factor in summing up the situation.

Senator FALL. Did you know of arms which could be supplied from any other particular source?

Capt. WHEELER. Senator, these men, the majority of them, were strangers. We did not know where they came from. We did not know what they had. While I did not see arms on them exactly, they would not work around in their shirt sleeves with arms, al-

though they may have had arms in their domicile, or out in the hills in caches.

Senator FALL. Did you have information leading you to believe there were any large caches of arms available outside of these which you have mentioned, as available to the Mexicans who were among those strikers?

Capt. WHEELER. No, sir.

Senator FALL. Did you, from what you have learned, and your observation, did you believe—is it your opinion that any number of Mexicans around through the State, Bisbee or elsewhere, Tombstone or elsewhere in Arizona, actually believed that the proper moment would arrive when, through the activities of Mexicans, assisted by others, that a successful attempt might be made to restore Arizona to Mexico?

Capt. WHEELER. We did not think it would be successful.

Senator FALL. No; but did you learn—entertain the idea—that the Mexicans themselves believed it?

Capt. WHEELER. Oh, yes, sir.

Senator FALL. That they were confident that such an opportunity would arise?

Capt. WHEELER. They even went to the extent of organizing; a working nucleus of organization was called into existence.

Senator FALL. In accordance with the general plan of San Diego?

Capt. WHEELER. And we had rifle clubs in this country formed. At one time we feared they were going to take things into their own hands, but that was prevented by this deportation.

Senator FALL. Do you know of any appeal made to the Government about that time, or later, to assist in arming the citizens here with Government arms? Under the general law of allowing rifle clubs to be furnished with arms from the National Government?

Capt. WHEELER. No; we requested arms, and, according to my recollection, were denied them.

Senator FALL. Do you remember upon what theory you were denied those arms at the time?

Capt. WHEELER. Oh, that I understood that we were irresponsible and might take matters in our own hands peremptorily; that was my understanding. Arms were not to be brought within a mile of the line; that was the reason we were denied arms. They got the idea we were not considered capable of handling them, but we had arms of our own.

Senator FALL. The authorities who denied the request made by the citizens here apparently were not aware of the fact that the average American citizen along the border has arms of his own generally. I asked you if you knew of it because Senator Smith and myself both had some little experience, I think, in the matter of this request, which was transmitted to us in some instances. I remember the fact that Senator Smith's colleague in the United States Senate very severely criticized the Secretary of War for refusing to send arms out here at his request.

Capt. WHEELER. We wanted them.

Senator FALL. You felt you needed them?

Capt. WHEELER. Yes; we thought at that time we needed them.

Senator FALL. Your purpose was to obtain generally, arms of the same caliber?

Capt. WHEELER. That would use the same ammunition.

Senator FALL. Otherwise you did not need them because you had arms of your own?

Capt. WHEELER. Yes.

Senator FALL. But not of the same character or using the same ammunition. Captain, your experience along the border with American troops generally led you to believe that the acts of Col. Hatfield and his statement to you as to his orders represented the general attitude of the soldiers of the United States along the border. That is, that they were there for the purpose rather of preventing aggression from the United States upon Mexico than to protect the Americans against aggression from the other side.

Capt. WHEELER. That became the general belief.

Senator FALL. That has been very generally the belief of the people along the border with whom you are acquainted?

Capt. WHEELER. At the time of the engagement at Nogales of Col Sage, and recently Gen. Irwin, I believeed a change of policy had been arrived at. That was the general opinion along the border.

Senator FALL. Captain, although we have asked you in detail questions which we desired to have you answer, generally, we would be glad to have any statement which you make, if you choose to make any further, concerning conditions along the border generally. We would be very glad to hear any statement you have to make, if you choose to make any. I will ask you one more question: Do you think it was a mistake in the policy of the Government of the United States to issue orders—of those responsible for the issuance of such orders as Col. Hatfield was compelled to observe at Naco?

Capt. WHEELER. Yes, sir; I do.

Senator FALL. In your judgment if he had been instructed to protect American citizens, even if necessary to drive out both contending factions from their entrenchments at Naco, would he have been able to do so?

Capt. WHEELER. Oh, yes.

Senator FALL. Had he taken such action under proper orders, would the result have been, in your judgment, beneficial or the contrary to the peace of the United States along the border?

Capt. WHEELER. I believe had a firm stand been taken in the beginning, and the factions on the other side been given to understand that drastic action would follow any injury that they inflicted, it would have avoided all that trouble, just as it did avoid trouble in El Paso since that last trouble.

Senator FALL. Or in Nogales in 1918?

Capt. WHEELER. Yes; they knew we were weak; they knew we did not intend what we said; and our troops were forbidden by some authority over them from taking any active part against them. I saw that demonstrated in Naco. Col. Guilfoyle, at the end of an engagement, brought out his color squad, and banner with its beautiful gold fringe; I saw it, and marched up within a few feet of the monument, when a few straggling shots went over, and he ordered the bugler to sound "cease firing" immediately; at the ceasing of that call a volume of fire reopened tenfold, and some of the shots struck that monument; and with these beautiful colors, turned and went back to camp, and nothing further was done. Now,

he was unable to put into force, had he desired to put into force, what he said. I may add another instance. Capt. White, of the Ninth Cavalry, now colonel, was with me near the international line; a father and son named Bautista, both Mexicans, were residing on our side, and claimed to be Americans; whether they were or not I don't know; they went over to a little store they had across the line, and put up two American flags to signify their place was under American protection. These troops suddenly returned and detoured the town from the west and cut off many people, thinking they had left town and went over there. They took a great many prisoners.

The father and son were within a few feet of the line. I heard a shot about 10 yards over on the other side. I was at the monument, and I looked up just in time to see the boy fall and this man that shot him. The lad went like that; fell cramped over on his side; I saw him fire the second shot, and the father fell. The boy was unconscious for a few seconds and began screaming for his mother; when he again lost consciousness; the old father raised himself, looked at his murdered son, and fell over on his face. They immediately formed a skirmish line, facing our side, with drawn carbines—the cavalrymen of Ojeda—as though they anticipated an attack or trouble from us; it was a cold-blooded murder; the man that murdered them was named Miranda; he was afterwards taken prisoner, but I attempted to get him. He was ferreted away; I never saw him again. I intended to give him to those people. That leads up to another proposition which I mentioned: Col. White was with his troop and saw it, and we were all indignant; he went over to the line and requested Ojeda's permission to bring the bodies over here, which, in the course of half an hour, was given. They brought those bodies over and took them to their homes, where they were surrounded by their families. That murder was done because they had stuck American flags up on their place of business, which these troops tore down when they reentered the town.

Senator SMITH. Then, instead of the flag of the United States being a protection for the man, it seemed to have led to his death?

Capt. WHEELER. Led to their death—father and son. They were little, tiny flags. They thought that flag being placed on their place of business would protect their place from pilfering.

Senator FALL. Captain, was not there originally a mistake made in the outbreak of the Madero revolution, when, in the attack at Agua Prieta, the President of the United States and Commander in Chief of the Army communicated across the line, through the officers of the Army there, to the Mexican forces that they must not fire a shot across the line so it would injure American lives, and the same order was communicated at El Paso, Tex., to the contending factions at Juarez that they must not fire a shot which would injure American lives, and then the fact that after the communication of such warning from this country to the contending factions the soldiers were not allowed to protect the American citizens on the line?

Capt. WHEELER. Why, of course. I remember at Naco, Senator, after the time I have spoken of but while the same regiment was there, Col. Hatfield, reenforcement was sent of artillery and infantry, so we had troops there at Naco to the number of two or three

thousand. Orders were sent across the line "if there is any more shooting into the town of Naco, the United States would act," and we began to think something would be done; they continued to fire over just the same, and nothing was done. The Mexicans called our hands every time, and got away with it.

Senator FALL. We made the bluffs and never backed them up?

Capt. WHEELER. Bluffs.

Senator FALL. And got the bluffs called every time and never made good?

Capt. WHEELER. Yes; but that was not the fault of the troops.

Senator FALL. No; the troops have made good whenever they were allowed an opportunity. Now, Captain, have you anything further to state?

Capt. WHEELER. Why, Senator, there is one thing I might mention; it might not amount to anything. I am not a diplomat, and not any too highly educated, but I believe a great portion of us feel that the trouble existing along this line is due to a great extent to misunderstanding, and in some cases injustice; the Mexicans are not to blame in some cases. I call your attention to our extradition laws, for example. No matter what crime is committed in Sonora, the fugitives escape to this side and they are safe, unless they are kidnaped. That puts you in this position——

Senator FALL. Now, why is that, Captain; there is an extradition treaty between the United States and Mexico?

Capt. WHEELER. It is a faulty one. I have never known of a man having been extradited in all the years I have been an officer, no matter what crime he is guilty of, from our side to theirs, although I have received many murderers from them for crimes committed on our side; but I personally have been compelled to release murderer after murderer that I apprehended after holding them 40 days. They have even admitted to me in jail that they committed these crimes, that they expected to go free, and they did go free.

Senator FALL. Why, in what respect is the treaty so defective that the Arizona courts, or Arizona border authorities——

Capt. WHEELER. Technicalities. Sometimes our Government will claim that we are prevented from recognition of the Mexican Government, or it is the contention that our Government does not wish to extend recognition.

Senator FALL. Has that been the case since the Mexican Government, or during the period when the Mexican Government was recognized by this Government?

Capt. WHEELER. It has been that way always since I have been on this border. I received from them some 15 or 20 men guilty of capital offenses on our side, some of them citizens and Mexicans. Gen. Calles apprehended a man, a Mexican citizen, that killed my deputy in Bisbee; he delivered that man to me at Agua Prieta, and he is now in the penitentiary.

Senator FALL. I am glad to know that.

Capt. WHEELER. Gen. Calles has been a man of that description, but here, when he has a cold-blooded murder committed, and the offender escapes over here, and I apprehend them, he asks me for them, I am up against it. I have to show the ingratitude of the people over here, or I must kidnap him and give them to him in the night time,

which naturally makes me guilty of the crime of turning him loose; that is just one instance.

Senator FALL. Have you some particular instance in mind?

Capt. WHEELER. Yes, sir.

Senator FALL. Now, in that instance was requisition made on the governor of Arizona for the return of those men?

Capt. WHEELER. In some instances they were made, but the Mexicans know how it is useless, and they—no matter the criminal you apprehend for them, knowing it is useless they no longer attempt to get them. They remain in jail 40 days, you open the door and turn them out. The last man that I caught, the man that murdered two of Calles' guard right opposite our soldiers, he got angry and shot them down in cold blood, came on our side, I caught him, put him in jail in Tombstone; they made every effort, I was informed, to legally extradite that man; when the 40 days were up I was compelled to turn him loose.

Senator FALL. I would like to go a little further with that case. You say he made every effort; did he make requisition upon the proper authorities. Of course, you understand in extraditions, it can not be left to the discrimination of the sheriff or peace officers along the border. As you say Calles sent the extradition in in the case you mentioned, as governor of the State?

Capt. WHEELER. Yes, sir; governor general.

Senator FALL. Did Mr. Calles make an effort to secure the extratition of this man from the governor of this State?

Capt. WHEELER. I will say that they informed me they had taken every legal step; of course, I don't know what goes on between the authorities.

Senator FALL. Who was the governor at that time of this State?

Capt. WHEELER. I believe Gov. Hunt. Gov. Hunt was.

Senator FALL. All you know was that you held the man for 40 days under the terms of the treaty and was compelled to turn him loose?

Capt. WHEELER. Repeatedly.

Senator FALL. I have reference to this one instance.

Capt. WHEELER. This is one instance; yes, sir.

Senator FALL. You had no intimation from the governor of the State that he was considering the case, or that the courts were lenient with him?

Capt. WHEELER. No.

Senator FALL. Was a writ of habeas corpus sued out by counsel for the prisoner in either of these cases?

Capt. WHEELER. They would have done so had I retained possession of the men longer than 40 days; they were ready to do so; of course, I could not do that.

Senator FALL. But they did not appeal to the courts of Arizona during the 40 days?

Capt. WHEELER. No.

Senator FALL. They could have done so?

Capt. WHEELER. Yes; they could have done so; that is, the lawyers for the defense.

Senator FALL. Yes.

Capt. WHEELER. No; no action was taken.

Senator FALL. They did not suspend the writ of habeas corpus in the United States—have not done so since the close of the Civil War, so the courts were always open to the citizens of Arizona who considered themselves illegally detained.

Capt. WHEELER. Well, these Mexicans, they are safe when they come over the line; they don't worry.

Senator FALL. Their counsel, or at least one of them, had counsel, and the counsel informed you he had pursued every legal method. You had not been called upon to bring him in court?

Capt. WHEELER. Oh, I am speaking of the Mexican Government; it had taken all steps to secure extradition.

Senator FALL. They did not attempt to secure counsel on this side?

Capt. WHEELER. No, sir.

Senator FALL. Well, they formerly did. The Mexican consuls along the border formerly obtained or secured counsel in other States and Territories and took steps to secure the extradition and return of parties charged with an offense against the law.

Capt. WHEELER. I have never known of a man to be extradited from my country, and I have had quite a few.

Senator FALL. In my State, not long ago, I took an appeal from the court to the governor, and department at Washington, the Secretary of State, in an extradition matter; I fought it through the courts, and through the executive department, and to the National Government at Washington; the Mexican consul had an array of opposing counsel, employed by the Government of Mexico; they represented that Government, both in the courts, before the legal authorities, before the governor of New Mexico, and before the Secretary of State of the United States.

Capt. WHEELER. I don't think, Senator, that you will find a case in any county in this State where a man has been extradited for any crime he committed in Mexico. It is a haven of refuge for every cold-blooded murderer in Mexico; if he gets to that line he is safe, unless he is kidnaped.

Senator FALL. Are you confining your evidence to the period when there was a recognized Government in Mexico? There was an interim when there was no Government recognized in Mexico, and during that interim cases may have arisen such as you have referred to, but we have an extradition treaty which is yet in force, and I personally know of various instances in which it has been appealed to by both countries.

Capt. WHEELER. Isn't it part of the treaty that the matter may be taken up with the governors of the adjoining States?

Senator FALL. Yes; they have jurisdiction. The governors of the border States, under the treaty, both in Mexico and the United States and Mexico, have jurisdiction in extradition proceedings. The Territories had original jurisdiction subject to an appeal to the department at Washington, but the States have original jurisdiction, and the governor can refuse, in his discretion, any extradition.

Capt. WHEELER. Another illustration I have to offer you. A case of where four or five Mexicans, concocted a scheme in Douglas to rob——

Senator FALL. You refer to the Huerta-Leyva case?

Capt. WHEELER. Yes; and they did rob a major and four officials of the Mexican Government while these officials were engaged in a lawful execution of their office. They returned to this side and it was not long before our officers found out who they were. Some were placed in jail and were immediately gotten out by the lawyers there on uncontested habeas corpus. Every one now was guilty of this cold-blooded murder, and I saw $3,000 gold dug up at Huerta's back door; I was with the police when they dug it up, with a spade, in money sacks, and some one kidnaped Huerta and one or two others and drove them across the line. I am glad I don't know who did it, but it was done. Now, those things are not calculated——

Senator FALL. They were immediately hung at night without trial?

Capt. WHEELER. Hung at night or day, I don't know which.

Senator FALL. You never heard any of the circumstances?

Capt. WHEELER. No, sir; I heard that they had confessed to their guilt, however, all but this man Huerta. I found the money dug up at his back door. That is just one illustration.

Senator FALL. It has been reported to some of the departments of this Government, and it is in evidence before this committee, I am sure, that Huerta was guarded on this side of the line by Mexican soldiers. Was that true, Captain?

Capt. WHEELER. I can not say as to that.

Senator FALL. It was reported that Mexican soldiers were allowed to come across the line into Douglas and guarded the house of this man Huerta; that those guards were allowed to be changed, and it has been reported that the question arose later as to whether those men were in the uniform of the Mexican Army, those guards, and, I believe, agreed upon by the parties that they were in about as much uniform as the other soldiers in the Mexican Army were. Do you know whether those facts are correct?

Capt. WHEELER. No, sir; I was there Sunday. I was still an officer in the Army at that time, and could not take an active part in this matter, and did not, but my old training led me to go with other officers and form my own opinion. That day one of the officials of the town of Agua Prieta was in the company of the police; he had gotten information from some one they captured on the other side that this money was buried in this yard, and came over and we found it. There were, what appeared to me at that time, Mexican policemen, I think they were, dressed in civilian clothes, standing outside of the yard in the street.

Senator FALL. That is on the American side?

Capt. WHEELER. On the American side. Beyond that I don't know anything of it. I returned to Tombstone and went directly to Nogales where I was stationed.

Senator FALL. Do you know whether the arrest of this man Huerta had been made prior to the time that you saw this gold dug up?

Capt. WHEELER. I believe he was arrested; yes, sir.

Senator FALL. By the authorities?

Capt. WHEELER. On a warrant in Douglas, I don't know though.

Senator FALL. Do you know whether an application for a warrant was ever made?

Capt. WHEELER. I believe there was. I think I was told there was one made.

Senator FALL. I have been informed, or the committee has been informed by witnesses, that search of the record disclosed the fact that no complaint could be found on the records.

Capt. WHEELER. We had one man in Tombstone for a long time. There must have been a warrant in his case; his case was tried and he was gotten out by a lawyer named Doane.

Senator FALL. Was he one of the men hung?

Capt. WHEELER. No, sir; he is at liberty now in California, although he was probably one of the instigators.

Senator FALL. You don't know, then, that there was no requisition made upon the governor or any attempt made to appeal to the civil authorities to see that the ordinary course of the law was pursued in an attempt to secure the delivery of those people to the other side?

Capt. WHEELER. Now, we are getting at it, the facts in all these previous years, every attempt that I ever had any information of through our officials——

Senator FALL. What previous years do you know of?

Capt. WHEELER. I was ranger nearly six years there; I was sheriff six years; I may say, during that time I don't remember one single instance of lawful extradition.

Senator FALL. Do you refer now to any period prior to 1910 or 1911?

Capt. WHEELER. Yes, sir; I refer to times dating back to at least 1903.

Senator FALL. Have you in mind any instance when an attempt was made in trying to secure the extradition of any fugitive from justice from Mexico in 1910 or 1911, when such an attempt failed?

Capt. WHEELER. I can not remember any specific case, instance, of their attempting, because, as I have stated before, the officials did not know of what steps were being made by higher officials. We merely did our duty as officers to place these men in custody; of course, we were not always aware of what steps were being taken. We merely have a remembrance of arresting numerous criminals and having to turn them loose.

Senator FALL. You know, of course, we have laws—supposed to have laws—and have courts to enforce them, and representatives supposed to enforce the law, and juries, and that you must proceed according to the regular course of the law, unless you are excusable in some specific instance by force of circumstances in pursuing some other course than that legally laid down. For instance—for example, in the matter of the deportation at Bisbee you appealed to the law; you appealed to the authorities for assistance in handling the conditions there, which required strenuous action, in your judgment, in view of the failure of the authorities to extend you such assistance as you thought the case demanded, you considered yourself justified, and considered—and your course has been considered justified by many thoroughly law-abiding citizens, not only of this State but of others, but in the ordinary course of an extradition proceeding such action, or action outside of the law, ought not to be necessary, should it? That does not involve the peace of an entire community; that is a specific case. Now, the law lays down a

procedure which should be followed; you, of course, believe that the law should be followed?

Capt. WHEELER. I do.

Senator FALL. Now, in the event of the failure in that specific instance, or in the event, on account of the acuteness or activity of counsel for the defense, if the defendant or the prisoner is released, you don't think that justifies arbitrary action by citizens of another country, do you?

Capt. WHEELER. Well, now, I will put it to you this way: The safety of our own citizens on islolated ranches depends, as you know, upon the certainty of punishment, for any outrages perpetrated upon them, and in nearly every instance in the old days when crime was rampant here, the culprit would make for the international border, and frequently—well, 9 times out of 10 would beat the officers to the line; therefore your only hope of punishing them was through the officers on the other side; when they responded in good faith, made every effort to apprehend these people, which they invariably did in those days and returned them to you for punishment, and then when the occasion was reversed, and they suffered depredations, and you failed, it became a matter of time when they ceased to interest themselves in those committing depredations over here escaping into their territory, and in a measure, our officers, in every instance, where they have illegally delivered culprits to the other side, I am certain was done in the hope that when the occasion demanded they would be able to apprehend and bring back for trial those who committed depredations against their own laws. I regret very much that this state should exist. You understand what I mean, don't you?

Senator FALL. Yes; I think I follow you, but I don't understand that the governor of this State—I regret to think that the governor of this State, upon a proper case presented to them would allow the time to expire under the treaty or would refuse to deliver a culprit to the State seeking or demanding his extradition.

Senator SMITH. Captain, do you know of your own personal knowledge of any criminal coming to the United States from Mexico being refused delivery to Mexico on a requisition properly made by the legal authorities of Mexico on us or our authorities?

Capt. WHEELER. Why, Senator, as I before stated, I was given to understand by the Mexican authorities that representations had been made to obtain the extradition for various criminals, yet I don't know.

Senator SMITH. You don't know of any case exactly as I have stated this, presumably where the authorities of Mexico have made out a proper demand for the extradition of a prisoner guilty of a crime in Mexico, or our refusal on proper demand to return the prisoner; do you personally know that such a procedure has ever been had and the prisoner allowed to remain in jail 40 days?

Capt. WHEELER. Only what I have been told.

Senator SMITH. Do you personally know?

Capt. WHEELER. No; I could not personally know unless——

Senator SMITH. Unless you saw the papers and talked to the governors of both States, and they admitted what had been——

Capt. WHEELER. This may throw light on what I mean; this is from Gov. Hunt. to me:

PHOENIX, ARIZ., *April 7*——

Senator FALL. What year?

Capt. WHEELER. I don't know; it is not here.

Capt. HARRY C. WHEELER,
Sheriff Cochise County, Naco, Ariz.:

Since receiving your telegram of this morning I have been in communication with Maj. Geo. W. Read, of the Federal troops stationed at Naco, and have been informed by him that due notice of attack has been assured by the leaders of the Constitutionalists about to besiege Naco, Sonora, Mexico. Maj. Read has expressed confidence also of the ability of the United States troops to secure proper protection for American citizens residing in and near Naco, Ariz. I would suggest, therefore, that you get in touch with Maj. Read with a view to keeping informed on the progress of events affecting the safety of American citizens and cooperating for their protection so far as may become expedient. I appreciate your prompt action in this matter and would willingly address the governor of Sonora in my official capacity, as you request, were it not for the fact that international relations between the United States and Mexico at this time are such that I should not in my opinion, advisedly extend official recognition to the representatives of either the Huerta régime or the Constitutionalists. Should the situation in Naco be altered materially I would appreciate receiving telegraphic advices thereof from you.

GEO. W. P. HUNT,
Governor of Arizona.

Senator FALL. What was the date of that?

Capt. WHEELER. No year. That was at the time—it must have been 1913.

Senator FALL. That was subsequent to February, 1913, and prior to November, 1915. Between those dates?

Capt. WHEELER. Yes, sir.

Senator FALL. And when there was no government recognized in Mexico, and when the action of the governor of Arizona in his official capacity might have been construed by the National Government of the United States, or by some foreign Government, or by Mexican Government as a recognition by the United States authorities in control of a supposed State government in Sonora, and cause international complications of a serious character. You will recollect that on August 27, 1913, the President of the United States addressed to Congress a communication in which he stated that there was no recognized government in Mexico, and that he did not change the status as he, and he alone, had the right to do, between the States of the United States and the States of Mexico, so-called Republic, until subsequent to October 9, 1915.

Capt. WHEELER. Would that have any bearing upon the constituted authorities of a State?

Senator FALL. Oh, yes; the constituted authorities of this State of Arizona have no right to enter into any relations with any foreign Government until the latter has been recognized by the Central Government; that is, the administration of the United States.

Capt. WHEELER. He designated the governor of Sonora?

Senator FALL. He may have made a mistake in that designation, but he would have made a very much graver mistake had he recognized the official government of Sonora.

Capt. WHEELER. Here is a little telegram right on that other instance; he evidently returned and found my wire to him, asking for aid, then I wired him again not to send troops on account of friction.

Senator FALL. Yes; that was after you had had a conversation with Col. Hatfield, and Hatfield had told you he could not permit the State troops to interfere with the fight between the factions.

Capt. WHEELER. This telegram reads:

PHOENIX, ARIZ., *October 13.*

Capt. HARRY C. WHEELER,
Sheriff Cochise County, Naco, Ariz.:

On my arrival here this morning I find your telegram of last evening awaiting me. Acting on telegraphic protest from citizens of Naco, I wired the Secretary of State last Sunday night urging him in the strongest terms to afford additional protection and to notify me immediately of any steps taken to protect Naco citizens and property.

The Secretary of State in his answer, which was received last evening, advised me that my telegram had been referred to the War Department for necessary action. From the War Department directly I have received no definite advices, but am sending another urgent wire this morning conveying the information that such companies of Arizona militia as can be immediately utilized for protection of Naco's citizens have been directed to prepare for transportation to Naco at once in the event that no adequate measures are adopted authorizing Federal troops along Arizona's border to pursue a vigorous policy of protection for Americans. Capt. Seely of Company K, at Tucson, has been ordered to have his company in readiness for transportation to Naco at any time and has been directed to take the next train to the scene of the trouble and remain there in cooperation with you until the adjutant general, who returns this evening, can relieve him. The two Phoenix companies of militia also are being ordered to prepare for transportation. Similar orders will be issued to other available companies during the day. While, as you and the citizens of Naco will realize, the ability of the militia to afford additional protection will depend to a great extent upon the War Department's attitude, I am determined, in the absence of any definite assurances from the Secretary of War, to use the National Guard so far as the Federal troops at Naco will permit me to do so in protecting life and property in that city.

GEO. W. P. HUNT,
Governor of Arizona.

Senator FALL. Have you anything further to say?

Capt. WHEELER. The fact that we believed that the Mexicans had armed was one fact that led to their deportation. Another was that we found out we could not depend upon the representatives of the Federal Government there, so one night, in the presence of several good American witnesses, a man, said to be a Russian, made this remark: "That the I. W. W.'s have destroyed the Russian Government, and will destroy this one." Well, I arrested that man and turned him over to a deputy, and in turn delivered him to the United States deputy marshal, who is at present sheriff of Cochise County. In a few days he was walking the streets again, a free man. Now, when the Federal commission arrived, A. E. Embree, the I. W. W. leader, who first officially notified me of the pending trouble in Bisbee, and who was deported with the rest, subsequently returned and was arrested by me on the charge of inciting a riot, and was held at Tombstone, 30 miles from Bisbee. Embree made a request of me that he be permitted to appear before the Federal commission. I took him to Bisbee and made request of the commission that Embree be allowed to appear before them, without result. The wife of Embree made similar request then upon the commission that her husband be allowed to testify, without result. I held the man in Bisbee two days; seeing that the commission would not permit this man to appear before it, I returned him to Tombstone. We understand that the commission in its report stated that it found no evidence of I. W. W. in that district. This is not surprising when they refused to permit evidence of that nature to be brought before them.

(The committee then at 6.30 o'clock p. m. Sunday, March 7, 1920, adjourned to meet at the call of the chairman.)

TUESDAY, MARCH 9, 1920.

UNITED STATES SENATE,
SUBCOMMITTEE OF THE COMMITTEE ON FOREIGN RELATIONS,
Tucson, Ariz.

The subcommittee met pursuant to the call of the chairman, at 2.30 o'clock, p. m., in the Santa Rita Hotel, Tucson, Ariz., Senator A. B. Fall, presiding.

Present: Senators A. B. Fall and Marcus A. Smith, and Dan M. Jackson, Esq., clerk of the subcommittee.

TESTIMONY OF MR. H. J. KARNS.

(The witness was sworn by Dan M. Jackson, Esq., clerk of the subcommittee, duly authorized thereto.)

Senator FALL. Of what State are you a native, Mr. Karns?

Mr. KARNS. New York State; born there.

Senator FALL. Where do you reside?

Mr. KARNS. Nogales, Ariz.

Senator FALL. How long have you resided in Nogales?

Mr. KARNS. Since 1907.

Senator FALL. How long have you resided in the Southwestern country?

Mr. KARNS. That same year.

Senator FALL. What is your business?

Mr. KARNS. Exportation mostly into Mexico, automobile, implements, automobile accessories, hardware, and some other commodities.

Senator FALL. Do you speak Spanish?

Mr. KARNS. I do.

Senator FALL. Do you go into Mexico, yourself?

Mr. KARNS. Yes, sir.

Senator FALL. You meet there Americans as well as Mexicans?

Mr. KARN. Yes, sir.

Senator FALL. What has been, up to within the last year or two conditions in Mexico in reference to disturbances, violence, and the safety of lives and property among the Americans residing or doing business there?

Mr. KARNS. As far as ourselves, our employees, and branch houses are concerned we have never experienced any difficulty whatever in carrying on commercial relations with Mexico. We have been operating during all the revolutionary periods, and at times we were shut out ourselves from—never forbidden but we thought it wise at times not to go down there, particularly when battles were going on in the neighborhood of the border or close to the border. As

soon as one faction was in power we immediately resumed commercial relations.

Senator FALL. Do you know of any Americans there that experienced any other or different treatment from that which you received?

Mr. KARNS. Only through hearsay, not of my personal knowledge.

Senator FALL. How often during the years—from the years 1911 or 1912 until within the last two years has business been closed, from time to time?

Mr. KARNS. Just during the time the factions—possibly two or three times it was closed up for a few days' time, week, or 10 days.

Senator FALL. How many conflicts, if any, have there been between Americans or American soldiers on this side, and Mexicans, representatives of one or another faction on the other side, since you have been there?

Mr. KARNS. Two that I remember distinctly, in Nogales.

Senator FALL. Upon how many occasions have there been conflicts in or around Nogales between factions of the Mexicans themselves, which have injured life or property of Americans on this side, if any?

Mr. KARNS. Only one fight among themselves alone without our entering into the fight, three occasions altogether where we were a party to it.

Senator FALL. Aside from these conflicts occurring immediately at the border, there have been various occasions upon which the factions have interrupted traffic on the railroad south of the border, have there not?

Mr. KARNS. Yes, sir.

Senator FALL. There has been fighting at Guaymas, has there not?

Mr. KARNS. Yes, sir; also at Hermosillo and Mazatlan.

Senator FALL. During those occasions traffic was interrupted?

Mr. KARNS. Such houses as our own did not attempt to send any agents out or exports, until one faction or another was in power, or controlled the railroad.

Senator FALL. How long since the railroad running from Nogales to Guaymas has been in the hands of its owners and operated by them, do you know?

Mr. KARNS. I don't just remember now; it has been two years, possibly three.

Senator FALL. Prior to that, for some period of time, it was in the hands of one or the other Mexican faction?

Mr. KARNS. Yes, sir.

Senator FALL. Attempted to be operated by them?

Mr. KARNS. Not in all cases operated by the factions, after awhile operated by one contending faction, but at another time operated by Southern Pacific of Mexico officials.

Senator FALL. Your experience, particularly in the last two or three years with the local authorities in the State, has been pleasant, I presume?

Mr. KARNS. Absolutely pleasant in every respect.

Senator FALL. Without any friction?

Mr. KARNS. None whatever. I may say we operate a large branch store at Hermosillo, had it down there two years; we had other

agencies as far south as Mazatlan, and we have never been disturbed in any way. We always try to comply with their laws.

Senator FALL. Are you operating a store in Hermosillo now?

Mr. KARNS. Yes, sir.

Senator FALL. Are there any other troops there other than state troops or national troops?

Mr. KARNS. None whatever.

Senator FALL. Information has been conveyed to us that the Yaquis have been attempting to make a treaty or agreement of some kind with the Mexican officials, and one band of Yaquis under arms is in the capital city of Sonora, that is, Hermosillo, at this time.

Mr. KARNS. I don't think that is a fact, sir. There was an armed band 30 days ago when we came in, that was resting on their arms at a place called Corral, near Hermosillo. I have not been down there since, but I was given to understand from people coming up, at Corral, as well as my representative, that the Yaqui situation is clearing very fast, and that the Yaquis are being moved to a place in Sinaloa on a reservation; that, however, I can not verify.

Senator FALL. Was it your information that this was the result of any agreement reached between the Yaquis and Mexican authorities?

Mr. KARNS. That is my understanding.

Senator FALL. Then the Yaquis are no longer camped along the road in any numbers?

Mr. KARNS. Not that I have heard of for several days.

Senator FALL. They moved after the recent trade excursion from Nogales south?

Mr. KARNS. Yes, sir; I have been given to understand they surrendered most of their arms. I don't believe there was any armed band in Hermosillo under neutrality, if there was I did not know it.

Senator FALL. Do you think you would know it? I don't want to be insistent, but I want to know what the character of your information is? You are doing business there?

Mr. KARNS. Yes, sir; extensively.

Senator FALL. You think you would have known it if they had been there?

Mr. KARNS. Yes, sir.

Senator FALL. There is reference almost constantly made to the Bronco Indian or Yaqui, what do they mean by the term "bronco?"

Mr. KARNS. Wild.

Senator FALL. Are all the Yaqui Indians Bronco Indians or not?

Mr. KARNS. They are not.

Senator FALL. Who are the soldiers in the Mexican Army in the State of Sonora?

Mr. KARNS. Why, of Indian origin—possibly Yaquis or possibly Mayos—I have been given to understond mostly Mayos.

Senator FALL. You understand mostly Mayos. What is the difference between the Mayos and Yaquis?

Mr. KARNS. They come from a different part of the country.

Senator FALL. Of the same general tribe, are they not?

Mr. KARNS. No; I would not say that. I have never made a study between the Indians, but there is as much distinction as between our Papagoes and Yumas.

Senator FALL. How are soldiers now in the State of Sonora recruited; do you know?

Mr. KARNS. I don't know, but I think volunteers.

Senator FALL. Then you think Yaqui Indians, or Mayo Indians volunteering in Carranza's army are efficient soldiers, and would fight Indians of their same blood that might be opposed to the Government?

Mr. KARNS. I am not in a position to answer that question, but we have seen Indians in the United States used to quell other Indian disturbances, and they could be depended upon. The same thing might apply there; it might be part of these Yaquis could be depended upon, and part could not. I don't think myself it is the very best policy, although not knowing there loyalty I would not want to state.

Senator FALL. Just the idea in my mind, as a member of the committee. I have some little familiarity with the American Indians, to whom you have just referred, as well as the Indians of Mexico. Some Indians in Mexico might be excellent soldiers, but they might not at all times want to fight their blood brothers.

Mr. KARNS. That is very true.

Senator FALL. For that reason I was asking you, from your familiarity with that country there, if you had any opinion on the subject. Do you know what the course of the Mexican officials generally has been, aside from that of the State authorities, with the Americans during the last two or three years; has it been of a friendly character?

Mr. KARNS. Absolutely so. With most of the Americans I know personally operating there I have heard no complaint of any inconvenience being put upon Americans by Federal troops.

Senator FALL. How are the collectors and consuls of Mexico in their intercourse with Americans, always pleasant?

Mr. KARNS. Always been very pleasant, particularly in the last four or five years. There have been times when Mexican consuls, whether they were recognized or not, at Nogales, Ariz., have not been most friendly inclined; in those cases we have taken it upon ourselves to try and have them removed, and in some cases have been successful.

Senator FALL. Can you remember any particular instance where the Americans tried to have a consul removed there?

Mr. KARNS. Yes, sir; I can not remember the exact year or date, but there was a consul there by the name of Padriz; he was not liked by the Americans, and the Americans took the matter up with Gen. Obregon, and Gen. Obregon succeeded in having him removed, and removed very quick.

Senator FALL. What was the particular reason, if any, that the Americans had for objecting to the presence of Mr. Padriz?

Mr. KARNS. By his attitude and his defiance and his declaration of immunity—you might say egotism—and from the fact that he was accused of being a participant to the stealing of an automobile, or of acquiring one on the American side and taking it to the Mexican side; although he denied all knowledge of it, yet the Americans thought he was a participant. And another time a letter was found on a Mexican killed in Nogales, Ariz., by an American, and that letter was supposed to have been written by this Consul Padriz upon American soil, and the Americans took exception to the con-

tents of that letter and brought it to the attention of Gen. Obregon, and Gen. Obregon removed him or had him removed.

Senator FALL. In what capacity was Gen. Obregon in office at that time?

Mr. KARNS. I think he was general; I don't remember, but I think he was yet general of the Mexican Army. He was visiting Nogales, although he may possibly have been in the Carranza cabinet at that time. I would not say for sure.

Senator FALL. It was about that time?

Mr. KARNS. Yes; he was in or close to Nogales at that time. I know Gen. Obregon appeared in Douglas or Nogales very shortly after the theft of the automobile from the American side, and that he authorized the payment for the full payment of the value of the machine in American money and the incident was closed.

Senator FALL. This instance you referred to where this letter was found upon some man, was that in connection with the kidnaping of a man by the name of Simpson?

Mr. KARNS. Yes, sir.

Senator FALL. Where was Simpson kidnaped from and by whom, do you know?

Mr. KARNS. I don't know who kidnaped him, but he was kidnaped some place in the district around Sahuarito, south of Sanford.

Senator FALL. What was the purpose of his being kidnaped?

Mr. KARNS. He was arrested, I understand, by the Mexican officials and was held.

Senator FALL. Was there any demand made for ransom?

Mr. KARNS. I understood that the Mexicans, these officials who were supposed to hold him, had made demand upon him for a ransom. I was told that he had agreed with this captain to go to Nogales and get the ransom, and the captain came to Nogales with him, Nogales, Ariz.

Senator FALL. What occurred when they reached Nogales, Ariz.?

Mr. KARNS. They were in Nogales, Ariz., a few hours when they started to walk across the railroad track, for what purpose I don't just at this moment recollect; anyhow, when they were behind the electric-light plant and the Mexican was between Mr. Simpson and the electric-light plant Mr. Simpson killed him.

Senator FALL. Upon whom was this letter supposed to be found from the Mexican consul?

Mr. KARNS. Found on the dead body of this Mexican.

Senator FALL. Did you read the letter—translate it?

Mr. KARNS. Yes, sir; I read it both in Spanish and in English. I did not speak and read Spanish as fluently then as I do now, but the interpretation was made by people who did speak good Spanish.

Senator FALL. It purported to be from this consul at that time?

Mr. KARNS. Yes, sir.

Senator FALL. What was the effect of it? I do not ask you to undertake to repeat it exactly.

Mr. KARNS. It seems that the Mexican consul was acquainted with the fact that Mr. Haas and Mr. Simpson were being held by this Mexican band, of which this Mexican who was supposed to be a captain—his name was Trigo—was in command, and the letter stated in substance if he was not in authority there to hold Haas and Simpson and the fact that he should frighten them or threaten them with execution, but in any event hold them; and then the letter went

on further to state, making mention of one or two Mexicans they had captured around there, or arrested, that they were to be executed as an example to others of the same caliber.

Senator FALL. This letter being found under the circumstances—this letter being discovered under the conditions you mentioned, naturally aroused the indignation of American citizens upon this side?

Mr. KARNS. It did; yes, sir.

Senator FALL. And Gen. Obregon was notified, as I understand it, and through his efforts this consul was removed?

Mr. KARNS. He was; yes, sir; within a very few days, possibly two or three days, as I remember.

Senator FALL. What became of the man; do you know?

Mr. KARNS. I don't know. However, I met him in Mexico—Hermosillo—within the last year, or possibly two years. Time flies, I can not remember the exact time.

Senator FALL. Is he in business there, do you know?

Mr. KARNS. I don't think he is.

Senator FALL. Do you know whether he has been punished by the Mexican Government in any way for his activities?

Mr. KARNS. I don't know; no, sir.

Senator FALL. Gen. Obregon is generally recognized as friendly to the Americans?

Mr. KARNS. Yes, sir; in my estimation he is; yes, sir.

Senator FALL. Of course, that is the general opinion held by the Americans so far as you know?

Mr. KARNS. Yes, sir; by the people in Nogales. I have never heard any person in Nogales speak derogatory of him.

Senator FALL. He is also popular among the Mexicans of the State of Sonora and west coast generally?

Mr. KARNS. Very much so.

Senator FALL. He is one of the candidates at the coming election for President of Mexico?

Mr. KARNS So I have been given to understand.

Senator FALL. Business with the west coast of Mexico in all lines is very largely done through Nogales, and over the railroad south of there?

Mr. KARNS. Yes, sir; but there is a small amount that is shipped by boats now since the European war, but to no great extent; most of it comes through the Port of Nogales.

Senator FALL. By railroad?

Mr. KARNS. By railroad.

Senator FALL. Prior to the European war, or prior to the revolutionary disturbances, at any rate, in Mexico, a very large portion of the business was done by boat?

Mr. KARNS. I would not say a large portion, but I think it was equally divided.

Senator FALL. Have you any reason, from your knowledge of the conditions there, to apprehend any further violence or disorder along the west coast at any time in the near future?

Mr. KARNS. No, sir; I do not.

Senator FALL. Do you know where the present governor of Sonora is now, De la Huerta?

Mr. KARNS. Why, the last I heard he was in Hermosillo; he was a few days ago.

Senator FALL. Who is in military command now in the State of Sonora, if you know?

Mr. KARNS. I can not possibly state that; I understood that Gen. Dieguez has come into the State of Sonora, whether he is coming for supreme in command or not I have not been notified. Prior to that time, up to a few months ago, Gen. Torres was in command. I have been given to understand he has since been relieved and sent to some other part of the Republic and Gen. Ruiz had taken command.

Senator FALL. Now, it is reported Gen. Dieguez has taken command?

Mr. KARNS. Yes, sir; I think I can state that authentically.

Senator FALL. Had you known Gen. Dieguez prior to his coming into Sonora recently?

Mr. KARNS. I met Gen. Dieguez several years ago, had several conversations with him when he was in the Sonora campaign against Villa. Gen. Dieguez whipped Villa at Hermosillo.

Senator FALL. Subsequent to that time Gen. Dieguez had been absent in other parts of the Republic?

Mr. KARNS. Yes; I did not know anything about him up to this time.

Senator FALL. You know by general reputation he has not been in Sonora until very recently?

Mr. KARNS. No; he has not been in Sonora until the last several weeks.

Senator FALL. Gen. Obregon is not now in command of troops in Carranza's Army?

Mr. KARNS. Not that I know of; I know positively he has not been since his last——

Senator FALL. Gen. Dieguez has been and is now in command of a brigade in Carranza's army?

Mr. KARNS. I would not say that I know that positively; but seeing it in the American papers, and from other sources, I have formed that opinion.

Senator SMITH. How often has the railroad been put out of commission south of Nogales in the last five or six years?

Mr. KARNS. Through revolutionary actions?

Senator SMITH. I mean how often has it been out of commission so trains would not run; I do not speak of a particular number, but often or seldom?

Mr. KARNS. Why, the railroad traffic has been stopped several times in the last two years, but due to floods.

Senator SMITH. I am not talking about natural conditions at all; how often, between Guaymas and Nogales, has it been put out of commission by men?

Mr. KARNS. I understand; that is the reason I asked that question—revolutionary troubles. It has been out on several occasions, but I can not state just the times or how long they were, Senator.

Senator SMITH. What put them out of commission?

Mr. KARNS. Burning of bridges.

Senator SMITH. Who burned them?

Mr. KARNS. I don't know.

Senator SMITH. How many miles of track were torn up on that railroad at any time?

Mr. KARNS. I don't know.

Senator SMITH. Was any of it torn up?

Mr. KARNS. I can not answer that, either. I never went into Sonora personally during any of those times when the railroad was not open.

Senator SMITH. Do you know the amount of damage sustained by the railroad between those points by reason of burning bridges or otherwise destroying them, or interrupting the passage of trains across them?

Mr. KARNS. I can not answer that question; I don't know, Senator, at all. I don't think I ever discussed it with the railroad officials. I have conversations with them very often, but not along those lines.

Senator SMITH. Then for the last five or six years, as you understand it, there has been, as you understand it, very slight interruption of traffic by reason of any damage done to the railroad in the last five or six years?

Mr. KARNS. Very little, sir, in the last four or five years.

Senator SMITH. Where does the railroad stop?

Mr. KARNS. It ends at Acaponeta, in the State of Nayarit.

Senator SMITH. Has there been any work extending that railroad in the last five or six years?

Mr. KARNS. Yes, sir; they have been working periodically on the extension of the railroad. The railroad prior to the revolution was built and completed into the State of Tepic. At a very early part of the revolution they destroyed the railroad, and they quit running trains any farther south than Acaponeta. In the last few months they have built bridges across the San Diego River and are pushing the railroad south of Acaponeta, and have already reopened the railroad.

Senator SMITH. How far is that bridge from the present southern terminus of the road they are putting up there now?

Mr. KARNS. I don't just know, but not very many miles.

Senator SMITH. You are speaking of the Southern Pacific road in Mexico?

Mr. KARNS. Yes, sir.

Senator SMITH. Not the Mexican National road?

Mr. KARNS. There is no Mexican National road on the west coast at all.

Senator FALL. All the different roads—the road from Nogales to Guaymas and Acaponeta, and from Agua Prieta to Nacozari, and from Mazatlan across to Guadalajara, and the road up the Yaqui River—are all private roads?

Mr. KARNS. Yes, sir; they are all private roads. There are a few more roads—the Kansas City & Orient, built from a little above Topolobampo to Fuerte. There is not a national road on the west coast that I know of.

Senator FALL. Is the road to Topolobampo running now?

Mr. KARNS. Yes, sir; it has been running for a number of years.

TESTIMONY OF MRS. JULIA A. SCRIVNER.

(The witness was sworn by Dan M. Jackson, Esq., secretary of the subcommittee duly authorized thereto.)

Senator FALL. Where do you live, Mrs. Scrivner?

Mrs. SCRIVNER. Tucson.

Senator FALL. You are a citizen of the United States, are you?
Mrs. SCRIVNER. Yes, sir.
Senator FALL. Where is your husband; is he living or dead?
Mrs. SCRIVNER. He is dead.
Senator FALL. What was the cause of his death?
Mrs. SCRIVNER. A Mexican shot him.
Senator FALL. Where did this occur?
Mrs. SCRIVNER. About a mile and a half on this side of the line.
Senator FALL. In the State of Arizona?
Mrs. SCRIVNER. Yes, sir.
Senator FALL. When was this?
Mrs. SCRIVNER. Six years ago the 10th of this month.
Senator FALL. Where was he, if you can identify the place?
Mrs. SCRIVNER. He was at the mine, in a small store.
Senator FALL. What was the name of the mine?
Mrs. SCRIVNER. Home Stake Production Co.
Senator FALL. How far is that from Oro Blanco?
Mrs. SCRIVNER. Eight miles.
Senator FALL. How far is it from Ruby; you know where Ruby is?
Mrs. SCRIVNER. Yes, sir; 4 miles.
Senator FALL. What became of his murderers; do you know?
Mrs. SCRIVNER. Went into Mexico.
Senator FALL. Were they ever apprehended?
Mrs. SCRIVNER. No, sir; I saw the sheriff at Nogales; he said there was no government in Mexico; they did not have anyone to go to; nothing could be done about it.
Senator FALL. What became of the property; do you still own it, the mine?
Mrs. SCRIVNER Yes, sir; I own half of it, and my husband's heirs own the other half, but there is a sale now pending. I don't know, since the last murder out there so close to the mine I think the company will not take it up right now.
Senator FALL. Have there been other attempts made by yourself and other owners of the mine to dispose of it?
Mrs. SCRIVNER. Yes; quite a number of attempts; but when they find out it is so close to the border, with no protection, they said no, they would not go there, too dangerous.
Senator FALL. You say there is now a proposition for the disposal of the mine?
Mrs. SCRIVNER. Yes.
Senator FALL. Do you object to stating the price you place upon it?
Mrs. SCRIVNER. Fifty thousand.
Senator FALL. What is the character of the metal you extract from it?
Mrs. SCRIVNER. Gold and silver; I will show you some of it.
Senator FALL. This raw gold which you just exhibited to the committee in this little bottle is the product from the rock from this mine?
Mrs. SCRIVNER. It is not in rock, it is in dirt. They take the dirt out, and let it dry, and then sift it out, sift it and cyanide it; they don't always have to use the cyanide; they burn the quicksilver.
Senator FALL. You fear now that this pending sale will not be put through because of the recent occurrence at Ruby, 4 miles from there

Mrs. SCRIVNER. Yes, sir.

Senator FALL. This recent occurrence you speak of, was the death of the two Frazer boys by violence?

Mrs. SCRIVNER. Yes, sir; the two Frazer boys; I know of them.

Senator FALL. At the hands of Mexicans?

Mrs. SCRIVNER. Yes, sir.

Senator FALL. Have you been able to keep workmen at work on the mine during the interval?

Mrs. SCRIVNER. No, sir; have not been able to do that.

Senator FALL. Why not?

Mrs. SCRIVNER. Too dangerous.

Senator FALL. Are there any American troops in this immediate vicinity?

Mrs. SCRIVNER. There are some at Arivaca.

Senator FALL. Arivaca is 16 to 20 miles from there?

Mrs. SCRIVNER. Twenty miles, we always called it 20 miles from our mine; I don't know exactly.

Senator FALL. Are there any Mexican troops that you know of—you haven't been there yourself?

Mrs. SCRIVNER. No, sir.

Senator FALL. So you don't know that any Mexican troops crossed the border?

Mrs. SCRIVNER. No, sir; never was any there that I knew of. If there was I did not know it.

Senator FALL. Was the store robbed or property taken at the time of the murder of your husband?

Mrs. SCRIVNER. No; he was working the mine. He had some gold bullion; he had over $500 worth of this gold dust in bottles; they came to rob the store of gold and money; they got the bullion but did not get all the gold; about $500 worth they did not get.

Senator FALL. Did they attempt to make your husband give up the gold or property before they killed him?

Mrs. SCRIVNER. No; he was sitting at a table; they came in from that side and shot him in the neck.

Senator FALL. Came in from behind?

Mrs. SCRIVNER. Yes, sir; just stepped up to the window, shot him in the neck; shot him twice.

Senator FALL. Did they leave immediately after they killed him?

Mrs. SCRIVNER. Well, they piled quite a lot of this stuff in the middle of the store and put oil on it and set it afire; but there was a Mexican man and his wife living close by; the husband had gone to give the alarm, and his wife watched the store; as soon as they went she ran right up and put the fire out; if it had not been for that it would have burned up; could not have helped it.

Senator FALL. You live now in Tucson?

Mrs. SCRIVNER. Yes, sir. I was not at the mines at the time.

Senator FALL. Was it regarded as dangerous to be at the mine at the time?

Mrs. SCRIVNER. No; not that I know of; there had never been anything done there before that.

(The committee then, at 4 o'clock p. m., adjourned to meet at the call of the chairman.)

THURSDAY, MARCH 11, 1920.

UNITED STATES SENATE,
SUBCOMMITTEE OF THE COMMITTEE ON FOREIGN RELATIONS,
Washington, D. C.

Testimony taken at Washington, D. C., March 11, 1920, by Francis J. Kearful, Esq., in pursuance of an order of the subcommittee of the Committee on Foreign Relations of the Senate.

TESTIMONY OF WALLACE THOMPSON.

(The witness was sworn by Mr. Kearful.)

Mr. KEARFUL. You may give your name to the reporter.

Mr. THOMPSON. Wallace Thompson.

Mr. KEARFUL. And your residence?

Mr. THOMPSON. 55 West Forty-fourth Street, New York.

Mr. KEARFUL. You are an American citizen?

Mr. THOMPSON. Yes.

Mr. KEARFUL. Where were you born?

Mr. THOMPSON. Topeka, Kans.

Mr. KEARFUL. What is your occupation?

Mr. THOMPSON. Writer.

Mr. KEARFUL. What time have you spent in Mexico?

Mr. THOMPSON. I was in Mexico for six years prior to 1910.

Mr. KEARFUL. In what occupation were you engaged there?

Mr. THOMPSON. I was then connected with the Mexican Herald. I was news editor of that paper when I left Mexico in 1910.

Mr. KEARFUL. When were you subsequently in Mexico?

Mr. THOMPSON. I returned to Mexico in November of 1918. I went to the city of Monterrey, where I was American vice consul.

Mr. KEARFUL. How long were you there?

Mr. THOMPSON. About three months.

Mr. KEARFUL. What were the conditions in Mexico during the time of Porfirio Diaz, when you were there, with reference to security for life and property and travel?

Mr. THOMPSON. During my connection with the Mexican Herald I traveled over most of the Republic of Mexico, by train, or boat, or horseback, and through all of that time I was absolutely unarmed, most of the time without an escort or even a guide, and was always as safe as I could be in any American community, always courteously received, given every protection and given permission to do whatever I wanted to do, without question, and with the assistance

of officials and individuals. I remember particularly that in some cities I did not even give my name. In one small town in the interior of the State of Tabasco I received a hotel bill addressed to me simply as "Mister." The Mexicans were always friendly and always interested in the things I was interested in, and never offered me anything but courtesy and assistance.

Mr. KEARFUL. In your work at that time did you come in contact with a good many Americans engaged in different interests throughout Mexico?

Mr. THOMPSON. Yes. I naturally made it my business to see Americans wherever they were, and to discuss their business affairs, with the idea of writing articles for the Mexican Herald and other publications upon the affairs of Americans in Mexico.

Mr. KEARFUL. What was the character of the Americans operating in Mexico at that time?

Mr. THOMPSON. At that time they were universally of a very high type, many of them college men. Many of them on the plantations in the South, and all but a very few even in the interior parts were genuine pioneers, though not of the rough type which is supposed to be the source of trouble between various nations. In other words, these were men who were there for business, rather than exploiting the people.

Mr. KEARFUL. Is it true, as has been stated by Carranza propagandists and repeated by some high officials of this Government, that the Americans operating in Mexico were a class of speculators, engaged in exploiting the Mexicans under iniquitous concessions obtained from Mexico by fraud and graft?

Mr. THOMPSON. The class of Americans who were actually doing the work of developing Mexico was, as I have stated, of the very finest type of modern business pioneers. If there were any Americans of the exploiting and promoting class they were found around the hotels of Mexico City, and in number or proportion they were certainly no greater than the same type of men who hang around the Waldorf-Astoria in New York to-day.

Mr. KEARFUL. How about the Washington hotels?

Mr. THOMPSON. I do not know the Washington hotels as well, but I recognize the type here as being closely related to the Waldorf type.

Mr. KEARFUL. On the whole, Americans operating in Mexico compare favorably with Americans engaged in business in this country?

Mr. THOMPSON. They certainly do. I have never before, in that country or in Europe, found a higher type of average Americans engaged in development.

Mr. KEARFUL. It is not true, then, as has also been stated, that the great source of trouble with Mexico was that a large number of Americans were there because they could not live in the United States?

Mr. THOMPSON. My experience with the Americans in Mexico would lead me to say that the number of men living in Mexico who could not live in the United States was so small as to be absolutely negligible. I know one man in Mexico whom I knew to have had trouble in the United who was living there and working for one of the great American companies at a good salary and living with his

wife in the simplest way. They lived in Mexico about 15 years, during which time this man saved, I think, about $40,000, which had been advanced to him for exploring and other work in Alaska many years ago, and which he had lost and considered a loan of honor. When he had raised his $40,000 and paid off his debt he told his friends why he had been quiet and why they had not known more of his life at home, and returned to his former residence in Nevada.

Mr. KEARFUL. That individual was not the source of any trouble between the United States and Mexico, was he?

Mr. THOMPSON. He was certainly the source of no trouble whatever, and owing to the fact that he was naturally a successful man, he came to Mexico and devoted himself to industry and the upbuilding of the country, through his support of the broad policies of the great corporation for which he worked. I may say that this man was the only one I ever knew in Mexico, although I knew hundreds of Americans with considerable enterprise, who was known there by a name other than his own and, as I say, before his return to the United States he told us all what his real name was and laughingly apologized for the fear which he had felt at the time he came and which had induced him to commit the error of attempting to shield himself from an imaginary wrong. There was a standing joke in Mexico regarding the Americans who came down there and changed their names, but the Americans in Mexico who had lived there the longest were always aware that it was a joke, and were probably more chagrined than anyone else at the seriousness with which that joke had been taken by the critics of the régime under which they were living in Mexico.

Mr. KEARFUL. During the time of Porfirio Diaz did you have occasion to observe as to whether or not there were glowing reports issued in this country with reference to opportunities in Mexico for American citizens to go there and invest their capital and enterprise?

Mr. THOMPSON. Previous to my going to Mexico I was for one year in charge, as personal representative, of a magazine called Modern Mexico, published in New York by Paul Hudson, the general manager of the Mexican Herald. That magazine was an enthusiastic booster of Mexico, but in its editorial columns and in the articles it published it was always absolutely conservative and intelligent. Its advertising columns were often bought by American companies and promoters who desired to sell stock in mining or agricultural companies in Mexico to Americans. One of our difficulties was in being sure these were legitimate concerns, and I may say that, as far as the legitimacy was concerned, the question was never whether the property could be developed in Mexico, or whether the Mexican company could do the things that they promised, or indeed, whether the plan was to exploit Mexico. Wherever there was a positive wrong in the advertisement, it always resulted in our excluding it from our pages. It was on the same basis that advertising of the wild-cat Texas oil companies of to-day has to be excluded from legitimate American publications.

Mr. KEARFUL. Any wrongs resulting from improper operations by American companies would be visited upon their stockholders in this country, would they not, and not upon Mexico?

Mr. THOMPSON. Absolutely. That is the point which I wish to make. If there were ever any wrongs in connection with the American companies which operated in Mexico, it was absolutely a wrong to the American investor, a wrong which we all know too well in our own experience to exist with the companies which operate within a few miles of the center of population of the United States.

Mr. KEARFUL. Another point I wished to bring out was as to the American citizens, who invested their capital and enterprise in the development of Mexico during the time of Porfirio Diaz, with the sanction of the Mexican Government and this Government.

Mr. THOMPSON. My study of the Diaz régime in Mexico led me to a realization that Gen. Diaz's plan for the upbuilding of a modern system in Mexico was based upon a belief in the importance of establishing a material foundation for the creation of a great modern civilization. That, I think, is aboslutely correct, and I think that all Americans who watched his Government at first hand will agree without dissent. If there was any wrong in his policy it was because there was too little emphasis upon the social side, rather than too much on the material side. Gen. Diaz encouraged American investments, but not by giving them great tracts of Government land—because there was no Government land worth having at that time. His so-called concessions were merely franchises for operation, sometimes giving exclusive privileges, and those were just the same as where an American city would give an exclusive privilege to a lighting company to erect an electric plant, because otherwise they would not be able to guarantee the investors. As has been stated in the testimony before the committee many times, the only privileges ever granted to any company that I have ever heard of were exemptions from various forms of taxation, chiefly those on import of machinery and export of raw materials, for a brief period, and seldom for more than 10 years.

Mr. KEARFUL. Was that privilege conditioned upon the performance of certain work looking toward development?

Mr. THOMPSON. Yes. The privilege of the so-called concessions depended absolutely upon development, and no concessions were ever granted for a very long period of time—not even so much as oil lands are now handled in Texas.

Mr. KEARFUL. What was the attitude of the United States Government at that time with reference to American citizens going to Mexico to invest their capital?

Mr. THOMPSON. Our conception of the attitude of the American Government was that it was extremely anxious that Americans should go into Mexico and become a part of the economic life there. It approved of the attitude which many had, which was that the Diaz Government gave us protection and that we could as a result go ahead with the same safety for investments as was enjoyed in the United States.

Mr. KEARFUL. Did any American ever suspect that in case he was denied protection by the Mexican Government, and was persecuted, that he would be abandoned by his own Government ?

Mr. THOMPSON. That was certainly never taken into consideration in the plans of any American whom I knew in Mexico. We had been led to believe that the flag was our protection, as long as we were legitimate and honest in our dealings, but that the very fact that we

were Americans and that flag was behind us demanded of us an honesty and sincerity of attitude toward Mexicans, which was thus guaranteed and insured more thoroughly than any individual desire to do right could possibly insure it.

Mr. KEARFUL. And you think the Americans as a rule loyally lived up to that sentiment of dealing fairly with the Mexicans and being law-abiding?

Mr. THOMPSON. I certainly do. The Americans in Mexico were almost never in controversy with any Mexican, either official or individual. Most of the legal troubles in which Americans had a part were among themselves, and in these cases they were invariably assured of absolute justice from the Mexican courts.

Mr. KEARFUL. Were you in Mexico at the time Secretary of State Elihu Root was a visitor in Mexico and South American countries?

Mr. THOMPSON. I was at that time city editor of the Mexican Herald, and took a personal part in a great many of the functions which were given in Secretary Root's honor.

Mr. KEARFUL. What was your understanding, and that of other Americans, at the time, as to the essential purposes of Mr. Root's visit?

Mr. THOMPSON. We regarded Secretary Root's visit as purely for the purpose of expressing American friendship and recognition of the splendid commercial and material advantages of Mexico, and as a sort of ambassador of American business in Mexico. I think that visit could be compared very well to the recent visit of the Prince of Wales to the United States.

Mr. KEARFUL. In what year was that? It was during Roosevelt's administration, about 1906, was it not?

Mr. THOMPSON. I would say it was nearer 1908. It was during Roosevelt's second term. I am not sure of the year.

Mr. KEARFUL. Do you remember speeches and articles by Mr. Root, after his return from his tour, in which he advocated the necessity of extending our foreign trade, because we had ceased to be a debtor Nation and had become a creditor Nation?

Mr. THOMPSON. I remember very distinctly that was the spirit of the reports and speeches which he made following his return from Mexico, and I may say that in Mexico City his speeches were distinctly of a character tending to encourage commercial relations, as well as diplomatic friendship.

Mr. KEARFUL. Was there anything in any of his utterances which would indicate to any person that our foreign trade relations could be extended to Mexico without our citizens going there and engaging in the enterprises of the country, or did he advocate the necessity of our citizens going there?

Mr. THOMPSON. I remember no specific speech to that effect, but I do know that in all of his public and private appearances he recognized the American colony as, in a way, part of his entourage, and that he most certainly did not pretend to ignore their presence, or to do anything but absolutely approve of their being in Mexico and their being engaged in those great enterprises.

Mr. KEARFUL. Is it not true, as a matter of course, that we can not extend our trade relations with any foreign country without sending our citizens there to engage in its enterprises?

Mr. THOMPSON. It is absolutely true.

Mr. KEARFUL. Does it not follow also that our citizens can not go to foreign countries and engage in enterprises unless they are assured of protection from our Government in case they are persecuted?

Mr. THOMPSON. That is also true. I should like to say here that the present demand in Mexico, which I have seen and noticed personally, for American tools, for American goods of every kind, even at the much higher prices than used to be charged for German and French made tools and goods, is a distinct result of the Americans who pioneered in business and manufacturing there. The American brought American tools with him, and the native learned quickly that they were more useful and reliable than those which he had been using before, and as a natural consequence, from their contact with Americans, this grew into an interest and a desire for American goods, which has made an impress of quality throughout all of Mexico and I am sure throughout Latin-America, where American tools were known to Europeans or Mexicans. That is evidenced by the fact that even where imitations were made of goods, either in Europe or in Mexico, the labels were always made in English and not in any other language.

Mr. KEARFUL. Do you know Mr. William Jennings Bryan by reputation?

Mr. THOMPSON. I do; by reputation.

Mr. KEARFUL. Do you know whether or not for many years he has been a prominent figure in American life, and has great influence over a large body of American citizens?

Mr. THOMPSON. Yes.

Mr. KEARFUL. You were not in Mexico when he made his several trips there, were you?

Mr. THOMPSON. I was there during one of them at least, when he came in the capacity of a private citizen, and when he was writing up his views in traveling around the world.

Mr. KEARFUL. Have you read an article by him in the Commoner of January 30, 1903, following one of his trips to Mexico?

Mr. THOMPSON. Yes, sir; I have read it.

Mr. KEARFUL. Do you remember that in that article, in response to invitations from American citizens to advise them in regard to investments in Mexico, he described at considerable length the great opportunities in Mexico and the enterprises that had already been prosecuted there successfully by American citizens?

Mr. THOMPSON. Yes. I know he made that the basis of his articles on Mexico, dealing rather with that phase of the subject than with the merely picturesque.

Mr. KEARFUL. In that article he concludes his treatment of that subject with this statement:

> There are many opportunities in Mexico for the man who goes there with capital and with knowledge of an industry to bring out the latent possibilities of soil and climate. There are also opportunities for those who go as skilled laborers to oversee industries in the process of development.

Do you recognize that as being a true statement?

Mr. THOMPSON. In general, it is true; yes, sir.

Mr. KEARFUL. Do you think that is a fair summing up of the description of the various industries affording opportunities for investors in Mexico?

Mr. THOMPSON. I should say it was, but I should say he did not go quite far enough, because I think the opportunities for Americans of ability and intelligence in the management of organizations in Mexico were fully as great as those of men who went there merely to engage in the skilled trades. That was due to a sincere and genuine desire of the Mexicans, of the then ruling class, for a worthy development of the resources of the country, and for the turning of those resources into the creation of new wealth, as against the old policy, which was perhaps their heritage from Spanish times, of exploitation of the soil and of the native. The spirit of the Diaz régime was simply this—that Mexican resources, which were really great, should be organized and built into wealth-producing property, according to the methods of modern economics, which were then represented in the highest sense by the United States. There was always opportunity, a splendid opportunity, for Americans who had the capacity for understanding Mexico and the problems of Mexico, to join in this great era of development.

Mr. KEARFUL. What was the effect upon the Mexicans in general of the American operations? Was it beneficial or otherwise to them?

Mr. THOMPSON. It was absolutely beneficial. In fact, the coming of the American industries presented to the Mexicans a rallying point and an understanding of modern economics and industries which they themselves did not possess. It was an axiom of Mexican business that although Mexicans had great difficulty in associating themselves into companies, if they were with Americans, either as the investors or as managers under a contract, they could bring together the very finest Mexicans in the Republic for the purpose of development. I believe, if it is ever possible to compile competent statistics as to Americans in Mexico during the Diaz régime, not the least of the points that will be placed to their credit will be the fact that they made possible the development of Mexico by Mexicans.

Mr. KEARFUL. Do you recollect that at the beginning of the Wilson administration, on March 4, 1913, Mr. Bryan became Secretary of State?

Mr. THOMPSON. Yes, sir.

Mr. KEARFUL. What was his attitude during the time he was Secretary of State toward Americans who had invested their capital in Mexico and had gone there to develop the trade, largely, it may be presumed, upon the encouragement of his own statements which have been referred to?

Mr. THOMPSON. My knowledge of that comes from a study at some length of the documents touching upon Mexico's history of that period. I think that Mr. Bryan's attitude, at least as to his statement of the policies of the Wilson administration, was that Americans who were abroad, and especially those who had gone to Mexico, went upon their own responsibility, and that they had no right or privilege to demand the protection of the United States Government or of its officials in case of trouble, whether it came from their own

mistake or from the depredations of the people with whom they lived.

Mr. KEARFUL. What was his advice to Americans in Mexico who were the victims of persecution during that period?

Mr. THOMPSON. His advice was for them to get out of Mexico, which is a matter of official record in a number of instances.

Mr. KEARFUL. What were the hardships entailed on Americans following that direction, with reference to their enterprises?

Mr. THOMPSON. To those Americans who had remained in Mexico, and all of whose means were tied up either by contract or by personal investment in the property or business with which they were identified in Mexico, their departures necessitated either the temporary stopping of the business or the absolute loss of it through immediate confiscation. The prestige of these Americans and their understanding of the Mexican people constituted a protection in many instances for their property as long as they were there; but when by leaving Mexico they became merely American citizens their property was almost invariably confiscated or laid waste. In other words, Americans in Mexico at that time stood upon their own footing, as Mr. Bryan had told them they should, and all the power of the flag had been taken from them and all standing which they might have once enjoyed as Americans became a liability instead of an asset.

Mr. KEARFUL. Upon what class of Americans still operating in Mexico did that advice to leave the country most heavily fall?

Mr. THOMPSON. The burden of that fell most heavily upon the Americans who had invested their small savings in properties, which they were then trying to hang on to through this personal presence which I have mentioned. I know that there were many thousands of such men, and that they were almost all of them stripped of their investments and of almost all hope of rehabilitating themselves, either in Mexico or the United States.

Mr. KEARFUL. Are you acquainted with a place called Hacienda Yale, in the State of Oaxaca?

Mr. THOMPSON. Yes; I have visited that place.

Mr. KEARFUL. In the article in the Commoner by Mr. Bryan, above referred to, he has this to say about that plantation:

West of the village of Tierra Blanca, just across the Amapa River, in the State of Oaxaca, we visited a rubber-tree plantation. It was projected by Alfred Bishop Mason, a Chicago business man, but the work of development has fallen to his nephews, Raymond Willis and James Trowbridge, the former a graduate of the Boston Polytechnic and the latter of Yale. These young men began about three years ago the clearing of about 400 acres of tropical forest, so dense that it was difficult to secure any accurate idea of the lay of the land. They now have about 300,000 rubber trees growing, the oldest 2½ years old. It will be four or five years before the plantation begins to yield a return, but there is at this time every promise of success. If the experiment realizes the hopes of the young men they will deserve the reward that they will secure, for they will not only make a fortune out of Mother Earth, but they will show others what can be accomplished in the development of this industry and thus become public benefactors. This well illustrates the difference between wealth created by the establishment of some new industry and wealth absorbed by trading or speculation.

For two years Willis and Trowbridge lived in a hut thatched with palm leaves, but last spring they began the erection of a commodious stone house, with wide and airy porches, and to this newly completed residence the former has recently brought his bride, a Wellesley graduate, to preside over this new center of American civilization.

Is that a correct picture of the Yale plantation?

Mr. THOMPSON. It is a correct picture of the Yale plantation, but I should also like to say that the Yale plantation was one of the finest examples of American industry in tropical Mexico. The entire section around Tierra Blanca was developed with a remarkable intelligence and understanding of the problems of tropical agriculture and administration. The rubber industry was then new in Mexico, but Mr. Willis, whom I knew well, and others of that section, especially J. C. Harvey and Paul McQuiston, had introduced and were developing agricultural methods which would, had their plantation been allowed to remain and be developed, have rivaled the rubber colony of Ceylon. I can not be so enthusiastic about all of the American properties in Mexico, for many of them were stock jobbing propositions, which did considerable damage to American investors, although they did tremendous good for Mexico.

Mr. KEARFUL. In what way?

Mr. THOMPSON. They created in the tropical jungle vast forests of rubber trees. Miles and miles of these plants were set out and cultivated and cared for to a point of development before the revolution came. Those properties are now covered with a new jungle growth, but in years to come they will be a source of wealth to Mexico.

Mr. KEARFUL. Who performed the labor necessary for the development of which you speak?

Mr. THOMPSON. The labor almost all came from Mexicans, most of it from the immediate neighborhood, and the money which was put in circulation by these companies very greatly improved the condition of the people of the Isthmus of Tehuantepec country, as we called it, and had a certain and very real effect in the development toward a middle class of workers in that section.

Mr. KEARFUL. Returning to Mr. Bryan and the Yale plantation, did you have any personal knowledge of the life there, and of the fact that Mr. Willis brought his bride there to preside, as Mr. Bryan says, over this "new center of American civilization"?

Mr. THOMPSON. I knew Mr. Willis and his wife in Orizaba. When I visited the Tierra Blanca country they were not there, but I was a guest at the plantation, my host being the Mexican manager. It had one of the most beautiful houses in tropical Mexico, and the entire plantation was a model of administrative efficiency and a demonstration of the value of conscientious and scientific cultivation. I believe that while other plantations may have made their contribution to Mexico, even though they have been absorbed by the jungle, the loss of such properties as the Yale plantation and the others near it is something for which Mexico can well mourn.

Mr. KEARFUL. Do you think that Willis and Trowbridge were engaged in oppressing and exploiting the Mexican peons in that vicinity?

Mr. THOMPSON. They certainly were not. They were a shining example of the real value of treating the Mexican peons with consideration and fairness. Their labor problems were solved on that basis, and there was never any difficulty, that I know of, that was not ultimately solved by them to the extreme advantage of the workers.

Mr. KEARFUL. What is your information as to what happened to the Yale plantation and to Willis and Trowbridge under the policy of Mr. Bryan that Americans were not entitled to protection and should get out of Mexico?

Mr. THOMPSON. Mr. Willis is now an employee of the National Paper & Type Co., working in New York. I do not know what has become of Mr. Trowbridge. I do know, from reliable reports, that the entire country around Tierra Blanca is overrun by bandits and predatory Constitutionalist soldiers, and that the jungle has crept up over the beautiful rubber fields and even into the dooryard of the house, which is probably now in ruins.

I may say that if the record of other sections has been substantially like Hacienda Yale (and there is no reason to believe it has not), the Mexicans whom they taught to be efficient workers and to demand some of the advantages of civilization are now acquiring those advantages as bandits, or have slipped back into their aboriginal nakedness and gain their chief livelihood from breadfruit and bananas growing wild in their dooryards. The whole fabric of the beginning of the civilization of the Mexican in that section has been absolutely destroyed, and he has slipped back probably far beyond the state in which Willis and Trowbridge found him.

Mr. KEARFUL. During what time were you vice consul for the American Government in Monterrey?

Mr. THOMPSON. I had spent many months in war work in Washington, and was sent to Monterrey on the day the armistice was signed. I arrived there shortly before Thanksgiving Day in 1918, and stayed there until February, 1919.

Mr. KEARFUL. Did you have occasion to especially observe the effect of German propaganda at that place, as bearing upon the relations between Mexicans and Americans?

Mr. THOMPSON. Just previous to my arrival in Monterrey there had been a celebration by the allied colonies of the signing of the armistice. It had consisted in part of a parade toward the governor's house, Monterrey being the capital of the State of Nuevo Leon. That parade had been surrounded in its inception by a crowd of Mexicans, which grew rapidly more vociferous until about two blocks from the governor's house they began yelling "Death to America" and "Long live Germany," and began cutting at the flags which decorated the motor cars in the parade, and finally broke up the celebration, so that the Americans and other allied people had to flee through the side streets. An investigation which was made of that incident showed that behind it was German propaganda, and that the moving spirits were certain German employees of the Monterrey Iron & Steel Plant. These men were in the crowd and were distributing tequila, a rank Mexican whisky. Upon representations of the American consul a number of these men who had been the moving spirits in the mob were discharged from the steel plant, the company thus recognizing their culpability. After the allied parade had been broken up the Germans adopted the band which had been assigned by the governor to the parade and went about the streets celebrating "Peace," which they said was a peace for Germany as well as for the Allies. There were speeches made by Germans and by Mexican propagandists in the German club.

Ricardo del Castillo was editor of the German paper El Dia ("The Day"—"Der Tag"). In El Dia the next day Castillo's speech to the mob of Mexican peons before the mob had dispersed was quoted as follows:

> I can no more than send my profound condolences to heroic France, for having been the instrument of the imperialistic visions of England and of the commercial ambitions of the United States. Therefore, for Wilson, the extortioner of weak nations and the cause of the misfortunes of my country, I desire the fate of Sylla, that he may be devoured by lice.

Mr. KEARFUL. This newspaper El Dia had been in circulation at Monterrey for some time in the publication of sentiments of that sort, had it?

Mr. THOMPSON. It had been published through most of the war, and had always been anti-American, especially after the United States joined the Allies against Germany, but its propaganda against the United States antedated our entering the war because, as everyone in Mexico realizes, one of the chief jobs of the great German propaganda preached in that country has been to stir up strife between Mexico and the United States, with the idea of keeping the eyes of this country toward the Rio Grande rather than the Marne.

Mr. KEARFUL. What were the representations of the pro-German propagandists in reference to the intentions of the United States toward Mexico?

Mr. THOMPSON. The German propagandists were working all over Mexico, and very strongly in the north of Mexico where Monterrey is located, to convince the Mexicans that the United States had planned definitely to annex all of northern Mexico. Their cry was always of the "Lost provinces of Texas and California." The idea which was forced to the front in the Mexican mind by that German propaganda was that the United States had, from the very beginning of its history, a predatory attitude toward Mexico, and that Texas was a fruit of that unfriendliness and that desire to annex the rich provinces of northern Mexico. There was always a fertile field for that sort of propaganda, and the Germans in their usual way made the most of it. It was quoted very frankly in El Dia, and in all circles of Mexican society in Monterrey, that the plan of the United States was to take all of northern Mexico down to San Luis Potosi.

Mr. KEARFUL. The witness Esteva testified that in his opinion the first cause of the revolutionary trouble was the publication of a series of articles by John Kenneth Turner, entitled "Barbarous Mexico," and that those articles were partly written by a Mexican socialist. Do you know who that man was, or did you come in contact with him in Mexico?

Mr. THOMPSON. Do you mean Turner or the Mexican?

Mr. KEARFUL. The Mexican.

Mr. THOMPSON. The man who was said to have been associated with Turner, and who was supposed to have been the author of some of the chapters of Turner's book, was named De Lara, and was at the time I was in Monterrey known as a prominent Bolshevist agitator at Tampico. In the latter part of November, 1915, De Lara, and another alleged Bolshevist named Torre Blanco, came to Monterrey for the purpose, it was said, of fomenting a strike in the shops and smelters of the Cia de Minerales y Metales at Monterrey, the Mexican subsidiary of the American Metals Co., which had been taken

over by the alien property custodian, and was, therefore, in a way, a sort of an American-governed company, or was so regarded. The strike in the smelter did not develop, but the Bolshevist agitation which was brought about had the effect of starting a strike in the railway shops at Monterrey, that became quite serious, and strike-breakers were brought from the south. The result was that the Bolshevist agitators and the so-called Mexican I. W. W., were officially discouraged in the city of Monterrey and were sent back to Tampico, where they were more useful. That convinced me at the time, and is a matter of record in my reports, that the Bolshevist agitation in Mexico was being used solely as a weapon against Americans, and was never allowed to develop unless it took that form. At the time De Lara and Torre Blanco came to Monterrey it was reported that R. G. Bremer, a pro-German propagandist and Austrian consul, was engaged in translating much of the Bolshevist and I. W. W. material into Spanish for circulation in Monterrey. I made considerable effort to trace down that rumor, and found that such material was being printed in a well-known German printing establishment.

Mr. KEARFUL. What did you find to be the currency situation in Monterrey at that time?

Mr. THOMPSON. When I was in Monterrey the entire business of Mexico was in an almost comatose state. There was still considerable mining and smelting, because the London market was still supporting the price of lead, which is a determining factor in the value of ore in northern Mexico. Business, however, was in a most uncertain state, and one of the chief contributing factors to that was the shortage of currency. Previous witnesses before the subcommittee have gone into detail regarding the issue of paper money in Mexico, so I need only say that the collapse of the paper-money régime in Mexico had already come, and that it had left Mexico upon what we considered a metallic basis. In other words, only gold and silver were supposed to circulate. In view of the fact that almost all the old metal money had been hidden away and most of it exported from northern Mexico—export being an easy matter, for the American border was only 150 miles away—there was not enough in circulation to carry on the business of the community.

In addition to this, the Carranza Government had made it illegal to use American money. There had always been plenty of American bills, which had been accepted at their face value, and these had furnished a circulating medium previous to that time. While that money was still accepted in certain places, it could not be used for the payment of taxes or for transfer throughout the country, so that the whole Monterrey section was dependent upon a very small stock of Mexican gold and silver. I estimated at that time that the entire amount of actual money in northern Mexico, in the Monterrey section, was less than a million pesos, or $500,000. Of that, half was tied up in the vaults of one of the old banks, so that the circulating medium was actually less than $250,000. In addition to that, there was practically no paper in circulation—either checks, or drafts, or regular commercial bank paper. Some of the private banks in Monterrey were doing a loan business through their American correspondents, but the entire total of all money loaned in Monterrey at the time I was there was not more than $100,000.

When it is realized that in the old days, when the banks of issue, which Carranza had closed, were still running, the amount of money loaned in that section on gilt-edged security was about $7,000,000 United States currency, the picture of the desolation of northern Mexico in business begins to take form. The picture is made clearer when we realize that the current price for money on the best security possible—and there were only about three big concerns in the north whose stock was accepted as collateral—was from 3 to 5 per cent per month, or 50 to 60 per cent per year. The result was that there was no business in the Monterrey section that could be carried on unless it was a business of speculation.

In this country we know considerable about profiteering, but Mexico could teach us more than we could ever appreciate here. When speculators enter into business their chief means of speculation are in foodstuffs, and that was the case in and about Monterrey. Their speculation began with the farmer, who, at the risk of the raids of bandits or Carranza soldiers, had harvested his crops and had got them to the railway. He then either had to bribe the officials to get cars or he had to sell his goods at any price to the general in command of the territory or to some one who had his favor. Then the normal methods of transportation were used to bring the merchandise to Monterrey or other distributing points. The money for this transaction was borrowed at the rate of anywhere from 5 to 25 per cent for the brief turnover of a few weeks, and that price was, of course, added to the cost of food to the consumer.

The currency situation in Monterrey at that time was being complicated by the disappearance of the old silver coins, which were of a higher silver content than their value in gold, which was the official circulating medium. These old coins were being bought up for export, although there was a law against the exportation of any silver except under permission of the Government, and an absolute law against the exporting of silver coins.

At one time in Monterrey, shortly after I arrived there, I was endeavoring to buy some small change at an advance of about 4 per cent on the general price of gold, for change always commanded a premium because there was so little of it. I found the price had jumped to almost 10 per cent. I learned that a man named Dominguez, who held a private concession for the export of silver coin through the cordon of official prohibition, was in town. He was buying up the old half dollars and even the 20-cent pieces at a heavy advance on the market price. He stayed in town about three days and in that time he stripped the community of its silver change so that we were doing business with American nickels and dimes and with Mexican nickels and copper coins.

Mr. KEARFUL. What had become of the paper money that had been issued by the Carranza government?

Mr. THOMPSON. The paper money had at that time been repudiated under the various decrees, which had not only ruined the currency system by foisting this paper money on the public, but had also destroyed the banks of issue. I may say right here that in Monterrey there were two of these so-called banks of issue which, under the concessions obtained under the banking laws originated by Limantour, the great financial minister of Diaz, had carried most

of the burden of business, which I mentioned above as being about $7,000,000 in gilt-edged loans.

Mr. KEARFUL. You say "concessions." Did not these banks operate under the national banking law, which was a general law?

Mr. THOMPSON. Yes, sir. These banks operated under a general law, but that general law provided for what was called "concessions," which, as I stated before, were franchises for operation. There were two of these in Monterrey, as I say, and there were also branches of two other banks which had headquarters in Mexico City. The paper money of these banks had been ruined in the course of the destruction of the institutions by Carranza.

Mr. KEARFUL. What were the terms of the concession in regard to the issuing of notes?

Mr. THOMPSON. The banks were allowed, under the franchise, to issue paper money to the extent of double their cash reserve, and that money had been accepted all over the Republic at its face value and had been one of the great achievements of the Diaz plan of commercial development. Diaz had financed his own revolution with hard money, gold and silver, chiefly the Mexican silver peso. After he came into power he organized the banking system, which existed until Carranza destroyed it, and that paper money had come to be of the same value in the mind of the suspicious Mexican as gold and silver itself. By this issuance of paper currency, bearing his own promise to pay, Carranza had begun the destruction of the credit of paper money in Mexico, and had even repudiated issue after issue of his own money until its price fell to about 2 cents on the peso. The price of the bank bills had fallen, due to the destruction of the confidence of the people, and also to the fact that there was a good deal of inflating of the money. It is, however, worth noting that while the price of Carranza's own money had fallen to 2 cents on the peso, the value of the money of the banks which he was seeking to destroy was still maintained at 13 cents a peso. Ultimately, however, Carranza closed the banks by decree, in punishment, it was said, for their failure to open their coffers to him.

Mr. KEARFUL. What became of the cash reserve in those banks?

Mr. THOMPSON. The cash reserve was mostly confiscated by Carranza, but one of the banks in Monterrey managed to save part of its funds by a bribe to one of the Carranza officials, with the result that it was allowed to export some of its money. A portion of these funds were at one time in the American consulate, and one of the thrilling stories showing how the Americans of northern Mexico stood with the Mexican business men and actually stood up for them is the record of the fight which Consul General Hanna made to save these funds in his little office safe. They were finally spirited away during the night, through a Mexican mob which was howling outside the consulate.

One of the banks saved its funds by selling exchange on New York to a Carranza general at a reduced figure, it being vital at that time to these revolutionists to have a way of getting their loot out of Mexico and safely deposited in New York banks. It was said that $250,000 was saved in that way, at a very heavy loss in exchange.

Monterrey was, at the time of Diaz, a very important manufacturing center, and also a jobbing center for all of that section of Mex-

ico. The shortage of money at the present time has, therefore, had a much more serious effect there than it has perhaps had even in Mexico City, where there is enough speculation at the present time to keep a large sum of money in circulation, a part of which, of course, goes into legitimate business.

I have stated there was only about $100,000 out in loans. That was drawing from 2 to 3 per cent, the interest having been deducted from the amount of the loan when it was made. All loans were for short terms, never more than four months. In addition, the old system of "selling" properties, which were to be "bought back" at an agreed figure at the expiration of the term of the loan, had been somewhat in vogue, although there was a considerable opposition to it by the Carrancistas, who would much rather confiscate the property themselves than to have it saved by loans. I may say that this high price for money would seem to be almost impossible for outside capital, but an official of a bank in Tampico who came to Monterrey at the time said that if he had $100,000 he could put it all out at 5 per cent a month on absolutely gilt-edged security.

About the same time a traveling representative of the American International Corporation came into the consulate to inquire regarding the figures on local industries, as he was then scouting through the country for possible investments for the future. He said there was no business he could find in Mexico that offered any possibilities for banking; that while there was plenty of that sort of banking business of which I speak, with its incidental risks, legal and otherwise, it was certainly not a line that he would be willing to recommend to his principals.

It would also seem that there should be money from the old family estates, and I may say that the only industries which are now continuing in Monterrey where any money is needed, such as cotton mills, are being done by these same old families, who have money of their own which they will risk in their own enterprises, and which they do not charge up at any such figure as 5 per cent interest a month, because they would not dare loan it to any other business. In other words, the only business being done in Mexico where capital is required is being done by the American companies or by the old-style Mexicans, who have always used their own money in their business and have never been solely dependent upon banking. In other words, Mexico has slipped back to the period before Gen. Diaz came into power. That is a condition which is rampant all over Mexico, and which I have sought to describe here.

Mr. KEARFUL. Have you any knowledge as to the system of graft by Government officials or army officials in connection with import duties and internal taxes?

Mr. THOMPSON. Yes. As consular officer I made some investigation of business conditions in Monterrey, and found that at the basis of all the business troubles were two things: One was the banking and financial situation mentioned above, which naturally forced the necessary margin of profit up to such an extent that the cost of living is appalling in Monterrey; and the other is the question of graft, official and otherwise.

In Mexico the prices of commodities are based upon the cost of the imported article. In other words, the tariff in Mexico, which has always been high, has not been used as a form of protection for native industries, but as a means af allowing the native manufacturers to secure higher prices. Thus, the native product some times is as expensive as the imported, and almost never more than 1 or 2 per cent lower. The result is that the tariff has a tremendous effect on prices, and that is especially true in view of the fact that so much of the manufacturing in Mexico has been destroyed by the Carranza régime. The official schedules for import duties were always complicated in Mexico, but under the Dias régime they were stable. There were no sudden changes, and the importer could always estimate what his import tax was to be, and could therefore do his business on a narrow margin. Under the Carranza régime, however, there has been a most destructive change in the method of assessing customs tariffs. The tariff, both import and export, has been raised and lowered in the most astonishing way, and almost invariably without any advance notice. For instance, the tariff schedules on cotton goods, which provide that there shall be a different tariff for different fineness of materials, are suddenly raised or lowered by executive decree.

The result is that the importer who is not on the inside circle of Carranza information is very likely to be caught with a shipment of goods arriving at the border two days after the tariff has been doubled. That has had a serious effect on business, but it has its explanation in the fact that this raising and lowering of tariff seems to be arranged for the purpose of allowing favored individuals in the inner circle of the revolutionists to make sudden fortunes. For instance, a man who is on the inside would buy an entire carload of shoes, and would bring them to the border, and then inform his friends in Mexico City that he had those shoes and was ready to import them. The tariff on shoes would be immediately removed for a period of one week, during which time this man imports his goods. That actually happened in Monterrey; a carload of American shoes, which normally pay about $1.50 duty per pair, was brought in free of duty, and flooded the market and entirely demoralized it. That happened at the time I was in Monterrey. The man who brought in the shoes, of course, made a fortune out of the one shipment.

Another form of graft which was being carried on at that time, and continues to this day, is the concessions which favored persons have to import their goods free of duty. That is well known, and there is no doubt whatever that it is used almost entirely by Mexicans. I am proud to say that Americans in Mexico have seldom, if ever, to my knowledge, taken advantage of it. These men, all of them Mexicans, who hold the concessions for free imports, sell the privileges which they obtain or which are granted them, for one-half the duty. In other words, if you are a Mexican importer and have a carload of shoes arriving at the border, you may, after the tariff has been resumed, certainly be able to save half your loss of tariff by going to this man and paying him half duty, instead of paying full duty to the Government. This graft is rampant, and there are instances of various individuals in the Mexican Government, from the highest officials to the lowest, profiting from it.

Mr. KEARFUL. Is there a similar system of graft in reference to internal taxation?

Mr. THOMPSON. Yes. There has always been a tendency to graft in Mexican administration, especially on the part of the tax officials. That was pretty well stamped out under Diaz. The system consisted of the use of tips to the assessor or collector. Under the Carranza régime, as I know it in Monterrey, there was almost unbridled graft, which again added to the uncertainty of business. However, I am told that graft in Mexico, while increased a hundredfold over what it was in Mexico City under Diaz, has now reached a point where one can tell what one is going to have to pay for every privilege or every bit of justice which one gets from the Government.

I would like to say right here that I have met some Americans recently returned from Mexico, who say they are getting along very well in Mexico now. One I remember particularly, said, "We know how to get along with the Mexicans," and when I asked him what he meant by that he took a handful of silver out of his pocket and shook it in his hand significantly. I believe that where the present American residents of Mexico are appearing to be more friendly than they were in the past to Carranza, it is because they have learned that secretly they can connive with the Carranza government for the exploitation of the foreign manufacturer and the native consumer. In other words, the things which Bryan was accusing the Americans of doing under Diaz, and which they never did, in my belief, and to my absolute knowledge in most cases, they are now doing under the Carranza régime. This new attitude toward the Carranza régime has been forced upon them by the failure of the United States Government to protect them in their rights and their desires to establish American policies and American business in Mexico. In other words, they are victims of our own administrative mistakes, and of the administrative weakness of the present government at Washington.

To explain the taxation system in Monterrey might be of value here, but I will only state that the basis of taxation in that city has not changed materially in form although it has been greatly increased. The method of tax graft in the city has to do with the valuation. Three years ago a revaluation of land in Monterrey was begun and finished in a brief time. The assesssor seldom went out of the tax office, presumably because he knew the town so well. The result was naturally that the Mexican policy of "skin your enemies and help your friends" had full swing. It was expected that every one would protest, and every one did, with the result that a single protest usually cut the assessment in two, and another cut it to a third, and if you were well prepared with money on the occasion, it was cut down below the original or old valuation. The result of that has been tax dodging with full protection.

I think the stamp tax is the only Federal tax collected in Mexico, and that has been increased almost fourfold, so that when we formerly put on a peso as a stamp we now put on four. The chief method of graft in the use of stamps, in the administration of the stamp tax, is in the fines which are assessed on business men who make mistakes in keeping their books. The Mexican stamp-tax law is

extremely complicated, and it is almost impossible to avoid mistakes. Therefore, an examination of your books will reveal, if the collector wishes to find them, certain errors for which he can fine you heavily. The result is that you are called upon to pay him a fixed sum of money for his "courtesy" in not fining you. I remember a case of an American who had had his books examined for 10 years back by one of these grafting collectors, and a small mistake had been discovered in those years. The result was that the collector required a tip of about $100. In previous years that tip had been about $25 for the examination of his books. The next year a new Carranza collector called, and when he had gone over the books perfunctorily, and had been slipped his $25, he looked at a memorandum sheet and said, "Oh, but you always pay $100."

Mr. KEARFUL. While you were in Monterrey did you have occasion to gather information in reference to the vicissitudes of American citizens in the interior, operating on ranches?

Mr. THOMPSON. Naturally many complaints of that sort came to the consulate, though the Monterrey district suffered less than some of the others, such as the Tampico section, because practically all the Americans in Monterrey and the surrounding country have long since left. Indeed, where the American population in Monterrey in 1910 was about 5,000, it is to-day about 100 Americans.

However, there was one case which was almost complete, and may be of interest, as showing the method followed by the bandits or Carrancistas, and also the attitude of the Government toward them. That case continued through November and December, 1918, and related to a plantation owned by an American who had married in Mexico, his wife's father having been a prominent official in the old Diaz régime. The ranch consisted of about 100,000 acres, and was located in a very rich valley some distance from Monterrey. This man's complaints are all a matter of record, both in the State Department and before the Mexican government, so, although I prefer not to give his name, it can all be substantiated. The man is a very well-known American and is highly thought of, and I was assured from all sources that he was absolutely reliable. The first of our record was a letter from him dated November 3, 1918, and was in part as follows:

> I have to report that yesterday, having heard that the Government troops were here and expecting protection, I sent to an adjoining hacienda, 4 carts for salt earth. While loading, the troops (Carrancistas) arrived and by force of arms took 4 oxen and a horse and saddle, causing me a pecuniary loss of $300 for the oxen, and $102 for horse and saddle, total $402. The colonel who took them refused payment or receipt, and said to tell me that the animals were taken by the troops of Gen. Ramos. They knew perfectly well that they were American property. I have very few animals left, and if they pass by here and take more. I am utterly ruined and will have to abandon my property to be completely destroyed.

The consul took this matter up with the governor, but before we got a report, we received another letter from this American, dated November 16, in which he said:

> I notice from your letter that the governor will telegraph to Gen. Ramos that the oxen and saddle horse be returned. As the oxen were killed and the meat taken by them, this returning of the animals will be rather difficult. From information received from all directons these troops (Carrancistas) swept through the country gathering up the animals of all classes and the

clothes that were left to the "pacificos" [noncombatants] who hid out, and returned to their property after the revolutionists had passed. My hacienda is again full of refugees in all conditions of misery, running this time not from Villistas but from the Government troops. One living in the city can not imagine the suffering caused to these unfortunate people by both sides unless he reads of Belgium and northern France. I came to town to find out the name of the colonel who took the animals, but as these troops have not been here, his name is not known. I understand these troops are again on the road. God grant that they do not pass by my place, as it seems a pleasure to destroy American property and, as they say, call the American bluff.

On December 3, the Government took its first official recognition of the affair, a month after it occurred, in a letter from the chief clerk of the Department of Government, the department making the investigation and taking steps regarding the matter, in which he said:

Mr. KEARFUL. Which Government?

Mr. THOMPSON. The Mexican Government. In this letter this statement was made:

I beg of you to obtain the name of the colonel responsible for the matters complained of, in order that this department may make investigation and take steps regarding the matter.

That was the status of affairs when the letter reporting the new raid was received, which was this time by what this American calls Villista troops, or a body opposed to the Government, which was dated December 1, and in which he makes the following statement:

I have to report that yesterday at 9 a. m. my hacienda was taken possession of by a Villista force of about 35 men under the direct orders of Col. Hernandez, accompanied by Gen. Eulalio Cutierrez, ex-President of Mexico, and held until 5 p. m. Looting was the order of the day. First, my house was sacked of all wearing and bed clothes and eatables and everything of any value taken. Then the houses of the inhabitants were stripped, many of the men left without hats, breeches, or shoes. They then took four carts and 16 oxen of the hacienda and 26 burros of the servants, every one of my sacks, loaded them with corn, about 126 hectoliters, together with all my seed wheat, and sent them away.

Then they sent off 300 goats with their little ones, after which they gathered all the cattle they could, and as they left through my pasture land I do not yet know if they have left me any or not. Will advise later. They took then my last horse and two mules and I can not move from the hacienda. This about finishes me, as I am left without anything with which to work. I am thoroughly satisfied that this Government will not give me the guarantees for which I have paid my taxes, if the hacienda does not produce anything. If I do not get protection quickly I will not be able to dispose of the little that remains, and my place will be a desert like so many others in this fine district. I notified the chief of this section last night, and have just received notice that nothing can be done to overtake and recuperate the property taken. The Villistas will surely return quickly and finish the job.

On a separate sheet of paper a memorandum is noted regarding the incident referred to, with the following statement:

In the last five months more than 12,000 people have fled from this part of the State, leaving their homes and all abandoned. In this district, as big as the State of Nuevo Leon, formerly rich in woods, fibers, animals, and cereals, especially wheat, every rich hacienta and ranch have been abandoned and ruined by the depredations of this band. It is now a scene of "No Man's Land." It is incredible that such a small force has been permitted for such a long time to dominate and destroy such an immense amount of rich country. The Government forces that came in November took their camp and supplies, drove them to the mountains, and then returned. The rebels are again taking possession of everything, more voracious than ever and no relief in sight.

On December 14 we got another report in reference to these conditions, in which the following statement is made:

As I wrote you a few days ago, life is unsupportable for want of protection. I now have to report that my hacienda was again occupied on the 12th day by 15 men of the forces of Carrera Torres, the worst I have seen during the revolution. Robbing, insulting, and threatening was the order of the day. They were entering my house all day on horseback and threatened to shoot my son for not giving them a rifle which he has not got. From here they took a cart of corn, 2 yolk of oxen, 34 goats with their little ones, 4 mares, one of which they shot down because she was wild, and cattle. From here they went to one of my ranches, where they stripped the people and violated the women, and one poor woman had to be brought here on a stretcher. I am moving my furniture as quickly as possible. My people are all terrorized and running in every direction, and I do not think that I can hold enough of them to clean up, if help does not quickly come. In the town there are about 30 soldiers who allow the enemy to profit by these supplies, when by giving protection they can starve them out.

(P. S.—Bolshevism and anarchy are tame compared with this.)

Following the receipt of this letter of December 18 I called in my official capacity, as American vice-consul, on the governor of the State, to leave copies of the letters from this American, and to report the new raids, the others having been previously sent to him by messenger. We asked him what measures would be taken to recover the property stolen and to afford protection to this American.

The governor's reply was a statement that he had already been informed of the activities of this band, and that 200 men had been sent to that district. He spoke of the difficulties of chasing down these bandits, as the entire region is mountainous, and the bandits retreated immediately on the approach of a force of soldiers and stay hid until the soldiers, owing to other work, have to depart, when they descend on the ranches again, as he put it, like "vultures." He said that no matter how long the troops stayed the bandits lived in the mountains. "I do not know how they exist, but they do exist," he said. And so on—fair enough words. He said that he was grateful for the copies of the letters on the situation, and that he would take the matter up direct with the President, using these letters as evidence of the need of strong measures. He said he wished to obtain a large force, of 2,000 men if necessary, to scour out these bandits in this particular section and hunt them down in their holes.

Mr. KEARFUL. Did he secure the force?

Mr. THOMPSON. Not to my knowledge. It seems to me that this history is as significant as anything that has been told as showing the inability or lack of desire of the Carranza government to furnish adequate protection. The section referred to is one of the granaries of Mexico, and yet Carranza apparently would not assign 2,000 men to clean it up, which they could probably have done in a matter of a month.

On December 17 we got another letter from this American that was supplemental to the raid on December 12, in which he says:

The things that happened in those two small ranches that the rebels passed are horrible. They first put the men under guard, and then abused the women, not even sparing little girls of 9 and 10 years. The screams of these poor unfortunates were pitiful. They took all the clothes even from sick children. It was awful to see the next day the parents arriving with these little ones in their arms, trembling from cold. We are 7,500 feet above sea level; cold winds in the day and heavy breezes every night. If there is a Red Cross in Mexico it could not do a better service to humanity than send supplies.

As a result of that appeal we wrote to Mexico City, and the local American Red Cross chapter sent a stock of supplies, which we promptly forwarded to this American to distribute among the sufferers in his section.

Mr. KEARFUL. From the information you obtained at that time, do you regard the statements made by this American as typical of the situation existing in every part of Mexico, according to matters of common knowledge?

Mr. THOMPSON. I certainly do. It seems to me that is absolutely typical of the conditions, and because it is a complete history, I have taken considerable space to set it down as a type and not a single incident.

(Thereupon, at 1.20 o'clock p. m., an adjournment was taken until Friday, March 12, 1920, at 10.30 a. m.)

FRIDAY, MARCH 12, 1920.

TESTIMONY OF MR. WALLACE THOMPSON—Resumed.

Mr. KEARFUL. In one of the various quotations from the reports made by the American ranchman, he spoke of the Mexicans calling the "American bluff." What do you understand he meant by that term?

Mr. THOMPSON. The term "American bluff" is, of course, borrowed from the English, and in fact the Spanish word is identical with the English. The "bluff" to which this American referred, and to which Americans and Mexicans in Mexico generally refer, is the demands which we make, with the most elaborate official letters and communications to the Mexican Government, calling for the protection of Americans, and hinting darkly of the perils which will face the Mexican Government in case it fails to protect our people.

By "calling" this "bluff" the Mexicans mean that they will defy the American Government by carrying on their depredations against Americans, and that the United States will do absolutely nothing.

I may say, I think, without any reflection upon our consular or diplomatic corps in Mexico, that the time was reached in Mexico some years ago when their demands for the protection of Americans and their representations to the Mexican Government officials came to mean nothing. Ten years ago, in Monterrey, a word from the American consul was as good as an order from the highest authority in the Mexican Government. During the last siege of Monterrey the American officials were not only sources of personal authority in all the turmoil, but the Mexicans really believed the United States would do something, if they did not agree to the demands of our representatives. But, gradually, as these demands were made and were not complied with, and the United States did nothing at all, the prestige of the American officials and of the American Government declined steadily and of late years it has gone down a toboggan slide.

Even the personal prestige of American officials amounts to nothing in Mexico to-day. Such a man as Consul General Hanna, of Monterrey, who has lived in that city for more than 20 years and who is respected and honored by all, was formerly good for the release of any American, or, indeed, of any Mexican, from unjust confinement; but even his word or his demand to-day means nothing; and when three years ago he was carried through the streets under

arrest, although the crowds groaned and protested loudly, nothing could save him from that indignity. The "calling of the American bluff" is the merriest game which is being carried on in Mexico today. The Mexican is a born gambler, and he will always call a bluff or attempt to call what he considers may be a bluff. In calling a bluff against an opposing player—in this case the American Government or American officials—when he shows he has the cards the Mexican immediately retreats and accepts the show-down without the necessity of force being brought to bear; but when time after time and year after year bluffs have been called by the Mexicans refusing to comply with our representations, a state of affairs has been reached in Mexico where neither American Government officials nor Americans of long residence in Mexico have any influence whatever. That is what the American rancher refers to, and that is a plaint which goes up in Mexico every day. Sometimes it reaches as far as the Monterrey consulate and sometimes it reaches as far as the border, and sometimes, as in the case of this committee, it reaches the Senate Office Building; but never, through all the years that this has been going on, has it apparently ever reached the White House.

Mr. KEARFUL. To carry out the simile in connection with the national game the Mexican has repeatedly called our bluff and has invariably found us of late years with a bobtailed flush. Is that correct?

Mr. THOMPSON. I think that is very well put; and I may say that the game has reached such a point in northern Mexico that the Mexican seldom bothers even to wait and see what we have, but proceeds to go ahead with the next deal without even requesting us to show our hand. Unfortunately, in Mexico, it is Mexicans who always deal the cards—an art in which there is nothing for him to learn.

Mr. KEARFUL. It was testified the other day by Mr. E. N. Brown, former president of the National Railways of Mexico, that much of the freight business on such roads as are operating is done by private trains, owned and maintained and operated by foreigners. What information have you upon that subject?

Mr. THOMPSON. My information dates from last year; and although there have been some changes in the situation, owing to the fact that more and more of the mines in Mexico have been closed since the European war ended, and the Governments of Europe and the United States ceased to uphold the metal market, I think that there has been comparatively little change in the situation. I may say at the beginning that to me and, I think, to most people in Mexico who are able to maintain a detached viewpoint, such as I feel that I have been able to do, the maintenance of the freight business in Mexico in some ways is a miracle of American energy and American resourcefulness.

When the roads were taken over by the Carrancistas in 1914 there were almost daily blowups of bridges and trains, and since that time there has been a continual destruction of track and of rolling stock. The Mexican Government has bought practically no repair parts and very little, if any, new equipment. The right of way has been maintained in certain sections, notably on the main line between Laredo and Mexico City, so that that line is passable. As to the branch lines, over these the Mexican engineers, with their light

engines, can still pilot their 6 and 10 car trains with infinite care, knowing each rail and curve and how it can be negotiated.

The upkeep of the rolling stock, however, has been utterly ludicrous. The railway yards in Monterrey, when I was there, were filled with the broken carcasses of freight cars and with ruined and rusty engines. The freight cars filled the sidings, and the engines were in the yards, slowly rusting away. From about 100 engines now at Monterrey practically every bit of brass has been detached and sold by petty thieves for junk, and other parts of the engines have been taken away, even down to the bolts, for the repair of the 25 or 30 engines which they still maintain on that division.

When I was in Monterrey there were about 20 trains being operated out of there on the six lines which center at that important railway point. The handling of freight was subject to hopeless delay, and the only possible method of getting goods through was by express, at rates which were, pound for pound, practically as high as the passenger rates. The freight business had fallen off to such an extent in 1916, I think it was, that the American mining companies obtained permission from the Mexican Government to provide and operate their own trains. The arrangement which they made, and which obtains to this day, was about as follows:

Under special franchises a private company furnishes the locomotive and cars in each train and pays the full rate for the freight carried in addition. All that the Constitutionalist Railway Co. did was to furnish and pay the crew and to furnish fuel, oil, waste, etc. The private companies, therefore, maintain the trains, owning and keeping them in repair. In addition to that, in order to obtain a certain amount of efficiency, they voluntarily paid a regular bonus to the Mexican crews. That was about 1 cent United States currency per kilometer to engineers and conductors and one-half cent to other members of the crews.

The books of the various companies will show, I think, what the additional cost of this form of service was to them. I believe that it was an increase of about 20 to 30 per cent over the regular freight rates which they paid the railway company. Since Carranza took over the railways, the freight rates have gone up 25 per cent all over the country, the rate for ore in Mexico being about 1 cent United States currency per kilometer ton. So that the additional cost was about one-quarter of a cent per kilometer ton, which, needless to say, is a considerable and unnecessary addition to the cost of mining.

Mr. KEARFUL. Was any deduction made from the regular freight rate on account of trains being furnished and maintained by the private operators?

Mr. THOMPSON. Absolutely not.

Mr. KEARFUL. Do these operators carry freight generally besides that arising from their own business?

Mr. THOMPSON. Most of these private companies were allowed to carry only their own freight, but one American concern, the Oliver Trading Co., had a concession to carry miscellaneous freight, a concession which I believe still obtains. Another American company, after the mining business became reduced, owing to the reduction in the price of lead and to the increase of taxes of the Carranza gov-

ernment, obtained a similar franchise to do commercial business, but I believe that this has been merged with the Oliver concession, which is now operating the mining company's trains on a lease. This company was the Cia. de Minerales y Metales (the American Metals Co.).

Mr. KEARFUL. In carrying freight for the public, what charges are made, beyond the ordinary freight charges, by these private operators?

Mr. THOMPSON. I am not sure, but I believe the increase is 50 per cent over the normal freight schedule of the Mexican Government.

Mr. KEARFUL. Which amount is naturally paid by the consumer?

Mr. THOMPSON. Yes.

Mr. KEARFUL. What is the proportion of the freight business done by these private operators?

Mr. THOMPSON. I have no actual figures of the proportion, but I believe that during my time in Monterrey considerably more than half of the freight business of northern Mexico was being handled by the private trains of these foreign companies. I have, however, figured for that time, all the equipment owned by these companies, which I think may give point to my statement of this condition. The American Smelting & Refining Co., for instance, operated 31 locomotives, 20 of which were owned by the company and 11 were old constitutionalist railway engines, which the company had taken and rebuilt at its own expense, and which by arrangement with the railway company it was allowed to operate for, I think, about two years before giving them back to the constitutionalists railway.

Mr. KEARFUL. You say "the railway company." The "railway company" is the Mexican Government, is it not?

Mr. THOMPSON. Yes; I accept this correction. The National Railways of Mexico are owned by a stock company in which American capital predominates.

Mr. KEARFUL. I do not mean the actual technical ownership; what I mean is, Is it not the fact that, irrespective of ownership, the railroads which were taken over in 1914 have been operated and are now operated by the Mexican Government?

Mr. THOMPSON. That is exactly what I mean, that although the technical title is in the name of the stock company, the actual operation of the railways, including all the things necessary for traffic, are in the hands of the constitutionalist government, which has taken all of the money which the railways have earned, and has never since 1914 paid one cent of the fixed charges for which the National Railways of Mexico, the stock company, is and must be responsible.

Mr. KEARFUL. Proceed with your statement of the figures.

Mr. THOMPSON. The American Smelting & Refining Co., therefore, operated 31 locomotives, and nearly 800 cars, 486 of which it owned, and 296 of which are either leased from American railway companies, or are operated under the same arrangement with the Constitutionalist railways; that is, they have been rebuilt by the American Smelting & Refining Co., and are to be used by them for a certain stated period in return for that rebuilding. This estimate of equipment of the American Smelting & Refining Co. covers the entire Republic of Mexico.

The Mazapil Copper Co., a British concern, with headquarters at Saltillo, which is in the Monterrey district, operates 3 locomotives and 350 cars. This company also has a narrow-gauge railway, which is used only to carry ore from the mines to the smelter, having 12 locomotives and 241 narrow-gauge cars, but that has always been a private line. The Tezuitlan Copper Co., which operates in the State of Puebla, but has a smelter at San Luis Potosi, and brings coal from the Mexican coal fields near Eagle Pass, owns 9 engines and about 124 cars. It also operates cars which it has leased from American railways.

The brewery in Monterrey has 2 engines and about 50 cars.

The American Metals Co. (Cia de Minerales y Metales) has 27 engines and 464 cars.

The Monterrey Steel Plant has 8 engines and 75 cars that it owns, but it also leases a large number of cars from American railway companies. That number is constantly changing, owing to the fact that it uses these cars to bring coke from the United States.

The Oliver Trading Co. had, while I was in Monterrey, 3 engines and about 50 cars, if I remember correctly.

There are other mining companies in southern Mexico, such as the Real del Monte, in Pachuca, and, I think, the El Oro Mining Co., which is largely British owned, which have some railway equipment, but I can not give the figures.

In giving this list of private trains operated in northern Mexico, unfortunately I can not give the list of the equipment operated in the north by the Constitutionalist railways themselves. I can only state that, from most reliable sources in Monterrey, I learned that the Constitutional railway is operating only about 20 per cent of the rolling stock which was owned by the national railways of Mexico in 1912. That figure may seem trifling and unbelievable, but when it is remembered that during the revolutionary period there was the most wanton and unthinking destruction of equipment and personal property of every sort in Mexico, it becomes a little more believable.

For instance, when Monterrey was the center of the revolution in 1915, Gen. Pablo Gonzales, at the head of the Carranza troops, burned 800 loaded freight cars in the Monterrey yards, in order to keep them from falling into the hands of the Villistas. It is the skeletons of these cars which line the sidings in Monterrey to-day, and make the great yards of that city suggest the ruins in Belgium.

When I was at Monterrey the estimates given me by Mexican yardmen in the employ of the Constitutionalist railways was that there were 25 engines handled every 24 hours in the local roundhouse, and that there were 20 freight trains, of an average of only 12 cars each, passing through the city. There was then an average of four passenger trains daily.

The foreign companies which are operating trains, in addition to their equipment of rolling stock, have small but very well-equipped machine shops, where the cars and engines are kept in repair. The American Smelting & Refining Co. have a beautiful little shop, where there are always three or four engines being gone over or rebuilt. The American Metals Co. has a slightly larger shop, and the steel plant also has its own equipment, although I may say that the steel plant is a Mexican concern, although its original officers were French

and Spanish, who were identified with the business life of Mexico City and had been for many years.

When I was studying this particular phase of the conditions in Mexico, for the purpose of making a report to our Government, I found myself swept off my feet time and again by the useless horrors and destruction which had gone before and was still going on from day to day in the very arterial system of Mexican progress, for the railways of any country are its arteries, and in Mexico far more than the Mexicans themselves have ever realized. I believe that the wonderful American enterprise which built these railways and which opened up the mines of Mexico is responsible for the maintenance of the commercial life of the Republic to-day.

I have not read Mr. Brown's testimony, but I wish to state what he probably did not state that under his wise management and under the progressive policies of Mr. Brown and the late A. A. Robinson—who was president of the Mexican Central Railway before it was merged with the national lines—there was built in Mexico a system of railways which will do credit to the western territory of our own United States. Just before Diaz fell, Mr. Brown put in rock ballast and the solid steel on the railways all over northern Mexico at a cost unjustified by the traffic at that time, and these are the things that are keeping the railways in operation to-day. In traveling over the lines of the north, at the sidings where the sick and wheezy engines operated by the Constitutionalists had to stop and breathe in order to get up enough steam to go on, I walked the rotten ties and dug into them with my penknife. The road is ready to fall to pieces, and but for the rock ballast and heavy rails would be utterly impassable. The possibility of operation of the railways there, such as there is to-day, is a rugged monument to the enterprise of men like Mr. Brown and Mr. Robinson, with the magnificent crew of railway builders and operators who went with them in the great pioneer period of the Diaz régime.

To-day on the base of this monument, the American companies which are operating trains and maintaining their shops, have built a superstructure which, though it may appear to the world outside as a credit to the current government, because it was built under the Carranza régime, is in reality only a manifestation of that indomitable American spirit which has ever been one of the most potent factors in the civilization and progress of Mexico.

Mr. KEARFUL. When you were in Monterrey did you have occasion to ascertain the opinion of prominent and substantial Mexicans with reference to the intervention by the United States in the affairs of Mexico?

Mr. THOMPSON. When I was in Monterrey I made it my business to go into conditions there, for the purpose of reporting to my Government on every phase of the situation, as it was in that way that I conceived my work in the Consular Service. I think I may say that, simply because I went out to seek this sort of information, I got a good deal which was of interest to our Government, and which may be of interest here.

Monterrey is, first, only 167 miles from the American border, and has always been known as one of the "Americanized" cities of Mexico. The Mexicans of that section know the United States and

the Americans very well and understand them probably better than other Mexicans can.

Therefore, the upper class, at any rate, look upon the United States with respect, if not with affection, and have a feeling that there are definite possibilities of progress in any assistance which the United States might give. I talked with men of that type, as well as many others, and found that almost all of them realized that if American intervention should come in Mexico it would by no means mean annexation, but would be rather the sort of medicine we gave Cuba. As a result, their minds have not been clouded by any fears of American expansion, and they have never taken seriously the German propaganda that the United States was looking with envious eyes on all of northern Mexico. In the course of these dealings with Mexicans I obtained data, all of which tended invariably toward the idea of the inevitability and value of some sort of American intervention.

Mr. KEARFUL. Have you written up in permanent form the interviews you had with these Mexicans?

Mr. THOMPSON. Yes; I wrote that matter up in definite form and have it in my personal files.

Mr. KEARFUL. Without giving the names of the parties the interviews were with, will you furnish them to the committee for the record?

Mr. THOMPSON. Yes; I can furnish that material, and will be very glad to do so, in such form as will absolutely protect my informants.

Mr. KEARFUL. Will you read from the interviews written up by you such parts as bear upon the question asked, in such wise as not to indicate the identity of the individual?

Mr. THOMPSON. Yes. First, I will take the statement of a comparatively young man, the son of one of the original Carranza families in Mexico. This young man is of the type and age to be an army officer in case of intervention by a foreign power. He told me that he had just been talking with the governor of the State, and had said to him:

> I do not feel that in any case we of the upper class can be expected to take any part in politics or in the army. There was a time when I felt it would be my duty to go into the army and repel any foreign invasion, in case that should come, but that time is no more.

Then my informant went on to explain to me that the cry of patriotism and the good of the country and the dangers from without had been sounded so many times in Mexico, and there was such inevitable disappointment with the outrages that were committed in the name of patriotism, that there was little or no patriotism left in the minds of the upper-class Mexicans. He said of his own volition what was told me by many other Mexicans of means:

> In case of invasion or any serious revolution the Government officials, as they are now constituted, would make that the occasion for assessing a large "loan" on anybody who had anything for the purpose of paying for "defense," and as soon as the money was collected they would run off and not protect anything.

Another Mexican, whose sympathies were still with the old Diaz régime, stated the same thing with regard to forcing loans. This man is a sympathizer with Americans, not as a dependent or inferior,

but as a man who understands the Americans and is understood by them better than by his own people to-day. He felt that he would welcome American intervention, for the simple reason that it would be the best thing for Mexico, and because he was sure that it would mean no such terrible thing as the lower-class Mexicans are led to believe it would. In connection with that he told me of the time when the Americans came in 1847, how it was said that all the lower classes flocked to the hills in terror, stayed there three days, and then came back loaded with baskets of food to sell to the soldiers. "It would be like that all over again," he said, with reference to the possible coming of other American troops.

Another prominent man, an original sympathizer with the Madero revolution, considered that the false Mexican pride was the chief stumbling block in the solution of the Mexican problem. He said:

> Germany, which is a great power, is not ashamed to ask other powers to come and police their country, and yet Mexico is too proud to allow such a thing. It seems as if there must be something wrong with a pride like that, as if it were not entirely justified by the facts in the case.

He frankly stated that he believed that Mexico would have to be policed or handled by some outside force—he hoped by the League of Nations, as that would be much more simple than the United States, from the Mexican viewpoint. In that connection he remarked, "Carranza is anti-American, of course." This man's attitude is one of absolute hopelessness as far as Carranza is concerned. He has hope that some rebel leader may become important and strong enough to obtain the support of the United States, and thus be able to oust Carranza. It always is understood in Mexico that the United States put Carranza in power, and can put him out and some one else in whenever it so desires.

A prominent Mexican who has had connection with the banking business, but who has no definite political affiliation, looked at the question from an economic viewpoint. He spoke at considerable length during one interview I had with him of the false pride which kept Mexico from taking help, or even advice. He expressed the belief that there was no hope of getting peace in Mexico under the present Government, and said that no profitable change seemed possible without the aid of the United States.

Conditions and business are going to worse and worse extremes so rapidly that he could see no hope now of business getting back on its feet without outside aid, and such aid the Mexican Government was not only unable but unwilling to give. He cited the cost of money, up to 50 and 75 per cent a year, and then traced back over the tangled mass of causes which had led up to that condition, which had made legitimate business impossible and forced Mexico to "live on her fat," as he expressed it.

He said that credit had been utterly and completely destroyed by the present Government, so thoroughly destroyed that the people had not even faith in the Government gold coins, and questioned the value of the 2½ peso gold piece. He said that credit could not be restored by the Mexicans themselves in a generation, and then only by a herculean effort, efforts of which the country was utterly incapable; that only the United States had the credit to finance the Mexican industry and business; and that credit would

not come now because there was no faith in Mexico. He traced the vicious circle round and round, always reaching the same point of completely broken faith in both the present Government and in Mexico herself.

Another man who had also been in the banking business stated to me that he believed Mexico can never be settled by the present Government because of its outrages, and, further, the belief of everyone that it can not start upon the basis upon which all building must be done—that is, the basis of confidence of the people; but, as he said, "what else is there"? The inference was, from what he said again and again, that it was up to the United States.

A man prominent in manufacturing pointed out to me that, owing to the fact that if a Mexican supported Carranza he was a prey to bandits, and if he should buy off the bandits he was a prey to the Carrancistas as a "traitor," the present position of Mexicans of standing in the country must of necessity be one of absolute apathy, for "no government in the last 10 years has ever been able to prove itself strong enough to justify any man with anything to gain throwing his influence with it."

The above expression, of a high-class Mexican's attitude, is significant for its obvious truth, and as an explanation of why Carranza can not command the support of men with ability and property, who must keep themselves in such condition as to be able to prove to the next fellow who comes to power that they never really meant it with Carranza.

A condition, which is probably largely local in Monterrey, came to my attention many times in connection with Mexicans who had been ruined by the revolution, but who have obtained capital from the United States and had been able to rebuild their business. These were men who had had dealings with Mexicans in Monterrey and also with Americans in the border towns, but when they were ruined and had to begin again their Mexican associates had refused to help them, while the banks and their friends on the border many times advanced them considerable sums of money on their personal and unsecured notes.

Mr. KEARFUL. Is that the character of men whose opinions you have been quoting?

Mr. THOMPSON. No, sir. This is the only man I have mentioned who had had favors from Americans.

Mr. KEARFUL. Were the men whose opinions you have been quoting men of business and high standing in the community?

Mr. THOMPSON. They were, and in addition they were men who were not dependent in any way upon the favor or the trade of the United States.

Mr. KEARFUL. What is the reason for the necessity of withholding their names from publication in your testimony?

Mr. THOMPSON. These men are living in Mexico under the sufferance of the bandit type who now control the Government. If their testimony were given out, or if by my description of them it were possible for them to be identified by the Carrancistas, they would be persecuted by iniquitous taxes, by false imprisonment, and by underground attacks which would ruin them politically, personally, and financially. In fact, I may say that some of the men whom I have

quoted have suffered in the past from just that sort of persecution. They are men who have never taken part actively in politics, and have, therefore, never come under even the simulated legal ban of having been a traitor or enemy to the constitutionalist cause. They are subject to persecution only because they attended to their own business, and did not actively support the Carranza régime.

To return to the type of men who obtained credit in the United States when their own people refused help, I may say that men of that type have learned from personal experience, which touches them very deeply, that the American is just and that he will express faith in those who are worthy of it. This bond is a strong one wherever it exists, and that it does exist has been proved by the expressions of men of that type to me. I consider it something of which we as Americans can be very proud, that men of our country continue to express their faith, as they do, in Mexico and have proven their ability and their honesty.

I of course talked to many men of less prominence, and I would like to say here that the small-calibered middle-class Mexican (who really does not see much farther than the peon), who thinks only of the day, who has been educated in the United States or has had business there; this type of man has all the false pride and sensitiveness which marks Mexicans as a whole. This type of man believes in his heart that something outside Mexico might solve the problem and undoubtedly would solve it, and his only objection is the fact that if this outside aid would come, and was even accepted, it would be a reflection upon that same Mexican pride. This "pride" is perhaps their only trait which is understood by the State Department and by the White House, and sometimes it seems to be the only point which is considered by our officials dealing with the Mexican Government. That condition has been so overemphasized and petted that as a result that pride has taken the form of braggadocio, and a belief that Americans are afraid of Mexico.

Mr. KEARFUL. Did you secure the opinions of any foreigners, other than Americans, who were prominent in business in that section?

Mr. THOMPSON. I made it a point to interview a number of these men, and think that perhaps the statements of two of them will be of interest. Both of them are business men.

One of these men stated to me that there is "a very large proportion of genuine pro-Americans among the leading Mexicans here," the result of educating their children in the United States and of the trade they have with Americans. He feels, however, that it is not entirely safe to judge the pro-Americanism of to-day without taking into consideration the fact that the only trade of importance in Monterrey is now with the United States, and that there is actual financial profit to be gained from the friendship of that country. On the other hand, he felt that the situation of its being worth while to be friendly with the United States would always be the only hold that Americans will ever have over the Mexicans anyway, so that the feeling of pro-Americanism is "good business"—is really a solid ground to work upon. He said, cautiously, that although he had known the Mexicans for many years he never felt that he could really tell what a Mexican was thinking about him. This man said that in case of foreign intervention all the business men would be

pro-American, and the lower classes would remain divided, as they are to-day.

The other foreigner whom I will quote is a keen analyst of Mexican character. Like all men of means in that section, he is fearful of the present Government. He explained that the Mexican mind naturally takes an opinion contrary to yours, and especially admires the man who is fighting against odds, that being the Mexican idea of being "muy hombre," or a real man. That explains much of the sympathy for Germany, for the German propaganda work of Germany "fighting the world" has had much effect. It also explains Carranza's apparently insane opposition to the United States at every turn as part of his campaign to gain prestige in Latin America. This foreigner expressed the opinion of the intelligent business man of this section when he laughed at Carranza's treatment of bolshevism and anarchy and his treaties with Latin-American powers, and says this latter is only a form of Latin pomp. This man is obviously pro-American, but rather unhappy over our trade methods, and says Mexico will go back to Europe if present trade methods are continued. He believes that business in Mexico will remain at practically a standstill until confidence is restored in the Government, but does not say when, if ever, he expects the present Government can have the confidence of the people.

Mr. KEARFUL. Do the things you have stated with respect to Mexicans, as to the necessity for withholding their names, apply to these foreigners as well?

Mr. THOMPSON. Yes; it certainly does.

Mr. KEARFUL. Is it safe to even give their nationality?

Mr. THOMPSON. Absolutely not; because that might help identify these men.

Mr. KEARFUL. Do you think, if they were known or might be identified there would be danger of reprisals being visited upon them by the present Mexican authorities for having expressed such sentiments?

Mr. THOMPSON. I think such reprisals would be forthcoming, undoubtedly; although, as these foreigners are not Americans, Carranza would have to be much more careful and roundabout in his persecution of them than he need be with Americans.

Mr. KEARFUL. What do you find to be the opinion of Americans operating in Mexico with reference to the solution of the Mexican problem?

Mr. THOMPSON. I know of no American in northern Mexico who does not consider that intervention by the United States would be a real solution of the Mexican problem. Most of them who still remain, however, recognize that if such intervention should come it might injure their business, and not only theirs, but the business and the immediate future of Americans in other sections of Mexico. These men recognize, however, that in case of intervention Monterrey, being a strategic point of great importance, would be taken and held by the Americans probably longer than any other single section, and knowing our people and our methods they realize that if an American administration had sufficient time it would gain the confidence of the Mexican people, and that the business of residents of Monterrey would, therefore, have time to recover. They are, therefore, free from the feeling of the Americans in southern Mexico that

their personal profit demands that they should be left alone. They look at the problem with considerable clarity, and I think I will get none of them in trouble with Carranza by saying that they would accept American intervention in Mexican affairs.

These men, when I was in Monterrey, had been and were fighting the battles of America on a frontier, which we at home may not recognize as a frontier, but with a patriotism and love of country which compared favorably with the attitude of any American in this country or in France. They were keeping the light of American prestige burning abroad amid great discouragements, from their own Government as well as from Mexico, and were as thorough Americans and as willing to stand or fall by our Government, whatever it did during the war, as any Americans alive. They are friendly to Mexicans, and are respected and honored by them, and such belief in intervention as they have is solely with the idea of helping Mexico rather than helping themselves. That attitude of believing in the value of intervention for Mexico herself is, I believe, almost universal in the minds of Americans in Mexico. There are men whose business would be entirely ruined by American occupation, but these men, because they believe in Mexico and believe in the value of American influence in Mexico, nevertheless believe that American aid will truly solve her problems.

Mr. KEARFUL. We sometimes hear statements from a few Americans in Mexico to the effect that the Mexican problem is in fair process of being solved by the Carranza government, and that there is no need for outside help. Have you heard of such Americans?

Mr. THOMPSON. I have heard of them, and I have talked with them in this country.

Mr. KEARFUL. Do you know the reason for that attitude?

Mr. THOMPSON. I believe that wherever that attitude appears it is purely from a selfish viewpoint. These men are making money and are comfortable under the Carranza régime, because, as I stated early in my testimony, they have learned how to "handle" the Carrancistas, and they are making money and getting prominence out of it.

Mr. KEARFUL. How do they handle the Carrancistas?

Mr. THOMPSON. They handle them, as I stated above, very largely by bribery, I believe, and by friendships, which they have established with the men who, two or three years ago, they regarded and called in private cut-throats, bandits, and assassins. I believe that any American who, at the present time, is in favor of Carranza is speaking in the interest of his own personal profit, either directly or indirectly, and no American who knows Mexico thoroughly to-day or who knew it in the past, can believe that the present government can or will solve the Mexican problem.

Mr. KEARFUL. As a matter of general interest, what can you say about the operation in Mexico of the Enemy Trading List that was made up by our War Trade Board during the war with Germany?

Mr. THOMPSON. That was naturally a subject which had to do with most of my official work when I was in the consulate at Monterrey. Without going into any great detail, I may state that the Enemy Trading List, as applied to Mexico, was supposedly directed against German firms or anti-American Mexicans, the idea being

in Mexico, as all over the world, to prevent the Germans from gaining prestige and trade advantage which might, during the war, or afterwards, redound to the advantage of the enemies of the Allies. In Monterrey, however, and I believe in all of Latin America, from what I have been able to hear, the Enemy Trading List had almost the opposite effect, especially in sections close to the border, where the complicated operations and application of the "black list" made it almost impossible for anyone who wished to deal honestly with the regulations of the War Trade Board to get any goods. The Germans in Monterrey, for instance, knew of the "black list" almost immediately upon its preparation in Washington in October, 1917. The black list did not go into effect until December, so that in the two months previous to its operation the Germans imported tremendous quantities of all sorts of goods across our border to replenish their stocks. During the war they used either their own influence with the Mexicans or the knowledge of the black list they had obtained for the replenishment of their stocks steadily.

The result was that profiteering was rampant, and that the Mexicans as well as the foreigners of Monterrey paid tremendous prices for all drugs and hardware (the lines in which the Germans predominated), and that through that profiteering the Germans gained capital and a hold on the trade of Mexico which it will be almost impossible to break in years to come. The friendly foreigners and Mexican concerns did import some goods, but this was always subject to great delays and expensive losses. In the drug business, for instance, there were practically no firms except the Germans, who had large stocks, and in case of sickness, and especially during the influenza epidemic, the foreigners were forced to go to the German drug stores to get drugs and supplies. I have known personally of dozens of patriotic Americans who went to the back doors of German drug stores at night, in order to get a prescription filled, and to conceal their identity from critical persons. The same thing applied in the hardware business, and the stocks of American goods which the Germans had always handled, because American goods were always more popular with the Mexicans, were steadily replenished and the windows of these stores always carried fresh American goods at most astonishingly high prices. During the war the Black List was revised from time to time, and all Mexicans were always anxious to conciliate those in charge of the permits for importation of goods; but the ultimate result was never good, and the psychological attitude of the Mexicans toward Americans and American merchandise in Monterrey has suffered extremely through the operation of the Black List.

Mr. KEARFUL. Did you know of an individual who called himself Dr. Atl?

Mr. THOMPSON. Yes; I knew Dr. Atl personally in Paris in 1913, but I have not seen him since.

Mr. KEARFUL. What is his real name?

Mr. THOMPSON. Gerardo Murillo.

Mr. KEARFUL. What was his connection with the Carranza revolution?

Mr. THOMPSON. He was in Paris during the Carranza revolution, posing as an artist, but actually the head of the Constitutionalist "junta" in Paris. It is said that he was personally responsible

for the failure of the loan which Huerta tried to float in Europe in 1913. Carranza had announced that when he got to Mexico City he would repudiate that loan, and Dr. Atl, as the representative of the Constitutionalists in Paris, went to various members of the Paris Bourse, and finally got publicity in a prominent Paris newspaper of that report, and the immediate result was that the French bankers decided that they would not underwrite the Huerta loan. Dr. Atl later returned to Mexico and was made director of the National Academy of Fine Arts. He has always been known as a prominent Carrancista, and has always been classified as one of the so-called Bolshevists. He was, I believe, in this country, in the early part of this year and was among those deported as an undesirable citizen under the espionage act, along with the Russians, Emma Goldman, etc.

Mr. KEARFUL. Have you in your possession a letter written by Dr. Atl to a representative of Carranza in the United States from Paris?

Mr. THOMPSON. Such a letter came into my possession about four months ago and interested me considerably, as it was written when I was seeing Dr. Atl in Paris and when, as I say, I knew him only as an artist.

Mr. KEARFUL. Do you also have a translation of that letter?

Mr. THOMPSON. I have a translation of that letter.

Mr. KEARFUL. Do you object to placing it in the record?

Mr. THOMPSON. No, sir.

Mr. KEARFUL. The letter will be inserted as follows, the name of the person to whom the letter is addressed being omitted:

3 BIS BAGREUX STREET, PARIS,
CONSTITUTIONALIST JUNTA OF MEXICO,
Paris.

MY BELOVED: Your letter has been extremely gratifying to me because it brings me news of you and because I see you are battling for the revolution—for the eternal revolution, savior of the world. All my energies are for the revolution in Mexico, which I thus define:

Land and liberty.

Land and liberty for all.

The appointment by Citizen Carranza in selecting you seems to me very appropriate, and both of us—you and I—can be very useful if we get together in active interchange of ideas and documents. On my part I offer you our periodical now and hereafter; if you wish to make a serious study of Mexican affairs, I will publish it for you in some one of the most important reviews of Paris. In all the press I have good friends and we can make—we are making—an intelligent campaign in favor of Mexico.

When you have any interesting information and can send it by telegraph it will be very useful to us.

I translate the clippings you send. Once they are used, I shall return them to you.

At this very moment, in the Chamber of Deputies, an interpellation is being made on the loan. The minister of finance will not allow the bonds of the loan to be quoted on the exchange, and will not permit any operation to be officially made on said loan.

This, as you see, is decisive and constitutes a triumph, which is due to Diaz Lombardo, Alvares Rul, and Lizardi.

The recognition of the belligerency of the revolutionaries would be desirable, for, as you say, the revolution would take an enormous impulse. Money and arms are what are lacking. Indeed, I believe so. If you could see the poverty through which we are passing here. Fortunately, I am better trained to get along as a buffoon than all the fakirs of the Ganges.

One here is entirely up to date as to the events that are transpiring in Mexico and as to the attitude of the United States.

I am very glad to deliver your good wishes to the committee in Paris, and I am happier still to shake your hand most fraternally.

And to read something worth while from you as soon as possible.

I call myself Atl and not Murillo.

PARIS, *July 31, 1913.*

Mr. KEARFUL. In this letter Dr. Atl makes use of the slogan, more or less familiarly known in Mexico among the radical class of revolutionists, namely, "Land and liberty." What do you understand to be intended by that class when they use the slogan, "Land and liberty"?

Mr. THOMPSON. That phrase, apparently, interpreted in Mexico, both in the explanations by the orators and radical type and also by its operation, to mean land without payment, and the liberty to take what you want.

Mr. KEARFUL. Do you mean the land that belongs to others should be taken and divided among the revolutionists, without payment, and the liberty of those who have not to take from those who have, without payment?

Mr. THOMPSON. These were certainly the promises which were made by the revolutionists to the Mexican people, and that promise was expressed by that slogan of "Land and Liberty."

Mr. KEARFUL. What has been your observation as to the carrying out of that slogan, according to that definition, as evidenced by the acts of the Carranza revolutionists?

Mr. THOMPSON. My observation has been that the land has been taken from those who had it and has been given to those who had not, but the favored section of the "have nots" has been the Carranza officials and generals, who I learned have obtained possession of many of the finest landed properties in Mexico, which they are operating for their own profit. In many cases they have had, as farm labor, soldiers of the army, the laborers being the same type of Mexicans to whom the promise of free land was held out. The only thing free, one might say, being the permission to labor upon these haciendas for the meager pay of a Mexican private soldier.

Mr. KEARFUL. Does that apply to the farms that have been bought and developed and built up as homes by American colonists in Mexico?

Mr. THOMPSON. I am so informed that that is the case in such sections as Tampico, but I have no personal knowledge of that.

Mr. KEARFUL. What do you understand to be meant by Dr. Atl, when he speaks in his letter of "the Eternal Revolution, savior of the world"?

Mr. THOMPSON. Dr. Atl is a radical, by his own statement and by his association with radicals in this country and in Europe and in Mexico. That letter was written, I believe, in 1913, and his identification of the Mexican revolution with the Eternal Revolution means, I believe, that he considers the Mexican revolution as a phase of the world revolution advocated by Lenin and Trotski.

Mr. KEARFUL. It was on account of sentiments such as those that he was deported from this country as an undesirable alien?

Mr. THOMPSON. So I understand.

Mr. KEARFUL. Did you know a Mexican lawyer named Jorge Vera Estañol?

Mr. THOMPSON. I knew Mr. Vera Estañol slightly in Mexico, and I understand he is now living in Los Angeles. He was a man of great prominence as an educator and as a student of Mexican affairs. He was connected with the educational plans of Gen. Diaz, and was, I believe, minister of education under Madero.

Mr. KEARFUL. Was he recognized as a man of integrity and high standing in Mexico?

Mr. THOMPSON. I do not believe that any Mexican will deny that he ranked with the best of the intellectuals.

Mr. KEARFUL. Have you a letter written by him, expressing his opinion upon the Carranza régime?

Mr. THOMPSON. I have a copy of a letter which he wrote to a Mexican publication in the United States, speaking of the new constitution.

Mr. KEARFUL. Will you submit that for the record?

Mr. THOMPSON. Yes, sir.

Mr. KEARFUL. That may go into the record, as follows:

In one place it (the 1917 constitution) recognizes the existence of individual property and thus does not place all lands at the service of the community; and in another place all lands are declared potentially socializable, which depreciates their value, makes difficult any opportunities for operations which actually divide and subdivide it, and impedes the investment of capital in its development; a condition indispensable to its being cut up to small parcels, and agriculture remains stationary. When the most sanguine hope consists, in the case of expropriation, in receiving a paper depreciated 25 to 30 per cent below normal, of the nominal value of the property, it is not human to hope that the owner will put into it either work or protection or money. Thus, the régime is neither properly individualistic, because it does not contain serious guaranties of the private patrimony, nor is it communistic, because it does not place the real estate at the service of the community. It is essentially a régime of institutional despotism, since, under the guise of a constitutional system, it dedicates the program of thefts and robberies which have been carried out by the armed citizenry during the revolutionary period. And the "armed citizenry" (who are now called "public functionaries") have interpreted admirably the spirit of the political cabal.

Mr. KEARFUL. During the time you were in Mexico doing literary work, and acting as the vice consul at Monterrey, and since you left Mexico, have you been a student of Mexican history and of the Mexican problem as it now exists?

Mr. THOMPSON. I have devoted considerable attention to the Mexican problem in many of its phases, more particularly the social.

Mr. KEARFUL. Have you formed a definite opinion that you care to state in regard to what you think ought to be done to solve the Mexican problem?

Mr. THOMPSON. During my residence in Mexico in the time of Gen. Diaz I always felt that Mexico should and must be an independent country, and that the Mexicans were perfectly capable of solving their own problems, perhaps because there was at the time a growing influence of American ideas, political and economic, which were filtering into the consciousness of the Mexican people and into their conception of governmental and social rights. I left Mexico in 1910, somewhat previous to the revolution of Madero, and during the time of my residence in this country and abroad and up to my return to Monterrey in 1918 I was opposed to intervention as a solution of the Mexican problem. I did not believe that it would do the work, and when I returned to Mexico as vice consul at Monterrey I carried that idea with me.

My experience in Monterrey led to a change in my ideas, and I then realized that intervention was a solution of the Mexican problem from the Mexican viewpoint. I remain convinced, however, that from our own viewpoint as Americans it was decidedly subject to serious doubts, first, because I did not believe that our people wished intervention in Mexico or to send an army there, and secondly, because I feared that an Amercan occupation of Mexico would create a feeling against Americans which it might take years to eradicate. The Mexicans, however, with whom I talked in Monterrey convinced me that if occupation by the United States would have the form in which we occupied Cuba, that that danger of unfriendliness toward our people could very safely be discounted. I certainly think that intervention in Mexico would be a partial solution of the Mexican problem, particularly if such intervention is handled by men of the type whom we sent to Cuba and the Philippines, and there is no reason to believe that such men will not be available.

The only real objection to American intervention in Mexico is the cost in money and blood to this country, but a study of the Mexican problem from the United States in the recent months has convinced me that Mexico in her present state is a menace to our peace and to the solution of our own problem. As the situation is now developing, I believe we are very likely to be forced into intervention in Mexico by some such diplomatic impasse as forced us into the war in Europe, long after our entrance would have saved the situation at relatively little cost and without the after effects which have come from the long continuance of the European War. I believe now that if we had had a firm policy toward Mexico from 1910 on, as we had had a firm policy toward Diaz, that the Mexican problem would not now loom as an American problem. The only question in my mind regarding the manner of intervention is whether, if we prepare ourselves to go into Mexico, that very preparation would not settle Mexican affairs. The influence which the United States must exert in Mexico is moral, and if the time has passed when moral influence can be exerted in Mexico without physical force, then the time has come when we must use that physical force, but I am far from convinced that the moral stand might not even now do the work without war.

I may say that is my opinion, as the result of my observation of the Mexican situation and of the American attitude toward Mexico, that though we have almost lost the chance of impressing Mexico with the necessity of its being a civilized community, without our actually civilizing it, I still cling fondly to the hope that firmness may some day be tried before it is forced on us.

There will be an election in Mexico in July, and I am told by parties close to the administration that the White House is waiting upon the result of that election. Whether the election satisfies the White House or not, I fear that the apparent ignorance of the White House of actual conditions may lead to its support of a man even less desirable than Carranza. If the election means the beginning of a truly new régime in Mexico, I believe that we would not intervene, but if it has only the semblance of a new régime we will, in my opinion, drift rapidly toward intervention.

Mr. KEARFUL. What kind of a new régime do you refer to?

Mr. THOMPSON. I refer to a régime which will be dominated more by the eternal logic of political economy as personified in intelligent Mexicans than by the peculiarly Mexican dogmatic conception personified by the radicals now in control.

Mr. KEARFUL. Do you mean that element which is represented by the intellectual class now exiled from Mexico?

Mr. THOMPSON. I believe that the Mexican problem will be solved only by the cooperation of that class. I have given some attention to the social, and particularly the racial phase of Mexican history and politics, and I believe that it is true that to-day there are fewer men of European culture and race in Mexico than at any time since the Spaniards were driven out in 1821, or a brief period during the revolution previous to Diaz, when there was a similar exile of the higher type of Mexicans to this country. Diaz brought those men back to help him solve his problems, and it was through their aid, and chiefly through their aid, that he was able to build up a modern State in Mexico. Whatever is the outcome of the Mexican election, or the outcome of the American intervention which may be forced as the result of that election, these men who to-day are living in penury in the United States must be taken back to Mexico and must become an integral part of the Mexican Government.

Mr. KEARFUL. These men are living not only in the United States, but in other parts of the world, are they not?

Mr. THOMPSON. They are.

Mr. KEARFUL. Is there anything further, Mr. Thompson, you care to state that you have not already covered?

Mr. THOMPSON. No.

(Witness excused.)

(Thereupon at 12.30 o'clock p. m. the committee adjourned.)

WEDNESDAY, MARCH 24, 1920.

UNITED STATES SENATE,
SUBCOMMITTEE OF THE COMMITTEE ON FOREIGN RELATIONS,
Washington, D. C.

Testimony taken at Washington, D. C., March 24, 1820, by Francis J. Kearful, Esq., in pursuance of an order of the Subcommittee of the Committee on Foreign Relations of the Senate.

TESTIMONY OF WILEY KING.

(The witness was sworn by Mr. Kearful.)

Mr. KEARFUL. You may state your full name.

Mr. KING. Wiley King.

Mr. KEARFUL. Where do you live?

Mr. KING. I live near Chickasha, Okla.; my address is Chickasha.

Mr. KEARFUL. Are you an American citizen?

Mr. KING. Yes, sir.

Mr. KEARFUL. Where were you born?

Mr. KING. State of Missouri.

Mr. KEARFUL. How long were you in Mexico?

Mr. KING. I don't know whether I can remember the exact time or not. I think I went there in November, 1903, in the fall of 1903, and I left there in October, 1917.

Mr. KEARFUL. What was your business in Mexico?

Mr. KING. Farming and stock raising.

Mr. KEARFUL. At what place?

Mr. KING. At the Atascador hacienda, in the State of Vera Cruz, district of Valles.

Mr. KEARFUL. How far is that place from Tampico?

Mr. KING. How far is it from Tampico?

Mr. KEARFUL. Yes.

Mr. KING. Some 65 miles, I believe, is the distance.

Mr. KEARFUL. Was this place called Atascador a colony of Americans?

Mr. KING. Yes, sir.

Mr. KEARFUL. About how many Americans were located there?

Mr. KING. I never did know exactly. There were something in the neighborhood of a little over 100, I think, families and single persons together.

Mr. KEARFUL. Was their business the same as yours?

Mr. KING. Yes, sir.

Mr. KEARFUL. How many acres of ground did you have?

Mr. KING. Four hundred and twenty-five.

Mr. KEARFUL. How did you get it?

Mr. KING. I purchased it from a New York company, E. H. Campbell & Co. At the time he had a business enterprise in Tampico, grading and building sewer systems in Tampico, grading streets, etc.

Mr. KEARFUL. Did these American families that you speak of own small tracts similar to yours?

Mr. KING. Some owned less and some owned a good deal more; some of them owned as much as I did and some went up as high as 5,000 acres.

Mr. KEARFUL. How much did you have in cultivation?

Mr. KING. About 100 acres.

Mr. KEARFUL. What improvements did you have?

Mr. KING. I had it all fenced and cross fenced into three different fields and in pasture. I had a house, a barn, and a well, and a windmill, and such like as that on the place.

Mr. KEARFUL. Workshop?

Mr. KING. Yes, sir.

Mr. KEARFUL. Farming implements?

Mr. KING. Yes, sir; and cattle.

Mr. KEARFUL. Did you raise cattle?

Mr. KING. Yes, sir; I raised cattle.

Mr. KEARFUL. What agricultural products did you raise?

Mr. KING. I raised beans and corn, principally.

Mr. KEARFUL. What sort of a country was that place when you and your neighbors went there?

Mr. KING. Well, it had been a large stock ranch. There was 192,000 acres in the ranch. It had been purchased by this New York company, E. H. Campbell & Co., and was held by them without any Americans at all on it, or anybody, except probably a family or two of Mexicans.

Mr. KEARFUL. Had it been improved in any way?

Mr. KING. No, sir; it was not improved, except just a few ranch houses where they stayed to herd cattle.

Mr. KEARFUL. Did the colonists have a school?

Mr. KING. Yes, sir.

Mr. KEARFUL. Did they maintain it themselves?

Mr. KING. They maintained the school themselves.

Mr. KEARFUL. Without any aid from the Mexicans?

Mr. KING. We never got any aid whatever from the Mexican authorities for the school.

Mr. KEARFUL. How did you happen to go to Mexico?

Mr. KING. There were some solicitors in Chickasha who had gone down there and gone onto that tract of land, and got up a contract with Campbell to purchase and colonize it, and they got to advertising it and I went down then.

Mr. KEARFUL. You went down to look at it?

Mr. KING. Yes, sir.

Mr. KEARFUL. And found there was a good opportunity there?

Mr. KING. Yes, sir.

Mr. KEARFUL. For a home?

Mr. KING. For a home.

Mr. KEARFUL. How did you find conditions at the time you went there, as to security for life and property?

Mr. KING. Well, it proved to be good up to the revolution.

Mr. KEARFUL. When did your first troubles begin?

Mr. KING. Our first troubles begun, I think, it was when—the real troubles, there might have been some minor troubles—when the Americans entered Vera Cruz.

Mr. KEARFUL. What kind of people were these colonists?

Mr. KING. They were the farming class of people, very honest, and enterprising, as a rule.

Mr. KEARFUL. People of good character?

Mr. KING. Yes, sir.

Mr. KEARFUL. Did they own their places?

Mr. KING. They owned their places.

Mr. KEARFUL. Did they pay their taxes and their debts, and abide by the laws of the country?

Mr. KING. Yes, sir.

Mr. KEARFUL. How did the inhabitants of that settlement compare with the inhabitants of agricultural settlements in this country?

Mr. KING. I think, speaking of my own country in Oklahoma, they compared a little above. They all owned their own property, and they were independent from one another.

Mr. KEARFUL. How were you treated by the Mexicans when you went there, and for some years afterward?

Mr. KING. We were treated well. There was one man, Mr. Pablo Rodriquez, had a large ranch right adjoining us, and he instructed his people to be good to us, the people he had working for him on his ranch, and they all treated us pretty well. That was the ranch right close to us.

Mr. KEARFUL. How did the Americans treat the Mexicans?

Mr. KING. They treated them very nicely, as far as I ever heard. I never heard of any abuses at all.

Mr. KEARFUL. Were they always friendly and on good terms with the Mexicans?

Mr. KING. Yes, sir.

Mr. KEARFUL. You say your first troubles began about the time of the landing of the American forces in Vera Cruz? Were there any outrages committed prior to that time?

Mr. KING. Now, I believe there were. I believe the outrages committed on the Gourd tract were before that time.

Mr. KEARFUL. Will you explain what that was?

Mr. KING. Well, they roped Mr. Gourd, and threw the rope over a mesquite tree and held him up, while some of the others committed outrages on the girls.

Mr. KEARFUL. Was he a member of the Atascador Colony?

Mr. KING. Yes, sir; adjoining my farm.

Mr. KEARFUL. What efforts were made to capture the perpetrators of that outrage?

Mr. KING. Mr. Gourd and the two girls came to my house immediately after that happened, that night, and came and told me what had happened, and I remarked, "My God." I sent my boys and a Mexican to Coco after the Huerta soldiers.

Mr. KEARFUL. Did the soldiers come?

Mr. KING. No, sir; they said they didn't have any orders to leave the station, and couldn't come without orders.

Mr. KEARFUL. Were the men who committed that outrage afterwards caught?

Mr. KING. Yes, sir; those same soldiers, through the efforts of the governor and the American consul, kept making inquiries, and they wanted me to name the ones we thought had committed the outrage. I named the Javala family and one other Mexican, I forget his name, and told the boys to tell that captain at Coco to arrest those fellows and make them talk, and I thought they would get the facts in the case. They did so, and they succeeded in capturing 9 men.

Mr. KEARFUL. What did they do with them?

Mr. KING. It was reported they had executed 8 out of the 9.

Mr. KEARFUL. That was in the time of Huerta was it?

Mr. KING. Yes, sir.

Mr. KEARFUL. Do you know of any perpetrators of outrages being captured and executed after the Carranza officers got into control?

Mr. KING. I never heard of one.

Mr. KEARFUL. What happened at the time of the landing of the American forces at Vera Cruz?

Mr. KING. Well, at the landing of the American forces at Vera Cruz we had to go into the jungle. We were ordered out. We didn't know very much what had happened, but after we got out we learned there had been a bunch of Huertistas come out to kill us, and they did quite a bit of robbing of the American people there on the ranches, who were there.

Mr. KEARFUL. You say you did not leave the country?

Mr. KING. No, sir; I did not leave the country; I went into the jungle and built a camp there.

Mr. KEARFUL. How long did you stay at the camp?

Mr. KING. If my memory serves me right, it was 22 days.

Mr. KEARFUL. Did the other colonists leave the colony and go into the jungle?

Mr. KING. A few of the Chimal people went into the jungle, and I think also at San Dieguito, but the most of the American people had all left the colony at that time. They were ordered out before that. They left at the time of the entry into Vera Cruz.

Mr. KEARFUL. By whom were they ordered out?

Mr. KING. They were ordered out, I believe, by Mr. Wilson at that time.

Mr. KEARFUL. By the American authorities?

Mr. KING. Yes, sir; by the American authorities.

Mr. KEARFUL. What was the reason you and your associates did not obey that order and leave the country?

Mr. KING. What we had was there in Mexico, and we realized if we left it that we would be broke up, you know, and not have anything.

Mr. KEARFUL. What was the treatment that you received from your Mexican friends in the locality?

Mr. KING. Well, they were friendly. Our friends there in the locality remained friendly all through, were friendly when I left.

Mr. KEARFUL. Did they offer to give you protection in case of any trouble that happened?

Mr. KING. I did not receive any protection from them.

Mr. KEARFUL. And after 22 days you went back to the farm?

Mr. KING. Yes, sir.

Mr. KEARFUL. What did you find had happened while you were gone?

Mr. KING. I found they had destroyed a lot of goods left in the house, and had taken away quite a bit of it. They had taken, I presume, something like 75 fanegas of corn, and about 40 fanegas of beans. They had killed at that time nine head of fat hogs and had taken them away, and all my chickens—about 125 hens, I would say—and killed, I believe it was, two head of cattle.

Mr. KEARFUL. Was the place generally looted or not?

Mr. KING. Yes, sir. My place and Mr. Horndike's was right where the road entered the ranch from the station at Coco, and that is where the Huerta soldiers were stationed at that time, and they had come out most every day and carried off some things, you know, from my place and Mr. Horndike's, and visited other places, other parts of the ranch, but not so much, because we were the closest.

Mr. KEARFUL. They took the things that were most convenient?

Mr. KING. Yes, sir; and most necessary for their use.

Mr. KEARFUL. Did you apply to the Huerta authorities for protection?

Mr. KING. No, sir. We was afraid of the Huerta authorities at that time. We didn't go about them at all.

Mr. KEARFUL. What happened then subsequently, after your return to your place?

Mr. KING. Well, as I remember, we had a reign of quiet then for a while. After the Huertistas departed the Carrancistas seemed to take control, and we had a little ease for a while, and they treated us very well then.

Mr. KEARFUL. When did your next troubles begin?

Mr. KING. Those are hard dates for me to remember, just when certain things happened.

Mr. KEARFUL. With reference to some event. Do you remember when the Pershing expedition occurred in 1916?

Mr. KING. Yes, sir. We had to go to the jungle again when the Pershing expedition occurred.

Mr. KEARFUL. Were you ordered out again by the American authorities?

Mr. KING. Yes, sir; we were ordered out again by the American consul, but received the notification a little late, but we went to the jungle again. We lost property again at that time, but we didn't have so much to lose then.

Mr. KEARFUL. Did you return to the farm again?

Mr. KING. After about 28 days.

Mr. KEARFUL. What happened from then on?

Mr. KING. Well, that was just the beginning like of these murders, after we came back this time, but I can't give the dates. I believe the first was when the Villistas came into the country after that. They came in after the Carranza soldiers at the time they held the siege of Ebano.

Mr. KEARFUL. That was before the Pershing expedition, was it not?

Mr. KING. Yes, sir; that was before the Pershing expedition. I have got that a little tangled. That was before the Pershing expedition.

Mr. KEARFUL. That would be in 1915?

Mr. KING. Yes, sir. However, at the siege of Ebano there were two families, Mr. Bird and Mr. Sigler, who had gone to robbing the Americans and some of the Mexicans, taking some of the Mexican property. Those Huertistas got a report some way, and they came in and robbed a few Americans; among the Americans a man named Lincoln Weder, one that was later killed.

Mr. KEARFUL. You say the Huertistas did that?

Mr. KING. No, sir; the Villistas. They took Mr. Dunheim and Mr. Limerfall, two Germans, Mr. Morehead and my boy, and took them over to another place there. Then they made a dash on Mr. Bird's place, and went in and carried him away and killed him the next day; killed him without trial. They had notified the Americans to appear, but when they got there they had already executed Bird.

Mr. KEARFUL. Was there any stealing of cattle at that time by Mexicans?

Mr. KING. No, sir; I don't think the Mexicans had ever begun to take any cattle from the ranches at that time.

Mr. KEARFUL. Were there any cattle stolen after that by the Mexicans?

Mr. KING. Yes, sir. That is when the cattle stealing began, after that occurred.

Mr. KEARFUL. After the Carrancistas came into control?

Mr. KING. After the Carrancistas took control. They had a general staff at the place about 14 miles below on the river. They got to stealing cattle and taking them down there, and they would sell them to Manuel Lerdo. There were three of those people. There was Manuel Lerdo and Napolea Lerdo, brothers, and Pedro Cenobia; he was their brother-in-law. They got the stuff that was being taken down from the American colony there.

Mr. KEARFUL. You say these were Carranza officers?

Mr. KING. There was a Carranza general, and a colonel and a major. The first two named was the general and colonel, and the last named was a major.

Mr. KEARFUL. As I understood you, these Carranza military officers were buying cattle that were stolen from the colonists?

Mr. KING. Yes, sir.

Mr. KEARFUL. Was any effort made by the colonists to get their cattle back or to prevent their being stolen?

Mr. KING. Lincoln Weder went down, after we had heard reports that they were stealing the cattle from some other Mexican peons there, Lincoln Weder went down to investigate, and found some of the cattle there in the corral, and he protested against it, and he came back home. They told him they would pay something for it, but I don't think they ever did. He came back home, and that night there were some parties went down, but they failed to catch them. The report followed then that the next Americans that came there and raised a disturbance probably would fail to ever get home.

Mr. KEARFUL. Did Weder go back?

Mr. KING. That information came out a few days after I left Mexico. A few days after I came out Weder went back down there

to protest again against the stealing, and they followed him out and killed him before he got home. That is when he was killed. That is according to the information from my youngest son, and was reported to be on the 24th of October, two years ago last October.

Mr. KEARFUL. 1917?

Mr. KING. 1917.

Mr. KEARFUL. What live stock was taken from your place?

Mr. KING. I lost horses and mules and cattle and hogs, and we lost a lot of poultry.

Mr. KEARFUL. About how many cattle did you lose?

Mr. KING. About 25 head.

Mr. KEARFUL. And about how many horses and mules?

Mr. KING. About the same, 25 head, something near that.

Mr. KEARFUL. Did you ascertain who the parties were who took the stock?

Mr. KING. The first that we lost was during Gen. Aguilar's term. They took two horses and dragged my son from one of the horses and punched him in the back with a gun, after he told them he would go with them to the general and get the stock back. They dragged him from the horse and punched him in the back with a gun, and sent him back home, and took the horses on. The next property we lost, that we knew who got the stuff, was a bunch of five Pelaez men that went through the country. They got seven head of horses and mules. The next bunch they got was just after I came out, they got five head more, supposed to be Carrancistas. We got one mule back after that. That was some of the Carranza faction.

Mr. KEARFUL. Did you get any protection from the Carranza general against that stealing?

Mr. KING. Not a bit in the world. He seemed to be trying to get the stuff out, and would give a little for it to those men that would bring it in.

Mr. KEARFUL. Do you think the Carranza generals were in collusion with the bandits?

Mr. KING. I think so, from what one Mexican that bore down on us with a gun as we came out—from what he said. He said that he was afraid of the Americans. I told him he needn't be afraid of the Americans; that they had not harmed anybody and would not harm them. He said he was afraid of them, and told the officers at this town down on the river that he was afraid of them, and he said the officer told him, "Can't you protect yourself? Haven't you got a gun?" At that time they had two Winchesters, and one man had a rope down, as though he intended to rope us.

Mr. KEARFUL. These were bandits, were they?

Mr. KING. Yes, sir.

Mr. KEARFUL. And they told you about that conversation they had with the Carranza general?

Mr. KING. Yes, sir. These were the same parties that had been stealing the cattle.

Mr. KEARFUL. And these cattle were turned over to the Carranza general?

Mr. KING. Yes, sir; turned over to these three officers.

Mr. KEARFUL. Were there any Germans located in that particular place?

Mr. KING. There was just two German families there.

Mr. KEARFUL. How were they treated?

Mr. KING. They were treated very nicely.

Mr. KEARFUL. They were not robbed or run out of the country?

Mr. KING. I never heard of their ever being robbed of one cent, and they were there when we left.

Mr. KEARFUL. They are still there, as far as you know?

Mr. KING. Yes, sir.

Mr. KEARFUL. What became of the American citizens who were members of that colony?

Mr. KING. They are scattered throughout the States, where their former homes were.

Mr. KEARFUL. None of them are there now?

Mr. KING. None of them are there at all on the ranch. I think there are a few in the district of Tampico in the oil fields.

Mr. KEARFUL. Working in the oil fields?

Mr. KING. Yes, sir.

Mr. KEARFUL. Did many of these people have all they had in the world on these places?

Mr. KING. Yes, sir; I think so.

Mr. KEARFUL. Was that the rule?

Mr. KING. As far as I could see, all the people that were there on the ranch had all their effects generally with them.

Mr. KEARFUL. What protection was ever given to any of these American citizens by the American Government?

Mr. KING. The only protection they ever got, any of them, was the American Government did help some of them to leave the country. They had to go away and leave their property, and many of them that had considerable means sometimes didn't have much money on hand, and they didn't have time to sell or dispose of anything to get money. They had to get out and go.

Mr. KEARFUL. Do you know whether any of them ever made any complaint to Washington authorities about the way they had been treated in Mexico?

Mr. KING. There were no protests made only through the American consul. I suppose he made protests against the way the Americans were treated.

Mr. KEARFUL. Who was the American consul at that time?

Mr. KING. Clarence A. Miller.

Mr. KEARFUL. What did he say to you about affording protection?

Mr. KING. Well, he didn't advise anything, only to make a list of it and turn it into the Secretary of State, I believe it was, at Washington, D. C.

Mr. KEARFUL. Was that done?

Mr. KING. By a good many. I never turned in a list, from the fact that we were losing right along, and I was advised by this last consul——

Mr. KEARFUL. Dawson?

Mr. KING. Yes, sir; Dawson. I was advised to wait until later and then turn in the list altogether when we had seen what we had lost.

Mr. KEARFUL. What advice did you receive from the American consul as to what you should do at any time?

Mr. KING. I didn't receive any.

Mr. KEARFUL. He did advise you to get out of the country, did he not?

Mr. KING. Oh, yes; we were notitfied to leave the country.

Mr. KEARFUL. Did you or any of your neighbors have any concessions that gave you special privileges over anybody else?

Mr. KING. No, sir.

Mr. KEARFUL. You bought your land and paid for it?

Mr. KING. Yes, sir.

Mr. KEARFUL. And got your title?

Mr. KING. Yes, sir.

Mr. KEARFUL. And paid your taxes?

Mr. KING. Yes, sir.

Mr. KEARFUL. You were not engaged in exploiting the Mexican peons, were you?

Mr. KING. No, sir; we weren't employed by any of the Mexicans. We employed the peons; we worked them.

Mr. KEARFUL. Was that beneficial to them, or otherwise?

Mr. KING. Sure it was. It was their only way of subsisting, to get work from some one.

Mr. KEARFUL. What effect did the American enterprises have on their condition?

Mr. KING. It seemed to have a wonderful effect. It got them to wearing good clothes and good shoes and good American hats, in many instances; not altogether, but in many instances.

Mr. KEARFUL. Did they have a feeling of gratitude toward the Americans?

Mr. KING. Yes, sir. I had one Mexican that worked for me about six years. He often told me how he used to have to work for very small wages, and how he had to live, and said if I ever came back to the United States he was going to come with me.

Mr. KEARFUL. Was that illustrative of the improvement of the Mexicans generally, on account of American enterprises?

Mr. KING. I think so. I think the Mexicans that were employed by the Americans were generally satisfied.

Mr. KEARFUL. What kind of people were these Mexican workmen generally? Were they quarrelsome and hard to get along with or not?

Mr. KING. No, sir; not in their natural moods, they were not.

Mr. KEARFUL. Were they peaceful and industrious?

Mr. KING. Very peaceful and industrious; yes; fairly industrious, when they were hired to work. They were an inoffensive kind of people. That is, the under class, you know.

Mr. KEARFUL. Were they impulsive and easily aroused to action?

Mr. KING. We didn't have any trouble along that line. We never had any trouble with the men we were working with. We never had any trouble in getting along with them.

Mr. KEARFUL. Were these people that worked for you revolutionists?

Mr. KING. No; we didn't have anything to do with the revolutionist faction in the way of labor.

Mr. KEARFUL. Where did they come from?

Mr. KING. They were a class that were picked up through the country. Perhaps some were a class of laborers, you know, that had been

laboring, maybe some of them for American people. When the Carrancistas were at my place one time some of them said they had worked for the Americans. They never gave us any trouble then; those fellows didn't.

Mr. KEARFUL. Those that worked for the Americans thought well of the Americans, did they?

Mr. KING. They thought well of the Americans.

Mr. KEARFUL. Where did the leaders of the revolution come from?

Mr. KING. I would say the leaders came from the middle or upper class, mostly.

Mr. KEARFUL. What part of the country did they come from?

Mr. KING. They generally came from the cities; people who were educated a little bit.

Mr. KEARFUL. Did they come from the north of Mexico?

Mr. KING. No; they come from anywhere in Mexico.

Mr. KEARFUL. What information have you as to murders of Americans in that locality, besides the ones you have mentioned?

Mr. KING. Besides the ones I have mentioned here this morning?

Mr. KEARFUL. Yes.

Mr. KING. There was Weder, that they followed out and killed; and there was L. A. Dunn, that was killed down near Tampico.

Mr. KEARFUL. What do you know about the killing of L. A. Dunn?

Mr. KING. I don't know anything about it, only what I have heard, that he was a bookkeeper for the Mexican Gulf Oil Co., and they had a pay roll of $10,000, and those bandits came in there and robbed them, and then some one in the camp blew a whistle, and they turned on the Americans then and killed some of them. My information is they killed Dunn and three others, and one Mexican.

Mr. KEARFUL. From whom did you get that report?

Mr. KING. The report came from my son, who was at that time in Tampico.

Mr. KEARFUL. Your son was there at the time?

Mr. KING. He was in Tampico at the time. He saw Mr. Dunn before he died.

Mr. KEARFUL. What other murders do you know about?

Mr. KING. The Franklin murder, I just heard a report of that. Franklin was one of my neighbors.

Mr. KEARFUL. Was Dunn also one of your neighbors?

Mr. KING. Yes, sir; the Dunn family lived in three miles of me; mighty nice people. There was another killing that I heard of. There was one man named Pilgrim that was waylaid and killed at Chimal. I have no details other than that he was waylaid and killed there.

Mr. KEARFUL. Was that another American colonist?

Mr. KING. Yes, sir.

Mr. KEARFUL. In that same vicinity?

Mr. KING. Some 75 miles from ours.

Mr. KEARFUL. Do you know what has happened to the Chimal colony?

Mr. KING. Pretty much. I saw some of the Chimal people quite often. They went out on the first order. They have pretty much left. A few stayed with their stock, and later, when this man Pilgrim was killed and they lost some property, they mostly sold

out and all got away. They were all gone but about three, I believe, the last I heard.

Mr. KEARFUL. Have you any information generally about various other colonies of Americans in that region?

Mr. KING. I had a small amount of information from San Dieguito. The people generally had left up there, and one man told me they had 900 head of cattle, and when they went to get them, he said: "We got 300 and they got 600." That was Mr. Jones, of the Jones-Cowan Stock Co.

Mr. KEARFUL. Were these colonists, according to your information, pretty much the same as the Atascador colonists?

Mr. KING. Pretty much. They were ordered to get out. There was another place where the people had to leave. It wasn't so much a colony. There were two or three families there. They were south and west of us on the river, a family named Ogden that had quite a lot of property there. This man Manuel Lerdo would go there and get things, and just give them a receipt for it, and his wife got tired of it and tore up one of the receipts and threw it down, and it made him mad and he made threats against them, and they had to get up and leave; left everything they had.

Mr. KEARFUL. What is the condition of those farms now?

Mr. KING. They are growing up again with brush. There is lots of land that has been cleared up that is going back into brush again. The houses were stolen, or carried away piece by piece, for the lumber and iron that was used in building them.

Mr. KEARFUL. None of the land is being cultivated now?

Mr. KING. I don't think but a very little. We left a man on our place, and the boys made a trip back there and the oldest wrote me he thought the old man would starve out. He stated he was not doing very much. He said I wouldn't know the place if I would see it.

Mr. KEARFUL. How do you account for the fact that the Germans were not molested.

Mr. KING. Well, the Germans kind of stood in with them. During the period of this European war they talked to the Mexicans, so we understood, and told them if the United States ever fought Mexico they would fight with the Mexicans.

Mr. KEARFUL. It was a fact, though, that Germans living in the colony were not molested, but were well treated and are still there?

Mr. KING. They were well treated, and were still there when I left.

Mr. KEARFUL. You have never gone personally to the State Department to get information about what you should do or what protection you might receive?

Mr. KING. No, sir.

Mr. KEARFUL. Did any of your friends go there for that purpose?

Mr. KING. Not as I know of. As far as I know, all of our people who have had any information at all was by the advice of the consul.

Mr. KEARFUL. What was the feeling in regard to receiving protection from the American Government?

Mr. KING. The feeling in Mexico?

Mr. KEARFUL. Yes.

Mr. KING. It really was rather high against the United States for not protecting them.

Mr. KEARFUL. When you and your neighbors went to Mexico to make your home in that settlement, was there any intimation from anybody that you would not receive protection in case you were persecuted?

Mr. KING. No, sir. We thought, on the other hand, that we would be protected.

Mr. KEARFUL. What made you think that?

Mr. KING. We thought the United States would protect its people anywhere. I don't know really how we came to that idea, but that was the general opinion, that they would be protected anywhere.

Mr. KEARFUL. What is your opinion now in regard to that?

Mr. KING. My opinion now is quite the reverse, that they have not been protected.

Mr. KEARFUL. Have you ever been to Washington before?

Mr. KING. No, sir.

Mr. KEARFUL. There is a new Secretary of State who just took office yesterday. It might be worth your while to go and see him and ask him what his attitude is.

Is there anything further, Mr. King, that has not been covered, that you would like to state?

Mr. KING. I don't think of anything at the present, no sir.

Mr. KEARFUL. If you should decide to call upon the new Secretary of State, the committee would be glad to have you return and give an account of your experience.

Mr. KING. I hardly think I will call on him to-day. I am in a hurry to get back home. I suppose he will learn all the information that is being received at that office, and will do his duty. I hope so, anyway.

Mr. KEARFUL. I am very much obliged to you.

Mr. KING. Thank you.

(Whereupon, at 11 o'clock a. m., the committee adjourned.)

FRIDAY, MARCH 26, 1920.

UNITED STATES SENATE,
SUBCOMMITTEE ON FOREIGN RELATIONS,
Washington, D. C.

Testimony taken at Washington, D. C., March 26, 1920, by Francis J. Kearful, Esq., in pursuance of an order of the subcommittee of the Committee on Foreign Relations of the Senate.

TESTIMONY OF MR. WILLIAM C. GARRETT.

(The witness was sworn by Mr. Kearful.)

Mr. KEARFUL. Where do you live at present?

Mr. GARRETT. I live at Tulsa, Okla.

Mr. KEARFUL. What is your business?

Mr. GARRETT. I am assistant superintendent in the Cosden Refinery.

Mr. KEARFUL. That is the Cosden Oil Co.?

Mr. GARRETT. The Cosden Oil Co.; yes, sir.

Mr. KEARFUL. Where were you born?

Mr. GARRETT. I was born in the suburbs of London, England.

Mr. KEARFUL. Are you an American citizen or a British subject?

Mr. GARRETT. I am an American citizen.

Mr. KEARFUL. By naturalization?

Mr. GARRETT. By naturalization.

Mr. KEARFUL. When were you in Mexico?

Mr. GARRETT. I went down there first of all in 1912.

Mr. KEARFUL. How long did you remain?

Mr. GARRETT I was there until 1918, off and on. I had to leave there on different occasions.

Mr. KEARFUL. The committee is informed by numerous American citizens who have been robbed and driven out of Mexico, and who appealed to Secretary Bryan for relief, that Mr. Bryan's favorite question to them was, "Why did you go to Mexico?" I ask you, why did you go to Mexico?

Mr. GARRETT. I went there because I had assurances from the Government that if I went down there my investments would be protected, and Mr. Bryan personally himself wrote an article in "The Commoner" advising people to go down there, and I went down there with the intention of staying there and being a law-abiding citizen and helping develop the country.

Mr. KEARFUL. What did you do when you went to Mexico?

Mr. GARRETT. I purchased land and hired a number of men, cleared the land, and planted henequen.

Mr. KEARFUL. In what part of Mexico did you purchase this land?

Mr. GARRETT. About 12 miles north of Victoria, on the railroad.

Mr. KEARFUL. How many acres?

Mr. GARRETT. I purchased 440 acres of land. I planted some of it to fiber, and besides that I contracted to plant 200 acres of other products.

Mr. KEARFUL. How much money did you invest in this property?

Mr. GARRETT. I invested altogether when I was down there about $40,000.

Mr. KEARFUL. Were you representing a corporation?

Mr. GARRETT. No; I was not. I went down there and purchased this land in my own name, and interested other parties to invest money with me in the venture, but there was no corporation, no articles signed in any way.

Mr. KEARFUL. Did you control and manage the enterprise yourself?

Mr. GARRETT. I controlled the whole thing myself; absolutely.

Mr. KEARFUL. Did you have any concessions or special privileges from the Mexican Government?

Mr. GARRETT. Nothing whatever.

Mr. KEARFUL. Did you always pay your taxes and abide by the laws?

Mr. GARRETT. I always paid my taxes, kept my taxes paid up, and never had any trouble whatever with reference to any legal matter.

Mr. KEARFUL. Please describe the enterprise of henequen farming with reference to what has to be done, and how long it takes for the plants to mature, and how soon you can hope to get a profit, etc.

Mr. GARRETT. In planting henequen, first of all I had the land all cleared and a portion of it grubbed. I then purchased from a hacienda that was about 16 miles from where I was small plants, the suckers from the larger plants, and I had those brought in the Mexican carts to my plantation, and later I purchased my own carts and hauled them myself. We used oxen to haul these loads, and these plants were planted a thousand to the acre, and the land was taken care of, the brush was kept cut down, and the plants cost me 2½ cents apiece in American money.

Mr. KEARFUL. Besides the labor of planting?

Mr. GARRETT. Besides the labor of planting them and hauling them and taking care of them afterwards. It took them six years before they grew and were ready to cut.

Mr. KEARFUL. When did you do the planting?

Mr. GARRETT. I did most of the planting—well, I began in 1913 and 1914. Of course, it took some time to plant that amount of land.

Mr. KEARFUL. Then the plants had not matured when you left there?

Mr. GARRETT. A great number of them were ready to cut. Some 300 acres of them were all ready—should have been ready—to cut.

Mr. KEARFUL. You planted the entire 600 acres?

Mr. GARRETT. I planted about 570 acres altogether.

Mr. KEARFUL. Did you have the place equipped for living and working?

Mr. GARRETT. Yes; I built a frame house there, and I had built a number of houses on the plantation for the workmen to live there,

especially my foreman, and I was well equipped with horses and oxen and utensils necessary for the work.

Mr. KEARFUL. What is the condition of that henequen farm now?

Mr. GARRETT. It has been utterly destroyed. In the fall of 1917 and the spring of 1918 a large quantity of this fiber was ready to cut, and the fiber went up in price. It went up from 6 cents to 20 cents a pound. The consequence was that the people around could come and could work this fiber out by hand and make good wages at it. They would come in at night and cut the heart out of the plant, thus destroying it.

Mr. KEARFUL. What was the particular idea about cutting the heart out?

Mr. GARRETT. They could get whiter and finer fiber. Those who owned the plantations would never think of cutting that portion of the plant, but these men who came in there would bring their burros in at night and would come in by the dozens, a dozen of them at a time; and I made complaints to the authorities at Victoria and other towns close by and could get no redress whatever, no assistance in any way.

Mr. KEARFUL. In 1912, when you went there, Madero was in power?

Mr. GARRETT. He was in power; yes, sir. No; Huerta was in power.

Mr. KEARFUL. No; Huerta came in in February of 1913.

Mr. GARRETT. Oh, I beg your pardon; yes.

Mr. KEARFUL. When did your troubles first begin, and what were they?

Mr. GARRETT. The troubles began in 1913, when there was a great deal of talk about the revolution and bands of robbers began to start up over the country and would come and demand from you your horses and anything that they thought they wanted.

Mr. KEARFUL. The revolution that you mention was the Carranza revolution against Huerta?

Mr. GARRETT. Yes; but I had to get out, first of all—they destroyed the railroad from Monterrey to Tampico first of all in 1914. That was when the railroad was first destroyed, and my wife and daughter and myself had to leave the country.

Mr. KEARFUL. Was that about the time of the landing of the American forces at Vera Cruz?

Mr. GARRETT. Yes; about that time. There was a great deal of feeling at that time against Americans, and it was very strongly expressed.

Mr. KEARFUL. Did you leave at that time?

Mr. GARRETT. Yes; I came out.

Mr. KEARFUL. And subsequently returned?

Mr. GARRETT. And subsequently returned. I returned about six months afterwards, somewhere about five or six months afterwards.

Mr. KEARFUL. Did you then go on with your work on the farm?

Mr. GARRETT. Yes; I went on planting and clearing.

Mr. KEARFUL. And caring for your crop?

Mr. GARRETT. Yes; and caring for the crop.

Mr. KEARFUL. Please describe in detail in your own way just what troubles you had and the outrages that were visited upon you, and by whom?

Mr. GARRETT. The outrages were so frequent, the demands for horses, and the number of times that brigands or rebels would come onto the plantation to demand whatever they wanted were so frequent that it began to be quite a common occurrence.

Upon one accasion my wife was there during the fall, and three soldiers came down there and rode in and demanded something to eat. We gave them some food. They then wanted to know whether I had any money or jewels or anything valuable, and I told them no, and they said that they would come in in the night and find out. They wanted to know also who was my foreman, and he was standing around there close by, and one of them said to him that if they found him they would hang him, because he was working for a foreigner. We kept quiet, and they went off, and the men who were around me said to me: "Those are bad men. You had better get away;" and so we all went out, the foreman, my wife, and I and two other men, into the timber and hid all night; slept there.

Mr. KEARFUL. Did they visit you in the night?

Mr. GARRETT. In the evening these men came back, shortly after dark, and we could hear them hammering on the door. I had not locked the door because I had expected that they would break the door open anyway, but they did not enter. They could not find any of us after pounding at the door, so they rode up to my foreman's house where his wife was and asked where we were, and she would not tell them. They threatened to assault her if she did not, but she still refused to say where we were, and they went back and fired some shots through the house; they broke the windows and set fire to the curtain of the house, and it flashed up to the ceiling. After staying around there for probably a couple of hours—I would not like to say how long it was, but it seemed a precious long time—and firing shots in every direction, they went off.

Mr. KEARFUL. Who were these parties? Do you know?

Mr. GARRETT. They were two soldiers of the Carranza army.

I went down the next morning and saw the governor of the State, Luis Caballero, and made a complaint to him about it, and he said what could he do? He did not know who they were. I told him that I could recognize the men if, when he had his roll call, he would have them lined up at the barracks, and he replied, oh, he could not do that. That was one occasion.

Mr. KEARFUL. What other personal experience did you have with them?

Mr. GARRETT. On several occasions they would ride up there and demand horses at the point of a rifle, and I would have to let them take them; but I had two special horses that my wife and I rode that we clung to for a long time. They would come around there, and I would drive the horses into the corral and put up the bars and go and sit on them and tell them to go, but when I was away one time they came and took them and left us absolutely afoot. They took all the horses and mules that I had.

The last experience that I had was the worst. It was at the time of the rebellion that Luis Caballero raised against Carranza in the early spring of 1918. The soldiers came out from Victoria and marched past my plantation to the north, where they were met by the government troops, and a fight occurred in which a great number of them

were killed. In fact, I understood it was such a mix-up that they did not know which were which, and every man was shooting at the first one he could see.

During this time I went and hid in the brush. One or two men who had come out from Victoria and had felt that they did not want to join the rebels, who were false to them, came onto the plantation, and, knowing some of the men that worked for me, told them that they would like to hide there. One of them took his saddle off and put it on the porch of my house and turned his horse loose, leaving his cartridges in a bag on his saddle. I was not aware that the man was there or that his saddle had been placed where it was.

About sundown my men came to me and said that the fight was over and that it was perfectly safe for me to come back; that everyone had gone; so I returned to the house, and was sitting on the front porch, and in a few moments I heard some shooting at the gate and trampling of horses, and I turned to make for the brush. Then I heard a rifle shot, and I looked around and found one of the men was riding toward me, so I stopped and asked him what he wanted, and he told me that the captain wanted to see me. I went up to the captain and asked him what he wanted. He was on his horse, flourishing his revolver, shooting it at the same time; and with a flourish he said, "Give me $5,000." I said that I did not have any money there; that it would be foolish for me to keep so much money on the plantation; and he said, "Give me $5,000," at the same time striking me on the side of the face with his revolver and shooting it off. He knocked me down insensible, and when I came to I found that they were ransacking the house, taking everything they wanted, breaking open my trunks, and had tied my Chinaman up there to the house, and he was begging and imploring them to leave him alone, and he gave them all the money that he had. Then they let him loose and told him to cook them something to eat.

After they had finished they came to me, drew their sabers, and pounded me all over, telling me to get up. They put their revolvers at my head and said, "Now, I am going to kill you, you damned gringo." I staggered to my feet, and they said, "Now, give me what money you have," so I told them that I had a little money that I kept for the pay roll next Saturday, and that I would let them have that.

I had about 120 pesos, partly in American and partly in Mexican money. At that time American silver was current in Mexico just the same as Mexican money. I also had about $40 in paper money. I had given this to one of my men in the morning to take care of, thinking that if trouble occurred it would be safer with him than with me; so I told them that I had some money that I would give them. They jumped on their horses, all of them, saying, "It is mine! It is mine! It is mine!" and, with their horses and swords, they pushed forward to this house where the man had the money. I went to him, and he brought it out, and I handed them the sack of silver and dropped the pocketbook with the paper money on the ground and kicked it in the grass. Then the captain said, "Give me $1,500 more." I said, "No; that is all the money you will get. That is all the money I have." He said, "Well, we will find out." So they drove me back to the house, where there was a large

tree, and they put a rope around my neck and pulled me off the ground twice.

Mr. KEARFUL. Did you give them any more money?

Mr. GARRETT. No. Then they asked me about the saddle, and they seemed to be under the impression that this man had come and sold me the saddle, and so they made a great fuss about it. I told them that I had not seen it before; I knew nothing about it; but they had broken open my trunks; so they went and took all my books, my accounts, and brought them all out and put them under the saddle, took some kerosene and soaked the whole thing, and gave me matches and said: "Now set it on fire." I had no compunctions whatever about burning up their own saddle, but I did regret burning up all my accounts.

When I was assaulted by these men, the man that left the saddle was hiding under the table in my kitchen, and he told me that the captain was Capt. Quilentan, and the other officer was Lieut. Uribe. He gave me those two names. He said he knew them both.

Mr. KEARFUL. Was that your final experience in Mexico?

Mr. GARRETT. At that time my men who had seen me knocked down had run away to the brush and gone down to Victoria, where they told my friend, Mr. Robert S. Tice, who was the superintendent of the Quaker school at Victoria at the time, that they had seen me killed; and having this corroborated frequently, he went down and sent a telegram to my wife to that effect, but very fortunately the telegraph wires were all cut, and the telegram did not go through. After that, I left on the first train that left Victoria for Laredo, and came out, reporting the matter to the authorities at Matamoros.

Mr. KEARFUL. How far were you from Victoria?

Mr. GARRETT. I was between 12 and 13 miles north of Victoria, at the first station, Caballero.

Mr. KEARFUL. Were you there when Gen. Pablo Gonzalez, under Carranza, took the city of Victoria?

Mr. GARRETT. I was in Victoria when Pablo Gonzalez took it for Carranza, and on one occasion when conditions got so bad in Mexico that it was advisable to leave I had thought that it was just a temporary affair, and that matters would settle down, and I got options on a quantity of land and went over to London and arranged for the purchase of this land, the money to be placed in the bank in New York against the deeds. I returned to this country to find that conditions, instead of improving, had gotten considerably worse. After great difficulties I succeeded in getting to Tampico by boat, and went up country to find that the men who had given me the options had been obliged to leave the country. After waiting there for two or three days the town was attacked by Carranza's men under Gen. Gonzalez, and I was in the town when it was taken by this general.

Mr. KEARFUL. Do you know John Lind, who was sent to Mexico by President Wilson to eliminate Huerta?

Mr. GARRETT. Oh, yes. I met him at Rancho Victoria, close to Hincotinco.

Mr. KEARFUL. After John Lind's return from Mexico, he wrote a book about Mexico.

Mr. GARRETT. Yes.

Mr. KEARFUL. Did you read it?

Mr. GARRETT. No; I did not.

Mr. KEARFUL. In that book he lauded the motives and acts of the revolutionists under Carranza, and he stated, among other things, that the restraint shown by the victorious Carranza armies upon entering the cities that they captured was creditable and encouraging. What can you say about the acts of Gen. Pablo Gonzalez when he entered Victoria, and his victorious army, as to their being creditable and encouraging?

Mr. GARRETT. Gen. Gonzalez treated me with the greatest amount of courtesy. When I went to see him and asked him for a permit to leave the country, a pass to go through, he referred me to his secretary, who, I noticed, was a Mason; and, catching sight of my Masonic badge, he put out his hand, saying: "What can I do for you, senor?" and offered to do anything in his power to help us. We obtained passes that were very firm in their expression that we should be protected, and nine of us rode from Victoria to Matamoros, and while on the way we received the greatest amount of courtesy, with the exception of one experience that we had with one drunken Mexican, who came upon us accidentally in the brush at night and was going to shoot us all.

Mr. KEARFUL. What about the acts of the followers of Pablo Gonzalez when Victoria was taken? What happened to Victoria?

Mr. GARRETT. They looted the town, and especially the business of those men who were loyal to the Government, the old Government, and especially the Spaniards. There were two or three Spaniards. One of them was Senor Quintana.

Mr. KEARFUL. You say Victoria was looted. What happened to it? What looting occurred?

Mr. GARRETT. Oh, they broke open the large stores and the banks; they took all the property out and distributed it among the people, broke open the safes in the banks, burned the jail and the courthouse. All the records were burned at the time.

Mr. KEARFUL. You did not regard those actions very creditable and encouraging, did you?

Mr. GARRETT. Not by any means; no. But I think it was a matter almost beyond the control of Pablo Gonzalez. I think that the men took the matter into their own hands.

Mr. KEARFUL. Did you have a talk with John Lind when you met him in Mexico about the situation?

Mr. GARRETT. Oh, just a little. I do not recollect at the time what it was. I just happened to meet him at a ranch.

Mr. KEARFUL. He did not expound to you any of his theories about what should be done in Mexico?

Mr. GARRETT. No; he did not.

Mr. KEARFUL. Did you appeal to the Mexican authorities for relief against the robberies and outrages committed on you and your property?

Mr. GARRETT. Oh, frequently. I would go down to Luis Caballero, who was the governor of the State of Tamaulipas, and I could get no assistance whatever from him. He would utterly ignore it. I went there on one occasion to the governor's palace and waited two days

before I could get any audience with him. I sent in my card, and told him that I would like to have an interview with him to complain about the way in which I was treated and in which these roving bands of soldiers would come out to my place and would come in and demand anything, and would come and live upon the people who were working for me and demand food from them; but he absolutely ignored and refused to do anything for anyone who was a foreigner. He was very, very bitter against foreigners.

Mr. KEARFUL. Did you ever appeal to the American authorities for relief?

Mr. GARRETT. Yes.

Mr. KEARFUL. What answer did you get?

Mr. GARRETT. I was advised to leave the country.

Mr. KEARFUL. You never got any advice in regard to any protection other than to leave the country?

Mr. GARRETT. No. I think we had no less than three letters from the consul advising that we should leave Mexico; conditions were so bad that it was advisable for us to go and leave everything we had there at the mercy of the people who were there.

Mr. KEARFUL. Did you have everything that you possessed invested there?

Mr. GARRETT. I invested all the money that I had. When I came out I had my suitcase, and that was all. I was fortunate to be able to bring that out. I never reaped one dollar from my investment in Mexico in any way.

Mr. KEARFUL. What was the prospect of your success if you had received protection?

Mr. GARRETT. The cultivation of henequen is a very lucrative enterprise. A well-cared for plantation, one that is producing, will bring from $75 to $100 an acre each year, and the larger portion of mine—just a little of it had been planted later, and would not have been ready to cut for a little time—but I had hundreds of acres of it that at the time I left should have been ready to cut, and would have been if the conditions of the country had been such that I could have gotten it out.

Mr. KEARFUL. What were your relations with the workmen on your place and in that locality?

Mr. GARRETT. Personally, my experience with the workmen who lived on my plantation was very agreeable. My opinion about them was that they were very tractable; that they were very easily handled as long as they were treated right, and I noticed also that they would rather work for a foreigner than they would for a Mexican.

Mr. KEARFUL. What was the reason for that?

Mr. GARRETT. Well, they seemed to think that they were better treated.

Mr. KEARFUL. Did you always treat them well?

Mr. GARRETT. I could not have treated anyone better than I treated them. They never had to wait a day for their money. I always had their money ready for them on Saturday afternoon, and I never owed one of them a single peso.

Mr. KEARFUL. Were they good workmen?

Mr. GARRETT. They were good workmen; yes. They would come and work for the money that I paid them, and I paid them at the

same rate as was customary in that vicinity. I thought that they were excellent workmen.

Mr. KEARFUL. Where did the people come from who committed these depredations?

Mr. GARRETT. They would come from all around toward Victoria and up in the mountains—men that I was not acquainted with.

Mr. KEARFUL. Did you know that many of them came from Sonora and Chihuahua?

Mr. GARRETT. You mean toward the end, when the plantation was destroyed?

Mr. KEARFUL. The revolutionists under Carranza.

Mr. GARRETT. Oh, yes, yes. Those men came from there.

Mr. KEARFUL. What did you observe to be the effect of foreign enterprises in Mexico upon the people as to being beneficial or otherwise?

Mr. GARRETT. It is my impression that Mexico was greatly benefited by the investments that were made by foreigners. Otherwise, the country would have remained in virtually a dormant state. It was foreign capital that had come in there at the request of the Mexican Government that has developed Mexico to the condition that it is to-day—or that it was before the present troubles occurred.

Mr. KEARFUL. Do you know whether practically all of the principal business enterprises of Mexico have been conducted by foreigners and by foreign capital?

Mr. GARRETT. Nearly all the large enterprises in Mexico—the railroads, the oil industries, and a great number of the very large ranches, and the mining interests—were all conducted by foreigners.

Mr. KEARFUL. Have you heard of the Carranza doctrine and the slogan "Mexico for Mexicans"?

Mr. GARRETT. That was the familiar saying before I left. It appeared to me that the Mexicans had become alive to the improvements that the foreigners had made down there and had sent their sons to this country and abroad to be educated, and when they came back they were naturally as bright, as intelligent, as the majority of men who can be found. One would say: "I have a son who is an engineer. He can conduct this business." Another one would say: "I have a son that understands railroading. He can run these railroads." And so they said: "You people get out. We will run this business. We will run it ourselves. Mexico for the Mexicans!"

Mr. KEARFUL. Do you understand that the phrase "Mexico for the Mexicans" means "the property of the foreigners for the Mexicans"?

Mr. GARRETT. That the property of the foreigners should be turned over and be used entirely by them. Now, the Mexicans were glad to have foreigners come down there and invest their money and improve the country; but just as soon as this was productive and the returns came in, then the story was different: "Now we will take it; and we will handle it ourselves."

Mr. KEARFUL. Do you know anything about numerous colonies of American citizens that were established in various parts of Mexico, in the vicinity between Tampico and Monterrey?

Mr. GARRETT. Yes; I know quite familiarly about the Columbus colony and the Chimal colony. I know several men who were in

Chimal and several who were down in Columbus. They had gone down there and invested all that they had and were doing well, had built nice homes, had fine cultivated land, had imported stock, and had put up stores and improved the land, had schools, and were getting along splendidly until this revolution came and they were advised by the United States Government to leave. Great numbers of them got up at a minute's notice, and left everything that they had there and came back to the United States, and when they came back again there was not a thing left. Everything was gone.

Mr. KEARFUL. What character of people were these?

Mr. GARRETT. They were farmers—a fine class of people. A good many of them came from the western part of Oklahoma.

Mr. KEARFUL. They were not, as has been said about Americans operating in Mexico, speculators engaged in exploiting the people?

Mr. GARRETT. They were not. These men that I knew were not by any means of that class. They were men who went there with the intention of making a home and making a living down there, and were succeeding. They had a knowledge of farming, and they were using this knowledge to their advantage, and were of a vast benefit to the country, and would have been if they had been permitted by conditions to stay there.

Mr. KEARFUL. Did they oppress the Mexican people who worked for them?

Mr. GARRETT. Not by any means. They treated the Mexican people well. I never heard of any occasion of those men oppressing the Mexicans.

Mr. KEARFUL. What happened to all these homes that were established by Americans from the western part of the country?

Mr. GARRETT. They were all left desolate. A great number of their houses were pulled down, and the lumber used by the people around, the Mexicans and the country was left to grow up to weeds; the stock were taken, the horses were taken, and the cattle, a great number of them, killed and eaten.

Mr. KEARFUL. Do you know a man in that vicinity named Cameron?

Mr. GARRETT. Dr. Cameron—yes.

Mr. KEARFUL What sort of a place did he have?

Mr. GARRETT. He was located up in the mountains, about 20 miles from Hincotinco. He had an orange plantation there. The last I heard of him, he and his family had been compelled to leave the country. They had been there for a great number of years. Their children and whole family of them spoke Mexican as well as they did English.

Mr. KEARFUL. Do you know what happened to a man named Mark Johnson, at Victoria?

Mr. GARRETT. Mark Johnson and his mother lived on a farm about a mile and a half north of Victoria. They had a dairy farm there, and kept a quantity of cows. On one occasion my wife and I were staying there over night with them when some Mexican soldiers came and demanded some fodder, and they were told that the fodder was needed for the cattle, and the soldiers said they needed it for their horses, and they were going to have it; and so Mr. Johnson told them that if they could get an order from the general, he would let them have it. This man immediately drew his revolver and pointed

it at his head, and said: "That is all the order you will get." I went up to the man and talked to him and told him to put his revolver up, that we were not armed, and there was no occasion to speak in that way, and another man who was with him talked to him and calmed him down, and they went off. The next day, he and I rode together into Victoria and saw the Gov. Luis Caballero and made a complaint to him about this matter, and we were told that if this man could be located he would be punished. We found the man and went back and told the general where he was, but no notice was ever taken of it.

Mr. KEARFUL. What was the method employed by the Carrancistas to get recruits for the Army?

Mr. GARRETT. They would get the men to go and join the Army, promising them a horse and a rifle, and telling them that anything that they could take and any loot that they could get would be theirs. That is what several of these men told me personally.

Mr. KEARFUL. What was done by the Army officials in regard to taking away the arms of the inhabitants of the country, the foreigners?

Mr. GARRETT. No foreigners in Mexico were permitted to have any rifles or revolvers. When you went in the country they would search your suitcases and trunks particularly for revolvers, and if they found them they would take them away.

On one occasion I was going across the border, and, if I remember right, there were eight Americans on the train. We had all passed the customs. It was the time when we had to travel in baggage cars with planks across for seats, and at one end of the car I saw these Americans, and I went up there and spoke to them and talked to them a little bit, and a few minutes after the train had started a man came up and said he would like to see your suitcase; so a man said: "Why, my suitcase has been examined by the customs." He said: "I would like to see it again," and he showed a badge showing that he was a customs officer; so he opened it and went through it very carefully and found a revolver. He said: "You are not permitted to bring revolvers into this country; it is against the Mexican law," and he said: "I will take this." He put it in his belt, and so he went up to the next man and said: "Have you got a revolver?" He searched his suitcase and could not find any, so he said: "Have you got a revolver?" The man said: "No." He put his hands around his waist, and found one in his belt, and he said; "Yes; you have." He said: "I will take that." Then he came to me and said: "Have you got a revolver?" I said: "Yes." He said: "I will take it," and he took a revolver away from each one of us. Then he went back in the car, and he said: "This is against the law, your bringing revolvers into this country. You may consider yourselves under arrest, and you will all get off the train at the next depot and go back to Matamoros with me." So we talked it over, and a few moments later he came back again, and he said: "I have been considering the case of you fellows, and if you would like to sign a paper donating these revolvers to the Mexican army, I will let you all off." So we decided that as he had the revolvers already we might just as well give them to him, and so we did so, all of us, and he disappeared off the train at the next station. No doubt he sold them for his

own advantage later, but that is something I know nothing about, what he did with them.

Mr. KEARFUL. What did they do with reference to taking the arms away from the plantations?

Mr. GARRETT. If they heard of any, they came for them. They heard that I had a Winchester rifle on my plantation, and they sent for it, but I was not home at the time. I was out, and my foreman went in the house and gave it to them, took it and gave it to them. Two soldiers came up there and said that they had been sent out from Victoria with an order to get my rifle, and so the foreman thought that under those circumstances it was right to give it to them, so he let them have it.

Mr. KEARFUL. Without arms, of course, the foreigners were left an easy prey to the marauders?

Mr. GARRETT. An easy prey. The only thing I could have was a shotgun. They did permit you to have a shotgun.

Mr. KEARFUL. What did you find when you first went to Mexico to be the attitude of the Mexicans toward the Americans?

Mr. GARRETT When I went there first of all, they seemed to be quite friendly, but later they seemed to get very bitter, especially when I would go down to Tampico. I had business down in Tampico pretty frequently, and I would go down there, and I found at Tampico that the feeling against Americans was very, very strong, especially at the time of the Vera Cruz affair.

Mr. KEARFUL. Was the feeling against Americans different from the feeling against other foreigners?

Mr. GARRETT. Yes; it seemed to me to be more bitter against Americans than it was against others.

Mr. KEARFUL. What was the reason for that?

Mr. GARRETT. I could not exactly say what was the reason of it, excepting that they seemed to feel that the Americans had taken part of their country from them in the past.

Mr. KEARFUL. And they could take it back?

Mr. GARRETT. And they could take back; yes. They seemed to think that anything that an American had was legitimate prey to them.

Mr KEARFUL. Do you think they would have felt that way if this Government had adopted a firm policy?

Mr. GARRETT. No; I most certainly do not. I think that if the policy had been firm in handling the matter the conditions down there would have been very different from what they were. There was a time when the Americans were treated with a considerable amount of respect, but afterwards, later, they were treated with the greatest amount of indignities.

Mr. KEARFUL. Do you know about a trip made by Secretary of State Root to Mexico and the South American countries?

Mr. GARRETT. Yes; I have heard about it; yes, sir.

Mr. KEARFUL. Do you know what the purpose of that trip was and the theory of Mr. Root in regard to our foreign trade?

Mr. GARRETT. His theory was that the foreign trade would develop if there was a better feeling among the South American countries and Mexico toward the northern Republic, and that Americans should go down there and enter into business, and so form connections that could be of advantage to their business relations.

Mr. KEARFUL. Do you remember Mr. Root's theory that since this country had become a creditor nation its progress depended upon the extension of our foreign trade?

Mr. GARRETT. Absolutely; yes.

Mr. KEARFUL. According to your observation and experience is it possible to extend our foreign trade without our citizens going into the foreign country to establish relations?

Mr. GARRETT. No; my observation is that in the last few years there has been a good deal of talk about extending trade in foreign countries, and that unless the United States protects her citizens that go down there and endeavor to establish relations which are friendly the effort will be a failure.

Mr. KEARFUL. Naturally, of course, our citizens will not want to go to Mexico unless they secure the protection of this Government in case they are persecuted?

Mr. GARRETT. Not by any means. I would not go down there any more again, and I certainly would not advise or recommend anyone to go down there under the present conditions.

Mr. KEARFUL. Unless there should be a change in the policy?

Mr. GARRETT. Yes; unless there should be a change in the policy.

Mr. KEARFUL. You mentioned an article by Mr. Bryan in The Commoner extolling the opportunities in Mexico and advising American citizens to go down there. Do you know what Mr. Bryan's subsequent attitude was after he became Secretary of State?

Mr. GARRETT. After he became Secretary of State, I understand from what I have read that he said that it was foolish to have gone down there; that there were plenty of opportunities for investment in this country, and that those who were down there should get out at once.

Mr. KEARFUL. Do you know that when you were down there he ordered them to get out to avoid complications?

Mr. GARRETT. There were distinct orders sent out, signed by the United States consuls in various parts of Mexico, advising the United States citizens to leave Mexico at once.

Mr. KEARFUL. Did that occur more than one time?

Mr. GARRETT. Twice, if not three times.

Mr. KEARFUL. Did you ever have occasion to observe the procedure at a Mexican election?

Mr. GARRETT. Yes.

Mr. KEARFUL. Please describe it.

Mr. GARRETT. The elections are held in a rather peculiar manner. Tables are put out in the open, and frequently there are judges from both parties or all the parties represented, and when a man comes up to vote he is asked personally for whom he is going to vote, and he tells them which side he is going to vote for. The result is that if he votes against the man that is elected, then he is in bad favor with him afterwards in not voting for him.

Mr. KEARFUL. What effect does that have upon the voting?

Mr. GARRETT. It causes the whole country, or everyone in that part, to vote for the party in power, because he is afraid not to.

Mr. KEARFUL. What sort of ballot boxes do they have?

Mr. GARRETT. They have open boxes, quite open, so that anyone can put any number of votes in on the sly that he wants to.

Mr. KEARFUL. Did you have occasion to observe the treatment that was accorded to other foreigners than Americans by the Mexicans, whether it was better or worse, with reference to the British or Germans?

Mr. GARRETT. I did not know personally. I knew one German, and he was treated about the same as I was at the time. He lost everything that he had.

Mr. KEARFUL. Under whose rule did that occur?

Mr. GARRETT. That was in the early part, before the European war broke out, but after that I did not know personally any Germans or any English, although down at Tampico the Germans were in very high favor. They would publish papers, notes, bulletins on the walls about things that had occurred during the war that were absolutely untrue and were outrageously exaggerated, and the peons would go there and read them out loud; the few of them that could read would read them out loud, and of course all the others would believe what they read about what was going on.

Mr. KEARFUL. I believe that is all I care to ask. Is there anything further that you would like to say that has not been covered? Perhaps you have some opinion in regard to what ought to be done to set Mexico right?

Mr. GARRETT. My opinion is that the United States should go and take charge in the same way as they did in Cuba, and straighten the matter out there. Mexico in itself is one of the richest and most resourceful countries that there is on this continent, and it is deeply to be regretted that the wonderful products that can be derived from that country should be undeveloped in the way that they are.

Mr. KEARFUL. Do you mean you think that the United States ought to go there and take the country and keep it?

Mr. GARRETT. Well, it would be a whole lot better, in my opinion.

Mr. KEARFUL. Do you believe that the problem could be solved without going to that extreme?

Mr. GARRETT. I think that if they would form a protectorate over it in the same way that they did over Cuba for a time, it would help matters very largely.

Mr. KEARFUL. What did you observe to be the opinions of foreigners on that question?

Mr. GARRETT. They were all of that opinion, that the United States should step in and do something in order to make living conditions down there more agreeable, and there were a great number of Mexicans I found down there that were of the same opinion.

Mr. KEARFUL. What class of Mexicans?

Mr. GARRETT. The higher class of Mexicans, a great number, that would be glad to have the United States go there so that their business conditions would be absolutely settled and carried on safely.

Mr. KEARFUL. You mean you think they would like to have the United States come in there and oust Carranza and turn the country over to them?

Mr. GARRETT. Well, I do not know that that was their opinion, but that the United States should go down there and form a protectorate over the country, so that in future they could carry on their business without their places being looted and overrun by bandits.

Mr. KEARFUL. So that there would be a guaranty of security?

Mr. GARRETT. So that there would be a guarantee of security; yes. That is their idea, but they would welcome anything if they knew that their property was going to be secure.

Mr. KEARFUL. What is the opinion among the working classes, if they have any?

Mr. GARRETT. The peons are opposed to it. If you talked to the peons they would say: "No; we would rather die than be under the United States"; but I think that is being drilled into them by some of their leaders that have different opinions.

Mr. KEARFUL. You mean the leaders that are in power?

Mr. GARRETT. Yes; the leaders in power.

Mr. KEARFUL. Is there anything further that you can tell us?

Mr. GARRETT. No. I might say that my plantation has been absolutely ruined; that there is no prospect, unless the place is replanted, of ever getting anything out of it; that I went down there in good faith and invested all that I had, and lost it, not through my own fault, but through the fault of the Government that did not keep to its guarantees, and I think that I ought to be reimbursed to some extent for my losses.

Mr. KEARFUL. To which Government do you refer?

Mr. GARRETT. I refer to the Mexican Government.

Mr. KEARFUL. Did you feel that your American citizenship gave you a guarantee that this Government would protect you in a foreign country?

Mr. GARRETT. Yes; I did most decidedly. I thought that I would be protected by the United States when I went down there.

Mr. KEARFUL. That is all I care to ask. Have you anything further?

Mr. GARRETT. No; I think that is all.

Mr. KEARFUL. We are very much obliged to you.

(Whereupon the committee adjourned subject to the call of the chairman.)

WEDNESDAY, MARCH 31, 1920.

UNITED STATES SENATE,
SUBCOMMITTEE OF THE COMMITTEE ON FOREIGN RELATIONS,
Washington, D. C.

Testimony taken at Washington, D. C., Wednesday, March 31, 1920, by Francis J. Kearful, Esq., in pursuance of an order of the Subcommittee of the Committee on Foreign Relations of the Senate.

TESTIMONY OF MR. PETER KRITZBERGER.

(The witness was duly sworn.)

Mr. KEARFUL. You may give the reporter your name.

Mr. KRITZBERGER. Peter Kritzberger.

Mr. KEARFUL. Are you an American citizen?

Mr. KRITZBERGER. Yes, sir.

Mr. KEARFUL. Where do you live?

Mr. KRITZBERGER. Lincoln, Ill., is my home.

Mr. KEARFUL. How long were you in Mexico?

Mr. KRITZBERGER. I went to Mexico in 1909.

Mr. KEARFUL. What was your business in Mexico?

Mr. KRITZBERGER. Well, I bought a little piece of land down there at that time. Since then I bought another piece. That is what I went there for.

Mr. KEARFUL. Where is that property located?

Mr. KRITZBERGER. That property is located upon the Tehuantepec Railroad, about halfway between Salina Cruz and Puerto, Mexico.

Mr. KEARFUL. In the State of Chiapas?

Mr. KRITZBERGER. No, sir; in the State of Oaxaca at that time. I was only there just one year. After one year I bought a piece of property down in Chiapas.

Mr. KEARFUL. What sort of business were you engaged in?

Mr. KRITZBERGER. Well, I was developing land for other Americans there, and getting out firewood for the railroad company, getting cedar, dry wood. I was also working on a salary in development work, taking care of a ranch for other parties.

Mr. KEARFUL. Was there a colony of Americans located near you?

Mr. KRITZBERGER. Yes, sir. I was right there among the American colony. There was more or less two or three hundred Americans located in that place.

Mr. KEARFUL. From what part of the United States did they come?

Mr. KRITZBERGER. Mostly from the West, not very many from the East, but various States, you know.

Mr. KEARFUL What was their business?

Mr. KRITZBERGER. They bought farms there and started to develop, built houses and fixed up homes, had families.

Mr. KEARFUL. What year was that colony started?

Mr. KRITZBERGER. I think it was along about 1911 or 1912, along in there somewheres

Mr KEARFUL. What did they raise on these farms?

Mr. KRITZBERGER. They raised corn and all kinds of vegetables, bananas, oranges, pineapples, cattle, hogs, horses.

Mr. KEARFUL. What class of people were these colonists?

Mr. KRITZBERGER. Well, some of them were farmers, some were mechanics. I don't know exactly what class they were.

Mr. KEARFUL. Did they own their own places, as a rule?

Mr. KRITZBERGER. Yes; they all bought their own places, all of them, I guess. That is the way they came to come there from Oklahoma.

Mr. KEARFUL. Did they have all they possessed, as a rule, on these places?

Mr. KRITZBERGER. Lots of them did; yes, sir.

Mr. KEARFUL. How did they compare as to character with the same class of American citizens in this country?

Mr. KRITZBERGER. I think there were just as good Americans there as I ever saw anywhere.

Mr. KEARFUL. It has been stated that one of the difficulties in Mexico was that the American citizens who were operating there were of a class that could not live in their own country. Were any of that class there?

Mr. KRITZBERGER. Not in that colony. There were such things as railroad engineers and conductors and such as that that can't get a job in this country.

Mr. KEARFUL. Were those American colonists peaceful and law-abiding?

Mr. KRITZBERGER. Yes, sir.

Mr. KEARFUL. And attended to their own business?

Mr. KRITZBERGER. Yes, sir; absolutely.

Mr. KEARFUL. Did they engage in political or revolutionary troubles?

Mr. KRITZBERGER. No, sir; nothing whatever of that kind.

Mr. KEARFUL. What was the name of the colony where these people were located?

Mr. KRITZBERGER. San Pedro de las Papas is the tract of land that colony was in; 63,000 acres, practically all sold to different Americans.

Mr. KEARFUL. Did these colonies operate under any special concessions or privileges that gave them an advantage over the Mexicans in any way?

Mr. KRITZBERGER. No, sir; I could not mention one case where an American took advantage of a Mexican.

Mr. KEARFUL. They simply bought their land and paid for it and developed it?

Mr. KRITZBERGER. Yes, sir. There was sometimes a little difficulty. You know, the natives down there are in the habit of planting corn

or putting up a house or starting up a little farm of their own just wherever they want to, and, of course, an American goes down there and buys his property and pays his taxes and lives according to the law; he wants his property, and he will have a little difficulty in getting these people off, keeping them off. They had a little trouble that way.

Mr. KEARFUL. What sort of a place were you on?

Mr. KRITZBERGER. I was first in with this colony. That is where I lost my home and everything I had there. Then after that I went over on this 6,000-acre ranch belonging to Mr. Cunningham. I was over there the rest of the time I was down there. I was interested in handling those cattle on shares with him.

Mr. KEARFUL. At the time you went down there in 1909, what was the condition as to security and safety and protection to life and property?

Mr. KRITZBERGER. I felt absolutely safe. I used to walk 10 or 12 miles through the woods on a lone trail; never had any arms or anything about me. If I would meet a native on the trail, he would step out of the way and let me go by. Nobody ever bothered me in the world at that time. They were very nice.

Mr. KEARFUL. Did you ever hear of any trouble from bandits or marauders at that time?

Mr. KRITZBERGER. No, sir; I did not hear anything of that kind. I didn't talk Spanish any then. It would be pretty hard for me to know at that time, but I don't think there was anything of that kind. I never heard of it.

Mr. KEARFUL. When did the first trouble of that kind begin?

Mr. KRITZBERGER. Well, of course, the first year I lived in that place, halfway between Salina Cruz and Puerto Mexico, I guess was about the time the revolution started. Of course, we were scared out into the woods three or four days, when they said the bandits were coming through. After that passed over we hadn't any further trouble. Down there in Chiapas; the first trouble we had down there was the time the Americans went into Vera Cruz.

Mr. KEARFUL. That was in April, 1914?

Mr. KRITZBERGER. Yes, sir.

Mr. KEARFUL. What happened at that time?

Mr. KRITZBERGER. Well, along about 2 o'clock in the morning there was a train pulled into that place from Tonala. Tonala is what they call a county seat here, something like that. Along about 2 o'clock in the morning there was a train pulled in. It didn't have any lights, it didn't blow any whistle, didn't take any water, pulled up to the station and stopped. I didn't know what it was. I was out on the porch trying to make out what it was. I couldn't tell whether it was a hand car or a train. I was about three or four blocks away from it, and it was coming in slow.

I went back and waited in the building, just waited there, and in a little bit there was an American engineer came running over there. There was a work train stopping there, and they slept at that place. He said: "Pete, for God's sake, get up. There is a bunch coming out here going to kill us."

I told him to watch the trail until I picked up my clothes and rifle and six-shooter I had there in the house. We went out the

back way, and just as we got out in the back yard the shooting started over at Mr. Smith's place, and these bandits went up and fired three or four shots through the windows right in the house, and Mr. Smith said he asked them what they wanted, but they wouldn't talk to him at all. They just kept knocking down the doors and cutting down the screens and started to burst in the door where his son was sleeping, and he opened the door and shot one of them and Mr. Smith directly shot another one. Mr. Smith got out then; they were running all around, and he took a shot at all he saw and he wounded two more.

The Smith family skipped out into the woods. They had 12 small children, and they kept them all out in the woods four or five days in their night clothes. Directly the family came to the railroad, and they picked them up and took them to a place they called San Geronimo, and took care of them the best they could there. I was out in the brush myself at that time. I and the other fellows hid out in the brush four days at that time.

Directly Mr. Smith got word about his family, he made up his mind he would come in and take whatever happened. He was in jail at Tonala two months after that. The marines were sent from Salina Cruz to Tonala. Some of them were coming from below Tonala, and that ship sailed up to that port and they got out on the shore. I don't know how they got out; but they came into Tonala on foot, the marines did; and, of course, the people in Tonala were going to mob them then. I was in the States then, and that is what the people told me there at Tonala. That was after I came out of the brush; and I came right off to the States. That all happened while I was in the States.

They wanted to have some settlement made of that Smith case--whether they should try him, or whether he was guilty of anything or not—and get him out of jail and settle it some way. They set him free, and he got a train and took his family over into Guatemala.

Mr. KEARFUL. Did he ever return to his place?

Mr. KRITZBERGER. No, sir.

Mr. KEARFUL. What became of his place?

Mr. KRITZBERGER. The ground is there; the land is there.

Mr. KEARFUL. What became of the house?

Mr. KRITZBERGER. It is all ruins. It was a brick house. It is all destroyed—all in ruins. They stole everything he had in the house, and practically stole everything I had in my house at that time. And I was out in the brush with three other fellows for three or four days. Finally, they said if we would come they would give us protection. So we came in, and they took our arms away from us and locked us up in a little adobe house. That is a mud house they had there. They locked us up there, so these bandits could not get to us, I guess. The next day they took us down to San Pedro and they guarded us there, and the day after that they put us in a stock car with a bunch of soldiers and took us down to the Guatemala line—us and quite a bunch of Americans. I suppose there were 100 Americans that went out on that train.

Mr. KEARFUL. Did you go back after that?

Mr. KRITZBERGER. Yes, sir. I was in the States that summer, and I went back, I think, in September.

Mr. KEARFUL. Why did you go back?

Mr. KRITZBERGER. Well, I had my interests there, and these other people had their interests there, and something had to be done.

Mr. KEARFUL. Did you have any assurance of protection if you went back?

Mr. KRITZBERGER. Not a bit.

Mr. KEARFUL. What trouble did you have after that?

Mr. KRITZBERGER. Then I think it was the following December, the last day of the year, is when the first bunch of Villista bandits took that place?

Mr. KEARFUL. In 1914?

Mr. KRITZBERGER. I think it was in 1914. I think it was December after——

Mr. KEARFUL. The landing at Vera Cruz?

Mr. KRITZBERGER. Yes, sir. They came in there, and of course, I didn't know who they were. A boy brought some milk out to the house, and he told me there was a bunch of Carrancistas in town that morning, and I said, "Is that so?" I said, "I will take a walk up town and see what is going on." When I got up there, this Col. Culebra was up there, and there was only 32 of them at that time. This colonel approached me and wanted to know if I was Don Pedro. That is Spanish for "Pete." I told him I was. He said, "They told me you have several rifles and sixshooters and a lot of ammunition over there at your house." I told him it was a mistake; that I had a rifle and sixshooter, but the rifle was out on the ranch, and I said, "The ammunition I have is in my belt, and this sixshooter is all I have." "Well," he says, "we have to have some ammunition." "Well," I said, "I don't know, this is all I have, and I need this here, because lots of fellows come around here, and if they find out you haven't got anything they get you."

I took him to the house, and I had three American saddles and a lot of little things around the house. I had a bottle of this comoteca, a kind of whisky. I wanted to get on the good side of him, you know, because I didn't know what was going to happen. I asked him to take a drink. Oh, yes; he would do that all right. I poured a drink out for him. That is the style they have down there, they always pour a drink out for you. He refused to drink, and made me drink it first. I drank it, and then I poured a drink out for him, and he was satisfied and drank the whole bottle, and when he left there he was pretty well organized.

I gave him some ammunition I had, 30-30s, and 44s that we got at the time the Marines went into Vera Cruz. I don't know how I got them, but I had some there. I gave them to him and he didn't bother anything I had, but he took the horses and saddles and anything he wanted from any of those other Americans that were there. They weren't there, but their property was there. I was there, and he didn't bother me at all.

When we left the house he wanted to know why I didn't strap my gun on me. I told him I didn't want to; that I was afraid somebody would take it away from me. He made me put it on, and give me a license or paper, so none of his men would take it away from me.

Of course, I walked up town with him. He was pretty well organized, and they have a style down there, if you walk off with a fellow.

they put their arms around each other's necks, and walk down the street. We walked down town that way, and the natives there saw it.

Pretty soon after that the Carrancistas came in from one side, and they had a kind of a battle there, and the Villista bandits went up into the woods. Then the people around there told the Carrancistas I was a friend of the bandits, and, of course, the Carrancistas jumped onto me and wanted to know how about that. I told them I tried to be the best friend in the world I could, because I was scared to death of them. I didn't know what else to do. I don't see what anybody would do in a case of that kind. They didn't do anything to me; didn't bother me any.

Then it was about a year, or pretty near a year, after that when they came the second time. It was on the 27th of December the following year. There were about 150 at that time. They came to my place and hit my place about 2 o'clock in the morning. I had been sick just about a week before that, and at that time I was just about getting over it and so I could sleep good, and I was sleeping very sound. I heard these bandits outdoors, but it didn't seem to wake me up right away. Directly they woke me up, and I looked out, and every window or door I looked out I saw armed men. So I just got down on the floor and crawled over in the corner. I had a six-shooter in a little grip and I took it out and took it with me, and I asked them what they wanted. They would not say anything. They just cursed me and told me to open the door. I asked them who they were and what they wanted, in Spanish, of course. They wouldn't say anything more, only cursed me and told me to open the door.

They got around to where my cook was asleep, a Chinaman; they got him out, and as he came out they grabbed him and wanted him to tell them where I was. He got loose from them and got in where I was, and the bandits went in after him. Well, I took a shot at him as he landed in the door; shot him with the six-shooter. I didn't aim to kill him; I didn't aim to kill anybody, but I wanted to get out of there. So I shot five shots through different windows and doors, and they cleared away on one side into the grass and brush, afraid I would shoot them, I guess. I went to my trunk and got the money and stuff out and packed up this grip and went out the back way, and while I was going out I heard horses coming down the trail toward where I lived. They had heard the shooting, and there was more of them in town. They circled the house, and they had a rope. They thought I was in there, and they were going to catch me and hang me. That is the story the natives told me afterwards.

I just had my night clothes on. I lost everything I had in the house that time, too. I went down toward the railroad and across the lagoon, just on the other side, where they couldn't get to me. Of course, when I got there I had a few clothes there, but I was practically without any clothes until I got there.

Mr. KEARFUL. What did they do to your place?

Mr. KRITZBERGER. Burned it; destroyed everything in it—tried to burn it, but it was a brick house, with hardwood floors, a nice American-style house. They dumped the things that were in the

trunk and all the stuff out on the floor and set fire to it, and burned a deep hole in the floor, but that hardwood don't burn very good. They busted the piano and broke the doors and windows.

Mr. KEARFUL. Did they loot the house?

Mr. KRITZBERGER. Yes, sir; they took everything in it; that is, the Carrancistas came there afterwards, after these bandits had gone, and they looted what the bandits didn't take.

Mr. KEARFUL. What happened to the places of the other colonists there?

Mr. KRITZBERGER. Well, all those places the other people had there are all gone. They stole all that was left. Every Tom, Dick, and Harry that would come along would tear a piece of the house down.

Mr. KEARFUL. Did these people have live stock and implements, and their houses furnished?

Mr. KRITZBERGER. Yes, sir.

Mr. KEARFUL. And improvements on the place?

Mr. KRITZBERGER. Oh, yes. You know how it is; they didn't have much from the first start out, you know. They spent all the money they had, lots of them. There was lots of those people that wanted to get away with their chidlren and their families. I was making a little money along at the time, and I bought lots of that stuff for practically nothing. They didn't have the money to get away.

Mr. KEARFUL. What became of the stuff you bought?

Mr. KRITZBERGER. The bandits and the Carrancistas destroyed that.

Mr. KEARFUL. Are any Americans left in that colony now?

Mr. KRITZBERGER. Not a one.

Mr. KEARFUL. Where are they?

Mr. KRITZBERGER. I don't know; in different parts of the United States.

Mr. KEARFUL. Were any of them killed?

Mr. KRITZBERGER. One of them.

Mr. KEARFUL. Who was that?

Mr. KRITZBERGER. Jake Myers.

Mr. KEARFUL. Please relate the incident of his killing.

Mr. KRITZBERGER. That was about the year 1915, I think. He came over to my house one afternoon, and he said, "I have a fat pig I would like to butcher, and I want you to come down and help me." He was an old man, about 60 years old. I went down and helped him kill his hog, and he hung it up in a shed he had there. He was going to leave it there until morning, and in the morning he was going to cut it up, you know, and fix it. After we had the hog hung up I came on back home, and I met two men on the railroad. I went along the railroad on my way back.

Then, the next morning I went down early to help him with his hog again, and I couldn't find him. The hog was still hanging there where we left it. I saw the house was all tore up and upset, but the other things were just as they were when I left. They hadn't been moved, such as kettles and stuff that he used to dress his hogs with.

So I staid around there a while. I called and called and called, but he never came. I thought probably he was out in the cane patch somewhere, and he would be back after a while. I went back home, got a cup of coffee, and after a while I went back down there again.

Everything was just the same as it was; everything just like it was when I first went down. I called and he never answered. I thought "I am going to take a walk over in that cane patch. Probably he went out there to cut some cane and got sick or something." He was an old man. I started out that way, and I suspicioned something. He had a little sugar mill over there. I don't know what caused me to go over there, but I went over there, and he was down under one of the kettles. It seems as though he knelt down to get some hot coals out from under the kettles, and he was on his hands and knees, and these people slipped up behind him and just cut his head off. It seemed as though it was just one cut through his entire neck, except his throat.

Mr. KEARFUL. With a machete?

Mr. KRITZBERGER. With a machete; yes, sir.

Mr. KEARFUL. Were the murderers ever found?

Mr. KRITZBERGER. Yes, sir.

Mr. KEARFUL. What was done with them?

Mr. KRITZBERGER. We had no idea who did it. Of course, I went uptown and reported the matter, and all the Americans ran down there to see. This same party that did the work was there at the time, standing around. He even dug the grave. We hired him to dig the grave. We didn't know who it was, you know.

The 16th day of September they had a big feast day. That is their national holiday. Well, he got drunk that day and he told it. So we had him arrested and had him tried. He had American money on him that I saw another fellow give this Mr. Myers two or three days before, and he had a match box on him that I saw Mr. Myers have in his pocket, and we found some blood on his machete. So they took the fellows into Tonala—there were two of them—took them before the judge and had a trial, I guess; I wasn't there, but I know they took that fellow down there. He had to pay $300, and that was all there was to the case. The man is still free. I see him every once in a while; both of them. I know more or less about where they live.

Mr. KEARFUL. He was fined by the judge?

Mr. KRITZBERGER. Yes, sir. The judge took the money that he robbed Mr. Myers of.

Mr. KEARFUL. In payment of the fine?

Mr. KRITZBERGER. In payment of the fine.

Mr. KEARFUL. They did not impose any further punishment on him?

Mr. KRITZBERGER. Nothing further whatever.

Mr. KEARFUL. Who was that judge? Was he a Carrancista official?

Mr. KRITZBERGER. Yes, sir. He was under the Government. He was a Carrancista. Carranza was in power at that time, but he had been judge there for a long time. He is dead now.

Mr. KEARFUL. You say this murderer against whom the crime was proved is at large?

Mr. KRITZBERGER. Yes, sir.

Mr. KEARFUL. And going about the vicinity?

Mr. KRITZBERGER. Just the same as any other native.

Mr. KEARFUL. Were there any other murders of Americans that you knew about in that colony?

Mr. KRITZBERGER. Yes, sir. Mr. McGill was murdered about 30 miles below where I lived. I was well acquainted with him. There was also a Mr. Morgan, up on the Chivela ranch. He was also murdered.

Mr. KEARFUL. Do you know the circumstances of the murders of those two men?

Mr. KRITZBERGER. Only what they told me. I was in the States that summer when Mr. McGill was murdered, and I got a letter from his father and he told me about it.

Mr. KEARFUL. Was anything done by way of punishment of the murderers?

Mr. KRITZBERGER. No, sir. They have not found out who they were. They haven't punished anybody. They haven't tried to, I don't believe. They say they shot three fellows they thought were implicated in the Morgan murder. Mr. Morgan was captured in a sawmill and tied up and taken down to his home by a band of about eight men, and he was hollering for help and everything, you know, to get somebody to come and help him, and they sent another man down ahead to tell the women to get out of the house. The next day the American consul and some Americans that lived in the north part of San Geronimo went down there to get him, and they found him on the floor. He had a knife run through him, and two bullet holes through him. There was also a Spaniard shot and killed in the same house.

Mr. KEARFUL. When these depredations were committeed against Americans and their property were any complaints made to the authorities?

Mr. KRITZBERGER. Yes, sir.

Mr. KEARFUL. Were any appeals made for protection?

Mr. KRITZBERGER. Yes, sir. I don't know how many times I made complaints, but they didn't pay any attention to it; didn't pay any attention to the American consul.

Mr. KEARFUL. What did you understand to be the reason for that attitude?

Mr. KRITZBERGER. Well, they knew they didn't have to; that is the only reason I know.

Mr. KEARFUL. Do they seem to think they can commit these outrages with impunity?

Mr. KRITZBERGER. They feel as though they can do anything they want to to the Americans. That is the only way I could explain it. It seems to me they think they can do anything they want to with Americans. They have been doing it right along. You go and make a complaint, and you are liable to get in jail for it. I am sure I would never say anything any more, because I came so close to getting in jail. I caught a man killing a fat cow, and I made a complaint to the authorities there at Tonala, and they arrested the fellow and took him up, and the next day they turned him loose. The fellow swore up and down he would shoot me, and do all this, that, and the other. They turned him loose, and then I went to work and wrote a letter to Gen. Alvarado, the big Carrancista general in the south, and Gen. Alvarado sent word down to have him arrested again. They rearrested him, and he was in jail about a week, and he is at liberty now. I know it cost me about

$300 to convict him, and I lost two of my rifles, and three of my men are still in jail, and I felt mighty lucky that I wasn't in jail, the way we were going.

Mr. KEARFUL. What is the attitude and demeanor of the authorities toward you when you go to make a complaint?

Mr. KRITZBERGER. Every time I go into the office they pretty near know I am coming in there to holler about something, you know, and they hiss and laugh at me and wink at each other and say, "There comes that Gringo back for something."

Mr. KEARFUL. They treat the American complaints as a joke, do they?

Mr. KRITZBERGER I don't know what else you can make out of it. I wouldn't do anything, because it was absolutely useless. I had four powers of attorney down there for different people. I couldn't do anything. They were stealing cedar and cutting ties on property I had a power of attorney for, and I made a complaint. I wrote to the consul, and the consul wrote to them, and it didn't amount to that much. They took the stuff and went with it and I never got a cent, nor anybody else.

Mr. KEARFUL. Did you ever make an appeal for protection to the American Government?

Mr. KRITZBERGER. No, sir; nothing further than the American consul. I told him my troubles and asked him if he could do anything for me.

Mr. KEARFUL. What did the American consul say when you appealed to him for protection?

Mr. KRITZBERGER. That case where they were stealing that stuff, I wrote him a letter and told him I had a power of attorney for that stuff, and he wrote this colonel that they had down there who was stealing that cedar and stuff and told him I had a power of attorney for it and he had no business there. He didn't pay any attention to it. He just kept on stealing.

Mr. KEARFUL. What did the American consul say to you about his ability to afford protection to you and other Americans?

Mr. KRITZBERGER. I don't just understand you.

Mr. KEARFUL. When you appealed to the American consul for protection from the American Government, what did the American consul say to you about getting protection, if anything?

Mr. KRITZBERGER. He didn't say anything. I was down there once when I had my passport verified and I told him about lots of this stuff that was going on, that I couldn't get any protection from the authorities in Tonala; and he never said anything, that he would do anything or that he would not.

Mr. KEARFUL. Did he ever give you any advice about what you should do?

Mr. KRITZBERGER. No, sir.

Mr. KEARFUL. Did he ever advise you to get out of the country?

Mr. KRITZBERGER. No, sir.

Mr. KEARFUL. Did you ever receive a notice or order coming from the American Government to get out of Mexico?

Mr. KRITZBERGER. There was an order came one time, at the time Villa went in the States, from the English consul, who was representing the American Government there, that we had getter get out.

Mr. KEARFUL. That was the time of Villa's raid on Columbus?

Mr. KRITZBERGER. Yes, sir.

Mr. KEARFUL. And the Pershing expedition followed?

Mr. KRITZBERGER. Yes, sir. They had no American consul then for about a year or a year and a half, maybe two years.

Mr. KEARFUL. Did you ever appeal to the authorities in Washington for protection?

Mr. KRITZBERGER. No, sir.

Mr. KEARFUL. Why did you not?

Mr. KRIZBERGER. Well, I thought the American consul would be looking after that. He sent a letter to Washington, and to the ambassador at Mexico City, and also the consul general at Mexico City, telling what I wrote him. I don't know any more about it.

Mr. KEARFUL. Do you know of any of your neighbors or other Americans there who appealed to the Washington authorities?

Mr. KRITZBERGER. No, sir.

Mr. KEARFUL. Did you ever hear of any of them getting protection?

Mr. KRITZBERGER. No, sir. That is out of the question, protection of any kind.

Mr. KEARFUL. Who were the Mexicans who were robbing these places and committing the depredations you speak of?

Mr. KRITZBERGER. They were people that came along. Even a train would pull into that place, and would stop for a while, and the train crew would get out and rob and steal around the houses there—anybody that would come along. They would just tear the houses down and sell the boards. Of course, the furniture and stuff like that has all been stolen and is gone. The Americans left and, of course, they left their houses standing there, but they are all gone now. They have completely lost the whole business.

Mr. KEARFUL. Were any of these depredations committed by the Carrancista soldiers?

Mr. KRITZBERGER. Yes, sir. The Carraneista soldiers came into San Pedro several times. They would say, "I'm going over to that Gringo. If he don't give us something to eat we will shoot a hole in him." I would not be at the house, and they would rob the house, destroy the garden. A bunch of them would come in and turn 200 or 300 horses in the pasture, never ask permission or anything. I had about 600 head of cattle that belonged to other people. I didn't own any land, and I didn't have anything else outside of these cattle. They were running on this ranch of Mr. Cunningham's, a 6,000-acre ranch, all fenced in. They just cut the wires down and stole it and turned cattle in, and took trees and logs out, anything they wanted to. I complained about that I don't know how many times—I guess 20 times—and the more I complained the more it was done. People bring in cattle from 20 or 30 miles away and turn them in on that property, and I can't stop it. I absolutely have no control over the place at all. My cattle get mixed up with these cattle. These cattle go in the corral where my cattle are, and that's the last I see of them. I can't stop it.

Mr. KEARFUL. What do you know about graft on the part of Carrancista officers?

Mr. KRITZBERGER. It is all a graft. Everybody grafts.

Mr. KEARFUL. Can you give us some illustrations?

Mr. KRITZBERGER. Well, I can in a way. If people are shipping cattle or anything that way, the first thing you will have to do, you will have to pay the train master $25 or $30 to get your car. When you get a car, probably the conductor or engineer will come around and say the car is broken, but if you can pay them $25 or $30 they will take the car on up to their destination. When you get there, and another train crew has to take your car down, they will take it down a station or two, and then they will say there is something the matter with the truck, the car is in bad order, and they can't take it any further. They do that just to get another $25.

Mr. KEARFUL. These are all in addition to the regular freight charges?

Mr. KRITZBERGER. These are all extra; yes ,sir. That is the custom down there.

Mr. KEARFUL. Is it the custom to pay the officials to get them to perform their duty?

Mr. KRITZBERGER. It is the only way you can get anything done.

Mr. KEARFUL. What information have you about outrages upon women by the Carrancistas?

Mr. KRITZBERGER. At the time they came in there, at the time of the Vera Cruz business, they assaulted one American woman.

Mr. KEARFUL. How about the native women?

Mr. KRITZBERGER. Oh, they assaulted little girls and women right along.

Mr. KEARFUL. It was a common thing, was it?

Mr. KRITZBERGER. Yes, sir. The second time the bandits came there, they destroyed all the little girls that were in the town.

Mr. KEARFUL. Do you mean they assaulted them?

Mr. KRITZBERGER. Yes, sir.

Mr. KEARFUL. What happened to the American woman you speak of?

Mr. KRITZBERGER. That family went over into Guatemala. They took them out on the same train we were taken out on. I don't know, but it seems to me like that woman died later on over there.

Mr. KEARFUL. What was her condition at the time she was assaulted?

Mr. KRITZBERGER. She was in a family way at the time she was assaulted, and the party that assaulted her is living right at that same place to-day. They have not even asked him anything about it, I don't think.

Mr. KEARFUL. Was this woman a member of the American colony there?

Mr. KRITZBERGER. Yes, sir. They had a family of four or five children; a little baby. They lost everything they had. After that happened, though, he didn't want to stay there any longer. He got over in Guatemala. That is as far as they got them.

Mr. KEARFUL. When did you leave Mexico?

Mr. KRITZBERGER. This last time?

Mr. KEARFUL. Yes.

Mr. KRITZBERGER. I left there the 22d day of February.

Mr. KEARFUL. This year?

Mr. KRITZBERGER. Yes, sir.

Mr. KEARFUL. Were any Ameircans there when you left?

Mr. KRITZBERGER. Not in my district. Within 40 miles of me there wasn't any. There used to be 200 or 300 there.

Mr. KEARFUL. What was the condition of travel over the line you took coming to the United States?

Mr. KRITZBERGER. Down along the Pan American line they used to go in large droves, 200 or 300 of them. They used to take towns. They took that town of Tonala three times. I had a room there, and clothes and stuff there, and I lost everything I had there. From that time the bandits were all split up in small tribes, and they would just rob and steal everywhere they would go. Probably one bunch of 10 or 12 would hit you to-day, and to-morrow another bunch would come along and they would take whatever they wanted and asked no questions, only they may ask you to help them.

Up along the Vera Cruz and Isthmus road they have seven trains. They run a train from 5 to every 15 days. They have a work train and a passenger train and another train for troops.

Mr. KEARFUL. A military train?

Mr. KRITZBERGER. A military train; yes, sir. The bandits had destroyed the bridge on the track and they had to build a new bridge over the track before we could move on. We had that military train to guard the passenger train.

Mr. KEARFUL. What were the conditions on this last trip you made?

Mr. KRITZBERGER. Why, I think they are worse right now, in fact, than when I came out.

Mr. KEARFUL. How many days were you coming out?

Mr. KRITZBERGER. I was two weeks and two days coming out, about two weeks coming through Mexico. As a rule it takes five days, but I was lucky. I struck the train just right, you see. If I hadn't struck that train at that time probably I would have had to wait 8 or 10 days before I had another chance. Probably it would have taken me a week or 10 days longer.

Mr. KEARFUL. On what portion of the trip was the worst condition of travel?

Mr. KRITZBERGER. That was the worst part, on the Vera Cruz and Isthmus Railroad.

Mr. KEARFUL. Below Mexico City?

Mr. KRITZBERGER. Yes, sir. The track is all grown up with weeds and brush. The train just creeps along and the brush breaks the windows of the train. They can't have anybody to clean and work on the track. The window lights on the train are all shot out or torn up or broken.

Mr. KEARFUL. Did you have sleeping accommodations?

Mr. KRITZBERGER. No, sir.

Mr. KEARFUL. Were you able to get meals or food on the road?

Mr. KRITZBERGER. If you can eat these frijoles or tortillas that the natives have on the road. I took a little canned stuff with me. We can't find anything to eat on the road until you come to a place they call Orizaba. Then you have Pullman accommodations into Mexico City.

Mr. KEARFUL. Is there any class of Mexicans in the locality where you were operating that was peaceful and law abiding?

Mr. KRITZBERGER. Very few; very few.

Mr. KEARFUL. What is the sentiment among the better class as to what ought to be done to straighten out the trouble there?

Mr. KRITZBERGER. Well, they all seem to think the States are to blame for all of it, because they don't come down there and do something to straighten that out. Lots of them lost everything they had, people that were worthy. Then the Mexicans, the natives, the better class of people, wanted intervention, all over, anywhere you talk.

Mr. KEARFUL. You mean they want the United States to take the country?

Mr. KRITZBERGER. Yes, sir.

Mr. KEARFUL. What do they want the United States to do?

Mr. KRITZBERGER. Well, I don't know. They think if the States would come in there and take hold of things they probably would get under a different rule.

Mr. KEARFUL. Do they seem to be hopeless that the Mexicans themselves can straighten the situation out?

Mr. KRITZBERGER. Yes, sir; absolutely. I don't see how in the world, if some foreign country don't fix things up down there, how it will ever be settled.

Mr. KEARFUL. What is the sentiment among the Americans and other foreigners down there as to what ought to be done?

Mr. KRITZBERGER. They have same opinion.

Mr. KEARFUL. What is your own opinion as to what should be done?

Mr. KRITZBERGER. I think there ought to be intervention. That is the only thing I can see in the world that will ever do any good now. The people have got in such a state that I don't think they will ever get straightened up. I don't think they can ever do it. They have had their own way for 10 years, and it is going from bad to worse all the time. You can hardly get anybody to work now. They don't have to work. They can take anything you have got, and nobody say a word about it, so what is the use of working? That is the way they feel about it, and they tell it to you, if they want to.

Mr. KEARFUL. Are there any other incidents of which you have personal knowledge that you have not already related?

Mr. KRITZBERGER. There was a Mr. Summers. I knew him. I saw him on the way up. He lived down close to where I lived. While I was talking with him a fellow came in and said, "The bandits are down there looting your place." We were talking about one thing or another, and he says, "If they will let me know when they come around I will go down there and have an interview with them." I saw in the paper when I got to Laredo that they had captured him and was holding him for $5,000 ransom. I also saw it in the home paper when I got home, and saw that his brother in Oklahoma some place had paid the ransom.

Mr. KEARFUL. Who were the people who captured him and held him?

Mr. KRITZBERGER. They were bandits; that is all I know.

Mr. KEARFUL. Do you make any distinction between bandits and Carrancistas?

Mr. KRITZBERGER. No; I don't. I think they are all bandits, the way I figure it. The way they did me, and the way they do everybody, I don't see where there is any difference. I really think the

Carranza forces did me more damage than the bandits. The bandits would come in and stay two or three or four hours, take what they wanted, and go on. The Carranza forces would come down there and probably stay for a week, and steal off of me all the time they were there.

Mr. KEARFUL. Did they ever pay for anything they got?

Mr. KRITZBERGER. No, sir; they didn't pay for anything. I never got anything. When I got down there this last time I took a sashay down through the woods. I had been away four or five months, and I found several animals that were shot. I found where they stole a lot of barbed wire. I went to Tonala, and as it happened the general was at Tonala. I also wrote the consul a little before that about it. I had a talk with the general, and he wanted to know who was doing that. He said, "Why don't you watch and see who is doing that?" I said to him, "I am not going to stay around in the woods, when the bandits and people are out there with rifles killing cattle." "Well," he says, "the only thing we can do is to send a commission out there and take the arms away from the people around there and stop it." He said he would do that. In about 10 days here comes about 25 men, and they came to the ranch about noon. They had already taken up the arms on one side. They stayed at the ranch that afternoon and that night until 4 o'clock the next morning, and then they worked on the other end of the ranch to the other little town and gathered up the arms. Then when they came back they stayed at the ranch until long about midnight the next night. Of course, I took the captain and one or two others in the house and treated them as nice as I could.

The rest of the soldiers stayed outdoors. When they left that night they robbed the ranch, took a lot of things—saddles, bridles, blankets. I turned in and wrote the general a letter and told him they came out there and robbed me, but that was the end of it. If I had not said anything in the first place, I would have been robbed but once, but I went and made a holler, so I was robbed twice. The more you try to do anything the worse you are stung.

Mr. KEARFUL. There were a good many Americans who were robbed and driven out of Mexico who applied to the American State Department for protection, and they have reported that the question put to them was, "Why did you go to Mexico?" So I will ask you why you went to Mexico?

Mr. KRITZBERGER. I thought there was an opportunity there, is why I went to Mexico. I think I would have lots of money to-day if that had not happened.

Mr. KEARFUL. Were you advised about the opportunities in Mexico by the Mexican Government or by this Government before you went?

Mr. KRITZBERGER. No, sir. I read literature, and I went down on my own hook. Nobody told me, and I never asked any questions.

Mr. KEARFUL. You went there to engage in a legitimate business enterprise, did you?

Mr. KRITZBERGER. I went there with the intention of making money, and trying to do business in a business way.

Mr. KEARFUL. Did you have any idea when you went there that when you succeeded in developing the business it would be taken away from you and you would be refused protection?

Mr. KRITZBERGER. No; not the least idea; not the least idea. When I first went there it seemed like all the natives respected you. If you passed one of them, they would take their hats off to you and get out of your way and allow you the trail. It kind of made me take up with the country. But it is just the opposite now. Even if you are in town, you can't walk on the sidewalk. You are liable to be assaulted or insulted. They will call you anything they want to, or make a joke of you, or shove you out of the way.

Mr. KEARFUL. Did you or the other Americans who went there mistreat the Mexicans in any way?

Mr. KRITZBERGER. No, sir. I don't know one case where an American ever mistreated a Mexican. Of course, some Americans may have some trouble down there, because he has his property, and some Mexican will want to use part of it to plant some corn on or something like that, and the American won't stand for it. Of course, you wouldn't call that mistreating the Mexicans, because the property was paid for and the American was paying the taxes on it.

Mr. KEARFUL. What effect did the American enterprises have upon the condition of the Mexican laborers? Was it beneficial to them or otherwise?

Mr. KRITZBERGER. The Mexicans at that time seemed to think it was a nice thing for Americans to come in there, because the Americans always paid them more money than anybody else, or their own people did. They seemed to think they got along better. Any American that went down there, he would start developing and trying to do something, which their own people didn't do so much. And the Americans always paid them better wages than anybody else. At the same time, if they got a chance at you they would cut your head off.

Mr. KEARFUL. Is there anything further you want to say that has not always been covered?

Mr. KRITZBERGER. No, sir; I don't know of anything. I guess we have covered about everything.

At different places, in riding along on the train, we would see natives hanging on the trees now, along the railroad. They kill each other. It seems like they will loot, and one will rob the other, and one will kill the other to get what he had looted.

Mr. KEARFUL. What is the condition of the country through which you traveled at the time you came out of Mexico the last time?

Mr. KRITZBERGER. It is worse than ever.

Mr. KEARFUL. In what way?

Mr. KRITZBERGER. In the way of looting.

Mr. KEARFUL. How about the farms along the railroad? What condition are they in?

Mr. KRITZBERGER. I mentioned that. The farms are there, but the improvements and everything and the people are all gone. The land is there, of course. I don't know whether the taxes are paid on it, or whether the Government has put an embargo on it or not. Of course, I don't know that. Some of them probably are paying taxes on their property there yet, and some of them I don't suppose are able to.

Mr. KEARFUL. If the taxes are not paid then the Government levies an attachment on the property?

Mr. KRITZBERGER. Yes, sir.

Mr. KEARFUL. What they call an "embargo"?

Mr. KRITZBERGER. Yes, sir. They put an embargo on some that is paid, too, if they want to. They put an embargo on land I have a power of attorney for, and I have paid taxes right up to date. I went to see the collector and tried to explain the thing to him, but he wouldn't be convinced in any shape or form. I wrote to the consul about it, and I don't know what the outcome of it is now. I wanted to get away, because the bandits were working around there and I didn't want to stay any longer. I didn't stay to finish that embargo business they put on that property. The consul said he would try to straighten it out. And that is all I know about it.

Mr. KEARFUL. How do the Mexicans treat other foreigners besides Americans—especially Germans and Englishmen?

Mr. KRITZBERGER. Well, it seems to me the Germans don't have as much trouble as anybody else. It seems like down with the German people they don't have any bandits. In those big coffee ranches there, where the Americans have those big coffee ranches, and the English have a few of the coffee ranches, but the most of them—two-thirds or better—belong to the Germans. The bandits don't operate down in there. I don't know why.

Mr. KEARFUL. In what part of the country is that?

Mr. KRITZBERGER. That is practically on the Guatemala line.

Mr. KEARFUL. In the State of Chiapas?

Mr. KRITZBERGER. Yes, sir.

Mr. KEARFUL. Are there any other incidents that you recall?

Mr. KRITZBERGER. No, sir; I guess not.

Mr. KEARFUL. That will be all, then. Thank you very much for your testimony.

(Thereupon, at 12 o'clock noon, the committee adjourned.)

THURSDAY, APRIL 1, 1920.

UNITED STATES SENATE,
SUBCOMMITTEE OF THE COMMITTEE ON FOREIGN RELATIONS,
Washington, D. C.

Testimony taken at Washington, D. C., April 1, 1920, by Francis J. Kearful, Esq., in pursuance of an order of the subcommittee of the Committee on Foreign Relations of the Senate.

TESTIMONY OF MR. MICHAEL J. SLATTERY.

(The witness was duly sworn by Mr. Kearful.)

Mr. KEARFUL. Please state your full name.

Mr. SLATTERY. Michael J. Slattery.

Mr. KEARFUL. What is your present place of residence?

Mr. SLATTERY. 830 North Sixty-third Street, Philadelphia.

Mr. KEARFUL. Are you an American citizen?

Mr. SLATTERY. Yes, sir.

Mr. KEARFUL. Where were you born?

Mr. SLATTERY. Philadelphia.

Mr. KEARFUL. What is your profession?

Mr. SLATTERY. I am a mine operator.

Mr. KEARFUL. What opportunities have you had to observe conditions in Mexico?

Mr. SLATTERY. Recently?

Mr. KEARFUL. At any time.

Mr. SLATTERY. First of all, my close contact with the people; I went into Mexico in March, 1901, coming out when we were forced out by the invasion of Vera Cruz by the United States Government, in April, 1914. Living all those years in Mexico gave me a splendid opportunity of knowing the people, becoming acquainted with them, their customs and mode of living; and, after my coming out of Mexico, keeping up the friendship with most of the friends that I had made down there. I think, therefore, I am in a position to say that I know something of Mexico.

Mr. KEARFUL. What was your business in Mexico?

Mr. SLATTERY. My business was being engaged in mining.

Mr. KEARFUL. In what part of the country?

Mr. SLATTERY. I was in charge of many operations in the State of Zacatecas, the State of Colima, and the State of Jalisco, particularly Jalisco. I was in charge of a number of big properties down there, and not only in charge of a number of properties, but I owned considerable property of my own.

Mr. KEARFUL. Will you proceed to state in your own way the nature and extent of the operations with which you were connected in Mexico?

Mr. SLATTERY. I do not quite get that question; in how large a way?

Mr. KEARFUL. Yes.

Mr. SLATTERY. For instance, in one property we were operating a mill of 200 tons capacity and were considering the advisability of further adding to that mill. We employed close on to 1,100 men.

Mr. KEARFUL. What kind of a mine was that?

Mr. SLATTERY. That was gold mining. At another place we had about 350 men and were building and constructing a mill. At a number of other places we had anywhere from 50 to 75 men at work prospecting and doing development work.

Mr. KEARFUL. Can you make an estimate of the amount of money invested in these enterprises with which you were connected?

Mr. SLATTERY. Yes. The actual capital invested I would imagine would be in the neighborhood of $7,000,000. Aside from that there were a number of properties in which I have been directly interested, properties that I have owned myself, for instance, where I have taken considerable money out of the ground and put it back into the property; that is to say, in the development work I took this money that we received for the sale of bullion and concentrate returns and put it right back into development and improvements.

Mr. KEARFUL. Are you familiar with the condition of mining in Mexico prior to the time that the Americans went in there to engage in mining?

Mr. SLATTERY. My experience with mining only dates from March, 1901; but from talking with the natives themselves about the mining prior to that time and comparing it with the conditions of the succeeding years, say from 1901 to 1910, I should say that I was familiar with those conditions.

Mr. KEARFUL. About what time in the history of mining in Mexico did the Americans go into that country?

Mr. SLATTERY. I do not know exactly. I do not know when Porfirio Diaz—one of the most wonderful Presidents that Mexico has ever had—issued that famous proclamation of his, which, among other things, if my memory serves me correctly, said:

> Recognizing that the economic condition of Mexico can not be developed from within, I hereby invite the nationals of the world to come into Mexico and develop the resources of Mexico, guaranteeing to them the same rights and privileges as are now enjoyed by Mexican citizens, excepting, of course, the right of suffrage.

When I came into Mexico that was one of the first—in fact, before I went into Mexico that was one of the first things that was called to my attention. It was called to my attention for the reason that Mexico to me was a strange country and I was anxious to understand the conditions which would safeguard a man, his life, and his property while in that country; and it was while I was in the City of Mexico talking to one of the most prominent members of the legal profession that that proclamation was shown to me, and of course I have always understood and during my years under Diaz I realized that that proclamation was being carried fully into effect, namely,

that Americans as well as all other nationals were given every right and privilege to engage in the mining industry

Mr. KEARFUL. You regard that as practically the beginning of American mining operations in Mexico?

Mr. SLATTERY. I believe that that was the beginning of the American entry into Mexico on a large scale in mining.

Mr. KEARFUL. Diaz was president first in 1876, and again in 1884.

Mr. SLATTERY. Yes.

Mr. KEARFUL. So that it was near the beginning of his administration?

Mr. SLATTERY. No; that I can not say, because I never took the trouble of looking it up. I am only familiar with it because it appears on the first page of the constitution.

Mr. KEARFUL. What was the fact in regard to the mining prospects of Mexico when the Americans went in? Were there great bonanzas ready to be developed at little cost, or were they problematical and expensive?

Mr. SLATTERY. In my entire experience in Mexico, my long years in Mexico, I never saw in any part of Mexico and never met any American or Britisher who ever ran across one of those so-called bonanzas. Personally I was always on the lookout for that kind of a proposition; but in my 18 years professional prober connections in Mexico I never knew of such a thing. Bonanzas only come where there is an intersection of veins, and those intersections of veins are usually not found on the surface; they are usually found very deep down in the ground, and it requires a great deal of development work to locate such bonanzas.

Mr. KEARFUL. What was the condition with respect to the surface prospects having been worked out when the Americans went in there?

Mr. SLATTERY. Mexico is known as the land of antiguas. That is to say, there are a number of old mines, some of them going back to the time of Carlos V of Spain; but the way those mines have been worked, those antiguas, have been such that in nearly every case every piece of ground that has been worth while has been practically, you might say, worked all over again, for the reason that there were very narrow passageways. We mining men developing the ground call them rat holes. They simply followed the pay streak. The development work was not carried on as we carry it on. They simply gouge and follow the streak. If it is a foot wide they will just drive the width of a man's body; so you can readily see that when any Americans came across these antiquas that were supposed to be very rich mines in the days gone by, it required considerable money to open up and develop them; and there are very few antiquas that are in actual operation.

Mr. KEARFUL. Was it a fact that all of the rich prospects had been worked out and abandoned at the time the Americans went in there?

Mr. SLATTERY. I should like to answer your question in this way: Every big mine in Mexico to-day that is worthy of the name of being called a big mine has been developed by American enterprise or British engineers. In other words, when those men first went in there and took hold of these properties they were merely prospects, and to-day they are the most wonderful properties in Mexico, and

those mines were developed by American and British capital. I want to say that the reason why I say "American and British capital" is this: It is a strange thing that the American people have never realized. We fellows in Mexico have been dubbed, you might say, back here, as being soldiers of fortune. It has been said that we have gone down there and that we have grabbed the lands, and that we have stolen the mines, and in other words that we have taken these things away from the Mexican people, when as a matter of fact Americans in Mexico have only been engaged in things that have required nerve, patience, and sacrifice. That is to say, they have been engaged in mining, and every man knows that a man who lives in the mining country is away from civilization; he is out in the lonely hills. He does not develop a mine overnight. It takes time to do that. Every shot he puts into the ground does not produce ore, and he has his disappointments. Then we have the railroad men, engaged in building railroads. The Americans built all the railroads. When we talk about the progress of Mexico during the years prior to Mr. Diaz, and we say that nearly every section of Mexico has been connected with the capital by railroad, we can also say that these same railroads have been built by Americans. Our dams, waterworks, ports of entry, our beautiful harbors at Vera Cruz and Manzanillo, and all big things like that, Americans have been asked to go in and do these things.

Mr. KEARFUL. What about the paving of the streets?

Mr. SLATTERY. We are laying out the sewers in the different cities. Americans as a class have not gone into the commercial enterprises. The thought I want to convey to you is that we did not take away any opportunity from the native people. We developed the opportunity.

Mr. KEARFUL. Is it a fact that the Americans went in there and did the things that the Mexicans themselves would not do or did not do?

Mr. SLATTERY. That is the truest statement that has ever been made.

Mr. KEARFUL. Is that especially true with regard to mines?

Mr. SLATTERY. Absolutely so. I have been in contact with a great many Mexicans, and I have never known a Mexican in my entire experience in Mexico to ever invest a dollar in what we would call a prospect—that is, what we fellows would consider a good gamble that we would be willing to sink our own money in to help to develop. I never knew of a Mexican in my entire experience that would be willing to invest in that prospect with you.

Mr. KEARFUL. In getting control of mining prospects in Mexico, did you ever know of Americans who had special concessions that they obtained from the Mexican Government that gave them any special privileges over the Mexicans?

Mr. SLATTERY. Do not make me laugh. As to these so-called special concessions, I have only heard of the term since I have been back in the United States. Anything our people got in Mexico, we bought and we dearly paid for.

Mr. KEARFUL. Did you or your associates have any special privileges that you got from anybody?

Mr. SLATTERY. I not only did not have any special privileges, but I can cite many occasions where they have attempted to take

away from me what I really secured in the proper and legal way, after I developed them from a prospect into a paying proposition.

Mr. KEARFUL. Has it been true with many other operators, as it has been with you that when profits were made from the mines, those profits were reinvested for further development?

Mr. SLATTERY. Oh, yes; that has been our general policy. That has been the general policy of many of our American mine operators.

Mr. KEARFUL. What effect did the operation of American capital and enterprise in the mining industry have upon the laboring classes of Mexico? Did it tend to oppress them?

Mr. SLATTERY. It seemed to me—and of course I am only going to speak of my own expedience—that we put life into the whole country where Americans were engaged in an enterprise. Speaking for myself, I can recite to you three places where practically a blade of grass did not grow. When I say "a blade of grass," you know what I mean—developed in the proper way; there was nothing but a little prospect, little indications, superficial indications that there was ore in the ground. We developed those three places, so that in time we built practically towns around those mines with the people engaged in the development of our work.

Mr. KEARFUL. Did you employ natives exclusively?

Mr. SLATTERY. Natives. When I went to Mexico first, the average wage of the peon, the laborer, was 6 cents a day, Mexican money. The first crew of men I ever employed I paid 50 cents a day. That was the beginning, you might say, of the hatred that sprang up between the mining men and the hacienda men.

Mr. KEARFUL. The Mexican hacienda men?

Mr. SLATTERY. The Mexican hacienda men. They were paying their men 6 cents a day and allowing them so much of the corn and beans that they would raise on the hacienda. Sometimes they got what was coming to them, and sometimes they did not. In any case, we began at 50 cents a day. We raised that to 75 cents a day. We have been paying from a dollar for common labor up to two and three dollars a day.

Mr. KEARFUL. You are speaking in terms of Mexican money?

Mr. SLATTERY. In terms of Mexican money. I never operated nor would I operate a company store, but I always saw to it that in dealing with storekeepers that were in my village or in the place where I was operating, we bought those goods for cash. You know Mexico is a country of long-time credits, but by paying cash for everything you can buy things considerably cheaper.

Mr. KEARFUL. What was the system of company stores that operated to oppress Mexican laborers as it was operated by the Mexicans?

Mr. SLATTERY. The company store was a store where the peon or the laborer could go to the store on what they called a ticket, and on this ticket everything that he was given out of the store was put down. At the end of two weeks, or at the end of a quincena—two weeks' time—or a month, or whatever the time or period of employment was the amount that he was supposed to receive every day was then placed opposite what he received, and it was always found that that man was in debt. No matter how it was figured,

the peon was always in debt. In addition to that, the prices in the company store were always higher for everything than he could buy them for right out in the open market.

Mr. KEARFUL. Provided he had the cash?

Mr. SLATTERY. Providing he had the money. I saw the dangers of that system, and I always desired to have the confidence of the Mexican laborer, and in order that he would not think we were trying, as we use the term nowadays, to profiteer, we did not operate a company store, but we did control every storekeeper in our village. That is to say, every man, every storekeeper who sold a piece of goods higher than what the price was that we fixed on it, we practically took the privileges of the store away from that man. In other words, what I mean by that is that we would not honor our time-cards in his store.

Mr. KEARFUL. That is, if he sold on credit to your workmen and charged them an exorbitant price you would see that he did not get paid?

Mr. SLATTERY. We would not honor those cards, and in that way our laboring men, our miners, were able to buy in these stores articles of wearing apparel and also edibles for less than they could buy these same articles for in the smaller towns, because of the opportunities we afforded them, by paying cash for everything and buying at wholesale prices.

Mr. KEARFUL. What other benefits accrued to the Mexican natives by reason of the operations, besides this doing away with the company-store system and the wage scale? What about their habits of living and their clothing, etc.?

Mr. SLATTERY. That would have to be answered with a long story, which I do not like to go into.

The average American who has gone to Mexico has been practically the judge and jury and doctor and everything else for his laborers. Once an American obtained the confidence of the native, that native would bring and did bring his domestic troubles, his family troubles, all his troubles to him. In case of any quarrels or anything of that sort he would never think of going into the town to the jefe politico or to the judge to settle them. He would bring them up to his American patron and have him adjust them. We Americans moved among those Mexicans; we were practically their doctors; many of us took up a course of medicine, you might say by correspondence, through the Parke-Davis system, just to learn the general symptoms of diseases and have some pills and things around about the place, so that in case of little ills and all that sort of thing we would be able to administer to them.

What the Americans have done for their laborers and for the people connected with their work, no man is in a position to give a real statistical account. For instance, those of us that knew their habits, we celebrated their own fiestas right on our own grounds; we gave them their own entertainments; we gave them their own music; everything that they would have by going to the big towns we gave them right on our own place.

Mr. KEARFUL. Without assessing them for it?

Mr. SLATTERY. Without charging them a nickel.

Mr. KEARFUL. What about the matter of education?

Mr. SLATTERY. In the matter of education, we always saw to it—of course, that was never carried on in a systematic manner, because, after all, the word "education" is a misnomer in Mexico. Although I have read so many beautiful things about the educational system of Mexico, I never came in direct contact with it; at least, I never saw it, although I searched for it—this wonderful educational system that was said to be going on in Mexico. Without speaking for anybody else, we had a rural school—you might call it—out our way, that we had two or three hundred children attending, and we practically paid 50 per cent of the expenses of maintaining that school.

Mr. KEARFUL. Was the system that you describe, of gaining the confidence of the Mexican workmen, generally followed by American mining operators?

Mr. SLATTERY. Generally; yes.

Mr. KEARFUL. What was the attitude of the Mexicans toward the American operators during the time of Porfirio Diaz?

Mr. SLATTERY. The attitude was, I would say, of the most friendly kind.

Mr. KEARFUL. Were they grateful for the things that were done for them, or otherwise?

Mr. SLATTERY. Well, yes; but that word "grateful" is a peculiar word in Mexico. A Mexican very seldom—I suppose it is a trait that is unexplainable—shows gratitude, but if we could use the word in its broadest sense, they would go out of their way to appreciate what was done for them by their American patrons.

Mr. KEARFUL. Were they trustworthy, as a rule, and faithful?

Mr. SLATTERY. Absolutely. That is a thing that I should like to describe for you, because it has been asked of me so many times. The most faithful individual that I have ever met is the Mexican peon. He will stick with you, if he has a responsibility, 24 hours of the day, if it is necessary.

Mr. KEARFUL. Do you not call that gratitude for good treatment?

Mr. SLATTERY. You have asked me another question, now.

Mr. KEARFUL. Very well.

Mr. SLATTERY. You asked me if they were trustworthy. You can put on your desk $10,000 in money in all denominations, and go out; go down to the mill, or go somewhere else, and come back, and not a nickel of that money will be touched; but some old rivet or some old bolt or something that is absolutely of no use to the Mexican himself, but may, perhaps, be of some use to you, will be taken by him simply because it is lying around. Now, that is almost indescribable.

Mr. KEARFUL. You are talking now of a period that is past, are you not?

Mr. SLATTERY. I am talking now of the Mexican.

Mr. KEARFUL. The characteristics of the Mexican generally?

Mr. SLATTERY. I am talking now of the Mexican of to-day, as well as the Mexican of 1901 that came under the direct influence of the Americans. When I say that, I do not include in that a single member of the outfit that has taken up arms with one faction or another. I describe him as nothing more than a bandit—members of that outfit.

Mr. KEARFUL. Do you include in the term "bandit" the government army?

Mr. SLATTERY. I include in the term "bandit" every man that has been in the Carranza army, the Villa army, the Obregon army, all the factional strife; everyone of those fellows I include in that term.

Mr. KEARFUL. Which predominated in the mining business in Mexico—Americans or British?

Mr. SLATTERY. Oh, we were away ahead, both in money and men and development of mines, of British capital.

Mr. KEARFUL. Did you have any troubles at all during the time of Porfirio Diaz in your operations?

Mr. SLATTERY. Never. We never worried a minute. I rode all over Mexico during those good old days on horseback, and I felt as safe as if I were back in my own home town. The thought of danger never occurred to me. In fact, at night at the mine we slept with our doors and our windows wide open.

Mr. KEARFUL. You never had any feeling of insecurity?

Mr. SLATTERY. We never had any feeling of insecurity during all of those years.

Mr. KEARFUL. How is it now?

Mr. SLATTERY. As it is now, we are not even permitted to spend a night in our own place.

Mr. KEARFUL. At what point did this change begin to take place?

Mr. SLATTERY. It started in 1910. In September, 1910, Mexico was celebrating the one hundredth anniversary of its independence from Spain. Everyone who was within the gates of Mexico at that time would think that she was the greatest country in the world, everybody seemed to be so happy and lovely with one another. Two months afterwards, if you will recall, Pancho Madero hoisted his flag of revolt, and then started the anti-American riots. From some of the men who were closely connected with Pancho Madero, I was given to understand that these anti-American riots were inaugurated or initiated to convey to the American people and the world at large outside of Mexico that Porfirio Diaz was not capable of protecting life and property; so in nearly all the cities of the republic these riots started.

Mr. KEARFUL. What result did they anticipate, upon showing to the world that Porfirio Diaz was incapable of protecting life and property?

Mr. SLATTERY. It appeared to Madero, and it appeared to a great many of the other malcontents, who were few in number at that time, that Porfirio Diaz had such a hold on the world at large that it would be a very unpopular thing to start anything in a regular way that would tend to defeat Diaz for reelection as president, so they took the other method of—as we use the word nowadays—propaganda, but it was armed propaganda. By having an outrage here, and another one there, and another one somewhere else, the impression would get out eventually that Diaz, after all, was not doing what he was supposed to be doing; namely, protecting life and property.

To get back to that period, I recall very vividly what happened in Guadalajara in September of 1910. We Americans were asked

to get up some kind of a show. In fact, there was a day set aside for us, and we put on a set of athletic events. It was something new to them. They never had had them before. In fact, it was the first athletic meet that was ever held in Mexico. I was the chairman of the committee. I invited the governor out. The governor said, "Oh, well, it is going to be like all the rest of these festivities. You will say you will start at 2.30 and you will not get started until 4 o'clock." I told the governor we would start at 2.30, and that a pistol shot would be fired, and that the motorcyclists—which was to be our first race—would start at that time.

The governor was eating his dinner when he heard the motorcyclists go by. He immediately rushed out, got into his automobile, and came out to the races. He asked me to call him, notify him, at 5 o'clock, as he had another engagement to keep. He sat and watched those races, and at quarter of 5 I notified him. He said: "I am not going to leave here; I am so interested," and he remained.

The day after the races were over the governor sent for me and told me that he was so much interested in what he saw the day before that he wanted some of us to go into his schools at Guadalajara and arrange to have an athletic course, as he called it, and he could then understand why it was that these things appealed so much to the American people. As a result of the work at that time I received a medal from the Mexican Government, showing that at that time we Americans were not what we are considered to be to-day by the present Government.

Then, two months later, followed the anti-American riots. For two days and two nights the mobs just ran riot. Every American house was stoned. My house was stoned, and was not only stoned but was shot into. We got into a little trouble, for the reason that we met at the American Club, and we notified the governor that if he did not stop the rioting we Americans would take the streets ourselves that night, and we would stop it for him. This was after the second day. So the governor, knowing his American friends, and knowing they would carry out anything they threatened to do, saw to it that the rioting was stopped that night. In other words, there was no more rioting

Mr. KEARFUL. What, if any, patriotic pretext was there for this rioting?

Mr. SLATTERY. Absolutely none at all.

Mr. KEARFUL. Was there no slogan or cry that they used?

Mr. SLATTERY. Well, of course, in some places it was "Viva Madero!" and "Mueran los Gringos!"—in other words, "Long live Madero!" and "Death to the Yankees!"

Mr. KEARFUL. What were your next troubles?

Mr. SLATTERY. Then came the four bad years. What I mean by the four bad years was that this life of security that I have spoken of suddenly disappeared. The flag of revolt seemed to be hoisted, and everybody in arms became nothing more than a downright bandit. You will recall that I said I consider the term "bandit" as used in that connection as meaning one who served in the armies of the various factions. There was never an outfit that rode into my place that did not have with them, flying, the flag of the Republic of Mexico.

I recall on one particular occasion when there were three different factions. They were the Villistas, the Carrancistas, and the remnants of the local faction out our way, which was called the Cervantistas; and each one of these three factions, while they were engaged in action, had the Mexican flag as their standard color.

During those four years we Americans always remained neutral. I remember that faction after faction would ride into our place and demand that we give them powder, and dynamite, and money, and all sorts of things, some of them even calling on us to shoe their horses and furnish iron and fix their guns; but we always stood on the principle that the revolution was none of our business, and that taking part in it would only get us into trouble, and we steadfastly refused to participate in it.

Some of the factions resented this, and as a result used to give us considerable trouble. Raids would take place. They would take place at the dead hour of the night, when we would be all in bed. They would come riding into the place, shooting it up, and then looting and pillaging and taking everything that they could get their hands on. The uncertain part of this whole thing was that nobody knew where we stood with our own Government. If an American got into trouble in Mexico, he just went to jail, and there he stayed. If an American defended his place, and if it happened that he killed, mind you, any of these bandits that rode in, he was arrested by the local authorities and put in jail, and there he remained until the local authorities felt good and ready to let him out, notwithstanding any appeal that would be made to have that man released through our own governmental channels. The consequence was that we did not have any security from the Mexican side and we had absolutely no security from our own side, and we were between the devil and the deep sea; so we just went on the even tenor of our ways, trying to work, and hoping that out of a clear sky there would some day come a pronouncement that all of this trouble in Mexico would have to stop.

Mr. KEARFUL. Did any such pronouncement ever appear?

Mr. SLATTERY. It has never appeared in my waking hours. I have often dreamed about it, but it has never appeared. The only pronouncement that has ever appeared from our Government—and I am very sorry I am forced to make this statement—was nothing but a proclamation of ridicule and of denunciation of that splendid type of men that went into Mexico to help develop Mexico.

Mr. KEARFUL. Right there I want to ask you a question. It has been stated more than once, sometimes from high official sources, that the Americans operating in Mexico were not entitled to consideration because they were a class of speculators who had gone down there and obtained concessions from the Mexican authorities by means of bribery and fraud practiced on the Mexican people. What have you to say about that, with regard to the character of the Americans who were operating there?

Mr. SLATTERY. There is one man who has persistently made that kind of statements that I hope it will be my privilege to say to his face what I can not say very well here. That man is William Jennings Bryan, former Secretary of State.

If you will recall, some time in 1903 in his periodical called The Commoner, he wrote an article on Mexico. In that article, among

other things, he said that he had been asked many times as to what advice he would give in regard to making investments in Mexico. He said that he had no general advice to give, as each would have to be judged by their own standards, but that the last consular report received showed that there were $511,000,000 invested in Mexico, and then he goes on in these nice, rosy terms that he can some times use when he wants to, and he painted a beautiful picture of Mexico. Well, from 1903 to 1910, considerable investments poured into Mexico. I do not want to give Mr. Bryan credit for being responsible for that, but it seems evident that somebody must have taken his advice, because in 1910 it was estimated that there was $1,000,000,000 of American capital invested in Mexico. Now, this same man has made the statement time and time again that the American flag should never follow any man that invests outside of his own country.

Mr. KEARFUL. That was when he was Secretary of State?

Mr. SLATTERY. That was while he was Secretary of State.

Mr. KEARFUL. How does that accord with the principle announced in the Democratic platform of 1912? Are you familiar with that principle?

Mr. SLATTERY. I am. That is why I hope I will not be getting away from this man Bryan. I hope you will bring me back to him.

Mr. KEARFUL. You have the platform there, have you not?

Mr. SLATTERY. Yes; but I am almost trying to frame an apology. I was going to say I am a Democrat. I will say I was a Democrat.

When I went back to Mexico in 1912, after the election of Mr. Wilson, I had met all my friends gathered together in the American Club, and of course they were asking for the latest word from the States, and I told them that I believed we had a man now in the White House, or a man that would shortly go into the White House, that would take the proper stand toward the conditions affecting everyone who was living in Mexico. I recall this platform. Among other things it stated:

> The constitutional rights of American citizens should protect them on our borders and go with them throughout the world; and every American citizen residing or having property in any foreign country is entitled to and must be given the full protection of the United States Government, both for himself and his property.

That is a beautiful paragraph, but so far as having been carried out is concerned, it is meaningless.

As I stated, knowing this, knowing the man as men meet their presidential candidates, I somehow got the conviction that with the election of Mr. Wilson things were going to change in Mexico; and I was just as anxious for a change not only for ourselves as I was for the Mexican people. When it is considered that I would estimate that not more than 400,000 men at the very outside have been engaged in rioting and revolution since 1910, and the other 16,000,000 people have been absolutely helpless, and we are not doing anything to save them.

Mr. KEARFUL. You think the sufferings of the Mexican people themselves are much more than the sufferings of the foreigners in Mexico, then, do you?

Mr. SLATTERY. My heart aches for them. I have often been asked, "Why is it that 400,000 people can dominate 16,000,000?" One must

understand that during the lives of the Mexican people they have been brought up in fear. Mexico, almost from the days of the Spanish rule, has had a series of revolutions—revolution after revolution. I think there had been something like 300 revolutions in Mexico up until the time that Porfirio Diaz was elected president. He ruled them with an iron hand. When I say "he ruled them with an iron hand," I mean that he put into their hearts the fear that unless they obeyed the law they would not be given a jail sentence, but they would be taken out and shot. The consequence was that these people have been brought up with that fear. Now then, with these revolutionists, as we call them, the man with the gun, or the man on horseback, can sway five or six or seven thousand people.

That was the psychology of the Americans. That is, we fellows never had any fear throughout all this revolution. From 1910 to 1914, with all the raids, with all the holdups and all that sort of thing, during the trying days of 1914, there was never an American that I ever met that did not figure that he was capable of taking care of himself, no matter how big the crowd was that was attacking him, provided, of course, he was fully armed.

It is just like this: For instance, take Pennsylvania Avenue. I think that is one of your crowded places here. Take that avenue on a busy day. Let two or three drunken policemen, with a badge of authority on them, come riding up on that street with pistols in their hands, and ride through that mob; how many people back on Pennsylvania Avenue right here will undertake to take those pistols away from those two or three drunken policemen, particularly while they have a badge of authority? Now, you multiply that accordingly throughout Mexico, and you get the reason why 400,000 people under the badge of authority are able to dictate to and dominate 16,000,000 people.

These poor people, the rest of the people, have suffered, and suffered intensely. The best element of Mexico has been driven out of Mexico—the element which we call the 18 per cent, 18 per cent of the cultured class, the element that has been engaged in the arts and the sciences and the letters, the cultured people. Simply because they have had a little something, a little money or owned a little land, they were made the common enemy by all factions. As a consequence these people have been driven out, and are to-day on this side of the line, right here in the United States, hoping and praying in their own way that a remedy will be found some day to give back to Mexico the peace and prosperity that Mexico once enjoyed.

Mr. KEARFUL. Coming back to Mr. Bryan, what was the first indication of his attitude toward Americans in Mexico that you received?

Mr. SLATTERY. It was August 27, 1913, when we received or at least our consular agents received that famous telegram advising all Americans to get out of the country and to stay out until conditions were improved; and that telegram was so worded that he actually ordered you out by intimating that if you remained there you would get your country into trouble by remaining there.

Mr. KEARFUL. He appealed to your patriotic sentiments?

Mr. SLATTERY. He appealed to your patriotic sentiments to get out of the country so as not to endanger your Government by remaining there.

Mr. KEARFUL. What was the event occurring at that time that seemed to bring forth this telegraphic order?

Mr. SLATTERY. You will recall that it was in February, or just prior to the inauguration of Mr. Wilson as President, that President Madero and Pino Suarez and the whole Madero cabinet were overthrown by Huerta, and just prior to the inauguration of Mr. Wilson as President Mr. Madero was assassinated. Then followed those days of the Huerta régime. We Americans in Mexico, seeing the difference between Huerta and everything that preceded Huerta, from de la Barra's time down, realized that we had a strong man for President of the Republic, and deep down in our hearts we were all hoping that Mr. Wilson would recognize Mr. Huerta.

Mr. KEARFUL. Right there, what was the sentiment of the Mexican people generally with regard to Huerta?

Mr. SLATTERY. All over our section of the country, every place where I traveled, every place where I went, the hope and the desire was for Gen. Huerta. I will say that outside of those who were actually engaged in looting and pillaging, the sentiment would be unanimous. So, as I was saying, we were all hoping that Gen. Huerta would be recognized as provisional president. Then, like a bolt of lightning out of a clear sky, came the message from the President of the United States that he would not recognize Huerta, and shortly after that came a proclamation for us Americans to get out of Mexico.

Mr. KEARFUL. You mean while Mr. John Lind had been sent to Mexico to eliminate Huerta from the presidenecy?

Mr. SLATTERY. The President certainly picked—to use a slang expression, but it is the term we used down there—a lot of lemons in the representatives that he selected to represent him in Mexico, in the persons of Lind and Bayard Hale and others that he sent down there for the purpose of giving him information on the Mexican situation. You know John Lind's visit to Mexico City was a joke, and if it were not so serious it would be a comic opera. He came down there with his chest thrown out, that—well, he was a big fellow back in the United States, and he was coming down there to show those Mexicans how to do things, and he was the direct representative of the President, and all that sort of thing. He came there. Gen. Huerta met him and talked things over with him, and when he left Huerta and got through with that interview that swelling in his chest evaporated very quickly. Then when he attempted to bribe Gen. Huerta, practically bribe him—you can not call it by any other term—by saying, "If you resign, we will do so-and-so and so-and-so for you, and unless you do so-and-so, why I will go to Vera Cruz and leave," Gen. Huerta just called his bluff by pulling out his watch and saying to him: "Well, I think you have got about an hour and a half to make that train."

That is the kind of representative John Lind was. Had John Lind played ball with Nelson O'Shaughnessy, who was in charge of the embassy after Henry Lane Wilson had been recalled to the States, John Lind would have taken a page out of Mr. O'Shaugnessy's book, and all of us would have felt better. Many of us were personal friends of Gen. Huerta. I knew him intimately, and it is pretty hard to have a man like Gen. Huerta in private con-

versation turn around and ridicule the kind of men that were sent to Mexico to represent the United States.

Mr. KEARFUL. Recurring to the notice to get out of the country, what would have been the effect upon the properties of Americans there if they had obeyed the order and left the country?

Mr. SLATTERY. Absolute ruin. Mr. Bryan must have thought that we could take the mines that we owned and put them on our backs and bring them up here to the United States. He must have thought that such other men as were interested in business could just close the door, put the key in the door, and lock it, and get out. There was no notice with it of any time limit or anything of that sort, but to get out and get out immediately.

To answer the question more directly, I will simply say that the same thing would have occurred then that has occurred now, since we have been forced to get out.

Mr. KEARFUL. I was going to ask you what has happened to the properties of Americans who did eventually leave?

Mr. SLATTERY. That is the saddest story, I think, that has been written in the whole chapter of Mexico. Hundreds of Americans who have gone into Mexico, particularly in the mining field, with little or no capital, with that splendid opportunity of developing the country, took hold of these different little prospects such as I have described to you, paid their taxes and went right along and were all these years developing, and then came these days from 1910, but particularly from 1914, until this Carrancista régime—one law of taxation following another, absolutely impossible to operate, until finally one by one they are compelled to let go of their properties because they have not the money either to operate them or the money to pay the taxes on them. You can not raise a dollar, practically, for investment in Mexico, because everybody feels the insecurity of things in Mexico. Consequently, many of these boys who have struggled all of these years day after day—there is hardly a day passes that somebody is not wiped out. Those of us that have been fortunate are still hanging on, paying everything that comes along, but the great question is, When is the end going to be?

Mr. KEARFUL. You are hanging on at a distance, are you not?

Mr. SLATTERY. Well, I mean hanging on to what we have at a distance. We can not operate. I have been compelled to let six very fine properties go because I have not got the money to pay for them. I have not got the money to pay the increased taxes on them. I have not got the money to live up to some of the new laws compelling me to do a certain amount of work, and as a consequence I had to let go six very fine properties which I have spent considerable money in developing.

Mr. KEARFUL. If it had been possible for you to operate those properties, you could have made the payments without difficulty, could you?

Mr. SLATTERY. Why, if I had had two years more like the few years preceding, all of those properties would have been paying dividends to-day.

Mr. KEARFUL. None of them have ever paid any dividends?

Mr. SLATTERY. Just one of them.

Now, then, to go back to your other question as to what damage has been done, I had one mine—the San Vicente mine—that it would

take half a million dollars to unwater. There is a 900-foot shaft, with 5½ miles of underground works. We were forced to flee; we were not able to keep our men there; I was not able to live there myself, and as a consequence we had to abandon everything. That mine has filled with water. The water is now flowing out of the collar of the shaft. The mill has been destroyed. All of our houses have been demolished; not only my own house, but the houses I had built for my neighbors and caretakers; they have all been destroyed. My fine laboratory and assay office has all been destroyed. Everything that was of value has been taken away from it. Now, that story is the story, I suppose, that you are listening to every day; so why should I repeat it?

Mr. KEARFUL. Not in respect to mines.

Mr. SLATTERY. Of course, you will understand that one of the reasons, perhaps, why you have not heard more—and I suppose you know this, too—is that every man who comes here and says a word about conditions in Mexico is practically a marked man. There is a peculiar law down there, known as article 33, the obnoxious foreigner. It is a law that the President has the power to exercise without explanation at any time; and anyone that speaks and tells the truth in regard to conditions in Mexico and says anything against the present Government finds, for instance, an order that "Your mine must do so and so." There will be some order issued that is absolutely impossible for you to carry out, and the next thing you know your property is confiscated.

That is my condition here to-day. If my story gets out to the world, I am a marked man so far as I am concerned; but I want to say to you right now that if what I am able to tell you here to-day—and I am telling you this under oath, all of my story—if it will be the means of making the American people realize what we have gone through in Mexico, I am willing to sacrifice every dollar I own in Mexico.

Mr. KEARFUL. You are also aware of the fact that the Carranza government has recently issued an order that no American testifying before this committee will be permitted to return to Mexico?

Mr. SLATTERY. I only know that from hearsay. I never saw the order.

Mr. KEARFUL. That is a fact, and the committee has been very much embarrassed by it, particularly in getting mining men to testify.

Mr. SLATTERY. When I came out of Mexico in 1914 I had such a love and veneration, as it were, for the Democratic Party that all the way up on the trip I argued with the rest of the boys in my party that there was something wrong, to be patient, wait; there was a reason for all of it. We came up home and came down into Washington here with the greatest respect for everybody, hoping that we would be received, not as heroes—of course, not as heroes—but as American citizens, as men who had really risked their lives to carry out a principle for which all true Americans stand.

For instance, we fellows could have remained in Mexico. All we had to do was to put the British flag on us. If we had put up a British flag on us, or a German flag, or the Italian flag, we fellows could have all remained there, and remained there quietly; but have

you ever heard of an American in Mexico that ever deserted his own flag in this crisis; that ever put any other flag on him to save himself?

Mr. KEARFUL. I will ask you that.

Mr. SLATTERY. I have never heard of one; and yet we have been called a lot of soldiers of fortune; we have been called speculators; we have been called gamblers. I do not know just exactly what the term is that we have not been called, and all of this has been brought about by this preaching of William Jennings Bryan.

I remember also, going back to his article, that he speaks of our soldier dead in the Mexican War that are buried in the suburbs of Mexico City. I know the spot very well. He tells that beautiful story in that article of how a representative of the Government every morning and every evening raises and lowers the Stars and Stripes, and how on Decoration Day flowers are put on the graves. Does any man know where Mr. Bryan has ever paid respect to some of our dead boys that have lost their lives while he was Secretary of State, who refused to have their flag insulted, to have their women insulted, who resented the outrages that were perpetrated on them? Has any man ever heard of where Mr. Bryan has ever said a kind word even for those men? Instead, he has slandered them by calling them "soldiers of fortune" and "representatives of material interests."

Mr. KEARFUL. What was the implication generally drawn by Americans with respect to what the United States was going to do when that order was given to get out?

Mr. SLATTERY. You mean that order of August 27, 1913?

Mr. KEARFUL. Yes.

Mr. SLATTERY. It was the third-time "wolf." We had been told to get out on two previous occasions by President Taft, but, of course, in a different kind of language. This was the third time, and the funny part about it was that we in Mexico never desired to go out. We wanted to remain there. We felt that if the big show was going to be pulled off—we always called it "the big show"—we wanted to be there for it. None of us had any fear. In fact, when the proclamation came for us to get out on the 27th of August, the governor of our State, in the most sarcastic proclamation that I ever read, sarcastically replied to that, and begged and pleaded with us to remain there; that if our own country could not give us protection, he, the governor of that State, would give us protection; and that was Gen. Huerta's governor, Gen. Mier. He was governor of our State. So, when the cry of "wolf" came the third time, we had a meeting in the club, and we discussed it pro and con, and the American consul was present ready to receive suggestions, and so on, and he read the cablegram two or three times.

The one thing that seemed to stick in the craw of everybody was, "Your remaining there"—mind you—"will get your Government into trouble." In other words, "your remaining there will not get you into trouble, but it will get your Government into trouble," and that was the thing that was under debate: How could we possibly get our Government into trouble? Any trouble we had in Mexico since 1914 was given to us by the United States Government, by their meddling in the affairs of the Mexican Republic. As far as

any troubles we got into were concerned, we could take care of our own troubles. When we had a bandit raid or a holdup on the trail—I think I know something about that kind of thing, as I have looked down into the barrel of a gun perhaps as often as any man in Mexico, as I always carried the pay roll myself so that I would not risk the life of one of my own men; I carried it for two years—we always, somehow or other, could take care of that kind of troubles; but once our Government interfered and commenced to tell the provisional President that he would not be recognized; commenced to tell him, "If you do not get out of there we will force you out of there," commenced to tell some of these other officials where they were headed, and then finally going into Vera Cruz for the purpose of stopping the landing of arms from the Ypiranga, which the whole world knows were landed three or four days later at the port of Mexico, and then sacrificed the lives of 19 splendid American boys by that foolish piece of business—as I say, our troubles to-day, and the disrespect that is shown us to-day, are not because of what the Americans in Mexico did, but what the United States Government did in Mexico.

Mr. KEARFUL. You had this meeting at the American Club, and what did you decide to do?

Mr. SLATTERY. Well, we discussed this thing from every angle. We had altogether in that section of the country about 700 people, American men, women, and children, and I think there were about 230 American men present at the meeting, something thereabouts. The discussion was: "This is the third time. There will be no action," and they just seemed to be undecided; and I got up and I said, "Well, gentlemen, I do not want any man here to think I am denying my own country, but as this seems to be a question of getting my country into trouble, I think that for the time being I will align myself with a country that nobody seems to care to have anything to do with," and I said, "That is the country that is known as Ireland," and I got a green flag with a harp on it out there, and said, "That will be my country temporarily. I do not think that will get anybody into trouble." The consequence was, they elected me Irish consul, you might say, there that afternoon, and they became my subjects temporarily. So we remained there, and we went about our business. Those succeeding days we seemed to be on more friendly terms with the Government because of our remaining there—I mean the Mexican Government.

Mr. KEARFUL. That was Huerta's government?

Mr. SLATTERY. That was Huerta's government.

Mr. KEARFUL. Did you receive protection from the Huerta government?

Mr. SLATTERY. Oh, yes; absolutely. Then things went along all right, of course, up until the following April, 1914.

Mr. KEARFUL. Did anything happen that showed there was any real necessity for any American to leave the country?

Mr. SLATTERY. Absolutely nothing; and it was the old story, if you recall it, of trouble taking those that did go away. They left, and they lost thousands and thousands of dollars in their flight, because they took the order seriously. They got out, and of course their houses were sacked and looted while they were gone, and they suffered considerable damage.

Mr. KEARFUL. When was the next order to get out of Mexico?

Mr. SLATTERY. The next order came on about the 21st of April, 1914, and it came in the shape of a message that the fleet commander at Tampico had been ordered to have Huerta salute the flag by sunset of the 20th, I think of the 20th, and unless that order was complied with the armed forces of the United States would compel that salute. That cablegram was received 22½ hours after it was sent from Washington. We were called together by the American consul and the contents of that cablegram was made plain to all of us, and we felt that at last something definite was going to take place.

Many of us went down to the cable offices to send cablegrams home and get a line on what was going on. It was then that we had the first intimation that there was trouble. The man in the cable office refused to accept or deliver any cables.

That afternoon you could see in the faces of everybody the antagonistic feeling of the people. At this time we did not know what had taken place. That evening, the night of the 20th or 21st, conditions grew worse, and we could hear "Death to the Gringos," the old battle cry. The consequence was, the next morning we learned that Vera Cruz had fallen.

Then there was a wide expression of opinion as to really what we should do, and after discussing the matter very thoroughly, and taking the matter up directly with the governor of the State, the governor of the State said the best thing to do would be take our women and children to the seacoast town of Manzanillo. He said, "We have always been good friends and I don't like to make war on you, but if you see fit to return I will be forced to make war on you. But in any case I want to see that you get safely to the port with your wives and children. Your country has made war on Mexico. Your country has invaded our soil and have killed a number of our citizens."

And he went on in that way of his, describing what he considered insults to the Mexican people; at the same time, however, telling us he would do everything he possibly could to aid us to get out.

With those facts before us we realized that we were up against a different proposition than we were ever up against before. Mob rule was one thing, but mob rule with the government behind it was something else. Notwithstanding the fact, as I have stated, that we took care of ourselves, yet we knew that they could put cannon in the streets and on the housetops and could blow all the places of safety to smithereens. In addition to that, we also felt that he had acted so kindly and so decently toward us that, after all, we should take him at his word. Then again, the matter of what we would have accomplished ourselves by the sacrifice of one American life would perhaps not be worth it, because we were not an army, we were just simply a part of the American population that was in Mexico. So we decided to get out, and go to Manzanillo, which was a port down on the Pacific side.

Mr. KEARFUL. How far distant from where you were?

Mr. SLATTERY. About 160 miles or thereabouts. Oh, it is more than that. It must be at least 300 miles.

Mr. KEARFUL. How long did the trip take in ordinary time?

Mr. SLATTERY. In ordinary times it took about 12 hours to make the trip.

So we decided to assemble and make our getaway; that is, go to the port. We felt probably our warships were in the harbor, because they had been there three or four days before. Some of the officers and men we had entertained in our own homes. They had been there for two years. We decided that we would close up everything and go down to Manzanillo and put our women and children on board the ships, and those who desired to return might do so.

Mr. KEARFUL. Did you leave the property in the hands of Mexicans?

Mr. SLATTERY. Yes. Do you want me to digress there and tell that?

Mr. KEARFUL. I think it would be well to state that.

Mr. SLATTERY. When the word came I called the storekeepers together that I have mentioned before. I had $7,000 in the safe. I turned the $7,000 over to these storekeepers, and said, "I want you to take care of my men while I am away. I do not know how long I will be gone, but I want my people to come to the store and get what they desire, and you take it out of this $7,000, and when that is out I will send you some more money." I figured to be gone only a very short time. I thought surely our coming into Vera Cruz, and not only coming into Vera Cruz but would come on into Mexico, come on into Tampico, and come down from the north. I thought they would go all the way; that no sane man would ever believe that they would simply go into Vera Cruz and stop, but they stopped just the same. So then I made all these arrangements with the men, and my own men begged me to stay there.

Mr. KEARFUL. They were loyal in the face of that condition, were they?

Mr. SLATTERY. They begged me absolutely to remain there; that they would give me every protection and so on, and appealed to me to stay; and I knew from the things that have followed that their promises would have been kept to give me protection, if I desired it. But, anyhow, I fixed everything up and came away.

Mr. KEARFUL. Proceed with the story of your trip.

Mr. SLATTERY. We assembled on that morning, I think of the 22d, from our various homes to the railway station. The lid was off, as we used the expression, and the whole town seemed to be up against it. Some of our best friends, as it would seem, not only pitied us but ridiculed us, that we were running away. They all looked upon us as in flight; that here are these braggadocio Americans that never had any fear, and are now running at the first sign of trouble.

We proceeded down to the railroad station. Coach after coach with Americans in them were held up, women and children were jostled about. The particular coach I was riding in, the mob attempted to hold it up, but by a little show of firearms we compelled the driver to take his choice of driving ahead and forcing his horses through the mob, or else to be quietly laid away in some quiet spot. He decided to go ahead, driving it, rather.

We got down to the railroad station and suddenly an order came that that train was not to go; that the train was needed for the moving of troops. Here we were, all huddled together in that railroad station, the mob on all sides of us, and we came back to the Cosmopolita Hotel, which was just across the street.

By this time the fury was just at its height. The mob stood outside the hotel, using the vilest kind of language, practically goading our people into resentment. Our men were not used to that kind of thing. I had lived a long time in Mexico, and knew what they would do, and I finally appealed to them that we were without organization, and it seemed to me every man was running the thing to suit himself; that one wild act might cause immense trouble; and that we should get down to an organization and select men to lead, men in whom we had confidence to lead, and to be guided by all orders that would be issued.

In consequence, I was selected to be the leader of that party, and I will say that every man, woman, and child obeyed to the last letter every order that was given. The principal order that I gave was that no matter what was said to us, no matter how they handled us, that we would not make reply and not use any display of firearms or go into a fight of any description, with one exception, and that was if they put a hand on any of our American women, then that order did not remain in force.

There were all sorts of threats of what they were going to do to our women, but we felt up until that time we would hold our position and keep cool. And I am happy to testify to-day that that was the kind of men I was associated with, and the kind of men that have been ridiculed in this country by our own Government officials.

The train didn't go. We were then forced by changed circumstances to get out of the hotel. It was a British-owned hotel. It was owned by a Britisher, and we were practically placing a boycott, as it were, on the hotel by remaining there. What I mean is, the impression would be gotten out that the hotel had taken us in, and that years afterwards the hotel would suffer because of that, because Mexicans, as a rule, never forget a wrong.

Mr. KEARFUL. Or a fancied wrong.

Mr. SLATTERY. Or a fancied wrong. At just about this time, Percy Holmes, the British vice consul, came along, and we got into a discussion. He knew I was on friendly relations with some of the officials in Mexico City, particularly Mr. O'Shaughnessy; and he said if I would take the full responsibility—would not put him in bad—we could all go out to the British consulate.

Well, it was a pretty hard thing to do, particularly for an Irishman, to go under the protection of the British flag. At the same time, I did not have myself to consider. I had the lives of my people to consider; and we went out, and there we prepared for siege. We dug trenches, connected a water supply to the house, tapped the gas mains, so that we had a good flow of gas coming in. We had practically 300 people living in that house. In five or six hours we had everybody as comfortable as we could make them. We cooked and ate our meals there, and for a while it was like a picnic.

Then at night time, that same night, the mob kept up its fury, and about 10 or 11 o'clock word came to me that the Germans were down town celebrating with the Mexicans, and telegrams were being shown around how the Germans had assisted in the sinking of the *Louisiana* and some of our other battleships. The way the report came that day was that in the fight that had taken place the battleship *Louisiana* was sunk, and one or two of our other battleships got

so scared with the fine marksmanship of the naval cadets in the Mexican Navy that they ran away and were beached on the coast; that their troops were then occupying Galveston, Houston, and New Orleans, and were on their way to Washington. Oh, it was great, the stories that appeared in the papers. By the way, I have those papers right with me, if you would like to look at them. It was the funniest thing that I ever read. That is, it was funny then. It is worse than our comic supplements that appear in the Sunday papers. You can look them over, about the *Louisiana* being sunk.

Mr. KEARFUL. I am familiar with the newspaper stories regarding that matter.

Mr. SLATTERY. Then came young Ahumada, the son of a former governor of the State. Young Ahumada was educated in the United States. He was educated in Harvard, and lived in the United States for years. He came out just about 11 o'clock at night. He always remained friendly right up to the last minute, but he said, throwing out his chest, "We are putting it all over you fellows. I have just got a telegram from my father." He showed me the telegram. His father was a Mexican senator. The telegram was from Mexico City, that the *Louisiana* was sunk, and these other battleships had been beached because of their fear. He was very much perturbed about us.

I just mention this little sidelight to show you, here was a man educated in the United States, at Harvard, lived here for a great many years, and with his intelligence he would believe rumors such as I have recited to you. Now, you can imagine the poor illiterate mind, the poor ignorant fellow, when he received that word, how it helped to fan the flame of passion, and so on.

I could not believe that story about the Germans sinking the battleships, or helping to sink the battleships, or that they were celebrating with the Mexicans in the cantinas. We had a kind of an underlying agreement with all foreigners, French, English, Spanish, Italian, and Germans, that if any trouble came everybody would naturally be taken for gringos, it being hard to tell the difference between an American and a Britisher, and so on, and we would all get together. And when the trouble came the French immediately volunteered, the British and all the others were absolutely at our disposal, but the Germans never came near us. At first I thought it was that old law of self-preservation, that they were looking out for themselves, and paid no attention to it. Then when I heard some of the names mentioned, I said, "No; that is not true." So I wanted to make sure about it, and I went down town to see for myself, and I found in the La Fama Italiana cantina and the Palacio cantina, here they were celebrating, all the Mexicans and the Germans. Even then I didn't think anything of it. I simply thought, "Well, oh, boy, you are just four-flushing in order to save yourself."

So it was not until this late war that I then understood what was meant by German propaganda; and then I understood why the Germans remained away from us; and then I understood why the Germans intermarried down there; and then I understood many things which I have never understood before about German interests in Mexico.

Well, to go back to my story, we had some night of it; up all night—the men—and the next day we were informed we could go

to the railroad station, and a train would be waiting for us. Just before we started one of the most prominent lawyers in town came to me and told me the Quesaria bridge had been blown up and that we were taking chances going down. I then insisted that we must have a safe-conduct—that we must have Federal soldiers on our train. The governor received the request through the British consul. He would not deal with our consul or with us. It always had to be through the British consul. So we started, with the troops and the howling of the mob, in a wild flight to the seaport. When we came to Zaccalco the train was stopped, and all kinds of names were hurled at us. And then they capped the climax. The beautiful American flag—and you know the flag is always the most beautiful when you are in trouble, because every star means something to you, and every bar means something to you—and I remember how they took that flag and made that circle and applied a match to it and burned it.

You can imagine the feelings of every man, woman, and child on board the train, with that mob and soldiers out there, and as we started, the stones and bricks were thrown into the windows.

Well, we breathed a sigh of relief after we pulled out of that place. Every man remained cool. We started off, and with the exception of the burning of the flag, a repetition occurred at every station on the way down. We came into Colima, and we ran across the order of Gen. Delgadillo, the governor of the State. I don't know whether you ever saw that order or not, but it was an order where he gave us 48 hours to get out of the country, and if you didn't get out in 48 hours you had to become a Mexican citizen or something desperate would happen to you.

Mr. KEARFUL. Have you a copy of the original order?

Mr. SLATTERY. This copy was given to Mr. Stadden, vice consul, and I presume it is in his report to the State Department, if anybody is ever able to find it.

Mr. KEARFUL. This is written in Spanish. Will you please read it into the record in English?

Mr. SLATTERY. It says:

The citizen general of the State of Colima ordains to be communicated to you that I have conceded 48 hours from 12 o'clock this day for all individuals of North American citizenship to leave this country or to become Mexican citizens. I communicate this to you for your information. Liberty and constitution. Dated at Manzanillo, the 2d day of April, 1914.

I do not think this ever saw the light of day before in Government circles. It has always been denied, but this is a true copy of the original.

We came down to Colima, and were confronted there with that 48-hour order. That time had expired, and when our train came into Colima, which is the capital of that State, it was held up, and a general of the army boarded the train and he made a speech to us. He told us what a fine soldier he was, his love of his country, etc., the honor he had for the splendid Americans that have been in his country, but he says: "Your country is at war with my country." "This is a train supposed to be a safe conduct, given to you as a safe conduct, and you are traveling like an army. You all have firearms." He finally said, "I can not let you go through my State." We had

passed from Jalisco into this other State. He said, "We can not permit you to go through as an army. You are practically combatants." So he made us a beautiful speech, and then ordered us to give up our firearms.

I immediately called a council and asked our boys what they thought. Our opinion was unanimous that it was a double-cross. I said: "It is true, but here we are in a box car, with a mob on each side of us, soldiers all around us, and he has given us 48 hours to get out of the country and the time is up. We may kill some of them, if a fight takes place, but they will get some who are near and dear to us. Let us give him the benefit of the doubt and take him at his word." So we gave up our firearms. He liked my gun so well that he strapped it on himself. I never will forget that particular incident.

After he got the guns, he went out on the station platform and he told the crowd that if that train was not out of there in 20 minutes the mob could do with us what they desired. Then action had to be taken, and taken quick. I saw the station master and train dispatcher, and finally got hold of the man that was supposed to be responsible for running the train. I went to him and I appealed to him to let us through. He refused to budge. Knowing some of the tactics of those men in high places down there, I said: "I will tell you what I will do. I will give you $350, all the money I have in my possession, if you will let this train through. Get us out of this station. It is only 20 miles outside. Let us get through." The $350 worked. The United States Government paid that same $350 later on.

Mr. KEARFUL. The United States Government did pay the $350?

Mr. SLATTERY. They paid all these bills. We paid the $350, and he permitted that train to move, much to the amazement of the governor and everybody else that was in the station.

Now, from that point we were absolutely helpless. There was not a gun in our entire party, but we were only a short distance from the coast of Manzanillo, and we started for Manzanillo. We arrived at Manzanillo at midnight, long after midnight, and instead of being greeted by the "jackies" that we expected to see around there, as we thought Manzanillo had fallen also, we were met by a mob far worse than anything we had yet encountered.

We also expected at least to see the American consul. We had telegraphed him we were coming. But, as I say, we arrived at Manzanillo, and we did not have a friendly face to greet us. There was an American consulate there, on a little knob upon the hill. I got our little party together and moved up, and here they were all around us, saying all sorts of things. We got up into that little place, and you would have to pass through a similar experience to realize what we went through with 239 people living in those three rooms all that night. We slept on the floor, those that were able to sleep, just as close as close could be, no word from anybody, not a friendly word from anybody; but outside was "death to the Gringos" from the howling mob.

Right next door down in the hollow was Simpson's Hotel. That place had been looted, as I found, and all the liquors in the place had been drunk up. So it was a wild, drunken mob. Speeches were

made, that we could hear, of what they were going to do, how they were going to massacre us, etc.

The next morning we saw out in the harbor, just at daybreak, the outlines of a little tramp steamer, and immediately we tried to get into communication with that boat. We found on investigation that it was a tramp steamer, which was in the Chinese trade, and had on board 334 Chinamen. It was flying the German flag. It was called the *Marie*, a little 3,300-ton boat, that was bringing over 334 Chinamen to land in Mexico; but, on account of the quarantine regulations, it had to stay outside the harbor limits until the 10 days' time had expired before they could land and take on food and provisions.

It was time for us to get in communication with some one, so I made up my mind to go myself to the general commanding the troops. I went up to his office, accompanied by Arthur Earnest, right through that mob; the most bitter experience I ever had was the going through that crowd. We went in and saw him, and as soon as he saw us he began right away to insult me. Then I started in to give him my story. I told him what I wanted. I told him that our helpless men, women, and children only wanted a breath of fresh air; that I only desired to get my people out on board that boat; that his own Government gunboat was in the harbor, and we could not get away if they wanted to hold us; that we wanted to get on the boat so we could get some fresh air and some water to drink; that some of our folks had not had anything to eat since the day before.

He asked me what I wanted him to do. He asked me if I wanted him to go up and entertain us. He said: "Don't you know your Government is at war with my Government? I am glad to see you suffering, and I want you to suffer. The more you suffer the better I will enjoy it."

I happened to have in my possession a pass from Gen. Mier, which I had received but a few days prior to the outbreak of the hostilities. We were having some trouble at the mines, and there was a battle going on every day, and the government thought somebody was carrying information, so they put an embargo on the road, and that meant there was to be no travel over the road. So I appealed to Gen. Mier, who was a friend of mine, and he gave me this pass.

Mr. KEARFUL. That is a safe conduct, is it not?

Mr. SLATTERLY. Practically a safe conduct.

Mr. KEARFUL. Dated April 7, 1914, signed by Gen. Mier?

Mr. SLATTERY. Gen. Mier himself. So I presented that. It was a risky thing to do, because it was two weeks before the uprising that I had received it, but I presented it. This seal in the corner is all I wanted him to get a glance at. I knew this man at Manzanillo was of very much lower rank than Gen. Mier. So I told him that Gen. Mier had given me that, and that if I had thought that was the way Gen. Mier's orders were to be respected I would not have shown that document.

As soon as he saw that document he immediately changed, and he told me that he did not have anything to do with it but that the jefe politico was in charge. I located the jefe politico at the Simpson hotel, with 30 other scoundrels, and I never saw men that could possibly become so intoxicated in my life. These fellows were all

well armed, with belts full of cartridges. I picked out the jefe the first of all. They started in to say what they were going to do with us, among themselves, to send me back as a horrible example. But I stayed with the jefe and told him the general wanted to see him. I did that because I wanted to get the two leading officials together and see which one was lying to me. I was not going to be chasing all over Manzanillo in that mob.

When I got the two together the jefe said, "You wished to see me?" The general said, "No; no." I said, "Yes; you sent for him." He said, "No; I didn't." I said, "Maybe I do not understand Spanish well enough." He said, "There is nothing wrong with your Spanish. You can talk good Spanish."

I said, "Gentlemen, I am going to be plain with you. I want my people on board the ship, and I want no more trouble. I will give you 1,000 pesos if you will give me the privilege of putting my people on board the ship."

There is the receipt for that $1,000. I knew it was a question of money. I knew you could get anything out of those in authority with money in a crisis like this. I felt that I was not taking any chances in doing it, because I figured I could get away with it, and the $1,000 worked, because when we went out after my interview an order was issued to put our party on board this ship.

We had to pass through a single file with this mob on either side of us. They formed a lane, and we had to go through it, and all the vile things that were ever uttered by human beings, those things were said to our women and to our children and to ourselves. We marched down that lane and got to the dock. They then started in to search us, to see that we were taking no firearms and no silver or gold out of the country. Everybody had to spread what possessions they had out on the dock, and they went through them just the same as if they were looting and pillaging in some of the raids I saw.

The ship was out quite a distance in the harbor, and we had to transport our people in little lighters. We put our women and children on the ship first, and put one man to go back and forth, so as to be sure that the fellow who was running the gasoline launch would not get funny.

After we had landed our people on board the ship, there were just 16 men left on the dock ready to be taken on the boat, and there was a commotion of some kind, which we afterward learned to be the signal that a warship was coming. The whole population became excited. That general came down on the dock on horseback, with his soldiers, about 1,200 of them, and charged all over that dock. They forced the 16 of us back over on the railroad track, up to the consulate and then back from the consulate to the railroad track, where they had a train under steam with flat cars.

And here was the prettiest example they gave us of what they were going to do with American invaders. The night before they were telling us how they were going to shed the last drop of blood to defend their patria and here, at the first sign of an American warship the whole kit and crew were running to the flat cars, with a train steamed up ready to pull away, and we fellows on board those cars were to be carted away with them and held as hostages.

After two hours we found it was not a warship at all, and we were brought back to the dock. While we were there they gave us what they said was something to go back home and tell. That something was to line us up in a semicircle, and they went into the American consulate and took down the three American flags that were on the wall and put them on the ground, and those soldiers marched over those flags. If you turned your eyes away you got a punch with a bayonet or the butt of a gun to make you keep your head up and look at it. They did that for 15 or 20 minutes. Then one of the girls of the street down there with the soldiers came up and put the torch to the flags, lit the match to it, and those flags were burned in our faces, while we listened to the insults of the soldiers and the mob. They took the ashes and threw them in our faces and said, "We have insulted your women, burned your flag, and thrown the ashes in your face. What must we do to make you fight?"

I have told that story and put it in writing. Here is a copy of the story complete, dated the 12th day of June, 1914, and handed to Mr. Bryan, your then Secretary of State, and he dignified that story with a three-line letter, which reads: "My secretary has handed me your report on conditions in Mexico, just prior to my leaving, and I wish to thank you for it. I have not had time to read it yet, but expect to do so shortly." The "yet" has never arrived, because he has never answered it. And notwithstanding that, for the four weeks following the time that report was given to Mr. Bryan the newspapers carried the story that he was out delivering chautauqua lectures; and yet he did not have time to listen to the story of 16 Americans being compelled to witness the desecration of his own flag.

We got on board that boat, and we found that it was a tramp steamer, 334 Chinamen on board, only 9 cabins. The captain of the ship, Theodore Davidson, said that he would take us out of danger, because the chances were that our fleet must be in the close vicinity.

Mr. KEARFUL. What was his nationality?

Mr. SLATTERY. He said he could not take us to the States, because he did not have food and provisions, and did not have any water; that the water in his tank was low, and he could not replenish it until the 10 days' quarantine regulations were up.

So we started some scouts out and bought something, some eggs, some rice and flour, and things of that sort. We brought them on board the ship ourselves, through friendly native servants that we had brought along with our party.

We got out on the high seas, expecting, of course, to see one of our warships. But there was no warship in sight. It then became a question of handling the ship. The captain, hearing that I had been in charge of the party, asked me to also take charge of the ship. He said that he would see to steering the ship, but as far as the keeping of health and regulations and rules, he would look to me, notwithstanding the fact that he had two American consuls on board. We selected a committee of 25 or 30 men to police the ship. We kept the Chinamen down under the decks, and we took the top decks. The 269 men, women, and children slept on that top deck. We ate twice a day, a meal consisting of bread and potatoes. Breakfast was the same as our afternoon meal.

The water we had on board—we put a man in charge of the water, and he used to parcel out little drinks of water about that

big. The most pathetic thing in the world, if you want to see real pathos, something which will really touch your heart, is to be in charge of a tank of water when it is low, and to see little kiddies coming up and begging for a second drink, and you can't give it to them. That was what we had to go through on that ship.

We picked up the *Albany* about the third or fourth day, supposed to be the flagship of the fleet.

Mr. KEARFUL. The American fleet?

Mr. SLATTERY. The American fleet, the Pacific Fleet. We hailed the *Albany*, and they came to, and a boat was lowered and came over and asked what we wanted. We said "First of all, if it is possible, to take us aboard. If you can not do that, give us food, provisions, and water, and give us blankets. Our people do not have any blankets." The boat went back to the ship, and in a short time came back and said, "We have instructions to give you food or provisions, or to furnish you with blankets. We can not take you on board. We will radio some of the transports that are coming down to be on the lookout for you." No transport ever received that radio, if it was ever given, because we didn't see anything until we reached San Diego, Calif.

Mr. KEARFUL. What were the sanitary conditions on board the boat?

Mr. SLATTERY. There were only three toilets on the entire ship. One on each side of the ship, and one down in the hold. The one down in the hold we turned over to the Chinamen. Of the other two, we took one side for the men and one side for the women. And in order to keep that sanitary condition, keep everything just right, we put a man on guard. It was a very delicate thing to do, but fortunately our women understood, and we had it guarded so as to see that the thing was properly flushed and everything was kept clean and all that sort of thing.

The funny thing about it, we had a sort of bulletin that we typewrote and put out on the ship, and when you read it now it is very funny. This was one of the rules and regulations that we put up on board so as to keep it in sanitary condition. For instance, it says:

> Buckets of water will be stationed at different points on the ship for washing purposes. Salt water will be used, because we find it necessary to conserve fresh water for drinking purposes only.

So we arrived at San Diego, and we expected to see everybody keen on the war situation, because of the bulletin we had received from the *Albany*. It was stated in this bulletin they gave us:

> The following word was brought to the ship this morning from the United States Cruiser *Albany*, that President Wilson has received a communication signed by all the South American Republics, asking him to cease hostilities, and that they would use their good offices to bring about a peaceful solution of the problem. President Wilson replied he had not heard from Mexico, and was waiting for a reply on conditions, and when that was received if he found that any outrages had been committed on American citizens, the combined nations of the world would not prevent him from intervening.

That message was brought to us. Naturally, when we arrived in San Diego and we saw the flags flying, we thought war was on. Instead, we found it was simply a celebration of the G. A. R. or some anniversary or something out there, and instead of hostilities being on they were arbitrating the situation up in Buffalo.

Now, what we considered the most shameful treatment of all, was the reception we received was on our arrival in San Diego. Some of us had not had our clothes off for 10 days. We did not, of course, look like polished dudes. We had a growth of beard on our faces, and had been washing in salt water, and you do not shave very well in salt water. We looked like a lot of tramps when we arrived at San Diego, and that is the way we were treated. We were treated as such by the representatives of the Government who were spending that part of the fund which had been appropriated to take care of the refugees that were coming out of Mexico. For instance, they were giving 25 cents a meal for each person, and allowing them 25 cents for a night's lodging. When I heard of that—as soon as I arrived in San Diego, I thought our troubles were over, and I immediately went to a hotel. A short time afterwards, I was phoned for, and I was told of this condition, and I went down and I found the condition to be so. When I protested against it, I was told, "You are nothing but a lot of tramps anyhow. You had no right to go to Mexico or to remain in Mexico, and whatever suffering you have been put to was simply coming to you." That was the sort of reception we received. It was bad enough to get that handed to you down south of the Rio Grande, but when your own people tell you that when you come back to God's country, it puts you in a different humor.

So I looked up the leader of that whole program—I think it was Baughman, some name like that; anyway, he was a banker, the Baughman Trust Co., or something of that sort. I said to him, "this party represents a total investment in Mexico of $27,000,000. Now, they have been through a heavy strain, and they are not thinking just right, and for God's sake don't treat them like a lot of tramps. Put them in a hotel and treat them like white people. They can pay for it, but they are not just ready yet to make their minds function. They are just acting like a lot of children."

I made that appeal to him, and the consequence was that he did a little better for everybody, excepting that his instructions were from the State Department to send them back second class. In other words, no first-class transportation could be paid for out of this money, but we were all looked upon as second-class cattle.

From that day to this I have never accepted a dollar from the United States Government. I mean by that, that I refused to get back anything I had spent from the moment of my arrival in San Diego, I refused his offer to pay my transportation home. I have on more than one occasion been invited to go out on the lecture platform and tell of these outrages, for which I would be paid, and I have refused, and I have refused to accept money for such lectures. I have been asked to write newspaper articles, for which I would receive pay, and I have refused to accept pay for them. You have asked me to come here and you have said if I would come you would pay my expenses. I will tell you now, I will not accept any expenses you can pay me for the very reason that I never want to have it said that, when my story is presented to the world, "He is an ingrate; he has received this or that, and he is commercializing his knowledge of Mexico," and all that sort of thing.

So our people were treated in that way, by our own Government. We met the refugees from San Francisco, also those who came to

New Orleans and Houston, and heard their stories, and then we formed a committee to come down here to Washington.

Well, I had the feeling, with a Democratic administration in office, that the proper people to visit would be Democratic Congressmen and Democratic Senators. So I started to interview some of them. A feeling came over me one day that Peary did not discover the north pole at all. It seemed to me it was right here in Washington, so far as one American was concerned.

So it was not until I ran across one Congressman, who was persona non grata at the White House because he had voted against the tariff bill, against the Underwood bill, that any Democrat would be interested in our cause, because the present administration was fixed in its ideas in regard to Mexico, and any man who came here with a story such as mine would not be listened to.

I happened to learn that John Callan O'Laughlin was living here, and I concluded I would look him up. I remembered going down on the train with him in Mexico when he had his famous interview with Mr. Diaz. So I looked him up, and Mr. O'Laughlin made arrangements for me—I do not know through what channel—to see the Secretary of State. I came over at 10 o'clock in the morning and the Secretary was too busy to see me, notwithstanding the fact that an appointment had been made. I just managed to see him as he came out. I was in that big room and he came out of a little room on the side and snapped me off with a statement something like this, as near as I can recall it: "Well, you were told to get out of Mexico on the 27th of last August. Why didn't you get out?" That was the sort of reception I got; and then I commenced to meet some of the other boys from Mexico and their treatment was about the same.

One night I ran into Judge McConville, a resident of Washington, whom I knew in Mexico very well. He used to come down there and spend the winter there, he and his wife, and I got to know them very well. So I mentioned to him why I was here. I met him with two other gentlemen, Mr. Hoeing and Dr. Gleason, who were on the committee with me. Then he arranged an interview through Congressman Addison Smith, with Senator Borah and Congressman Mondell.

Mr. KEARFUL. Borah and Mondell are both Republicans, are they not?

Mr. SLATTERY. Senator Borah, of Idaho. I would not describe them as Republicans, but I would call them red-blooded Americans.

Mr. KEARFUL. They are not Democrats?

Mr. SLATTERY. I will still stick to my statement, that they are red-blooded Americans. In any case, to give them a political term, they are not Democrats.

I will never forget my interview with Senator Borah. It was on the balcony of the Senate. He listened to me. I did the talking for the committee. I was asked to do the talking. He asked some questions, and he got up with his two hands behind his back, and he turned to me and said: "If you had not come to me as well recommended as you have, I would think you were the most colossal liar I ever met." I said to him, "Senator, what I am telling you, what I have told you is so true that I am willing now to deed over to you in

fee simple every piece of property I have in Mexico, if you can find any part of my story that is not absolutely true, or is in any way exaggerated." And I remember him also saying, "And yet we thought we knew something of conditions in Mexico."

We left him, and went to Congressman Mondell, who also received us very cordially and very patiently. He listened to our whole story, and the first question he asked was, "Is your story before the State Department?" We said, "No; they won't listen to us." He said, "Well, you must get it before the State Department." I said, "I will never go back to the State Department." He said, "You must do it, because when one gets on the floor of Congress and they are asking questions about this or that, some one will raise the point and ask us if the State Department knows about this. It will be difficult to do anything with it, if this matter is not in the hands of the State Department."

And it was for that reason that that story was written, that has never seen the light of day, that has been buried in the archives over there. And that was sent to Mr. Bryan. I took it to him personally, so as to give it to Mr. Bryan personally. He refused to see me, and I had to give it to his secretary. He took it, and I was compelled to write to get an acknowledgement of it.

It was after that that Senator Borah delivered that famous speech of his in the United States Senate, when he recalled some of the incidents that are recited in our story. One particular thing was that any flag that flies in the air that does not respect its citizens is nothing but a dirty rag and should be hauled down. That speech put hope into every American in Mexico that there was at least one man who was willing to believe our side of the case.

I suppose the newspapers will understand what I mean when I say this. It is not out of criticism of the press, but it seemed to me that even the press got a mistaken notion of it. They looked upon us, whether the articles were inspired or not, as if we were just so much riffraff.

Let me illustrate what I mean. The late Richard Harding Davis, the novelist, was sent to Mexico as a special newspaper writer to tell of the conditions in and around Vera Cruz. The articles written by Mr. Davis would always wind up: "This is the story of a refugee, and you can take it for what it is worth." It was that sting, it was that insinuation, that when an American in Mexico related his experience it was something you could take for what it was worth. Yet four days after he wrote that kind of an article he was caught himself. Here is an article he wrote, and if you compare his own story, the story he told in his own case, some one could very well say, "This is the story of a special newspaper writer that was sent down there, who has met with the same experience as the Americans who have been down there." I recall also the time of the special newspaper train that came, how a number of newspaper men of the United States accepted the invitation to come down there and see and write up conditions. I remember meeting those gentlemen in Guadelajara, thinking there might be some one from my own home town. I went down to see the outfit. I didn't meet anybody I knew, but at the same time I went up and extended them the privilege of coming to our American club and said we would like to have the privilege of

entertaining them. But the consequence was we were told they were in charge of the Government party and could accept no invitations. Some of us had been reading some of the truck they had been writing, and we appealed to them to give us a chance and we would tell them some inside stuff. We were adventurers, soldiers of fortune, and all that sort of thing, and no attention was paid to us.

And yet, when that same outfit was caught at San Luis Potosi—that was the funny thing about it—they were taken around the circle of territory that was not having any trouble, and I volunteered to take them four hours from where we were standing and to show them a real insurrection. Anyhow, going up to San Luis Potosi, a part of the program slipped, and they had a real fight, and these fellows were captured and put in jail and were kept there about a week. I will never forget Leslie's correspondent, in particular, the correspondent of Leslie's Weekly. He was man enough to say that, "All the stuff I have been writing heretofore was simply manufactured, but had I taken the word of those that were willing to give it to me I could have written as I am writing now." From that time on he commenced to tell it, but it took that experience for him to get started right.

Another thing that is running through my mind. The curious thing of the whole thing has been the attitude of the American people toward this situation. We did not expect to be wined and dined or to be made heroes of, but yet when the real story is written you will find there were some boys down there who did deeds of valor far better than some for which the award of Congress was given, and they have never been recognized. And instead of being treated as common, ordinary, everyday citizens, we were looked upon as troublemakers.

You are the ones that are causing the trouble. You fellows own oil lands, the mines, the investments there. You are stirring up trouble. You want your Government to go in there and do all this. You are nothing but troublemakers and we have no time for you, and our flag does not follow investments anyhow. You ought to have stayed back in your own country.

I will never forget one visit in New York in 1914, and I had with me Jim Gibson, one of the greatest sheriffs that the Texas southwest ever had, a man that is in his seventies now, a man that has seen all the things I am telling you, a man of wonderful reputation, and a man who was with me in Mexico, lived with me. We were in New York with our committee, and we had Jim. We went out to have lunch. It was around 3 o'clock. The first thing we knew they commenced to dance. That was something new to me—dancing at 3 o'clock in the afternoon—and I called the waiter over. I had been out of the country a long time. I said to him, "What is this going on here? Dancing right in the middle of the floor of the restaurant, and at 3 o'clock in the afternoon?" He looked at me as if I was some horrible example escaped from the asylum, and he said, "This is the business men's dance." I said, "The what?" and he said, "This is where these men come out and relax for an hour, from 3 o'clock to 4."

Then, when I saw the kind of dancing, not the old-style waltz, but this tangoing, as they call it, I will never forget the remark of Jim Gibson. It was very characteristic, and was a summing up in his mind the attitude of the American people. He said, "By God, the

patriotism of the American people has gone to their feet." That is the attitude that Jim took toward that; that they were not interested, were so mad making money and keeping up with the wild rush of things that they didn't want to be bothered, didn't want to be troubled, didn't want to hear about those troubles the Americans were having down there.

So we suffered in silence, and I would like to ask the world if ever in the history of any nation, there has ever been a case where men, women, and children have suffered, suffered in silence, like the Americans in Mexico.

My own wife for four years has been under the doctor's care. She lived in Mexico, because she refused to desert me. She wanted to be right with me. She knew my future was tied up in Mexico. She had confidence that my people around me loved me and would take care of me. She suffered there. During the bandit raids time and time again she was in the house when it took place. She saw the horrible way in which these fellows went through the houses and looted and pillaged and destroyed. At different hours of the night she would have to jump up from bed with a rifle in her hand, to be ready to take her stand to help defend the home. She lived through all that. She went through all these conditions from 1910 to 1914.

When she came out, as every woman on the ship will tell you, she was practically a mother to everybody, and yet she a young woman. She never went to bed at night on that trip until everybody was covered. She never whimpered, never complained, she was always standing beside me in a crisis. The most wonderful woman in the world.

It was not until Villa made his famous raid on New Mexico that she collapsed. Then she repeated to me almost word for word the very same things she said to me in Manzanillo. Going back to that incident, when it looked as if the mob was going to get to us, she said to me, "I beg of you to kill me, and not let me fall into the hands of these people." The night Villa made his raid on New Mexico, she woke up and repeated that same thing, word for word.

For four years we have been trying to find something that will cure her—her nerves are shattered. I have had the best doctors I can find, and for four years that woman has been an invalid, the direct result of what she has gone through in Mexico.

About the same time President Wilson was stricken last year, she had a cerebral hemorrhage and was unconscious for 41 days. She is slowly recovering from that attack, so you can see what anguish I have suffered, yet I have remained patient and hopeful.

Jack Delaney, my superintendent, is to-day the inmate of a sanitarium, an insane asylum, as a direct result of the strain he has been under.

Billy Hoeing, another man associated with me, died of a broken heart a few weeks ago, and is now buried in the lonely hills of Mexico.

I could go right on down the line showing you that Americans in Mexico have never committed any crimes; they have paid for everything they got, and their own Government has gotten them into all the troubles that have taken place within the last five or six years and they are passing out one by one.

Mr. KEARFUL. Were there a number of other matters subsequent to that time that you have not been able to follow?

Mr. SLATTERY. Of course, you understand that after my wife was taken sick correspondence practically stopped. My wife corresponded with almost all these women.

Mr. KEARFUL. Were there a number of women and children in the party?

Mr. SLATTERY. Yes. I have a letter here which I appreciate more than a medal. During those bad days on the ship we had a bulletin board, and on that board we used to put the items of interest. The ladies placed this paper on the board, written and signed by all the women on the ship. It reads:

In appreciation: There is no circumstance nor group of circumstances that can show the general character of the dramatis personae more than when sudden action is demanded. We have experienced it; and the spirit and disposition of the American men was plainly shown. After the quick flight and the strenuous circumstances, when patience, endurance, bravery, diplomacy, and courage were necessary, our men were not found wanting. The women interested are both thankful and grateful from the depths of their hearts that they have men to whom they have looked and have not been disappointed.

That was signed by every woman on the ship.

Mr. KEARFUL. About how many?

Mr. SLATTERY. About 125 to 150.

We kept quiet, as I said, and suffered in silence and all that sort of thing until after Huerta was overthrown and forced out, and then Mr. Carranza took over the reins of government, and then came these attacks on the churches. I felt then that it was beyond the bound of reason to expect silence any longer. In other words, they were doing some things—making attacks upon churches—which were so vile that any American with red blood in his veins should talk. And I made up my mind that, so far as I was personally concerned, it was immaterial to me what happened to me, and I was going out to tell the story as well as I could. When the raids on the churches took place, I wrote to my agents down there to find out if there was any truth in it. The replies received were to the effect that the churches were closed; that some of the churches—in particular, the cathedral—were used as stables; that they were not only used as stables and barracks, but the beautiful pictures and paintings had been destroyed; that all those beautiful things which Catholics hold near and dear were being desecrated; that these outrages were being committed on religious orders and sisterhoods. So I made up my mind that if all the teachings that I had learned in my early childhood meant anything to me, it was about time I put some of them into execution; that above everything else principle stands out in a man's life; that if he is going to be selfish where his own property is concerned, and is going to keep quiet simply because it is going to save himself, then real manhood goes out of a man's life and selfishness takes it place. I made up my mind, irrespective of what it was going to cost me, I was going to go out on the public platform. And wherever I went I have paid my own car fare and taxi fare and railroad fare and hotel bills; so that no man in public or private life could say I was commercializing the work—getting profit from it. Yet the Secretary of State never made a speech while he was Secretary of State that he did not collect for so doing.

As a consequence, I remember walking into a meeting—I am a Catholic—I remember walking into a meeting of the Federation of Catholic Societies holding a session in Baltimore, and I learned there that even these men did not believe that such things were going on in Mexico. "Well, that is hearsay. That is the word of a refugee." Everybody seemed to just have that opinion of everything that came from Mexico, that it was nothing but a lot of lies. Even that Federation refused to believe that such things were happening down there until I took the liberty of taking the floor. I had no right to be there. I was not a delegate or anything of that sort. I simply told them in my own way some of the things I knew.

Then it was that a committee was appointed to see the President, or to convey to the President of the United States that these outrages in Mexico would have to stop, or to ask him to see that they were stopped. Whether any action was ever taken or not I do not know, excepting I was told afterwards that they—these bandits—had the idea that the desecration of these churches was sort of welcomed by the people of the United States, and that was one of the reasons why they were doing it, but just as soon as they got the order to stop, they stopped—or Villa stopped, but Carranza never did stop.

And so it was that I invited trouble for myself. I invited denials from the State Department, I invited charges from my own Government, I invited trouble for myself from Mexico, and I am getting it, so far as Mexico is concerned. But I have never had any of my statements denied. Whether they have read them or not, I do not know, but, thank the Lord, I have always carried my proofs with me.

Mr. KEARFUL. I want to ask you an important question. It was reported at one time in the newspapers that the Carranza soldiers had been guilty of violating the nuns in Mexico, and, as it threatened to become an important part of the campaign issue in 1916, with reference to the party of President Wilson, that statement was denied by Mr. Tumulty, the President's Secretary, upon the authority of the Catholic archbishop in Mexico. The committee considers that a very important point. Can you undertake to name any witness, or procure any witnesses who can testify directly upon that subject?

Mr. SLATTERY. I would like to know just what proofs the State Department would call "proofs." Personally, if we get right down to it, personally I never saw an outrage committed. If a man is murdered out there in that corridor, and I am told by somebody around here that that man was murdered, I do not see the actual killing take place, and yet I see the actual body lying there, and all the evidence pointing to it. I naturally come to the conclusion that the man is dead—is murdered. Now, the thing that gets me raving with the State Department is what the State Department wants, what they call proof.

Influential residents of Mexico have time and time again, from all parts of the Republic, in writing to me, have written to me of the outrages that happened to the nuns, the sisterhood of Mexico. I think I have a letter with me to-day from the British consul at Guadalajara, reciting in his letter how he escorted the nuns under the protection of the British flag to Manzanillo. Is there anyone who doubts the truth of the stories of the attacks on these nuns?

Why would they want to fly? Why would they want to leave Guadalajara?

I could not go out and put my hands on a sister, one of those saintly sisters, and say that this one or that one was attacked. I can't do anything like that. But, gentlemen, so far as the proof is concerned, to get these saintly women to testify, nothing on earth will ever get them to testify.

Mr. KEARFUL. That is not necessary, but there must be witnesses in existence who have seen them, and who can testify to these attacks, to the situation in which they were found, what had happened. If these outrages have been committed on the scale that has been stated, there must be witnesses who can testify to such facts as would render the matter incontrovertible.

Mr. SLATTERY. Then you would either have to get the saintly women to do it themselves, or you will have to get some of the cutthroats that did it. Then you will get back to the question, "Can you take the word of a cutthroat?"

Mr. KEARFUL. Were there no men who saw these women taken out, and saw their condition?

Mr. SLATTERY. Yes.

Mr. KEARFUL. And knew what had happened to them?

Mr. SLATTERY. Yes. I think if you could get hold of Chaplain Joyce, you could get some information.

Mr. KEARFUL. You can perform no greater service to this committee than to get some witnesses who will testify to that effect.

Mr. SLATTERY. I will attempt to do it.

Mr. KEARFUL. I understand Father Joyce was chaplain at Vera Cruz?

Mr. SLATTERY. Yes; and who received most of the nuns that were coming out.

Mr. KEARFUL. Did you ever apply to the State Department, after the experience that you have related, for advice as to going back to Mexico?

Mr. SLATTERY. On several occasions.

Mr. KEARFUL. It is not necessary to read the correspondence, but give the effect of what occurred.

Mr. SLATTERY. On the 19th day of August I wrote to the State Department, addressing my letter to Mr. Bryan, and asked him if it were possible for us to get passports to go back to Mexico. My correspondence will show, not only the correspondence, but in all my dealings with the State Department, even my reports that are on file, that I never wrote in a fault-finding sort of way; that it was always for the purpose of helping or assisting. Somehow or other I had the feeling that if we would help those who were in the dark, maybe they would come around some day and give the fellows who are in Mexico a chance to lend them assitance and cooperation. So in my letter of August 19, I asked to go back to Mexico, because of certain conditions that prevailed down there. I reiterated these promises of being of assistance to them. I received a reply on the 21st of August, in which the department advised that it did not deem it advisable to withdraw the advice previously given to Americans still remaining in Mexico.

Shortly after that, on October 28, I wrote again, and I received a reply to the effect that they were sending a vice consul to make a report on conditions. On November 10 I received a further letter that all the courts, both civil and criminal, had been closed; that the feeling toward Americans was bad; that minor uprisings were occurring; that loans were being forced from the inhabitants; that few of the churches had been permitted to reopen during the past two weeks; that petty robberies had been numerous; and that martial law prevailed. It does not say, "You can not go back," or "We will give you passports," or anything else.

On November 12 I acknowledged the receipt of that letter, stating that I wanted to go back to Mexico, to which I received no reply.

I then went down to El Paso and hung around on the line, because our troops were along the border, and I thought if the troops went in I would take the chance and go in with them. I thought I could be of some assistance for the reason I knew the trails, knew the water holes, knew the mountainous country; and I thought I could perform some act of service and also get into Mexico and see how things were getting on.

But, as things were going from bad to worse, I took a chance and went into Mexico myself; and I was caught at Aguas Calientes, at the time Villa had been attacked by Obregon at Celaya, and his entire forces were on their way north. We were detained at Aguas Calientes and remained there three weeks, could not go south or north. Then we came back to Chihuahua, which is the capital of the State and was Villa's capital. I then came back to El Paso and remained there a while and came home disgusted.

On March 11, 1916, I called attention to the new laws that were going into effect, increasing taxes, and which were of confiscatory character. On March 18 I received a reply from the State Department saying that they had repeatedly endeavored to obtain a modification. "Repeatedly endeavored," but they never could say "we have accomplished it." They were always "endeavoring." We are always in a state of turmoil, so far as this Government is concerned.

On September 30, 1916, I wrote again an appeal to them to give me the right to go back to them, and also calling their attention to the fact that they wanted us to resume operations at the mines, and saying we were holding back these operations and keeping many people out of work. We got in touch with the State Department and called attention to it, and the State Department said on October 5, 1916, that the department had sent instructions to its representative in Mexico City directing him to make representations looking to the annulment of this decree.

Let me digress for a moment, and say that we were also charged with holding back the economic development, like all Americans were charged with, for the reason that we could not operate if we wanted to operate. We were producing gold. We were 18 hours' ride from the nearest railroad station, out in the heart of the lonely hills, surrounded by every cutthroat in the country endangering life and property. We appealed time and time again for protection, and it was never given to us.

Up until two or three weeks or a month ago the Carranza forces had never been north of the Santiago River in San Cristobal. That

is between the Zacatecas mine where we were located. We could never get protection. The protection we got would be they would send the soldiers out there, and they would do more damage than good. In fact, I would rather trust a civilian bandit than a soldier bandit.

During all these years that we were not in operation I saw to it that our men were fed; that we furnished them with corn. We shipped corn to them and distributed it absolutely gratis. We turned our land over to them and let them raise their own crops on it. So far as I was personally concerned, individually concerned, so far as those I represented were concerned, that has been our policy, to keep the men who worked for us and were loyal to us from starvation.

Mr. KEARFUL. Is it now possible to operate your property?

Mr. SLATTERY. Absolutely impossible. My latest advices last week show they came out and threatened to burn the mill and destroy the place, and there was a general scrap that took place and killed my head miner. There is an element of unrest there. The people have been deprived really of the right to live by the present Government. It is reaching a period where men are fighting for their existence.

Now, these men I refer to have been employed at the San Antonio hacienda. Conditions have been so bad there that this year there was no planting. Consequently that spirit of unrest and the bolshevik idea, which is also prevalent in Mexico, is spreading about, and these people came over to our place for the purpose of creating unrest among our people, with the result that our people remained loyal, and a fight took place between them, in which some of our people were killed, principally our head miner, and these other people threatened to come back and destroy the property and the mill. When these facts were laid before the governor he sent a force out there to see that their plans were not carried into execution.

Conditions to-day at my mine are worse than they ever were, and are growing worse every day. There is no developing going on. There is not a thing that stands out in the whole Carranza administration that any man can consider as constructive legislation. Everything has been destructive. He took over the courts, he assumed jurisdiction of the house of congress and of the senate, he controlled the bankers, he closed the banks at his will, he dictated the terms under which you operate, he dictated the policies of the oil companies, he fixes taxes to suit himself, he fixes the rate of exchange.

Let me give you now just a slight sidelight on it. Mexico hasn't any gold to-day, hasn't any reserve. Yet to-day he arbitrarily fixes the rate of exchange. And the rate of exchange to-day in Mexico is such that the American dollar is not worth as much in Mexico as it was in the beautiful and prosperous days of Porfirio Diaz. In other words, the American dollar in the old days was worth two Mexican dollars. To-day you take an American dollar into Mexico, and you have to go to a representative of the Carranza Government who sells the exchange, and he gives you whatever he likes for it, usually $1.80 or $1.90, and then you get Mexican bills. When you take these Mexican bills—for instance, you are operating a mine, and you have to pay in silver, so you have to pay a premium on the silver. These are conditions that are confronting us to-day. There

is no planting going on, and the people are coming from the mountains, from the valleys, and crowding into the cities, and the result is that every day those conditions are growing worse and worse.

Mr. KEARFUL. What prospect do you see for any improvement?

Mr. SLATTERY. There will never be any improvement while Mr. Carranza is occupying the presidency in Mexico and the present outfit is in power. There is no use of anybody fooling themselves that there will.

Mr. KEARFUL. What prospect do you see for a change? Carranza, in power, can reelect himself or any follower he chooses, can he not?

Mr. SLATTERY. I was going to say intervention, but I hate that word "intervention," for the reason that the people living in Mexico hate the word "intervention." We Americans sometimes have a peculiar way of expressing ourselves. We do not mean just what we say. Our liberty-loving foreigners in the United States to-day hate the word "Americanization." Yet all of our welfare bodies lay great emphasis on the word "Americanization," when the word should be "citizenship."

"Intervention" is meddling in somebody else's affairs. That is what intervention in Mexico means. No matter how poor and illiterate the peon is, he has a certain amount of dignity that he wants you to respect. When you take that right on up to the better class, you can see how farreaching that is. So that when you use that word "intervention," you are using the wrong word. I would say use the word "Mexicanization." Mexicanize Mexico. What have we done, for instance, for the large number of Mexicans that have been forced to flee out of Mexico? You have neglected us, but what about the Mexicans, themselves, that have been driven out of there because of your policies? These men that I am speaking of are men who have kept Mexico alive in the early days. They represent the arts and literature and science, and so on, and they ruled and ruled well when they were in power.

Mr. KEARFUL. Is that the class that will have to be depended upon now to stabilize that condition?

Mr. SLATTERY. I would say yes. I would say men like de la Barra, Ahumada, Prieto. These are men whose names come to my mind, and there are numbers of them. The question is asked, Is there anybody in Mexico that is any good? We had good government under Diaz.

Mr. KEARFUL. You had good government under Huerta?

Mr. SLATTERY. Pretty good government under Huerta, and very good government under de la Barra. We have neglected these Mexicans, and if all this time, instead of trying to "Americanize" them, if we had educated them and put out a program of "Mexicanization," shown our friendship for Mexico—that we had no ulterior object in view—we would have built up an army right here in this country of five or six hundred thousand Mexicans that would fight our battles in Mexico, if we had any battles to fight. In any case, we should "Mexicanize" Mexico by driving out of Mexico the people that are tearing it down, and have driven out of Mexico the traditions for which the Mexican people have always stood.

Carranza, with his highfaluting ideas; Carranza is an agnostic; Carranza is a foe of education. When he was governor of the State

of Coahuila, can anybody show where he ever spent a nickel for education in that State? Can anybody show where he ever spent a nickel as President of the Mexican Republic for education, or has ever done anything for education? Yet that fellow can go out and make these speeches and he gets away with it. Look at the men he is surrounded with, living on the fat of the land. They don't care a damn for the Mexican people or Mexican conditions. Every one of them is getting rich. If they can't do it honestly, they will do it dishonestly. That is the kind of people we have running things down there.

What we should do, if you ask me for a remedy, what I believe should be done, the first thing I would suggest would be that we close with that fellow, bring that fellow up to a sharp turn, and tell him "You can't slap us in the face any longer; you can't spit in our face any longer. We have been good friends of yours and tried to help you, and you have discredited us on every occasion. If you expect support from this Government it is time for you to show some respect." If he refuses, I would close every port of entry and every customhouse he has. Then, second, I would seize on deposit in this country the money that he has in the banks of this country.

I think there is the greatest weapon. I know how those bandit leaders used to come across the line and make deposits right in the banks along the Rio Grande of their stolen plunder. There ought to be some agency of the Government that could find out where the money on deposit that belongs to these fellows in every bank in the United States, and then issue an order: "If you don't do so and so, if you don't respect law and order, we will take away from you every dollar you have on deposit in the United States." Then you will be talking a language they will understand mighty quick. Refuse to let out of Mexico any of the stolen plunder and don't permit it to come into this country. One of the reasons why the Villa and Carranza rule kept up so long was because there was so much loot, and they could take it out of Mexico and bring it over and sell it on this side of the line. Keep them from having a market for everything they steal, and they will soon stop that.

Then I think all shipments of arms and ammunition should be stopped, not only from the United States, but not let it go through any port. Pick out a man of the de la Barra type, and get behind him and support him. Ignore all present factions. Forget there are such individual groups as Villistas, Felicistas, Carrancistas, Obregonistas, cut out all the "istas," the same as we should cut out all of the "isms" in this country, and deal only with the Mexican people as a people. Do what we did in Cuba and the Philippine Islands. It took Spain 300 years to try to put law and order in Cuba and in the Philippine Islands, and we have done it in the Philippine Islands with less than a brigade of soldiers. In Cuba we all know how we are getting on with that.

Select a man, or let the elements in that country get together and let them select the man. Don't let us do the picking, but let them select their man, and then give to that man the support that we have given to these other fellows. Take away from this lawless element, claiming to represent authority, their guns and pistols and rifles, and give these 16,000,000 people a chance to say "You have no longer

the badge of authority. You can no longer shoot me on the street, no longer enter my home and defile it." Give these people that have never had a chance, give them a chance, and you will find that there is a solution of the difficulty in Mexico.

And should we have to go in there with an armed force, you will find that it is a mistaken impression that it is going to take a half million men five years because of the bandits and the mountainous country. You will find that it is simply a myth. You will find, like Pershing found, when it was said, when he went in supposedly for Villa, that the people would rise up against him, you will find as he found that the peons came and helped to build the road, the peons came and helped to find the waterholes; after the first scare they came and offered assistance, and that is what you will find from the rank and file of the Mexican people.

Mr. KEARFUL. Is it your view that this country is under the duty to the Mexican people to drive out the bandits, as you call them, who are now in power, because we are responsible for their being in power?

Mr. SLATTERY. More so than ever, because of that very reason. We forced it on the Mexican people. We forced upon the Mexican people Carranza and all his clans, and in doing so we are directly responsible for everything that has happened down there under Carranza. If we have made a mistake, don't let us keep on trying to cover it up, but let us be men, let us be real men, let us come out and say we have made that mistake. I think the man is a big man when he finds he has made a mistake if he will come out and say so. The whole world knows we have made a mistake, and what is the use of bluffing and camouflaging? Why don't we come out and say we have made a mistake with this fellow and we are going to undo what we have done; that we are going to help them get a stable government, going to lend them money, going to make up for the mistakes we have made, going to get them back on their feet just as quick as we can, and then you will find a solution of this problem.

I am speaking as an American citizen; I am speaking as a man who loves the Mexican people; I am speaking as a man who has had thousands of their men in his employ and under him. I have ridden over the best part of the Mexican Republic on horseback. I have mingled with the people and know their condition. They have trusted me and I have in every way tried to be worthy of that trust. When I am denouncing and condemning and criticizing conditions in Mexico I am not condemning and criticizing and damning the Mexican people, this 16,000,000; I am damning the group that I call bandits, whether they wear the uniform of Carranza or Villa or any other kind of uniform, that are going around preaching and yelling about "Libertad y constitucion" and "Viva la Republica," and all that sort of thing.

Mr. KEARFUL. And "Mexico for the Mexicans"?

Mr. SLATTERY. "Mexico for the Mexicans." I am speaking as one who is interested in the development of that country. We have been paying too much attention, perhaps, to our commercial relations with the other side of the world, when the treasure house of the world is at our back door, looking at it from a commercial standpoint. What have we done to develop those commercial relations? We have slapped them in the face prior to this. And now we have become the

man with the big stick and say, "This is our man. He is going to sit in this chair, and he is going to represent you." And the result has been that Mr. Carranza, our hand-picked candidate, at every turn has slapped the United States Government in the face, and he never goes out of his way to do it, either.

Mr. KEARFUL. What do you understand to be the real meaning of the Carranza slogan, "Mexico for the Mexicans"?

Mr. SLATTERY. Please don't ask me to interpret any of his utterances.

Mr. KEARFUL. Well, judging from his acts?

Mr. SLATTERY. Judging from my experience with Mr. Carranza, I would say that anything any foreigner has or possesses in Mexico belongs to the Mexicans. Therefore, "Mexico for the Mexicans." Take it away from them. If he has no right to take it away under the law, he will decree it. That would be my interpretation, from my own experience.

Mr. KEARFUL. That is "Mexico for the Mexicans," as applied to you and other foreigners?

Mr. SLATTERY. Yes, sir.

Mr. KEARFUL. Is there anything further you care to state?

Mr. SLATTERY. I think that covers the story pretty well. So far as I am personally concerned, I want to feel that my visit here to Washington to-day has done two things, and it is really after all what I am most interested in: I hope my story to-day will have some effect, as I feel it my duty to my Government to come here and testify, notwithstanding what the consequences might be to me, as far as my property relations are concerned in Mexico. I feel very strongly that obligation. And the second reason why I am glad to come here is that I hope I have thrown some light on the situation, so far as the Mexican people themselves are concerned. I am interested in their welfare, and I hope any words of mine may be a beacon of hope to them that there are some Americans still alive to-day that appreciate their plight, and that some day that hope will be further kindled in the American Nation, as a Nation, and will recognize that a grave injustice has been done, and will right that injustice.

Mr. KEARFUL. I want to assure you that the committee greatly appreciates the spirit of real Americanism you have shown in coming before it to testify. It is a spirit that has been shown by very few of those who are interested in Mexico, and who have placed their material interests before their feeling as an American. I want to thank you very much for it.

Mr. SLATTERY. I thank you. I say, I have hopes that some day everything will come around all right. I have come here with a full knowledge of what I am doing, and what it means, and what I am going to be up against if I ever go back into Mexico. If these words of mine to-day will be the means of creating a different spirit, and will give, not only to Americans in Mexico the chance they are looking for, but will also help to save Mexico from the cut-throats that are now ruining its very life, I will feel that my visit has not been in vain.

(Whereupon, at 2 o'clock p. m., the committee adjourned.)

MONDAY, MARCH 15, 1920.

UNITED STATES SENATE,
SUBCOMMITTEE ON FOREIGN RELATIONS,
San Diego, Calif.

The subcommittee met pursuant to the call of the chairman at 10.30 a. m., in room 566 of the U. S. Grant Hotel, San Diego, Calif., Senator Albert B. Fall presiding.

Present: Senator Albert B. Fall, chairman; Senator Marcus A. Smith; Maj. Dan M. Jackson, secretary.

TESTIMONY OF MR. GERALD BRANDON.

(Witness sworn by the secretary.)

The SECRETARY. Please state your name.

Mr. BRANDON. Gerald Brandon.

The CHAIRMAN. Are you a citizen of the United States?

Mr. BRANDON. Yes, sir.

The CHAIRMAN. Where were you born?

Mr. BRANDON. Englewood, N. J.

The CHAIRMAN. Where do you reside?

Mr. BRANDON. New York City.

The CHAIRMAN. What is your business?

Mr. BRANDON. Newspaper man.

The CHAIRMAN. I will ask you if, in following your profession or business as a newspaper man, you have had any business with the Republic of Mexico?

Mr. BRANDON. Yes, sir; a great deal.

The CHAIRMAN. When did you first become acquainted with that country?

Mr. BRANDON. In 1906.

The CHAIRMAN. Were you on the border or in Mexico about the time of the Madero revolution in 1911 and 1912 and following years?

Mr. BRANDON. I accompanied the Government revolutionary forces at different times during those years in their camps throughout Mexico, on the border and in the interior.

The CHAIRMAN. Where have you been during the recent Great War?

Mr. BRANDON. In France.

The CHAIRMAN. In what capacity.

Mr. BRANDON. I enlisted in the French Foreign Legion at the beginning of the war, when France entered the war.

The CHAIRMAN. How long did you remain in the Foreign Legion?

Mr. BRANDON. Almost three years.

The CHAIRMAN. Were you a private soldier in the Foreign Legion?

Mr. BRANDON. Yes, sir.

The CHAIRMAN. What is the Foreign Legion of France, briefly? Of whom is it composed?

Mr. BRANDON. The Foreign Legion is a regiment composed of volunteers of any nationality which France maintains in its colonies, and which is continually in active service. Before the war there were perhaps 20,000 men in the Foreign Legion, mostly German, Swiss, and Spanish nationalities.

When the war started a great many foreigners desired to help France, and, according to the law, they could only be admitted into the Foreign Legion. There were sixty-odd thousand foreigners enlisted for the duration of the war, and they took part in most of the important battles, suffered very heavily; in fact, only 1,300 men were discharged at the end of the war out of the sixty-odd thousand who had enlisted.

The CHAIRMAN. What other service, if any, did you see?

Mr. BRANDON. No other real military service with an organized army, although I accompanied revolutionary forces in different parts of Latin America as an observer.

The CHAIRMAN. After you retired from the Foreign Legion, did you have any other service at all in this last war?

Mr. BRANDON. No, sir. I was rejected by the United States examining board.

The CHAIRMAN. How long did you serve in the Foreign Legion?

Mr. BRANDON. Almost three years.

The CHAIRMAN. Were you rejected by the United States examining board on account of disability?

Mr. BRANDON. Yes, sir. I have a wound, and also my eyes are not up to the standard.

The CHAIRMAN. When were you last in Mexico, Mr. Brandon?

Mr. BRANDON. I left Mexico on the 4th of this present month.

The CHAIRMAN. Under what circumstances did you leave Mexico?

Mr. BRANDON. I was expelled by the Carranza Government as a pernicious foreigner, being taken to the border at Laredo, Tex., by armed members of the Mexican secret service.

The CHAIRMAN. What had you been doing in Mexico at that time, or prior to that time?

Mr. BRANDON. I had been observing conditions and giving my opinion of them in the Los Angeles Times and other papers that published my work.

The CHAIRMAN. How long had you been in Mexico before you were expelled?

Mr. BRANDON. Almost three months. I went down to Mexico City in the middle of last December. I made that my headquarters, and at two different times I went into the country—once into the city of Puebla and entered into the States of Vera Cruz and Puebla.

The CHAIRMAN. What particularly called you to the city of Puebla or the States of Vera Cruz and Puebla?

Mr. BRANDON. I was interested in investigating the attitude of the Mexican criminal court, which is the court trying American Consul W. O. Jenkins in Puebla. My idea was to find evidence which would substantiate charges made by the American State Department that

Jenkins was not receiving justice at the hands of the court. I was not interested in whether Jenkins was guilty or innocent; I wanted to know if the United States had any right to interfere in what Mexicans claim is entirely interior matter, appertaining only to the Mexican criminal courts.

The CHAIRMAN. This investigation was in connection with the trial of Jenkins for perjury, was it?

Mr. BRANDON. Yes, sir.

The CHAIRMAN. He was arrested for perjury, or charged with perjury, in having testified that he had been kidnaped and had been compelled to pay a ransom?

Mr. BRANDON. Yes, sir.

The CHAIRMAN. I understand the charge against him was that he had not really been forcibly kidnaped, but was a party to his own kidnaping?

Mr. BRANDON. Yes, sir.

The CHAIRMAN. And of course this is a public matter, upon this country having demanded that he be discharged. The answer of the Mexican Government was that they could not interfere with the local courts which had jurisdiction of the case upon a charge of perjury; and that is what you were investigating?

Mr. BRANDON. Yes, sir.

The CHAIRMAN. What methods did you pursue in your investigation? Where did you go and what did you do?

Mr. BRANDON. Well, I spoke to Jenkins; I managed to get access to the court records; I spoke to witnesses who appear on those records as testifying that Jenkins was guilty of complicity in his own kidnaping; I spoke to other witnesses who Jenkins told me were ready to testify to the contrary but had not been heard by the court, or had been tortured and in other ways forced to testify to what the court desired; and I spoke to the prosecuting attorney, and a great deal to the judge, and got their opinions.

The CHAIRMAN. How did you happen to get the opinions of the officials there—the prosecuting attorney and others? What did they understand as to your activities? Did they know what you were doing?

Mr. BRANDON. Yes, sir; they knew I was a newspaper man. I am fairly well known in Mexico as a newspaper man, and owing to the fact that at the time Carranza and most of the present Mexican officials were revolutionists, and not government officials they were friendly to me personally. I was thought to be what they call in Mexico an unconditional friend of Carranza. I used the name of another newspaper man who is an unconditional friend of Carranza, a Mr. DeCourcy of Mexico. I said I was a friend of his, and that helped me a great deal.

The CHAIRMAN. He is a correspondent of the New York Times?

Mr. BRANDON. Yes, sir.

The CHAIRMAN. And is an unconditional friend of Carranza?

Mr. BRANDON. Yes.

The CHAIRMAN. And you used his name?

Mr. BRANDON. Yes, sir.

The CHAIRMAN. You speak Spanish, of course?

Mr. BRANDON. As well as I do English.

The CHAIRMAN. What did you learn from these various sources and what conclusions did you arrive at with reference to the arrest and trial of Jenkins, as to his guilt or innocence?

Mr. BRANDON. Could you specify a little more clearly what you would like to know?

The CHAIRMAN. Well, he was charged with complicity in his own kidnaping. Now, you talked to witnesses, you say, some of whom had testified against him; you talked to the judge, to the district attorney, and to others. What conclusion did you come to with reference to his guilt or innocence of the charge against him?

Mr. BRANDON. I will admit that I know of no proofs that will absolutely clear Jenkins of the charge of being concerned in his own kidnaping. It is practically impossible to prove that a man is not guilty. But I can also say that all the supposed proofs that figure in the testimony that has been compiled against Jenkins have proven unworthy of credit. Jenkins has an unusual reputation as an honest man and a friend of Mexico. He is perhaps the most popular foreigner in Mexico, certainly the most popular foreigner in Puebla. He is reputed to be a very wealthy man. And he is charged with trying to get money from the Government. With this excuse it falls of its own weight. He has no reason to be unfriendly to the Carranza Government and to have done this, because it is under the Carranza Government that Jenkins has made most of his money, and in fact he always had been rather friendly to the Government. That is all I can say as an indication that he would not have been guilty of doing this. On the other hand, the testimony that figures in the court records is composed entirely of sworn statements from perhaps 200 witnesses, nine-tenths of whom were illiterate, perhaps one-third of whom can not even speak the Spanish language. These men appear as having seen Jenkins in friendly intercourse with his captor during the time that he was in Cordoba's hands. They mention cases of having seen Jenkins drinking beer with his captor. They claim that he was not blindfolded, as Jenkins has stated, and that he knew perfectly well where he was.

Some of the witnesses testify to the fact that two years before the kidnaping they saw Jenkins give ammunition and arms to this bandit leader Cordoba. They claim that he was in constant communication with the bandits during the past two years. Up to very recently, up to the time that I investigated the case, there was no real testimony against Jenkins. Even such testimony as had been collected was not definite nor very damning. I spoke to a good many of the witnesses, and they told me that they had never seen Jenkins, that they didn't know anything about him, and that they had testified according to instructions.

The CHAIRMAN. Where were these witnesses who you say told you they had testified according to instructions? Where did you find them?

Mr. BRANDON. Some of them I found in the city of Puebla, living on a daily wage given them by the court because they were afraid to go back to their home towns after having lied as they did. I have a number of photographs of those witnesses. Others have returned to their towns. And when I spoke to them alone they were perfectly willing to tell me the truth.

There were three men who testified to having been tortured, deliberately tortured; one of them, who is perfectly worthy of credence, because he is the leading man of his town, he is municipal president of the town of Santa Marta, assured me that he had been called before the court at Cholula and had been told by the judge that it was his duty as a Mexican to testify that Jenkins and Cordoba were in his town in openly friendly intercourse on certain dates. He answered that it was impossible for him to testify to this effect, as he had never seen Jenkins and did not know who Jenkins was; whereupon after proving impossible to convince, Maj. Sosa, of the Puebla State forces, put a pistol to his breast and told him he would be killed if he didn't sign this statement, which had already been prepared. He said that he agreed in order to save his life. The secretary, Justino Hernandez, showed a welt around his neck, proving his statement that under the same circumstances he had been hung to a rafter in the court room until he agreed to sign the statement; and another man had been beaten with a cartridge belt until he agreed. Those three cases of torture seem to have been sufficient to make all of the 16 witnesses who were called from this town agree to sign the statement concerning Jenkins's presence there at that time without any more pressure. The men had been taken on December 3 to the court in Puebla and confronted with Jenkins. They broke down and admitted what I have just said to Jenkins and his lawyer.

The Mexican judge in charge of the case was satisfied as to the veracity of their statements, and he congratulated Jenkins, telling him that he had no doubt that the case would be thrown out of court on the following day; that he was about to make that recommendation.

The CHAIRMAN. This was in court?

Mr. BRANDON. Yes, sir. This happened in court. I am now telling the story that happened in court, although I proved the truth of it by personal investigation. Jenkins, as he is entitled to under the Mexican law, had asked for a certified copy of this testimony. He was told that on the following day it would be given him. On the following day he appeared, asking for his copy, and was told it was impossible for them to get a copy of that testimony as it did not exist, that there had been no court session held on the previous day, and they didn't know what he was talking about. He asked to see the judge, and was told that the judge had been given unlimited leave of absence. He asked for the secretary, and the secretary was also out of town. He asked to see the records and was told that the records were inaccessible except to court officials. He thereupon, through his lawyer, accused the court of having lost or abstracted documents relative to his case.

This is a very serious crime in Mexico. His accusation is on the shelf; absolutely nothing has been done about it. He told me this story, which was corroborated by his lawyer, who was also present during the hearing, and I saw the men concerned and they corroborated it and said they were perfectly willing to swear to it at any time. Later I managed to get into contact with the secretary of the court who had taken down this testimony, and he told me that every word of it was true, and that for 2,000 pesos he would

get me the missing evidence—not the original sheets, which had been torn out, but the certified copy which had been prepared and certified to by the judge and himself, and which he still kept in his possession; and he also showed me that the pages had been torn out by order of the prosecuting attorney after consultation with the governor of Puebla.

The CHAIRMAN. Who is the governor of Puebla?

Mr. BRANDON. Dr. Cabrera, brother to the present minister of finance, Luis Cabrera.

The CHAIRMAN. Did you have a conversation with the prosecuting attorney concerning the Jenkins case?

Mr. BRANDON. Yes, sir. I was continually conversing with Mr. Mitchell during the first three or four days of my presence in Puebla when he thought I was against Jenkins and was a Mexican propagandist; he definitely told me that Jenkins was guilty, and offered me all sorts of nonconvincing arguments to prove his statements. When he found out that I had photographed some of the records which absolutely proved that documents had been abstracted he sent for me one evening and asked me to call at his home. I went, in a very worried state of mind. I asked him, "Can I see you to-morrow?" He says, "No; I want to see you to-night." It was 11 o'clock in the evening. "I want to see you to-night in my home." I begged him to wait until the following day, when I would see him in court. He says, "No; this is a very private and personal matter. I must see you in my home to-night." And when I went there he told me that he knew or had information to the effect that I was friendly to Jenkins, and he didn't blame me, on account of my being an American, but that there was a misapprehension somewhere. Jenkins seemed to think that he was his enemy, and he was not Jenkins's enemy. In fact, owing to his being half Anglo-Saxon, he would very much like to see Jenkins proven innocent; that Jenkins had several times made the statement that he was willing to spend half of his fortune, if necessary, to come out clean in this matter; that he would very much like to have me tell Jenkins that he was his friend, and that it depended on him entirely to have the case thrown out of court or to have it prosecuted to its limit. He asked me to call the following evening and tell him Jenkins's answer.

The CHAIRMAN. Did you do so?

Mr. BRANDON. Yes, sir. I saw Jenkins, and Jenkins says, "I will not give one penny to Sosa." He used some very strong language. Jenkins said, "I knew something of that sort would eventually come out, but this is the first definite offer I have received from them."

The CHAIRMAN. What was the cause of your departing from Mexico, if you know?

Mr. BRANDON. Perfectly frank expressions of opinion on the situation, which were not particularly complimentary to the Carranza Government; although I have not definitely attacked them in any way, but I have told the truth about the Jenkins case, and I said a few things about the present governor of Vera Cruz and the secretary of state and general of division in the army, and a few other things that candor and sincerity to President Carranza required.

The CHAIRMAN. When you were in Mexico at this time did you meet Mr. Wilbur Forrest?

Mr. BRANDON. Yes, sir.

The CHAIRMAN. You know him?

Mr. BRANDON. Mr. Wilbur Forrest, whom I see present in the courtroom, was in Mexico as correspondent of the New York Tribune, and also did some work in connection with the Jenkins case previous to my presence there.

The CHAIRMAN. Do you know when he left Mexico?

Mr. BRANDON. Yes, sir. On the 31st of December last I accompanied Mr. Forrest to the train which was to take him to the border.

The CHAIRMAN. He was not deported, was he?

Mr. BRANDON. He beat the deportation by 24 hours. I understand that there was an order for his arrest and for search of his quarters.

The CHAIRMAN. You say you understand so?

Mr. BRANDON. Yes, sir. I was told so by a member of the police force in Mexico.

The CHAIRMAN. How are the judges of the State of Puebla appointed or elected, do you know?

Mr. BRANDON. The judges in the State of Puebla are appointed by the governor. The criminal court judges are appointed by the governor.

The CHAIRMAN. The governor is the brother of Luis Cabrera, member of the Mexican Cabinet?

Mr. BRANDON. Yes, sir. In connection with that, I asked the governor how it happened that Judge Gonzales Franco was a Puebla criminal judge, as I understood that in the constitution of the independent and sovereign State of Puebla it was specified that no one could be a judge unless he was a citizen of the State, and this judge was a citizen of the State of Jalisco, and the governor of Puebla answered me that the legislature and senate of the State of Puebla had given him extraordinary powers in all branches of the Government, whereby he was legally authorized to do anything he pleased, whether it was in conformity with the constitution of the State of Puebla or not.

The CHAIRMAN. In other words, the legislature authorized him to set aside this State constitution?

Mr. BRANDON. Yes, sir. Extraordinary powers, as they call it. The national legislature of Mexico has done the same with President Carranza, giving him extraordinary powers, on matters of finance only. Carranza is authorized to impose taxes or change the amounts of taxes. He can do anything he wants to do in the branch of finances. The Governor of Puebla is authorized to do this in all branches of the Government. He is an absolute dictator.

The CHAIRMAN. The President of Mexico is also authorized to put in effect, by decrees, the provision of the constitution until such time as the congress itself may put them into effect by law, is he not?

Mr. BRANDON. Yes, sir. The Mexican constitution of 1917 has several articles which are not very clear, and the matter of the interpretation is in Carranza's hands until congress passes definitely upon it.

The CHAIRMAN. What are the conditions existing in the districts where you were, and of which you obtained information which you regard as reliable, concerning peace and order or violence and unsettled conditions in the Republic of Mexico?

Mr. BRANDON. The State of Puebla is one of the most central states in the Republic of Mexico, and one of the most, if not the most, thickly settled. It is right near the capital of Mexico. Nevertheless, when I expressed my intention of visiting several villages which are only 25 or 30 miles away from Puebla the governor told me it was necessary to send a military escort with me to protect me. I objected to this and he promised he would not do so; nevertheless, I found that a military escort had preceded me on my trip and had warned witnesses not to speak to me or to be very careful what they told me. Despite the fact that this military escort had preceded me, when I was about 12 miles out of Puebla city I was fired upon by a Government force ensconced on the top of a hill. I rode right up to the entrenchment or fort and protested, and was told that that was my own fault: that I was alone, I was on horseback, and naturally they thought I was a revolutionist. This will indicate to you what chance a man has going around in the country in Mexico alone. The second time I left Mexico City I went through the earthquake zone in the borders States of Puebla and Vera Cruz. There I found all the villages, or most of them, garrisoned by government troops; but I was in three villages which were in revolutionary hands despite the fact that they are but 10 to 12 miles from Government garrisons. There was one town I went to, named Ixhuacan, which has never been in the possession of Carranza during all this six years of his predominance in Mexican affairs.

I asked the people there, "Are you revolutionists?" They said, "We are not exactly revolutionists, but we don't want any garrison in our town. We are hard-working farmers, and we find that the soldiers rob us with such freedom that we prefer to fight against them. We lose less life and less of our property by fighting the Government than if we accepted the Government." These men are working hard; they are cultivating their little patches of land in a perfectly orderly fashion.

The CHAIRMAN. Do you know whether that condition of affairs exists in other portions of the Republic?

Mr. BRANDON. Frankly, I wish to be accurate in my statements, and I will say I do not know. I have been told that it is so, but I do not know.

The CHAIRMAN. You have heard of the organization of citizens in different districts known as the Defensas Sociales and similar organizations?

Mr. BRANDON. Yes, sir. I know of those organizations, some of which are Government organizations and some of which are revolutionary ones.

The CHAIRMAN. Depending on the locality?

Mr. BRANDON. Yes, sir. In the State of Chihuahua these organizations are supposed to be Government ones, and I understand that on the Gulf coast they are mostly revolutionary organizations. It is significant that I traveled from town to town on this 12-day trip through the mountains of the Gulf slope and was given letters of

introduction by the military commander of each village to the military commander of the next village. This happened often in the cases where I left a Carrancista town to go to a revolutionary town. There seemed to be perfect accord between the garrisons. In one case I was lent four soldiers, who carried packs for me—packs of medicine that I was distributing—and also two horses, one for myself and one for my mozo, and the revolutionists returned the horses and soldiers to the Government troops, knowing that they were Government property. In the following town the Zapatistas gave me horses and men to go to a Carrancista village, and I had a very hard time to prevent the Carrancista leader there from stealing the horses and shooting my men. If he had not happened to have a wounded leg, and I happened to relieve his pain somewhat, I am sure he would have kept the horses and shot my men.

There was also another incident in the town of Ahueyayulco. That town was menaced by the rising of the river, which had been dammed up by a landslide, and they asked for help from a Zapatista town, and 200 men from the Zapatista town and 200 Zapatistas from the oil fields were sent over to that town and worked for two days with pick and shovel clearing away the débris from the bed of the river to save the Carrancista town.

The CHAIRMAN. So far, then, as your observation goes, if the people themselves were let alone there would be no revolution at all?

Mr. BRANDON. Yes, sir; that is my idea.

The CHAIRMAN. It is simply agitation by demagogues and leaders that is keeping up this dreadful condition?

Mr. BRANDON. Yes, sir; that is my true opinion.

The CHAIRMAN. Did you notice a statement in the paper—a telegraphic dispatch—to-day with reference to some reported statement of a Mr. Palacios, who claimed to have been the second under command of Cordova, who was accused of kidnaping Jenkins?

Mr. BRANDON. Yes, sir.

The CHAIRMAN. Do you know Palacios, or did you ever come in contact with him?

Mr. BRANDON. I didn't know him personally, but I am acquainted with the facts concerning his appearance in court. Palacios, as I am creditably informed, had been a revolutionist, but two months before the Jenkins kidnaping he had been amnestied by the governor. This amnesty was kept under cover, and Palacios has since been acting as a spy for the Government. Toward the end of January Palacios presented himself to the court, claiming that he had been with Cordoba during the time of the Jenkins kidnaping, and that he was in possession of evidence to the effect that Jenkins had arranged the whole kidnaping himself. Jenkins was called to the court and confronted with Palacios. Palacios gave his testimony, and Jenkins was asked if he didn't want to cross-examine him. Jenkins said, "No; I have nothing to ask him." The judge insisted. He said, "Do you realize that this man's testimony seems to be conclusive and that it will probably cost you your liberty?" Jenkins said, "Yes; I realize that if it could be proven, but I have nothing to ask him." The judge insisted, and Jenkins told him, "Well, I have something to say regarding this matter, but I am afraid that, with my poor knowledge of Spanish, I may offend the court unwittingly,

therefore I prefer to keep still." The judge assured him that he would not be offended unnecessarily, whereupon Jenkins begged him not to put his following words on the record, but translate them into more polite Spanish than he was capable of using; and he told the judge that he had documentary proof to the effect that the governor of Puebla and the court had promised Palacios 5,000 pesos for this testimony, and he would bring that proof forward at the time of his definite trial—his oral trial—and therefore it was not necessary to cross-question the witness at that time. The judge thereupon fined Jenkins 50 pesos for contempt of court, and the next time Jenkins was called before the court he refused absolutely to say a word, claiming that he had instructions in the first place from the embassy not to pay any more attention to this court, and, secondly, that it was too expensive to talk in court.

The CHAIRMAN. That is all.

TESTIMONY OF MR. WILBUR FORREST.

(Witness sworn by the secretary.)

The SECRETARY. Your name is Wilbur Forrest?

Mr. FORREST. Yes, sir.

The CHAIRMAN. You are a citizen of the United States, are you?

Mr. FORREST. Yes, sir.

The CHAIRMAN. Of what State?

Mr. FORREST. Illinois.

The CHAIRMAN. Where do you reside?

Mr. FORREST. I suppose my residence at present would be in New York.

The CHAIRMAN. What is your profession or business?

Mr. FORREST. Newspaper man.

The CHAIRMAN. How long have you been in the newspaper business?

Mr. FORREST. About 10 years.

The CHAIRMAN. Have you been in Mexico at any time during this period of 10 years?

Mr. FORREST. Yes, sir.

The CHAIRMAN. When?

Mr. FORREST. For about 40 days previous to the 3d of January.

The CHAIRMAN. That is, this last January?

Mr. FORREST. This last January, 1920.

The CHAIRMAN. Where were you prior to that time in the performance of your duties?

Mr. FORREST. For five years, with the exception of three months in the United States, I have been in Europe.

The CHAIRMAN. In what capacity were you in Europe?

Mr. FORREST. Newspaper correspondent; about three years for the United Press, with headquarters in London and Paris, and with the armies in the field at various times; and later with the New York Tribune. For the last two years with the New York Tribune.

The CHAIRMAN. In your capacity as newspaper correspondent, have you been stationed at Washington at different times?

Mr. FORREST. Yes, sir. About two years in Washington—in 1912 and 1913.

The CHAIRMAN. What were your particular duties there?

Mr. FORREST. I have had various assignments in Washington, including the White House for six months, the Supreme Court for a short length of time, the House of Representatives, the Senate, the State, War, and Navy Departments, the Department of Justice, and other assignments. Practically all of the assignments, from time to time, in Washington.

The CHAIRMAN. How long had you been back from Europe when you went to Mexico upon this last trip?

Mr. FORREST. I should judge about three months. I came back from Europe in September.

The CHAIRMAN. Were you sent down into Mexico by your paper?

Mr. FORREST. Yes, sir.

The CHAIRMAN. Where did you go into Mexico?

Mr. FORREST. I went first to Monterrey; from Monterrey to Tampico; from Tampico to Yucatan and the cities of Progreso and Laredo; back across the Gulf to Vera Cruz; from Vera Cruz to Mexico City; from Mexico City on two occasions to the District of Puebla, and on other short trips from Mexico City; and later from Mexico City to Laredo, Tex., and across the border back to the United States.

The CHAIRMAN. While you were in Mexico did you make an investigation of the facts concerning the arrest or the different arrests and trial or different trials of Mr. Jenkins, consular agent of the United States in Mexico?

Mr. FORREST. Yes, sir. Not so much the trials. I did not make an investigation in the Mexican courts. I took the results of investigations by American officials and others.

The CHAIRMAN. That is, those attached to the American State Department?

Mr. FORREST. Those attached to the American State Department.

The CHAIRMAN. To the American embassies. Did you hear of a man by the name of Cordoba in connection with the Jenkins case?

Mr. FORREST. Yes, sir; he was the rebel leader in the State of Puebla who kidnaped Consular Agent Jenkins and held him for some time, until a ransom was paid, when he was released.

The CHAIRMAN. Did you ever have your attention called to any letters published by officials in Mexico purporting to be facsimiles or photostatic copies or translations of letters from Cordoba or other Mexican officials relative to the Jenkins case?

Mr. FORREST. Yes, sir. After the kidnaping of Jenkins, and after he had been released, and when the controversy between Jenkins and the State of Puebla was in progress, there appeared in one of the Mexico City papers—I don't remember exactly which paper—a letter which purported to be a letter from Cordoba saying that Jenkins had been with him; that is, had connived with him to arrange the kidnaping, and this letter was signed "Federico Cordoba," a signature in ink, which had been reproduced.

The CHAIRMAN. Did you see any circulars or pamphlets of any kind issued, purporting to contain this letter or photostatic copies of it?

Mr. FORREST. No, sir; I did not.

The CHAIRMAN. You did not know that such a letter had been circulated among United States Senators?

Mr. FORREST. No, sir.

The CHAIRMAN. Did you undertake or pursue any investigation as to whether that letter was a genuine letter or a forgery?

Mr. FORREST. I discovered it by accident, I might say, through an arrangement which I—after investigating the Jenkins case and thoroughly interviewing the consular agent at length on two or three occasions, twice in Puebla and once in Mexico City, and having investigated the case through the American Embassy and in other ways until I believed that Mr. Jenkins was being persecuted and was absolutely innocent, and that the charges against him were ridiculous, I felt that there was just one thing that remained for me to do in Mexico, and that was to have an interview with the rebel Cordoba who kidnaped Jenkins. I went to Puebla with that purpose in view and ascertained after some effort there and a little trip to the country, that Mr. Cordoba was not in his camp near the city of Puebla, but was spending the Christmas holidays in Mexico City itself, where his enemies held forth, and that he was there for the purpose also of arranging his affairs to leave the district of Puebla and go back to his headquarters in the Tampico area under the leader Manuel Pelaez.

I went back to Mexico City and arranged for an interpreter and a man who could guide me to Cordoba. I made an arrangement whereby I was to wait on the corner of Avenida Juarez in Mexico City at 8 o'clock in the evening of December 29. I was to wait on the corner at that time until an automobile would pass and a man in it would make a sign, and I was to get in.

The CHAIRMAN. That was the 29th of December?

Mr. FORREST. The 29th of December. The purpose of the automobile was to carry us to the rendezvous. And I did so at 8 o'clock, and promptly an automobile came up and the door opened—it was a Ford, incidentally—and I jumped in and we turned and went by the Alameda, which was very near the place, and in 10 minutes we got out at the corner of—it seemed to be a rather respectable part of the city—and walked hurriedly I should judge for three or four minutes and came to the place the man pointed out as the place where Cordoba was staying. There were men around the corner who appeared to be the guard, and we did not go in, but passed by, walked a block, and as we came back the men had disappeared and we knocked at the door. After some little time a very pretty young Mexican girl opened the door, with a candle in her hand. We entered, and the house appeared to be entirely bare, except one small room, with a table with a candle on it, and a little luncheon on the table, and three chairs.

That room through which we passed to go into the room that had the furniture in it, had armed men in it. We sat down at a table, and from the room to the rear, where he evidently had been watching us all this time, came the rebel leader Cordoba. We shook hands and started out with our interview. In the course of the interview Cordoba told me that he had been offered, orally and in writing, 200 pesos to come to Mexico City, accept immunity, and testify that Jenkins had connived with him in the kidnaping; that he had the intention at first to accept the money and tell the people that were bringing it to go to, but he decided later that since he had the

money from Jenkins—he showed me a sack of gold which he said was the last of the ransom money; that it had been entirely paid—he decided not to accept it. I tried to get him to show me the letter. He left the room to search for the letter and came back and said that his papers had been packed up by his secretary and that the letter could not be found easily, but he was certain he had it. I asked him who had written this letter, and he said he assumed it came from either the governor of the State of Puebla or representatives, but he could not prove it absolutely; but he assumed they were the people most interested in having Jenkins declared guilty and therefore he thought it came from them.

Then, after the interview, which was rather lengthy—about an hour we talked—or, incidentally, when Cordoba came back into the room after searching for the letter, he left the door open. It was quite draughty and my interpreter got up to close it. That took him back of Cordoba, who—to show that he was rather nervous—turned and kept his eyes on the interpreter every minute he was behind him until the door was closed, and then he sat down and the conversation commenced. After that interview I asked him to write a statement which would show that I interviewed him in the City of Mexico, in the center of his enemies, and he did. He wrote a statement which I have now, signing it "Fed" Cordoba. That is a signature which, as I understand, the American embassy and the State Department have to-day, and it agrees with that signature. The signature of the forged letter, or the letter alleged to have been forged, was signed "Federico Cordoba." He assured me he never signed his name that way, but always "Fed." Cordoba.

The CHAIRMAN. Did you mention this letter to him, this supposedly forged letter that had been filed there?

Mr. FORREST. Yes, sir.

The CHAIRMAN. What did he say to that?

Mr. FORREST. He said it was an absolute forgery, and that it was ridiculous that it could have come from him; that he kidnaped Jenkins, and that he did it merely for the purpose of showing that the Carranza government could give no guarantees to foreigners in Mexico. He said he could have kidnaped any number of rich Mexicans but nothing would ever have been heard of it in the United States. He thought the way to call the attention of the people of the United States to the fact that the Carranza government was absolutely impotent when it came to giving protection, was to kidnap a representative of the United States Government, and that for that reason he kidnaped Jenkins. He also admitted under questioning that it was planned and arranged by other rebels, and that he was only one of a band who had planned and arranged, to kidnap our representative, Mr. George S. Summerline at Mexico City, and also the American consul at Guadalajara, the Spanish consul at Puebla and the British Consul at Puebla. These were all to have been taken on the night Jenkins was kidnaped. I asked him if it were true that Bernardo Reyes, a rebel from the hills near Mexico City, remained in Mexico City 10 days trying to grab Summerline, and he became very excited when I asked him that and jumbed up and said, "How did you know that?" very excitedly. I told him I didn't get my information from the Carranza government. That

seemed to reassure him, and he admitted that the plan had fallen down. He told me that the reason he was in the district of Puebla was that he had been sent there by Manuel Pelaez, his leader, to unify the rebel movement in four States—the States of Puebla, Oaxaca, Morelos, and one other State, the name of which I do not remember—and that he had succeeded in that unification and was going back to join Pelaez at Tampico. After the interview we left, and our parting was very cordial. He hoped I would tell the people of the United States what the situation was in the Jenkins case, and also about the revolutionary movement in Mexico. He seemed to be very anxious that they should know that the rebels were unified, and also that Jenkins was absolutely innocent and had been the victim. He said he was very sorry that Jenkins had to suffer, but he felt it would be worth it to the rebels to show just what a small hold the Carrancistas have on the country.

The CHAIRMAN. He seemed to think that although Jenkins was only a consular agent, he was a representative of the United States?

Mr. FORREST. Yes, sir.

The CHAIRMAN. And it was for that reason that he desired to follow out this plan?

Mr. FORREST. Yes, sir.

The CHAIRMAN. What was the impression made upon your mind as to the respect for law and order as exemplified by the Carranza government in Mexico?

Mr. FORREST. The rebel Cordoba seemed to have the utmost contempt for their ability to catch him or to bring about law and order in Mexico. He told my interpreter and myself that the rebels could blow up trains and bridges and do most anything they desired to do at any time, and in his answers to questions he admitted that they could perhaps take most any city in Mexico at any time, but on account of the lack of munitions they could not hold these cities when the Carranza reinforcements came; but they could take these cities and hold them for 12 or 24 hours. He said he had no sympathy with the blowing up of trains and the injury of innocent people, but that that did occur; that sometimes it occurred as a result of irresponsible acts and that it had nothing to do with the rebel movement; that at other times it had been necessary. This was done mostly, though, to show that the Carranza people could not control the situation.

The CHAIRMAN. What is the feeling of respect, if any, that the people of Yucatan—the Yucatecans—have for Mexico and the Carranza government, if you ascertained?

Mr. FORREST. The Yucatecans appear to have very little respect for the Carranza government and would like very much to be left alone. It seems that Alvarado, a representative of the Carranza government, came to Yucatan and got their affairs in very bad shape by trying to form a hemp combine, that happened to be the principal crop of Yucatan, and their affairs are now in very bad shape as a result of that, Alvarado having left Yucatan and gone back to Mexico. The Yucatecans, however, refuse to be called Mexicans in most cases and want to be called Yucatecans. They feel that they are apart from Mexico and are capable of conducting their own affairs without the interference of the Carranza government. They

take a certain pride in being called Yucatecans. A great many of them are highly educated, and the native Yucatecan is either a pure Maya Indian or a mixture of Spanish and Maya Indian and a higher-type native than you find in a great many other parts of Mexico. They are industrious and hard working and, above all, very clean personally.

The CHAIRMAN. Did you have any particular reason for leaving Mexico at the time that you did leave?

Mr. FORREST. Well, I had a suspicion, through recognition of various faces which had followed me, or seeing these faces in various places, that I was being watched, and having various documents on me, including the Cordoba signed statement, which, of course, would be an admission that I had been in consultation with the rebels, enemies of the Carranza Government, I felt that it would not be good for me to remain there very long after that interview; and on the night of December 31, New Year's night, Mr. Brandon, Mr. Turner, who is correspondent of the United Press, and myself, were around during the celebration, and having these papers with me I felt that I ought not to give them up if I were arrested. I asked them to accompany me to the train at 6.30 next morning, so that in case I might be arrested I could get these documents to them and they could get away with them. But although I saw what I thought was one of the familiar faces at the station, nothing occurred and I got on the train and made the trip to the border without incident, carrying the documents with me.

The CHAIRMAN. Have you the original Cordoba letter in your possession?

Mr. FORREST. No, sir; I have not. I sent it to New York and it was reproduced in my paper and printed. They still have the original. I have a reproduction.

The CHAIRMAN. And that we can get at any time?

Mr. FORREST. Yes, sir.

(A recess was then taken until 2.30 o'clock p. m.)

AFTER RECESS—2.30 P. M.

TESTIMONY OF MR. HENRY L. TOLEN.

(Witness sworn by the secretary.)

The SECRETARY. Your full name?

Mr. TOLEN. Henry L. Tolen.

The CHAIRMAN. Mr. Tolen, you are a citizen of the United States?

Mr. TOLEN. Yes, sir.

The CHAIRMAN. And a native of what State?

Mr. TOLEN. Indiana.

The CHAIRMAN. Where do you reside?

Mr. TOLEN. At the present time at Yuma, Ariz.

The CHAIRMAN. What is your business?

Mr. TOLEN. Inspector in the Immigration Service of the United States.

The CHAIRMAN. What is your district?

Mr. TOLEN. Yuma and vicinity, down to the border, about 25 miles south, and as far east as—we are supposed to meet the juris-

diction of the inspector stationed at Ajo. There are only two of us over there. That is about 125 miles east.

The CHAIRMAN. And how far west along the border?

Mr. TOLEN. To the Colorado River. Well, on the California side also.

The CHAIRMAN. How long have you been in the service?

Mr. TOLEN. Since 1915.

The CHAIRMAN. How long have you been in the district that you represent at present?

Mr. TOLEN. On the 27th of August I was moved from San Diego over there.

The CHAIRMAN. And what are your duties, generally, along the border?

Mr. TOLEN. Immigration matters—train inspection, border inspection, border riding, investigations of aliens supposed to be illegally in the country, etc.

The CHAIRMAN. In the performance of your official duties along the border south of Yuma, have you met a man by the name of Calles?

Mr. TOLEN. Yes, sir.

The CHAIRMAN. What is his full name?

Mr. TOLEN. Carlos G. Calles.

The CHAIRMAN. What official position, if any, does he claim to hold?

Mr. TOLEN. Captain in the Mexican Army.

The CHAIRMAN. The Carranza army?

Mr. TOLEN. The Carranza forces; yes.

The CHAIRMAN. Where is he stationed, if you know?

Mr. TOLEN. San Luis. San Luis is just a little cluster of a few huts on the Mexican side of the international line, where Sonora joins Arizona and corners in with the Colorado River.

The CHAIRMAN. About how many men has he there?

Ms. TOLEN. He had about 100 at first, and then some of them deserted, and he went back and got 80 more, and they nearly all deserted, so he hasn't any now, to amount to anything.

The CHAIRMAN. Where did the soldiers who deserted from his command go?

Mr. TOLEN. They came into the United States.

The CHAIRMAN. Did any of the officers desert?

Mr. TOLEN. Several of them. I would have to go back a little further to tell the history of it.

The CHAIRMAN. Well, I was going to ask you about that. They did desert, some of the officers?

Mr. TOLEN. Yes, sir.

The CHAIRMAN. Did any of the officers come into the United States?

Mr. TOLEN. They are all in the United States now.

The CHAIRMAN. Where is Calles?

Mr. TOLEN. In Mexico, the last time I saw him.

The CHAIRMAN. What was the cause of the desertion of his soldiers, if you know?

Mr. TOLEN. They claimed that he appropriated the money for their pay to his own use. They formed a colony, or were supposed to form a colony, when they came over there——

The CHAIRMAN. That is, in Mexico?

Mr. TOLEN. In Mexico. These soldiers were brought from Navajoa, most of them, down on the Mayo River, and they came with the intention of just soldiering as a side issue, and they were to be paid $2 a day, so they say, and be allowed to cultivate land on a cooperative basis. They formed an agricultural association of some kind to purchase implements. They told me the money was turned over to Calles to purchase machinery with, and they never got any machinery—never got any implements—and that, coupled with the fact that they did not get any pay as soldiers either, they protested to Mexico City, or to their superior officers at Ortiz, in Sonora—I think that is where their headquarters are. They sent telegrams, and followed it up by letter, and a great many of them signed it. All the officers and men signed it, protesting Calles's actions, and Calles was incensed at that action on their part and he went to Hermosillo, as the saying is, to square himself. Evidently he made a good impression down there, because when he came back he came back by the way of Guaymas and the Gulf to Hermosillo, bringing about 80 men with him, and before he arrived there all these deserted in a body and walked across to the United States and were picking cotton in the valley.

The CHAIRMAN. Officers and men?

Mr. TOLEN. Officers and men; all with the exception of one officer, a fellow by the name of Juarez. He stayed with Calles some time longer.

The CHAIRMAN. Did these men bring arms or accouterments with them to this side?

Mr. TOLEN. I don't think any of them brought anything in the way of arms.

The CHAIRMAN. And they went to work for the American farmers on this side?

Mr. TOLEN. Yes.

The CHAIRMAN. In the State of Arizona?

Mr. TOLEN. Many of them, in the early part of August, when cotton picking was started, had permission from Calles to come over and make a few dollars for themselves. Some of them came over and went to work. There was one man, I don't know what the man's name is, wanted some cotton pickers and he went to Calles and got them.

The CHAIRMAN. That is an American on this side of the line?

Mr. TOLEN. An American on this side of the line, yes. And Calles sent the men over, but says, "Don't pay them, pay me," and he said that he did pay Calles for the work, at $3.50 a day.

The CHAIRMAN. Among these men who were over on this side, did you ever know a man by the name of Ybarra, a Mexican?

Mr. TOLEN. Yes, sir.

The CHAIRMAN. Do you know what has become of him?

Mr. TOLEN. I don't know for sure, but they all seem to think he is dead.

The CHAIRMAN. Did you know a man by the name of Jose Maria Luguen?

Mr. TOLEN. Only by hearsay.

The CHAIRMAN. Feliciano Herrera?

Mr. TOLEN. I only heard about those two. They were taken from the United States before I went to Yuma.

The CHAIRMAN. Did you have anything to do with the investigation, either in your official position or otherwise, of what became of this man Ybarra?

Mr. TOLEN. Yes, sir. On Monday, the 1st of December, 1919, James Tucker and his son, Wyatt Tucker, brought Catalina Amada de Ybarra to my office in Yuma.

The CHAIRMAN. Catalina Ybarra was a woman?

Mr. TOLEN. Yes. Wife of Rodolfo Ybarra. And she made a statement before me to the effect that on the night of the 29th, Saturday night, three men had driven up to where they were employed on a ranch picking cotton, 2½ miles west of Somerton, known as the Squire Munro ranch, and had knocked at the door, and one fellow stuck his head in the door, and he flashed a light also in their faces, and he says, "Is this the ranch that is run by"—some name, I forget now what it was. Anyhow, she heard some one say—not that name, but some name that sounds like it. He says, "It is Ybarra." And then this fellow that had his head in the door said, "Yes, Ybarra." They were sleeping on one floor there. "Yes, I am Ybarra," he said, "what do you want?" "Well," he says, "You are the man we want to see. Get up." And he got up, and without giving him a chance to put on his clothes, they took him out of the house, and she ran to the neighbors—when they took him out of the house she had an idea of who it was I suppose, and she ran to an American there by the name of—well, the fellow in charge of the ranch, the cotton man, I forget the name now, and called him and he came over and wanted to know what was going on, and the fellow says, "Why, we are officers from Yuma. We came after this man and are going to take him away." And they did take him away, and as they carried him away she says they pulled him between two of them, and as they carried him away he hollered to her, he says, "Come on and go with me; don't let them take me alone. They are taking me to San Luis. They are from San Luis." And they took him to an automobile some distance from the house—well, she couldn't see the automobile, because there were no lights, but in a short while she couldn't hear his cries any more; the automobile began to run and she could hear the automobile, and they went away, and that is the last she has ever seen of him.

The CHAIRMAN. Do you know anything about any proceedings in the courts of Arizona against Mr. Calles with reference to this Ybarra case?

Mr. TOLEN. Yes, sir.

The CHAIRMAN. Was he indicted, or was an information filed against him?

Mr. TOLEN. An information was filed against him, against Carlos G. Calles, Francisco Moreno, and Ernesto Teran for the kidnaping and murder of Ybarra. They claim he was taken to San Luis, Mexico, and executed.

The CHAIRMAN. The result of the examining trial in that case was the discharge, in that particular case, of Calles?

Mr. TOLEN. Yes. They discharged him in that particular case because they were unable to prove, so the judge held, the corpus delicti. Calles alone was held for kidnaping Luguen and Herrera. This was an instance of a similar kind to that which took place in

February, 1919, I think, where they claim two of the soldiers committed some trivial offense on the Mexican side and then came across into the United States. I think they robbed a valise or something like that—cut it open—and they came on to the United States and Calles came over and got them, so they say, and took them out of a wagon in the road west of Somerton, which is about 9 miles from the line, and, as the evidence came out in the case, that they could prove that very readily, that he did take them from the United States and took them into Mexico and held a public execution, and they held him in that case and put him under $5,000 bond. When he got out on bond he went back to San Luis, and he has been there ever since. He has not been back in the United States.

The CHAIRMAN. At this point, in connection with the testimony of the witness, Mr. Secretary, please file a copy of the complaint in the case of Calles, charged with the murder of Jose Maria Luguen and Feliciano Herrera, together with a stipulation, an order holding the defendant to answer, and an information, attached, and let them be copied into the record.

(The documents last above mentioned, filed as Exhibit 1, are in the following words and figures, to wit:)

In the justice court, first precinct, county of Yuma, State of Arizona.

The State of Arizona, plaintiff, *v.* Carlos Calles, defendant. Complaint, criminal.

Personally appeared before me this 7th day of February, 1920, W. F. Timmons, upon information and belief, who, being first duly sworn, complains and says: That one Carlos Calles, on or about the 7th day of February, 1918, at the county and State aforesaid, committed a felony, to wit, murder, as follows, to wit: The said Carlos Calles did then and there wilfully, unlawfully, feloniously, premeditatedly, deliberately, and of his malice aforethought made an assault in and upon the persons of other human beings, to wit, Jose Maria Luguen and Feliciano Herrera, and did then and there wilfully, unlawfully, feloniously, premeditatedly, deliberately, and of his malice aforethought seize, bind, kidnap, and carry away the said Jose Maria Luguen and Feliciano Herrera without the borders of Yuma County, State of Arizona, into the Republic of Mexico, and then and there of said wilful, unlawful, felonious, deliberate, and premeditated malice aforethought kill and murder them, the said Jose Maria Luguen and Feliciano Herrera.

All of which is contrary to the form of the statutes in such cases made and provided and against the peace and dignity of the State of Arizona.

W. F. TIMMONS.

Subscribed and sworn to before me this 7th day of February, 1920.

CHARLES M. SMITH,
Justice of the Peace of Said Precinct.

In the justice court, first precinct, county of Yuma, State of Arizona.

State of Arizona *v.* Carlos Calles, defendant. Stipulation.

It is hereby stipulated and agreed by and between Thomas D. Molloy, of counsel for the defendant, Carlos Calles, and W. F. Timmons, county attorney of the county of Yuma, representing the State, that the testimony given and taken before Charles M. Smith, justice of the peace, first precinct, sitting as a magistrate in the case of the State of Arizona *v.* Carlos Calles and Francisco Moreno, wherein the same is applicable, be submitted to said magistrate and considered by him as given in the case of the State of Arizona *v.* Carlos Calles, charged with the murder of Jose Maria Luguen and Feliciano Herrera, and that the transcript of the testimony taken in said first-named cause, in which the said Carlos Calles and Francisco Moreno were charged with the murder of Rodolfo Ybarra, be transcribed and filed in said cause, entitled State of

Arizona *v.* Carlos Calles; also that the defendant moved to dismiss this action for the reason that there is not sufficient evidence to warrant the holding of the defendant to answer.

THOMAS D. MALLOY,
Counsel for Defendant.
W. F. TIMMONS.
County Attorney, Yuma County.

In the justice court of first precinct, Yuma County, State of Arizona.

The State of Arizona, plaintiff, *v.* Carlos Calles, defendant. Order holding defendant to answer.

It appearing to me that the crime of misdemeanor or felony, to wit, _____ murder, _____, has been committed, on or about the 7th day of February, A. D. 1920, in the county of Yuma, State of Arizona, and that there is sufficient cause to believe that Carlos Calles is guilty thereof, I order that he, the said Carlos Calles, be held to answer the same, and that he be admitted to bail to answer in the sum of five thousand dollars ($5,000) and that he be committed to the sheriff of the county of Yuma, State of Arizona, until he give such bail or is otherwise legally discharged.

Dated at Yuma, Arizona, this 16th day of February, A. D. 1920.

CHARLES M. SMITH,
Justice of the Peace of said precinct.

STATE OF ARIZONA,
County of Yuma, ss:

I, Charles M. Smith, justice of the peace of first precinct, Yuma County, State of Arizona, do hereby certify that the above and foregoing is a full, true, and correct copy of an order made and entered by me in my docket in the above-entitled case, and that the following are the names of the witnesses who testified in my court: _____

Witness my official hand this 16th day of February, 1920.

CHARLES M. SMITH,
Justice of the Peace as aforesaid.

In the superior court of Yuma County, State of Arizona.

The State of Arizona, plaintiff, *v.* Carlos Calles, defendant. No information.

In the name and by the authority of the State of Arizona, Carlos Calles is accused by the county attorney of Yuma County, State of Arizona, by this information of the crime of felony, to wit: Murder, _____ committed as follows, to wit:

The said Carlos Calles, on or about the 7th day of February, 1918, and before the filing of this information, at and in the county of Yuma, State of Arizona, did then and there wilfully, unlawfully, feloniously, premeditatedly, deliberately, and of his malice aforethought, make an assault in and upon the person of two other human beings, to wit, Jose Maria Luguen and Feliciano Herrera, and did then and there wilfully, unlawfully, feloniously, premeditatedly, deliberately, and of his said malice aforethought, seize, bind, kidnap, and carry away the said Jose Maria Luguen and Feliciano Herrera to a place without the borders of the said Yuma County, State of Arizona, to wit, into the State of Sonora, in the Republic of Mexico, and then and there of his said wilful, unlawful, felonious, deliberate, and premeditated malice aforethought, did kill and murder them, the said Jose Maria Luguen and Feliciano Herrera, contrary to form, force, and effect of the statute in such cases made and provided, and against the peace and dignity of the State of Arizona.

W. F. TIMMONS, *County Attorney.*

The CHAIRMAN. Mr. Tolen, have you cooperated with the officers of any other department of this Government in the investigation of these cases against Calles?

Mr. TOLEN. Yes, sir.

The CHAIRMAN. What departments?

Mr. TOLEN. With the Department of Justice and with the military department.

The CHAIRMAN. And the Collector's Department?

Mr. TOLEN. The collector of customs?

The CHAIRMAN. Yes.

Mr. TOLEN. No, sir.

The CHAIRMAN. Do you know whether there has been any correspondence in relation to these so-called kidnaping cases against Calles between the Department of State and the Treasury Department? Have you had your attention called to any letters from the State Department to the Treasury Department?

Mr. TOLEN. No, sir.

The CHAIRMAN. You are not familiar with that matter?

Mr. TOLEN. Yes, sir.

The CHAIRMAN. Mr. Secretary, we will have filed a letter from the Secretary of State of the United States, Robert Lansing, under date of January 13, 1920, to the governor of Arizona, at Phoenix, Ariz., inclosing for the information of the governor letter from the Treasury Department, which will be filed also, dated January 5, with inclosures, concerning the execution of Rodolfo Ybarra subsequent to his alleged abduction, and containing a request from the Department of State that the governor of Arizona cause an investigation and report, and the Department of State be advised of what action, if any, it would be practicable to take in the courts of Arizona, from which State he was abducted; and, as a part of the record, a letter from John B. Elliott, collector, of Los Angeles, Calif., to the Secretary of the Treasury, dated December 11, 1919; letter from M. E. Sayles, Deputy Collector to the Collector at Los Angeles, dated December 13, 1919; statement made by J. W. Tucker to the Immigration Department dated December 1, 1919—this is the Tucker you refer to, is it, Mr. Tolen?

Mr. TOLEN. Yes.

The CHAIRMAN (resuming). A statement by J. C. Atkinson before Immigrant Inspector Henry L. Tolen, dated December 1, 1919—you took that statement, didn't you?

Mr. TOLEN. Yes, sir.

The CHAIRMAN (resuming). A further statement by Tucker with reference to the matter, of the same date; affidavit of Catalina Amada de Ybarra for Mr. Timmons, prosecuting attorney; a report in the form of a letter from W. F. Timmons, county attorney of Yuma County, Ariz., to Wiley E. Jones, attorney general of the State of Arizona; and copies of telegrams to and from the attorney general, the district attorney, and the governor of the State.

(The documents and correspondence last above mentioned, filed as Exhibit 2, are in the following words and figures, to wit:)

DEPARTMENT OF STATE,
Washington, January 13, 1920.

The honorable the GOVERNOR OF ARIZONA,
Phoenix.

SIR: I have the honor to inclose herewith copy of a letter from the Treasury Department, dated January 5, with inclosures, concerning the execution of one Rodolfo Ybarra subsequent to his alleged abduction from the American side of the frontier by Mexican military authorities.

I have the honor to request that an investigation and report be made relative to this matter, and, assuming the facts are found to be as stated, that I be advised as to what action, if any, it will be practicable to take in the courts of Arizona against the abductors.

In this connection you are advised that, by treaty between the United States and Mexico, there is made extraditable "kidnaping of minors or adults, defined to be the abduction or detention of person or persons in order to exact money from them or their families, or for other unlawful end."

I have the honor to be, sir,

Your obedient servant,

ROBERT LANSING.

TREASURY DEPARTMENT,
Washington, January 5, 1920.

The honorable the SECRETARY OF STATE.

SIR: I have the honor to inclose herewith for such action as you may deem proper letters dated the 11th and 18th ultimo from the collector of customs at Los Angeles, Calif., and the report therewith, relative to the shooting of one Rodolfo Ybarra, who, it is alleged, was abducted by the Mexican military authorities from the American side of the line and later executed.

By direction of the Secretary.

Respectfully,

JOUETT SHOUSE,
Assistant Secretary.

TREASURY DEPARTMENT,
UNITED STATES CUSTOMS SERVICE,
Los Angeles, Calif., December 11, 1919.

The honorable the SECRETARY OF THE TREASURY,
Washington, D. C.

SIR: I beg to invite the attention of the department to the following report from the deputy collector in charge of the port of Andrade, in regard to the shooting of one Rodolfo Ybarra, who, it is alleged, was abducted by Mexican military authorities from the American side of the line and later executed:

"One week ago to-night men acting under the orders of Capt. Calles, commander of the San Luis, Sonora, garrison, entered the United States and forcibly abducted a man who had formerly been an officer of the San Luis garrison by the name (I am told) of Rodolfo Ybarra, took him over the line at San Luis, and shot him. I am told that this man is not the first man that Capt. Calles has executed that has taken refuge in the United States, but it is the first man I believe to be abducted by Capt. Calles and taken to San Luis for execution. This man Rodolfo Ybarra paid head tax at this office on October 20. As far as I know nothing has as yet been done about this piece of lawlessness. When Ybarra paid his head tax here he stated that it would be impossible for him to remain in Mexico because Calles would shoot him. He said it was impossible for any self-respecting Mexican to remain in San Luis, more especially if he had a wife or daughter. Since that time many Mexican laborers have left San Luis and they all tell tales of oppression at the hands of Capt. Calles, some of them almost unbelievable. When such things as these are going on at our very doors can you wonder that we ask for protection? The better class of Mexicans, and especially the Spanish element of Lower California, are very much worried at the present time, the collector of customs at Algodones telling me himself that he feared for his life. They seem to have no confidence in the garrison here or at San Luis and fear trouble among themselves."

I am forwarding his portion of Deputy Collector in Charge Sayles's report in order that it may be called to the attention of the Department of State, if that seems desirable.

I have also requested Deputy Collector in Charge Sayles to furnish me with any other information he may have on this occurence.

Respectfully,

JOHN B. ELLIOTT, *Collector.*

TREASURY DEPARTMENT,
UNITED STATES CUSTOMS SERVICE,
Andrade, Calif., December 13, 1919.

The COLLECTOR OF CUSTOMS,
Los Angeles, Calif.

SIR: I beg to acknowledge receipt of your letter of the 11th instant, in which you request me to furnish you the facts concerning the abduction and shooting of Rodolfo Ybarra. My information is direct and positive, inasmuch as it is

based on the affidavit of Ybarra's wife, and she was certainly in position to know the facts.

According to her affidavit, the following are the facts in this case:

Mr. Ybarra and his wife were employed on a ranch known as the "Squire Munro" ranch that some time between 11 and 12 o'clock on the evening of Saturday, November 29, they were awakened by a man who asked if Mr. Ybarra lived there. Mr. Ybarra replied, "Yes; I am Mr. Ybarra." The man urged Mr. Ybarra to get up, as a gentleman in the auto wished to talk to him. He informed Mr. Ybarra that the men were officers of Yuma County and Mr. Ybarra reluctantly got up and put on his pants and shoes but he was hurried to the car before he had a chance to tie his shoe laces. When he reached the car he evidently saw who his captors were, for he called to his wife that Capt. Calles had got him and was going to take him to San Luis.

Mrs. Ybarra ran to the car and protested, but to no use; she then called an American who was near by and told him her fears. He went to the car to investigate, but was told by some man who spoke good English that they were officers and that Ybarra was under arrest. This man who spoke English was undoubtedly Capt. Calles. Mrs. Ybarra says she recognized one of the men as the chauffeur of Capt. Calles, but was unable to recognize any of the rest because they kept pocket searchlights directed on her face and kept their faces in the dark. As the machine rolled away, Mr. Ybarra called to his wife that they were going to San Luis and to notify his friends, and he kept calling to his wife until the machine had passed beyond hearing distance.

Mrs. Ybarra lost no time in visiting the constable at Somerton and poured out her troubles to him. Either from inability to understand her or from sheer indifference, he did absolutely nothing, and by so doing just cost Capt. Ybarra his life. He said afterwards that he had neglected to call up the sheriff's office at Yuma because it was late at night and he hated to wake them up. In the morning he called them up, and was told that no officers from their office had been sent after Ybarra. It is altogether probable that had the officer at Somerton called Sheriff Greenleaf at the time Mrs. Ybarra visited him, the sheriff would have been able to prevent Capt. Calles from carrying out his fell purpose. Capt. Ybarra has not been seen since. People living near Capt. Calles's headquarters at the ranch San Luis heard a volley of shots about 3 a. m. Sunday morning. This was, no doubt, the time when Ybarra's life was snuffed out.

On Monday morning Mrs. Ybarra visited Yuma and appealed to the authorities for help. She made a deposition before Immigration Inspector Tolen, copies of which were forwarded to his official superior at Los Angeles. You can no doubt secure a copy of this deposition from the immigration inspector, Tolen, copies of which were forwarded to his official superior at Los Angeles. You can no doubt secure a copy of this depsition from the immigration office in Los Angeles. I was told to-day that Sheriff Greenleaf was making an effort to see that justice is done in this case, but that any effort to prosecute Capt. Calles would be resisted by E. F. Sanguinetti, because Calles was a good customer of his and at the present time owed Sanguinetti money. You will recall, no doubt, that about two years ago I sent your office a considerable amount of correspondence and other papers taken from the office files at Calles's store at the San Luis rancho. These papers showed that Sanguinetti and Calles had very extensive dealings with each other and were violating the war-time export regulations. It is almost a certainty that it will be impossible to bring Calles to book for his crimes if the prosecution is undertaken in Yuma County.

For your information.

Respectfully, yours,

M. E. SAYLES, *Deputy Collector.*

P. S.—I am told that the "Squire Munro" Ranch is located about six miles from the border and not far from Somerton.

UNITED STATES DEPARTMENT OF LABOR,
IMMIGRATION SERVICE,
OFFICE OF IMMIGRANT INSPECTOR,
Port Yuma, Ariz., December 1, 1919.

Statement of J. W. Tucker, farmer, near the border, south of Yuma, Ariz., re conditions at San Luis, Mexico, made before Immigrant Inspector Henry L. Tolen, at Yuma, Ariz., December 1, 1919:

My name is J. W. Tucker. I am 55 years old. I was born in Fresno County, Calif. I live now, and have been for the last three years, about 3 miles from San Luis, Sonora, Mexico. I have owned this place since the year 1900.

Some time during the night of November 29, 1919, as I learned yesterday, some parties in an automobile took a Mexican cotton picker from his bed and carried him to San Luis, Mexico, and they have executed him.

This man's name is Ybarra, and I am informed that he has a passport and was legally in the United States. It was a plain case of kidnaping by Capt. Calles or some of his men.

I have come now to you to see if we can have a guard of some kind and sufficient to regulate the crossing back and forth at San Luis. I understand that the immigration office has more to say than any other department as to who shall or shall not pass back and forth on the border.

We who live near the border in the valley feel that our property and lives are in constant danger from these Mexican soldiers which are crossing back and forth at their own will. Calles very frequently comes to Gadsden with four or five soldiers as a bodyguard. I have been informed that these soldiers always carry concealed weapons; Calles would be afraid to come where so many deserting soldiers of his are, without a bodyguard and himself being armed.

About five days ago a band of three mounted Mexicans came near to my house while I was away, and, as my wife says, looked all around, making a survey of the surroundings. They then departed without coming to the house to make their business known. As we live off the main road, it makes it look more queer that they should act so. The next day after they were there I asked a Mexican, who had seen them, who they were, and he said that one of them was the chief henchman of Capt. Calles.

As for myself, I have been informed by my friends that Calles has threatened me personally, because he says I am a Villista, a revolutionist, etc. Of course, it does not make any difference to me who rules in Mexico, but they got that idea in their heads and once detained me in San Luis for a short time. I have been informed since that Calles said I should have been shot when they had me. Naturally I feel uneasy without any protection when we live so near the border.

J. W. TUCKER.

UNITED STATES DEPARTMENT OF LABOR,
IMMIGRATION SERVICE,
OFFICE OF IMMIGRATION INSPECTOR,
Port Yuma, Ariz., December 1, 1919.

Statement of J. C. Adkinson before Immigrant Inspector Henry L. Tolen at Yuma, Ariz., relative to crossing and recrossing of international line south of Yuma, Ariz., by Mexicans supposed to be armed:

My name is J. C. Adkinson; I am 41 years old; I was born in Orange County, Calif.; I live now and have been for last five years 1½ miles south of Gadsden, in Yuma County, Ariz., about 4 miles from the international line. I have frequently seen Mexicans, whom I know to be soldiers under Capt. Calles, at San Luis, Sonora, Mexico., passing my place, generally mounted on horseback, sometimes on foot. I have seen them in other parts of the valley also, and at Gadsden. It is generally supposed that these soldiers always go armed. I have seen Mexicans with guns, but am not sure that they were soldiers. It is well known that when the military guards were stationed on the line they frequently took arms from the soldiers from the Mexican side. I, as well as many of my neighbors, feel that we are menaced in a great degree by these roving bands; they travel in groups of from 2 to 10 and are liable to do us personal violence or steal our stock.

We all feel that we should have a sufficient guard in the valley to prevent this indiscriminate crossing.

Exact copy as signed by J. C. Adkinson.

Statement of W. A. Tucker, relative to movements of Mexican soldiers near the border in United States territory:

My name is W. A. Tucker; I am 27 years old; I was born at Azusa, Calif.; I live at my ranch near the international line south of Yuma, Ariz. I have lived there for one and a half years. Statement made before Henry L. Tolen, Immigrant Inspector.

I wish to state that I have seen Mexican soldiers in San Luis, Sonora, Mexico, riding in the United States, and that they were armed with revolvers. I have seen them along foot of the mesa apparently with no business, just riding around. About a week ago one of them came over to my place. I had a Mexican girl working for me, he came to see her. He was sitting in the kitchen and I saw a gun on his hip. There were two men with him and I asked the girl who they were and she said they were all soldiers from the other side.

I have seen them under the influence of liquor here on this side of the line. I never feel safe near a drunken Mexican when he is armed.

We feel that we should have some kind of protection against these fellows, who seem to wander back and forth as they please. Our lives and property are not safe unless there is some restriction on the crossing and recrossing at San Luis.

W. A. TUCKER.

STATE OF ARIZONA,
County of Yuma, ss:

Catalina Amada de Ybarra, being first duly sworn, upon oath, says:

I live in Somerton, Ariz. On the night of November 29, 1919, on Saturday night, at from 11 to 12 o'clock some one knocked at the door where my husband and I were living on the Squire Munro place in Yuma Valley, Yuma County, Ariz. My husband was very sound asleep. I awoke but did not respond to the knock. Then some one opened the door, put his head inside, and said "Good evening." My husband then awoke. The person then asked, "Who runs this ranch, is it Sabala?" Then some one outside said "It is not Sabala, it is Ybarra." Then the one inside said, "Are you Ybarra?" My husband said, "Yes." "Then you are the one we want; get up, we want to talk to you." I ran to the house of an American close by and called him to come quick. He came, but as he did not understand Spanish he could not know what was passing. The one who had hold of my husband told the American that he was a sheriff from Yuma.

The American believed this, and said "All right," and went away. They—there were three of them—then took my husband to an auto which stood some distance away from the house; as they took him away he called to me, "They are taking me to San Luis." This he called several times. I sent some boys on horseback to Somerton to call the deputy sheriff. He came about 2 o'clock in the morning, talked with the American whom I had called, and then he went away, saying he would phone to Yuma in the morning; he was convinced that the parties were officers. When they were taking my husband away I called to them to let him go, and then one of them grabbed at me and I ran and hid myself in the privy. Next morning, not hearing from the sheriff at Somerton, I telephoned to the sheriff's office in Yuma and was informed that no officers had made any such arrest. Then I went to San Luis, demanding that my husband be given up, but I was told that he was not there.

I recognized one of the party as Francisco Moreno, who is chauffeur for Capt. Calles. As Calles is the only enemy my husband has, I do not doubt that he had my husband taken to Mexico and there shot.

CATALINA AMADA DE YBARRA.

Subscribed and sworn to before me this 19th day of January, 1920.

[SEAL.] W. F. TIMMONS, *Notary Public.*

My commission expires January 18, 1922.

OFFICE OF THE COUNTY ATTORNEY, YUMA COUNTY,
Yuma, Ariz., January 31, 1920.

Hon. WILEY E. JONES,
Attorney General, Phoenix, Ariz.

MY DEAR GENERAL: Referring to your communication of January 23, 1920, inclosing communication to you from the office of the governor of Arizona, trans-

mitting communication from the Hon. Robert Lansing, Secretary of State, in regard to the matter of the kidnaping of Rodolfo Ybarra on the night of November 29, 1919, from his home between Somerton and Gadsden, Yuma County, Ariz., and his subsequent assassination on the Mexican side of the international boundary line by Mexican authorities, I have the honor to retransmit to you the papers forwarded, together with the affidavit of Catalina Amada de Ybarra, taken before me on January 19, 1920, together with copies of affidavits of Catalina Amada de Ybarra, J. C. Atkinson, W. A. Tucker, and J. W. Tucker before the United States immigration inspector, Henry L. Tolen, on December 1, 1919, together with copies of letters written by B. F. Fly, also a copy of complaint sworn to by Catalina Amada de Ybarra, which thus far has been withheld from filing, and issue of warrant pending further investigation and advice from your office. This complaint is premised upon section 808 of the Penal Code. I am also inclosing copy of report made by United States Immigration Inspector Henry L. Tolen, December 2, 1919, to whom the report of the occurrence was first made.

In regard to the extradition of Capt. Calles, upon the charge of kidnaping, under section 135–6 of the Penal Code, I beg to report that in my opinion such action would result in his giving bond through the influence of influential business men in Yuma in whatever amount such bonds might be fixed; but that upon the charge of murder he may be apprehended on this side of the international boundary line and held without bail pending proceedings and that such action would be more likely to effect complete discovery of the evidences of the execution of Ybarra.

The following facts and circumstances which I believe sufficient to convict Calles and Moreno of the murder of Ybarra are as follows:

(1) Capt. Calles attempted to secure an arrangement with Immigration Inspector Tolen for the deportation of his deserting soldiers and officers, that he (Calles) might execute them.

(2) On January 23, 1920, Capt. Calles urged the same request to R. H. Colvin, agent of the Department of Justice at Tucson, Ariz., and Inspector Tolen of the Immigration Service.

(3) Capt. Calles left San Luis, Mexico, in his automobile driven by his chauffeur, Francisco Moreno, about 7 p. m. on the evening of November 29, after having given orders to Leopoldo Lorona to saddle three of his (Calles's) horses and leave them at the Lorona ranch on the American side of the international boundary line.

(4) Francisco Moreno was recognized by Catalina Amada de Ybarra as one of the party who, representing themselves to be officers from Yuma, seized Ybarra from his bed on the Squire Munro ranch 2½ miles west of Somerton, Yuma County, Ariz., between 11 and 12 o'clock on the night of November 29, 1919.

(5) Ybarra was taken to the Lorona ranch in Capt. Calles's automobile, and his automobile remained at the Lorona ranch until the following morning.

(6) The three of Capt. Calles's horses, saddled according to his order, were mounted by the three men who came with Ybarra to the Lorona ranch, Ybarra traveling on foot, went in the direction of the mesa and the international boundary line.

(7) Shots were heard about 2 a. m. November 30, 1919 on the mesa in the direction in which Ybarra was taken, to the south of the international line, by Cruz Rosas, who was at the time one of Capt. Calles soldiers on guard, and who later went to the place where he had heard the shots, saw the tracks and a place having the appearance of a freshly made grave leveled off and unmarked, about 90 feet southerly from the first international boundary line monument to the east of San Luis, Mexico.

(8) Officers of the Yuma County sheriff's party followed tracks of three horsemen from the Lorona ranch in a southerly direction to the international boundary line, near the first monument east from San Luis on December 1, 1919.

(9) Manual Alvarez now being held in the Yuma jail pending investigation, has made statements to Cruz Rosas that he (Alvarez) helped to bury Ybarra and that he was executed by the order of Capt. Calles. (To the officers Alvarez denies any knowledge of the affair.)

(10) It is my belief that additional evidences of necessary facts might be secured if Capt. Calles and Francisco Moreno were known to be lodged in jail without bail so as to relieve certain persons from their influence and from fear of harm from them, particularly the Loronas on the American side, and a number of persons still in San Luis, Mexico.

You may recall that on the occasion of my visit to Phoenix on December 6, 1919, we very briefly discussed this incident, and upon your suggestion I, at that time, handed Mr. Flynn copies of the affidavits of Catalina Amada de Ybarra, J. C. Atkinson, J. W. Tucker, and W. A. Tucker, with a request for advice as to whether this matter should be taken up with the State or Federal authorities, not desiring to proceed in any manner that might possibly incur international complications, but to this time have not received any communications from Mr. Flynn concerning the matter.

Realizing the gravity of the situation and the possibility that it would endanger certain residents of the Yuma Valley near the international boundary line from knowledge of an investigation on this matter, and the interest taken by persons making the affidavits, I made every effort to maintain secrecy in such steps as were taken by me; but on my return from Phoenix I was called upon by Col. B. F. Fly, who appeared to be advised of all steps that had been taken and informed me that he had taken the matter up personally both with the State and Federal authorities at Phoenix and had straightened the matter out so they had understood the situation, and that the rumors of the abduction and execution of Ybarra were malicious and false.

Regarding the vindication or defense of Capt. Calles by Col. Fly, as appears by the inclosed letters, I have no doubt that they were dictated by Capt. Calles, and that Col. Fly has been acting more or less as an agent and employee of Capt. Calles, and that he has acted at times in a similar capacity for Gov. Cantu, of Lower California. It also appears from the statements made by Col. Fly to R. H. Colvin, agent of the Department of Justice at Tucson, Ariz., and Henry L. Tolen, immigration inspector at Yuma, Ariz., on January 23, 1920, that Mr. Fly himself, together with some Mexican officer from Algodones, Lower California, during the month of September, 1919, kidnaped one Acero and two other Mexican deserting soldiers from the garrison at Algodones, Lower California, handcuffed them after they were released by the chief of police at Yuma, taking them back to Algodones, where it is said Acero and one other were immediately executed, while the third was taken to Mexicali, Lower California.

While it is true that a strong influence in and about Yuma is intimately connected with Capt. Calles through friendship arising from business relations, I am not of the opinion that such influence would sufficiently justify the conclusion reached by Deputy Collector M. E. Sales, that it will be impossible to bring Calles to book for his crimes if prosecution is undertaken in Yuma County; but, to the contrary, I am of the opinion that a successful prosecution may be had upon the charge of murder, and that upon the early filing of a complaint already sworn to and the issue of a warrant thereon both Calles and Moreno may be apprehended within a few days on the American side of the line. To accomplish this result, however, the utmost secrecy will be necessary, as no doubt Calles has many friends and agents in Yuma alert to give him immediate notice of any proceedings about to be taken.

Should you deem it proper and wise to proceed along this line, I would thank you to wire me upon receipt of this report simply the word "proceed."

Very respectfully,

W. F. TIMMONS,
County Attorney of Yuma County, Ariz.

P. S.—The copies of Col. Fly's letters to United States Attorney Flynn, attached, were procured from Col. Fly himself by United States Immigration Inspector Henry L. Tolen, who has been unceasing in his efforts, and through whose aid and cooperation I have been enabled to secure practically all of the valuable information in this case. It should be borne in mind that we have no military and no adequate gun power in the hands of citizens to take care of a possible assault from Calles's men upon detention of their commanding officer.

FEBRUARY 4, 1920.

Hon. W. F. TIMMONS,
County Attorney, Yuma, Ariz.:

Wire received. Gov. Campbell and I advise you to go the full limit in vigorous prosecution for murder in all concerned in Ybarra case. Keep me advised by phone.

WILEY E. JONES, *Attorney General.*

FEBRUARY 4, 1920.

WILEY E. JONES,
Attorney General, Phoenix, Ariz.:

Calles, Moreno, Torreon, and Alvarez in separate cells, county jail. Mexican counsel and local citizens seen; interviews action according to your wire to-day Letter follows.

W. F. TIMMON, *County Attorney.*

FEBRUARY 3, 1920.

Hon. W. F. TIMMONS,
County Attorney, Yuma, Ariz.:

Letter and papers in Ybarra case received. Gov. Campbell and I advise you to proceed quietly, as you have suggested.

WILEY E. JONES, *Attorney General.*

FEBRUARY 3, 1920.

DEAR GENERAL: Have read the communications, etc., of the Ybarra case and advise proceeding as outlined by county attorney of Yuma County. A trial will clear the muchly affected atmosphere along the Yuma County border.

Yours,

CAMPBELL.

The CHAIRMAN. Has more than one kidnaping occurred along there on this side of the line?

Mr. TOLEN. There were two cases as against Calles, and what I would call a kidnaping case occurred on September 9 last year, when there were two Mexican soldiers taken from the streets of Yuma down to Andrade. That is on the California side of the river. I have no official knowledge of that, only just hearsay.

The CHAIRMAN. What has been the course of the sheriff and the officers of Arizona and of Yuma County with reference to those charges of kidnaping by the Mexicans from the other side?

Mr. TOLEN. Well, it seemed to me they were a little lukewarm on this other case; it was in abeyance so long. I sent my report to my superior officer in Los Angeles and got a letter back from him approving the action I had taken in it, and with notations as to just what he had done about these reports, but nothing more was heard of it for quite a while.

The CHAIRMAN. Was anything ever done with reference to it or in an endeavor to punish Calles until these complaints were filed by District Attorney Timmons?

Mr. TOLEN. Nothing whatever.

The CHAIRMAN. Was Mr. Calles in the habit of coming into Yuma?

Mr. TOLEN. Oh, he came back and forth all the time there.

The CHAIRMAN. Do you know when he was arrested at Yuma?

Mr. TOLEN. I know when he was arrested at Yuma; yes. I pointed him out to the county attorney. He didn't know him personally.

The CHAIRMAN. Was he armed or not at the time of his arrest?

Mr. TOLEN. Yes; he was armed, and both of his cohorts were armed, too, Moreno and Teran.

The CHAIRMAN. Where are the American soldiers there?

Mr. TOLEN. There are none on the Yuma side of the river.

The CHAIRMAN. Has there been any attempt on the part of any of the citizens there to secure the placing of soldiers along the border?

Mr. TOLEN. I think some of them have asked for soldiers. There have been several military officers around there; but until Col. Scott

came I never noticed any of them much. I was with the official when he investigated the——

The CHAIRMAN. I notice among these papers here that Mr. Atkinson, I believe it is, among others, states that the Mexican officers, Calles's command, Calles and officers and others are constantly crossing the line there armed.

Mr. TOLEN. Well, they did go back and forth until this kidnaping happened, as they pleased. There was nobody to stop them. There was only one immigration officer in Yuma, and the line is 25 miles below, and at that time they didn't even have an automobile allowance or any way to go around without you would bum a ride from a friend or walk, and a man can't stay down there all the time.

The CHAIRMAN. There is no port of entry there?

Mr. TOLEN. There is no port of entry there; just the same as any other place along the line.

The CHAIRMAN. I notice that the complaint against Calles is dated the 7th day of February, 1920. That is this year.

Mr. TOLEN. Yes, sir.

The CHAIRMAN. Accusing him of the murder of Luguen and Herrera, placing the date of that occurrence as of the 7th day of February, 1918, a year prior. Then this kidnaping has been going on for a year there without interference—or two years?

Mr. TOLEN. Two years. Ever since he has been down there he has been going back and forth without let or hindrance.

The CHAIRMAN. And there are no soldiers there?

Mr. TOLEN. No soldiers.

The CHAIRMAN. And the peace officers have not interfered with him?

Mr. TOLEN. Not at all.

The CHAIRMAN. Do you know personally, or know of, a man by the name of Calles in the cabinet of Mr. Carranza at this time?

Mr. TOLEN. Only by hearsay.

The CHAIRMAN. Do you know what position he formerly occupied, before he went into the cabinet?

Mr. TOLEN. Governor of Sonora.

The CHAIRMAN. Who is regarded as the strongest man in Sonora, aside from Obregon?

Mr. TOLEN. Calles.

The CHAIRMAN. Adolfo de la Huerta is the present governor, is he not?

Mr. TOLEN. Yes.

The CHAIRMAN. And succeeded Calles?

Mr. TOLEN. Yes.

The CHAIRMAN. It is understood he is rather a protégé of Calles. Calles was taken into the cabinet and he was put in as governor, and he is the present governor?

Mr. TOLEN. Yes.

The CHAIRMAN. What relation is Capt. Carlos G. Calles to Gen. Calles, formerly governor and now minister in Carranza's cabinet?

Mr. TOLEN. Nephew.

The CHAIRMAN. The Ybarra case was dismissed by the magistrate because of the act or the fact of death was not sufficiently proven, according to his judgment?

Mr. TOLEN. Yes.

The CHAIRMAN. But by a stipulation in the case when it went to the superior court I notice that the attorney for the defendant agreed with the prosecuting attorney that the evidence which was taken in that case should be submitted in the Luguen and Herrera cases to the magistrate?

Mr. TOLEN. Yes.

The CHAIRMAN. And the magistrate held Calles under $5,000 bond for murder in the Luguen and Herrera cases, while he decided the evidence was not sufficient in the other case—that is, that the corpus delicti had not been proven?

Mr. TOLEN. Yes.

The CHAIRMAN. But in the Luguen and Herrera cases, they were executed publicly?

Mr. TOLEN. Yes; they were proven.

The CHAIRMAN. So that they proved the death in those cases?

Mr. TOLEN. Yes.

The CHAIRMAN. You may also, Mr. Secretary, file the stipulation attached to the information in this case. It is not necessary to file the order holding the defendant to answer.

(The stipulation will be found among the documents last copied in the record.)

The CHAIRMAN. Do you know when—or possibly you do not know the dates—Mr. Calles was to appear to defend against this case?

Mr. TOLEN. He has been cited three times to appear, and he was to appear to-day, the last time. On two different days he has been cited to appear and did not appear, and he has been ordered to appear to-day or forfeit bond.

The CHAIRMAN. I have a communication here from the prosecuting attorney in which he says that "The date has been set by the superior court on two occasions requiring Capt. Calles to appear for arraignment, and his counsel notified. Thus far he has not appeared for arraignment, and our supereior court has fixed next Monday, March 15, 1920, as the final date in which he may appear for arraignment, at which time his bond in the sum of $5,000 will be forfeited should he at that time fail to appear."

I will ask that this telegram be read into the record.

(Telegram read, as follows:)

Yuma, Ariz, March 15, 1920; a. m. Senator Albert B. Fall, U. S. Grant Hotel, San Diego, Calif.: Capt. Carlos Calles refused to appear for arraignment at 10 a. m. to-day, and bond in the sum of $5,000 forfeited. Full transcript of case with letter mailed you at Van Nuys Hotel, Los Angeles, Calif., last Friday. Did you receive same? Answer. W. F. Timmons, county attorney.

The CHAIRMAN. This transcript was received and will be filed, but not made a part of this record.

In your judgment, Mr. Tolen, for the peace and safety of the American people—there are people living along on the line there, are there not?

Mr. TOLEN. Yes, sir.

The CHAIRMAN. These Mexicans coming over from Mexico have been employed by and working for them?

Mr. TOLEN. Very many of them; nearly all of them.

The CHAIRMAN. I notice Mr. Timmons speaks of the safety of those people along the boundary. In your judgment, would it be better for the safety of those American citizens on the boundary if a military detachment were sent down there to watch that border?

Mr. TOLEN. Oh, certainly; yes, sir.

The CHAIRMAN. It is not possible for you, with your force, and the other inspectors there, to prevent raids across the border or prevent kidnaping of citizens?

Mr. TOLEN. I am the only inspector there. There are no others there that are of any help.

The CHAIRMAN. And you can not catch these fellows?

Mr. TOLEN. I can't catch all of them.

The CHAIRMAN. And you think as an officer that there should be——

Mr. TOLEN. Well, many of the farmers down there keep asking me, "What are you going to do with that fellow? If they don't put him in jail or if they don't get rid of him some way or other, I have got to move away." Mr. Tucker says he is afraid of his life all the time. He has been threatened by him, and several times they rode up back of his house and behind there on horseback, standing looking over the valley, looking over there, and I know——

The CHAIRMAN. He didn't like the looks of them?

Mr. TOLEN. No; and they reported Tucker as having arms in his house, but I went there with a Department of Justice agent to search the place and never found a trace of anything like arms.

The CHAIRMAN. Where is he—on this side?

Mr. TOLEN. He is about 3 miles from the line.

The CHAIRMAN. On the American side?

Mr. TOLEN. On the American side.

The CHAIRMAN. Would he not have a right to have arms?

Mr. TOLEN. I suppose so. He ought to have, if they are going to go around like that. If he is being menaced by them, he has a right to have arms in his house.

The CHAIRMAN. Now, Mr. Tolen, of course some people might not understand exactly why this condition is allowed to continue there. Have these Mexicans been spending much money in Yuma?

Mr. TOLEN. All their supplies have been bought in Yuma; yes.

The CHAIRMAN. Are there any Americans there who are very close to them or intimate with them?

Mr. TOLEN. Yes; some of them. Those that they trade with, of course.

The CHAIRMAN. Is there anyone there who seems to come to their assistance if they need assistance?

Mr. TOLEN. Well, I don't know about that.

The CHAIRMAN. If Gov. Calles or any of his officers get into any trouble there, are there any Americans with whom he corresponds with reference to it?

Mr. TOLEN. Yes; he corresponds with Col. Fly. That is, he made a report to Col. Fly that came into my hands officially, and I investigated it, and also the letters that—Col. Fly furnished me a copy of letters that he had written to District Attorney Flynn.

The CHAIRMAN. That is United States District Attorney Flynn?

Mr. TOLEN. United States District Attorney Flynn at Phoenix.

The CHAIRMAN. What was this correspondence about?

Mr. TOLEN. Calles claimed that these deserting officers and men were I. W. W's and revolutionists, and were buying arms and ammunition and were gathering it up for the revolutionists in Sonora and Lower California, and that James Tucker's place was a station where they had their arms and ammunition cached, and that Tucker employed these men. That is what he charges. And that a woman by the name of Mrs. Victoria Sloat, who lived down close to San Luis, about a mile from there, was inducing his soldiers to desert and bring over their arms and ammunition; that they would buy it. One Mesique Corlis, is a fellow who lived with Mrs. Sloat there, or close by, and ran her farm, and Calles claimed that he was an agent of the revolutionists, buying arms and ammunition. I have investigated those people, in company with an agent of the Department of Justice, Mr. Colburn, at Tucson, and we did not find anything.

The CHAIRMAN. But the United States has been called upon to investigate the actions of its own citizens in the Tucson territory at the demand of Mr. Calles?

Mr. TOLEN. Yes.

The CHAIRMAN. Mr. Calles has not been interfered with in coming over here and seizing people without process of law on this side and taking them back on the other side and killing them?

Mr. TOLEN. No.

The CHAIRMAN. Have you heard from any other officials down there? Do you know anything about any other Mexican officials at all calling upon Americans along the same line for help?

Mr. TOLEN. Yes.

The CHAIRMAN. Did you ever see any correspondence between Gov. Cantu and any Americans there?

Mr. TOLEN. I saw a telegram from Gov. Cantu asking to—and Benjamin F. Fly—asking them to take it up with the proper officers and have a fellow by the name of Marquez who was in jail in Yuma, delivered to him at his office at Andrade, that he was under a charge of murder. That is, he was concerned with—I don't know whether he was under a charge of murder himself or not, but he was concerned in the uprising at Algodones among the Mexican soldiers on September 8, 1919, when a captain was killed.

The CHAIRMAN. Who is Col. Fly?

Mr. TOLEN. Well, I don't know him, or who he is, only Ben F. Fly.

The CHAIRMAN. What is his business?

Mr. TOLEN. He has been employed by the Chamber of Commerce of Yuma in some capacity, and he has been active in the sale of mesa lands, which are Government lands there on the mesa.

The CHAIRMAN. Who gave bond for Calles?

Mr. TOLEN. Well, I only know one man who was on the bond, and that is Magisi.

The CHAIRMAN. Who secured the bond for him; do you know?

Mr. TOLEN. I don't know. There were two merchants from Somerton on the bond. One of them, I think, was a Mexican. I don't know their names.

The CHAIRMAN. Do you know what remuneration of any kind Col. Fly was to get for his services?

Mr. TOLEN. I do not know.

The CHAIRMAN. How far east and west does the line run there, where there are no American soldiers on this side? Where are the first American soldiers—— .

Mr. TOLEN. The first American soldiers are at the Colorado River, but they are on the California side, opposite; but there are only 10 of them with a noncommissioned officer in charge. Those squads are sent out and changed every 30 days from Calexico.

The CHAIRMAN. How far east do they patrol?

Mr. TOLEN. Well, they are right there; they can't go farther east, because that is the river; and they can't go west, because it is right in between the river and the sand hills. All they do is to watch that Hanlon headgate there.

The CHAIRMAN. Now, going east from this squad of soldiers, where do you find the next soldiers?

Mr. TOLEN. I don't know whether there are any more before you get to Nogales or not, which is about 170 miles.

The CHAIRMAN. Did you hear the evidence, or do you know the evidence, that was given in the Ybarra case in the examination and trial of Calles?

Mr. TOLEN. I heard most of it.

The CHAIRMAN. Who, if anyone, was with Calles at the time of the kidnapping of Luguen and Herrera in the automobile; do you know?

Mr. TOLEN. Francisco Moreno.

The CHAIRMAN. I am not speaking of the Ybarra case now, but the Luguen and Herrera cases.

Mr. TOLEN. Oh, the Luguen and Herrera cases?

The CHAIRMAN. Yes.

Mr. TOLEN. I don't know who that was. I remember that the witness who testified to that more particularly than anyone else was a man by the name of Salvador Holguin at Somerton.

The CHAIRMAN. That is all for the present, Mr. Tolen. We have not had time to go through this record of the trial and would like to have you remain in attendance upon the committee at least until to-morrow.

Mr. TOLEN. All right.

(A recess was thereupon taken until 4.30 o'clock p. m.)

WEDNESDAY, MARCH 17, 1920.

SUBCOMMITTEE OF THE
COMMITTEE ON FOREIGN RELATIONS,
UNITED STATES SENATE,
Los Angeles, Calif.

The subcommittee met, pursuant to the call of the chairman, at 9 p. m., in Room 622, Van Nuys Hotel, Los Angeles, Calif., Senator Albert B. Fall presiding.

Present: Senator Albert B. Fall, chairman; Senator Mark A. Smith; Maj. Dan M. Jackson, secretary.

TESTIMONY OF REV. EDWIN R. BROWN.

(Witness sworn by the secretary.)

The SECRETARY. Your full name, Mr. Brown?

Mr. BROWN. Edwin R. Brown.

The CHAIRMAN. You are a citizen of the United States, are you?

Mr. BROWN. Yes, sir.

The CHAIRMAN. Of what State are you a native?

Mr. BROWN. Illinois.

The CHAIRMAN. How long have you lived in California?

Mr. BROWN. I lived in California two and a half years before going to Mexico.

The CHAIRMAN. And when did you go to Mexico?

Mr. BROWN. In 1909.

The CHAIRMAN. What portion of the Republic did you go to?

Mr. BROWN. I lived in the capital and in Puebla.

The CHAIRMAN. How far is Puebla from the capital, approximately?

Mr. BROWN. About a hundred miles south and east.

The CHAIRMAN. How long did you remain in Mexico at this time?

Mr. BROWN. I was there for nine years.

The CHAIRMAN. What was your business or occupation during your residence in Mexico?

Mr. BROWN. I was first pastor of the English-speaking Baptist Church of Mexico City, and then missionary in the native work in Puebla.

The CHAIRMAN. In following your work, both as a pastor and as a missionary, did you come in contact with the native people of Mexico?

Mr. BROWN. Yes; especially the last five years I worked among the native people only.

The CHAIRMAN. Did you then learn or did you understand prior to that time the Spanish language?

Mr. BROWN. I learned Spanish in about six months after I went down there, so that I speak it now as well as I do English, I guess.

The CHAIRMAN. What is your present work?

Mr. BROWN. I am now a general missionary among the Mexicans in the southwest for the American Baptist Home Mission Society.

The CHAIRMAN. You belong to the Baptist denomination?

Mr. BROWN. Yes.

The CHAIRMAN. When were you in Mexico last?

Mr. BROWN. I left there the last of April, 1918.

The CHAIRMAN. Did you leave from Puebla; that is, were you in Puebla at that time, in April, 1918?

Mr. BROWN. Yes.

The CHAIRMAN. Why did you leave Mexico, if there was any particular reason for your leaving?

Mr. BROWN. Well, the Home Mission Society recalled me because of a threat made by the authorities to arrest me and send me out of the country as a pernicious foreigner for preaching the gospel to the contrary of the constitution.

The CHAIRMAN. Contrary to the constitution of 1917?

Mr. BROWN. Yes, sir; the new constitution.

The CHAIRMAN. Mr. Carranza's constitution?

Mr. BROWN. Yes.

The CHAIRMAN. What authorities made the threat?

Mr. BROWN. The municipal authorities.

The CHAIRMAN. Of the city of Puebla?

Mr. BROWN. Yes.

The CHAIRMAN. They would have had no jurisdiction to expel you except through the action of the central Government of Mexico; that is, to expel you from the Republic?

Mr. BROWN. No. But I think the constitution gives the governors and the presidents of municipalities the right to arrest anyone that is acting as a minister, and then Carranza can send them out.

The CHAIRMAN. Are you familiar with this clause of the constitution under which they proposed to expel you?

Mr. BROWN. Yes; I have translated it into English, and have it with me.

The CHAIRMAN. What is the particular clause of the constitution to which you refer?

Mr. BROWN. Well, it is article 130. It says:

> It is necessary to be a Mexican by birth in order to be a minister of any religious creed in Mexico.

The CHAIRMAN. And how was the threat to expel you communicated to you? By whom?

Mr. BROWN. It was communicated indirectly to me by the agent of the Puebla Light & Power Co., who heard it in a meeting that he had in the city hall with the presidente municipal, and he came and told me and warned me to get out.

The CHAIRMAN. Did he tell you that the presidente municipal had expressed himself with reference to your expulsion at this meeting?

Mr. BROWN. Yes.

The CHAIRMAN. You communicated, then, with your home board, and they recalled you?

Mr. BROWN. Yes.

The CHAIRMAN. Had you in your teachings there, or in your sermons, attacked the constitution or the laws of Mexico?

Mr. BROWN. No.

The CHAIRMAN. Was there any particular reason further than that you were simply not a native of Mexico and were preaching the gospel?

Mr. BROWN. No. We never preached on politics at all.

The CHAIRMAN. Did you ever interfere in politics while you were there?

Mr. BROWN. I never had anything to do with political questions in any way.

The CHAIRMAN. Then, the threat to expel you, and which caused you to leave there, was simply and solely based upon the clause of the constitution that none except native-born Mexicans or Mexican citizens should be allowed to preach the gospel?

Mr. BROWN. Yes. I think it was caused, perhaps, by some Catholic inciting some of the members of the city council to make those threats, because we were converting some of their people.

The CHAIRMAN. Have you had your attention called to the minutes of any of the meetings before this committee? Have you read the minutes?

Mr. BROWN. Very little.

The CHAIRMAN. Testimony has been offered and given before this committee by other ministers or teachers not residing in Mexico, but having to do with work there, particularly with educational work. For instance, I recall the testimony of Dr. Inman, who, I believe, is now residing in New York, who testified that he and some of his associates engaged in such work had received assurances direct from Mr. Carranza that this clause of the constitution would not be invoked against them, nor would that provision of the constitution with reference to schools being conducted by ministers or preachers, nor would that clause be invoked against denominational schools being run by them, and that they relied upon that promise. No such promise was made, generally or publicly, to your knowledge, was it?

Mr. BROWN. Well, I only know that our superintendent of missions claimed to have received some such assurance as that from Carranza in a meeting where he and some others had a conference with Carranza.

The CHAIRMAN. And that was after you left there, or before?

Mr. BROWN. Well, no; I think that was before. But we didn't have any faith in those assurances at all.

The CHAIRMAN. Did any of your associates there, the other ministers who were engaged in the work, and whom you doubtless knew, to your knowledge, place any confidence in such assurances?

Mr. BROWN. Well, I think some of them did; yes.

The CHAIRMAN. From your knowledge of the reputation of Mr. Carranza, would you credit such general assurance or particular assurance in the event he became personally interested in any way in revoking such assurance? In other words, the constitution being written, and being presumed to be the law of the land, what reliance could you place upon the word of Carranza that would justify you in believing that you would be protected as against the constitution or the law?

Mr. BROWN. Well, there wasn't anything in Mr. Carranza's character that would give you such assurance, but his management of affairs in Mexico would give you that assurance, because he was a virtual dictator, and whatever he said went.

The CHAIRMAN. And so long as he remained of the same mind you could depend upon the assurance?

Mr. BROWN. Yes.

The CHAIRMAN. But you have no assurance that he would remain of the same opinion for any length of time when it suited him to revoke such assurance?

Mr. BROWN. No; when it suited him in any way to please any of his favorites by revoking that assurance—and he refused to put it in writing——

The CHAIRMAN. He did refuse to put it in writing?

Mr. BROWN. Yes.

The CHAIRMAN. And to your knowledge, never has put it in writing?

Mr. BROWN. No; not that I know of.

The CHAIRMAN. The committee has no evidence that it was ever placed in writing at any time.

Mr. BROWN. It makes Mexico practically the only place in the world where an American missionary can not go and become the pastor of a group of people to whom he preaches the gospel.

The CHAIRMAN. What are the general conditions in Mexico now, if you know, as to peace and order, or as to violence, and what assurances have we, if any, from your knowledge of Mexico and its people, that a condition of violence, if it exists, or peace and prosperity, if it exists momentarily, will continue under the present régime in Mexico?

Mr. BROWN. Well, of course, my personal knowledge would not date back further than 1918, but among the Mexican people that I meet continually the reports always are that things are very bad in Mexico, and I know, of course, as all people know who meet the Mexican immigrants, that they are continually fleeing from the terrible conditions there. I don't think there is any guaranty in the character of the men that are conducting the revolution to give us any hope for any state of peace. It is simply a state of war there now.

The CHAIRMAN. You speak of those who are conducting the revolution. What of the character of those who claim to be conducting the Government?

Mr. BROWN. Well, the Government, of course, is the revolution in a certain sense. These other fellows are the counter-revolutionists.

The CHAIRMAN. Is there really what the American people would know as a government in existence in Mexico; that is, is there a republican or democratic government in Mexico?

Mr. BROWN. No. I think the American people look at the situation in Mexico through their own glasses. They do not see conditions as they really are there. The true Government of Mexico today is a military heirarchy, with an absolute dictator in command; but he is only absolute in so far as it suits the wishes of his leading men to let him be absolute.

The CHAIRMAN. Now, by "his leading men" do you speak of his leading military men?

Mr. BROWN. His leading military commanders.

The CHAIRMAN. Then he is absolute so long as he has the support of the military commander of what are known as the Carranza forces?

Mr. BROWN. Yes, sir. I don't think he has the support of more than a very small percentage of the Mexican people.

The CHAIRMAN. From your knowledge of the leading men remaining in Mexico, up to the time you left in 1918, do you see any hope for a democratic government, or the establishment and maintenance of democratic government or any government of law and peace and order being established by any such men in Mexico?

Mr. BROWN. No; I am entirely pessimistic as to the outlook for Mexico. In the beginning I was heartily in sympathy with the ideals of the revolution, both the Madero revolution and the Carranza revolution. I was in favor of the Carranza revolution. After studying it closely and seeing the hypocrisy of the leaders and the fact that they used patriotism for their own ends as a means for looting and despoiling the country, and when we see, for instance, the issue of paper money and the things that were done—five different times Carranza issued paper money and then repudiated it, and that is just one of the many things—I don't think there is any hope of any of the men that are in power to-day ever bringing order out of chaos in Mexico.

The CHAIRMAN. Nor is there any hope, so far as you know, or are able to judge, from any of the men who are not in power—that is, any of the so-called revolutionists or any of the other Mexicans in Mexico to-day—that they may be able to bring order out of chaos?

Mr. BROWN. Well, I believe that a stable government in Mexico can only be brought about upon a basis of morality, and I do not believe that the system of religion and education in Mexico for the past 400 years has produced either individuals or a public opinion sufficiently moral to hope for any man being able to lead the people. If there was a moral man those in power or the armed forces to-day would not follow him. Just as I told Mr. Bryan. I had a conference with William Jennings Bryan two years ago in June next, and he asked me that same question, if I thought there was any moral man in Mexico to whom we could turn and give our support and who would lead the people out of their troubles, and I told him there wasn't any such moral man in the first place, and in the second place the people didn't want to follow that kind of a man.

The CHAIRMAN. Well, what is the first necessity, in your own judgment, in establishing a condition under which the people of Mexico might be taught and led into the proper spirit so that they might establish and maintain a democratic and moral government? What is the condition?

Mr. BROWN. Well, I think the first condition would be a protectorate of the United States over Mexico.

The CHAIRMAN. In your judgment, based upon your information and experience and knowledge, would it be possible now for the church people of the United States or of the world to carry on any educational or religious campaign in Mexico through any source under conditions now existing or likely to exist in Mexico for the uplift of those people? Suppose that the good church people of the

United States would raise a fund of a hundred million dollars, or of any number of millions of dollars, for the purpose of carrying on educational work and religious work in Mexico for the uplift and the betterment of the Mexican people themselves, what opportunity offers itself for the carrying on of such work? Is there a condition which would justify you in believing that the expenditure of that money would achieve any end?

Mr. BROWN. Well, in the first place, the conditions are so abnormal in Mexico that that work could only be carried on in the larger centers; it could not be carried on in the outlying districts to any great extent. In the second place, it is a work of years to regenerate and reconstruct a nation. I know, for instance, Mr. Inman and others—I read, I think it was in Colliers, some missionary lady and some of our missionary leaders have said that what Mexico needs is Bibles and not bullets. Well, I believe that, too. But some of the men down there, like Villa, and some of those that are around Carranza himself, can never be reached by Bibles. I can't imagine Villa, for instance, joining a Bible class or old Candido Aguilar taking a course in agriculture in Mr. Inman's agricultural schools. I do think if there is any hope for Mexico at all it will come through the evangelical and protestant teachings and the protestant evangelical churches.

The CHAIRMAN. Can such work be carried on under the present conditions in Mexico, in your judgment, successfully?

Mr. BROWN. Well, it is being carried on there; yes. For instance, there are a number of missionaries there that are at work. Our Baptist denomination retired all of its American missionaries, putting the work into the hands of Mexican leaders, the Mexican preachers, and the work is going on very well, indeed. But if the Christian people of the United States were to raise a hundred million dollars and proceed to send a number of missionaries to Mexico to inaugurate an intensive campaign for religious propaganda and education connected with it in that country I believe that the Catholics and those that do not believe in any religion at all would be aroused to insist upon the enforcement of this article 130; and, furthermore, there would be great opposition aroused to it under the plea that it was a pacific conquest of Mexico, just as they have said more than once—I have in my papers here statements where a preacher, for instance, is called a paid agent of the United States Government and those that believe in his teachings or doctrine are called traitors to their country. I don't think that program could settle the difficulties of Mexico in a hundred years, although I would very much like to see it begun.

The CHAIRMAN. So long as article 130, to which you have referred, remains unrepealed, what must its effect be or what is its effect and what will be its effect, so long as it remains unrepealed or unamended, upon the American missionaries or teachers who continue their work in Mexico?

Mr. BROWN. I am glad you asked that question. It legally makes every one of them an outlaw and a "pernicious foreigner," every one. The girls in our mission schools are pernicious foreigners because they are teaching religion in a primary school. Every man that is preaching in Mexico—the way they do is they camouflage it now and

they don't say they are preaching; they have all resigned their churches, but they give "conferencias de la Bibla" or Bible conferences; and even then, just as they have expelled, under that act, Spanish bishops, so under that act also every foreign superintendent of missions, like Mr. Inman, or Bishop O'Connell, or any of the other superintendents of missions, are liable to be expelled at any time.

The CHAIRMAN. At the whim or caprice of any authority who has the power to put article 130 into effect?

Mr. BROWN. Yes. A successor of Carranza, for instance, might be some one who might say he knew nothing about Mr. Carranza's assurances, and he could apply that law and expel everyone, even the general missionaries and Methodist bishops, and people of that kind, and they are all technically, and under the law, according to that constitution, lawbreakers, because they are breaking the law to-day. That is the reason our society withdrew all of its Americans, because they said we don't want any of our workers arrested as lawbreakers in Mexico, and as long as that article was in effect they were liable to arrest.

The CHAIRMAN. If you had continued your American workers there, realizing that you were lawbreakers and knowing that you were dependent entirely upon the present good will of Carranza or of the local or other authorities, what effect would it necessarily have had—or would it have had, whether necessarily or otherwise—upon your missionaries as to the support of the Carranza government by quietly accepting acts of that government or as to exposing publicly in the United States acts against which they should have protested?

Mr. BROWN. Well, very naturally the people that are there now under those assurances and with that sword of Damocles hanging over their heads are all of them compelled to speak in favor of Carranza and the conditions down there; if they did not, the law would be in effect against any one of them and they would be sent out of the country as pernicious foreigners.

The CHAIRMAN. So that, naturally, and necessarily, good, sincere Christian men or women doing work down there now, having that sword hanging over their heads, and yet animated by the desire to do good to those poor people there, must, if they desire to remain at all, submit to things and see things done which otherwise they would protest against?

Mr. BROWN. And they must send out biased reports of conditions down there, because if they did not they would get into trouble immediately; and that is too bad, too, because it makes liars out of good Christian people.

The CHAIRMAN. And eventually must have its effect upon the character of those people and upon mission work generally?

Mr. BROWN. Yes.

The CHAIRMAN. Doctor, we realize that you are leaving to-morrow, and that you have been very kind in attending this late session to-night, and we do not care to detain you by asking you any further questions. If you have any papers or documents that you would like to file with us we would like to have them, or if you have any statement of your own that you desire to make, further than you have already spoken, we will be glad to have you make it now.

Mr. BROWN. Well, I would simply make this statement: That during my stay in Mexico I feel so keenly disappointed in the failure of the revolution to live up to its ideals, and I sympathized so greatly with the common people, the poor people of Mexico, in the terrible sufferings that were brought upon them and the deception which they suffered at the hands of the present Government, that I take the stand that I take to-day in regard to conditions in Mexico simply because I feel that that is the only possible way to save the people of Mexico from the hands of those who are their worst enemies; that anything would be preferable to the conditions as they are there to-day; and because of my desire to do something to help Mexico out of its trouble I come before the committee and make these statements.

So much for a statement.

I have here some interesting documents that I thought you might like to see. I don't know whether they have ever come to your attention or not. You read Spanish, of course?

The CHAIRMAN. Yes.

(Witness hands papers to chairman.)

Mr. BROWN. I attended that meeting, a German propaganda meeting in Puebla, at which there were probably 3,500 Mexicans, and some Germans, and my wife and myself and two missionaries were the only Americans, and it was the hottest anti-American demonstration you ever saw.

The CHAIRMAN. This is a poster or circular?

Mr. BROWN. It is a poster. They were posted up out on the streets.

The CHAIRMAN. Calling a meeting for Wednesday, the 21st—what month was that, do you remember? I don't see the year, either. Tuesday, the 19th, at 7 a. m., first conference; second conference Wednesday, the 20th, and the third conference Thursday, the 21st. Do you remember what year that was?

Mr. BROWN. Well, I think it was the first part of 1918, but I don't remember what month. They showed views, as you can see there, of the Crown Prince and of the Kaiser, and they had views in which they showed the troops marching through Belgium, and the attack on Liege, and then a Spanish speaker got up and tore into the United States for the black list.

The CHAIRMAN. Yes; I notice the black list and the boycott in Mexico mentioned here.

Mr. BROWN. Yes; it was a very bitter speech against the United States. And just to show you that my ideas of the graft that went on there are not particularly American or not animated by any desire to harm Mexico, there is a clipping that I preserved out of a paper in which one of the Mexican papers down in Mexico tried to show how the graft on corn out in the field—you see here is $10 a carga, which is two sacks.

The CHAIRMAN. A carga is 300 pounds?

Mr. BROWN. Yes. And here are the different hands that it went through: The conductor of the railroad, the municipal president, the chief of the station, the chief of the guard, the general, and the engineer.

The CHAIRMAN. They all had their rake-off?

Mr. BROWN. They all got their rake-off, and when the corn got to the retailer it was $50 a carga.

The CHAIRMAN. This was a Mexican paper, published in Spanish, to show the graft going on there among the Mexicans themselves?

Mr. BROWN. Yes. I cut that out of a paper down in Mexico.

Now, I have a lot of other things here; I don't know how much they will interest you. Here, to my mind, is the most important of all of the things that I have got in Spanish, because it shows how that new constitution and that article in the constitution contravenes the treaty with the United States, and it is written by a lawyer down there and is a very careful opinion. I made a translation of it into English, and I also sent it to the embassy and tried to get the embassy to back me up in a legal fight to declare whether that was constitutional or not, because it abrogates the treaties, which, it says, "stand on foot," or which still remain.

Now, that treaty with the United States has never been abrogated, and yet the constitution denies those rights under it.

The CHAIRMAN. The Mexicans claim that the treaty of 1831, which was renewed in 1846, was abrogated by denunciation by themselves. There was, of course, a dispute about it. It was attempted to be abrogated for the purpose of escaping the payment of certain claims for damage which were made under it and which are insisted upon by our State Department; but their Government had a right, under the constitution, to denounce the treaty by a certain time, and Mexico did denounce the treaty of 1831, which was renewed in the treaty of Guadelupe Hidalgo of 1848. So that that is the claim of some of them, that that treaty has been abrogated.

Mr. BROWN. Well, I think it is acknowledged by our State Department, because I quoted the section from that treaty and then applied it to this and asked the United States State Department to back me up, and they sent back a simple dry statement saying that "we know of the existence of no such treaty"; and yet I copied it out of the book of treaties in the consular office.

Now, here is another one: "All foreigners will be held as pernicious who officiate in Mexico."

The CHAIRMAN. What is this article you refer to about "pernicious foreigners"?

Mr. BROWN. Well, that is with regard to ministers, you see.

The CHAIRMAN. Yes. This article you have just referred to with reference to the constitution is signed by Don Manuel Aguirre Berlanga, a subsecretary?

Mr. BROWN. Yes. He was very antiforeign and also antireligious. He said, "Mexico and the Mexican people have avowed above and beyond the need of any religion."

The CHAIRMAN. I notice from reading this article in Spanish which you have just handed me that it is a proclamation issued by Don Manuel Aguirre Berlanga, subsecretary to all the governors of the States, calling their attention to article 130 with reference to the exclusion of ministers of the gospel not native Mexicans from any right to hold services or to teach religion in the Republic.

Mr. BROWN. Yes. Now, that would indicate that Berlanga, as one of the cabinet officers, attempted to put into force what Carranza said would not be put in force.

The CHAIRMAN. Certainly. This is an official declaration in writing, and the declaration on which some of our ministers are relying is only a verbal declaration by Mr. Carranza or Mr. Osuna, or some other authority, not put in writing. Now, shall I return this article to you, or may I have it translated?

Mr. BROWN. You may have it.

The CHAIRMAN. The translation of the article above referred to follows:

(The document last above mentioned is in words and figures as follows, to wit:)

[Translation of clipping from El Democrata, of Puebla, dated Dec. 13, 191 .]

THOSE CLERGYMEN WILL BE CONSIDERED PERNICIOUS WHO ARE OF FOREIGN NATIONALITY AND EXERCISE THEIR MINISTRY IN MEXICO.

Manuel Aguirre Berlanga, subsecretary of state in charge of the department of the interior, sent to all the governors of States the following important circular telegram on the 6th of this month:

"Considering that article 130 of the general constitution of the Republic provides that only native Mexicans may exercise the ministry of any cult (denomination), and in view of the fact that a great number of foreign clergymen, in violation of this proscription, are executing the various acts which constitute the exercising of the ministry of their respective religions—

"By order of the Citizen President of the Republic I hereby instruct you to inform all foreign clergymen who are practicing their profession in your State that unless they immediately cease all such practices the executive of the Union will consider them violators of Mexican constitutional law and apply to them the thirty-third article of the constitution as pernicious aliens.

"MANUEL AGUIRRE BERLANGA,
"*Subsecretary of State in Charge of the Department of the Interior.*"

Mr. BROWN. Now, I have here a number of interesting things to show you, some of which I have cut out and saved from different papers to show the conditions down there. Here is one about the burning or attempted burning of the Queretaro Boys' School, a Methodist institution in Queretaro. It is from the Record of Chistian Work. You can have that if you want it.

The CHAIRMAN. I will ask the reporter to copy this, It will be marked "No. 2."

The Queretaro Boys' School is attached to the American Methodist Mission in Mexico. Queretaro, a great Roman Catholic center, has been roughly treated by the Carrancistas, who burned confessionals and otherwise showed their hatred of Mother Church. When they were compelled to evacuate, Mother Church took her revenge, not on the hostile Mexican faction, but upon the American mission. A mob, 3,000 strong, shouted, "Long live religion! Death to the Protestants!" broke into the schools, tore organs, benches, and pulpit into the street to a bonfire, heaped them with armfuls of books, clothing, dishes, household linen, and piled shavings and kindlings to fire the building, when, presto! a townsman not connected with the mission shot a rifle into the air and the whole cowardly pack vanished like coyotes. They abandoned the banner which they carried. Its staff proved to be the pole of a baldachin borne in the Catholic processions of the town and witnessed to the authoritative inspiration of the proceedings.—Record of Christian Work.

Mr. BROWN. I have here a statement of Rev. A. H. Sutherland, dated September 4, 1916, about the terrible conditions he found there when he went down to Queretaro. One is in English and one in Spanish. I have another statement by a missionary down there in Mexico—he is still there, so I didn't mention his name, saying that—this was in 1919.

Now, I know this man; he has been down there working every day. But this came in a private letter.

The CHAIRMAN. I will ask that that be copied into the record.

Missionary in Zapata country says the country is laid waste and untilled for six years. Scarcely anything has been raised and that little has been stolen. "We would go for miles without seeing anything planted, and when we came to the site of a cornfield we knew a town was near, for the people did not venture far out of the town. The people are starving almost to death. In these parts many of them are merely skeletons." Some of the towns were almost entirely destroyed.

Mr. BROWN. I think it would not be wise to use his name, because they would get right after him down there if you did.

Now, here is an official statement gotten out by the Carranza government just before I left in regard to the percentage of illiteracy throughout Mexico. [Handing paper to chairman.] I would like to ask if the reports to Mr. Wilson of Mr. West, Mr. Hopkins, and Mr. Lind have ever seen the light of day.

The CHAIRMAN. They have never come under my observation. The Senate of the United States requested the reports of the special representatives of the President of the United States upon one occasion, and especially the report of Mr. West, and they were not given to the Senate, and so far as I know no Senator and no Congressman has ever seen either of the reports you have referred to, nor have they ever been published, so far as I am aware.

Mr. BROWN. Now, here is a subject that interests me very much [handing large white poster to chairman]. Have you gotten any facts and figures on that? Mr. Jenkins and I were good friends there for a number of years.

The CHAIRMAN. Now, Doctor, where did Mr. Jenkins live in the United States, do you know? Did you know him before you met him in Mexico?

Mr. BROWN. No.

The CHAIRMAN. What is the character of Mr. Jenkins?

Mr. BROWN. Why, he is one of the most splendid and most upright men that I know. He is a man without any bad habits of any kind. He is not a Christian in the orthodox or evangelical sense at all. His father was a Lutheran minister, but his own personal, private life is largely governed by the moral teachings that he received in his father's home; and the whole family, every one of them, are just splendid. I know them all intimately now. And Mr. Jenkins sent to me, in order to preserve them, copies of his first reports to the chargé d'affaires and to the vice consul. He was afraid they might not see light if he sent them to the State Department, so he sent them to me to keep for him, and I have them here.

Mr. FORREST. May I tell Dr. Brown that the reports have seen light?

Dr. BROWN. I think those same reports have since been published.

Mr. FORREST. They have been published in the New York Tribune as an interview with Jenkins, using the same wording as you have there, exactly.

Dr. BROWN. Yes; I think I saw that somewhere, that they had been published. He asked me to keep them as confidential, so I never turned them over to the newspapers at all.

Mr. FORREST. Yes; he did the same thing with me, but he allowed me to print them in another form.

Dr. BROWN. Now, there is another thing that I wanted to bring before the committee, and that is the utter violation of the United States consulate and the threatened shooting of Mr. Jenkins at another time.

The CHAIRMAN. No; we have no evidence about it.

Mr. BROWN. Well, you see, the Carrancistas came into Puebla, and the people didn't like them and didn't want them, and they didn't receive them nicely. Gov. Cos was the governor, and he was just a man of the lower class who had been thrown up by the fortunes of the revolution to occupy the place of governor, and his wife was a common woman, and the aristocracy of Puebla would not receive them into their homes nor invite them to their social functions, and that made Cos so mad that he said, well, he would retire from the city and show the people of Puebla what it meant to fall in the hands of bandits; then he would come back and take the city by blood and fire, and they would receive him then with open arms. And he did retire from the city, and the Zapatistas and the Villistas came in, and they were there for 20 days. I had some very interesting experiences at that time. Well, as soon as the Zapatistas came into town an ex-Federal general took command of them and established order by noon. By 10 o'clock they had fine order in the city, and everything was just like it was in the days of Diaz. We walked around the streets, and the people were so happy and contented that they made a voluntary offering of quite a large sum of money to pay the Zapatista troops, in place of loot, and for 20 days everything went just lovely in the city.

Then, one morning we woke up and Cos was madder than ever, and he demanded the surrender of the city. Well, just at that time was when the division between Zapata and Villa happened, and the Villista troops withdrew the day before, leaving the Zapatistas, and when the Carrancistas came they had been strengthened by this time by having the United States return Vera Cruz to them, and they came up there and attacked the city. The consulate was in the house of Jenkins, the same place it is now. When Cos first came into the city he did that thing which the Carrancistas have been trying to do ever since—disarm the entire population. He issued a decree saying that anyone found with arms or ammunition in his possession would be shot, and that they would begin a search and seizure of all houses. Well, all of us Americans that were there were more or less armed, and some of them became alarmed, and finally we went to see Gov. Cos and asked him for permission to—we said if we would give up our arms we would never get them back. Let us place them in the American consulate, where they will be safe, and where you know we will not be using them against the revolution, and he consented. For instance, my wife was nervous, and I had a little .22 rifle and a beautiful Marlin shotgun repeater, and she asked me to take those over there.

I took them over, but I kept my revolvers; and different Americans in the city took their guns—one or two of the men had collections of those antique fowling pieces and old blunderbusses of ancient times and they took them over there, and some had high-power rifles,

and a good many of them took them over there and left them in the consulate, and they were put away in one of the rooms. When the Zapatistas were driven out and the Carrancistas came back in, the fighting took place around the corner upon which Jenkins's factory is located, and they were shooting around both sides. The Carrancistas were trapped there in front of the factory, and 27 were killed by the Zapatistas, who then retired. Well, when the Zapatistas had retired the Carrancistas came in and accused the factory hands, and especially Mr. Jenkins, of firing on them. They said he had a rapid-fire gun upon the roof. And so they seized him because the general had said that any snipers would be executed immediately without further orders. They carried him across into a vacant lot and stood him up in front of a wall and were about to shoot him when one of the officers told the soldiers that they should not do it because he was the American consul. So they carried him off to the Palace of Justice, and there he was confined all afternoon.

In the afternoon he was taken out by a squad of soldiers, taken downstairs and stood up before a stone pillar in the patio, and they had their guns pointed at him, when a general sent by Gen. Cos to liberate him, came in and stopped the execution, or he would have been executed right there. As it was they kicked him and spat on him and pounded him with the butt ends of their guns and took him back up into the cell, but he was released presently at the instance of the German, French, English, and Spanish consuls, who went to see Gen. Cos and insisted that he be released; and they telephoned over to me, and as soon as I heard that I went right over there, or just as soon the fighting stopped at noon, I went right over there and took Mr. Jenkins's daughters over to my house; then I went back to stay with Mrs. Jenkins, because I was a very intimate friend, and while I was there, just after I had returned the second time, a squad of soldiers knocked at the door. I went out and said, "What do you want?" They said, "We come to search this place." They had already been about five searching parties in there, and they had gone right into the consulate and carried off all of these arms and ammunition that were there, these old blunderbusses and old revolvers, these old-fashioned guns that have a flintlock on them, and everything of that kind—carried off every single thing.

Then this squad came. They said they came to find the consul, and grabbed hold of me, but I persuaded them I was not the consul; so they said they came to search. I said, "Well, where is your search warrant?" They said, "This is our warrant," and they tapped their guns and pointed them at me. So I said all right, I couldn't keep them out; and a fellow says, "Now, show me where the rapid-fire gun is. We want that rapid-fire gun." "Well," I said, "there is no rapid-fire gun here." I said, "If you can find a rapid-fire gun, I will give you 1,000,000 rounds of ammunition, if you can find a rapid-fire gun in this place anywhere." Then they grabbed hold of me, one on each side, and said, "Give us the ammunition." "Well," I said, "you find the gun and I will give you the ammunition," or, I says, "If you will find one round of ammunition for a rapid-fire gun on this place"—and it was a great big factory—"I will find the gun for you." "Well, find the gun." And they threatened me in every way. "Well," I said, "but there is

none here. I am just telling you that to show you that it is not here." So they went into the house, into the consulate, took me into the factory—they said it was stationed up on the roof. "Well, then," I said, "if it was stationed on the roof and firing and killed 27 Mexicans, as you say, there ought to be some shells up there. If you will find one single shell of rapid-fire gun on the roof, I will find the gun and the ammunition for you." Well, they couldn't understand just what I was getting at and why I joked with them when they had guns there. But I knew that was the easiest way to handle them. So they hunted all over, in every room on the place, and couldn't get even a single cartridge of any kind and no signs whatever. Their idea that a rapid-fire gun had been on there, I think, came from the fact that—I observed very closely, because I had the bullets flying around me, with men shooting at a building, and the expanding bullets striking and making a noise almost like another rifle being fired there, because of the echo, and it was a great big brick building. Well, they came down and took a mule; that was the only thing they could find that they thought they dared to carry off, an old mule, and started to go off with it. Mrs. Jenkins says, "Oh, you don't want that mule; it is too old. I will give you a pair of stockings if you will leave the mule." So they said, "All right," and I went and got them a dozen pairs of stockings and divided them amongst the men and gave a half dozen to the captain, and finally off they went saluting us and were all right. Then we sent a protest through the State Department to Bryan protesting against the violation and asking that the United States demand from Gen. Cos the return of all of those firearms and make an apology for violating the embassy, and the answer we got back was, "You should not have been in Mexico. You were ordered out of Mexico on such and such a date, and you should not have been there." And that was all the respect they had for the United States.

I don't know of anything else. That certainly did cause every American at that time to lose his respect for his own country and for the President of the United States and the State Department and the flag and everything else. In fact, right there at that time more than one American wore the Union Jack under the lapel of his coat, and if they asked him, "Are you a Gringo?" he would say, "No; I am an Englishman." I don't think that story has ever been told before. But those are the facts.

(The committee thereupon adjourned until Thursday, March 18, 1920, at 10 o'clock a. m., to meet at room D, Chamber of Commerce.)

THURSDAY, MARCH 18, 1920.

UNITED STATES SENATE,
SUBCOMMITTEE ON FOREIGN RELATIONS,
ROOM D, CHAMBER OF COMMERCE,
Los Angeles, Calif.

The committee met, pursuant to adjournment, at 10.30 a. m.

Present: Senator Albert B. Fall, chairman; Senator Mark A. Smith; Maj. Dan M. Jackson, secretary.

The CHAIRMAN. The session of the committee would not have been fixed for this hour to-day had it not been for the request of Col. Fly, of Yuma, Ariz. Testimony was taken a few days since by this committee in which the name of Col. Fly was mentioned. He met the committee on its arrival in this city with the statement that he thought an injustice had been done him, and he requested an immediate opportunity to correct any false impressions concerning it. In its anxiety to afford opportunity for any person to testify, the committee set this hour for a hearing. We were engaged in other matters and had not expected to have an open hearing of the committee this morning. Col. Fly has requested of the committee that he be allowed to proceed to his home, or where he pleases, without a hearing, and has withdrawn his request either for an open or a private hearing. The committee, of course, has acceded to his request, as it did to his original request that he should have an immediate opportunity to appear. As the hearing was set, other witnesses were notified that they might appear. Those who are in attendance and desire to testify will be heard as rapidly as possible.

After the adjournment this morning there will not be a session of the committee before to-morrow at this hour—10.30. In the meantime any witnesses who desire to consult with the committee may call by phone or go to the Van Nuys Hotel and consult with the secretary, Maj. Jackson, who is in room 313. The chairman of the committee will be within reach at all times and will be glad to consult with any person desiring to make any statement. We have other private matters of investigation here, which will not be disclosed at public hearings, and will be occupied in such business, but prepared to hold public hearings from time to time as may be necessary during our stay here.

I understand that Mr. Keller is here.

Mr. KELLER. Yes, sir.

The CHAIRMAN. Do you desire to make a statement in public here, Mr. Keller?

Mr. KELLER. Yes, sir; I have no objection to a public hearing.

TESTIMONY OF MR. HENRY W. KELLER.

(Sworn by the secretary.)

The SECRETARY. Your full name, please?

Mr. KELLER. Henry W. Keller.

The CHAIRMAN. Where do you live?

Mr. KELLER. In the city of Los Angeles.

The CHAIRMAN. Are you a citizen of the United States?

Mr. KELLER. I am.

The CHAIRMAN. Of what State are you a native?

Mr. KELLER. Of California.

The CHAIRMAN. What is your business?

Mr. KELLER. I am a land owner, farmer, and real estate man.

The CHAIRMAN. Have you at any time been interested or engaged in business in the Republic of Mexico or any portion of it?

Mr. KELLER. I have.

The CHAIRMAN. Where was the place of your business there and in what did your interest consist?

Mr. KELLER. In the northern district of Lower California.

The CHAIRMAN. When did you become interested there?

Mr. KELLER. In 1911.

The CHAIRMAN. What was the nature of your interest?

Mr. KELLER. We formed a corporation under the laws of the State of California, protocolized the articles of incorporation in the Mexican courts at Ensenada, which permitted us, under the Mexican laws then existing, to transact business in Mexico, own lands, and, in fact, entitled us to all of the privileges of Mexican citizens excepting the right of franchise.

The CHAIRMAN. How far were your holdings from the international border?

Mr. KELLER. We have one strip of land, containing a thousand hectares, which adjoins the American boundary line, with the exception only of some 60 or 70 yards which, under the laws of Mexico, is reserved unto the Mexican Government.

The CHAIRMAN. What was the capital stock of your company, paid in?

Mr. KELLER. $80,000, originally, and it has since been increased to $116,000.

The CHAIRMAN. Where was that stock held—by whom? I don't mean the individual names.

Mr. KELLER. No; but it was held mostly by prominent people here in Los Angeles. The property acquired was acquired because of its agricultural value and also for recreation purposes. There are some 29 stockholders in the company.

The CHAIRMAN. And are you in possession of that property now, or is your company?

Mr. KELLER. We are in uncertain possession of it.

The CHAIRMAN. What is the character of your possession?

Mr. KELLER. We have employees on the various properties, and caretakers there, but as early as 1916 Gov. Cantu, at that time de facto governor of the northern district of lower California, issued a proclamation which was known as the "hacienda remuenda," which provided for the establishment of military colonies on Government

and vacant lands. Of course, so far as Government lands were concerned, they had a right to enter upon them, but the protocol itself provided that upon entering upon vacant lands privately owned an arrangement should be made with the owners, and a contract of lease drawn up by the judge residing in that particular district where the property was situate. In our case they failed to carry out that latter provision, and as soon as we were notified that a military colony had been established on one of our properties, first, we immediately sent our attorney to call upon Gov. Cantu and ask him why he located upon our lands, and he said if he was upon our lands it was through error. But within a few months he moved his colony from the edge of the ranch to the very center of it and proceeded to till the land, erect farm buildings and fences, etc.; and that condition has continued up to a short time ago, the difference now being only that after inviting settlers, squatters on the property, Gov. Cantu finally informed the American consul, Mr. Boyle at Mexicali, that he had no further claim to the property; that he had turned it over to the department of fomento of Mexico.

The CHAIRMAN. That is, the department of fomento of the Carranza or central government of Mexico?

Mr. KELLER. Yes. It corresponds to our Department of the Interior.

The CHAIRMAN. Then he recognizes the jurisdiction of the Mexican Government in some respects in lower California?

Mr. KELLER. Well, I think he was pressed by the Department of State to give a valid reason for his occupation of the lands, and I think the situation was becoming embarrassing to him, and that he turned the burden over to the department of fomento.

The CHAIRMAN. He was pressed by the Department of State of the United States, you mean?

Mr. KELLER. Yes, sir; or by our consul at Mexicali, Mr. Boyle.

The CHAIRMAN. Then your company had, of its own motion, made a protest to our Government, had it?

Mr. KELLER. The procedure was this: In 1916, as soon as we found that Gov. Cantu's occupation was not temporary but permanent, we addressed a protest to him, and copies of all of these protests are on file in the Department of State at Washington, and Gov. Cantu replied that if we felt ourselves aggrieved the courts were open to us and we had but to present our claims there; that the procedure was simple. But for the information of this committee I want to say that the law of Mexico provides that courts and judges of courts shall be appointed by the Congress of Mexico and not by the Governors of the respective States, and those courts were subsequently declared illegal, and to-day there are legal courts in the northern district of lower California which have been appointed by the Federal Congress at Mexico City.

The CHAIRMAN. That is, those courts are now legal, having been provided for by the congress because of the status of lower California. That is, it is a Territory and not a State?

Mr. KELLER. Exactly. We did not wish to avail ourselves of the Mexican courts because we knew that they were illegal and that any judgment they might render, whether for or against us, would be declared invalid subsequently when the legal courts were established. We then had an opportunity of having our protest carried to Mexico

City by a gentleman and a friend of ours who was going to Mexico City on business, and our protest to President Carranza was presented to him in person, and he deprecated the actions of Mr. Cantu, but no action was taken by him, and the correspondence which I have here shows that subsequently he declared that the lands were public lands and that we had no title to them.

The CHAIRMAN. Carranza?

Mr. KELLER. Carranza; yes, sir.

The CHAIRMAN. How did he make that declaration?

Mr. KELLER. The declaration was made through our chargé d'affaires in——

The CHAIRMAN. He simply wrote a letter?

Mr. KELLER. He simply wrote a letter to our chargé d'affaires, Mr. Summerlin, in Mexico City, and Mr. Summerlin transmitted that to Mr. Lansing and Mr. Lansing in turn sent us a copy, which I have.

The CHAIRMAN. Yes; I should have worded my question a little differently. His declaration, then, was simply by a letter?

Mr. KELLER. Yes, sir.

The CHAIRMAN. And not by any proceedings of any kind to ascertain whether the land was then public or private?

Mr. KELLER. No, sir.

The CHAIRMAN. Now, Gov. Cantu was himself addressed upon the subject by the State Department through our consul?

Mr. KELLER. Yes, sir. Through a personal interview, and then, after making the protests to Mr. Cantu and Mr. Carranza, and receiving no relief, we protested to the State Department, to Mr. Lansing, under date of December, 1918. We waited until the conclusion of the war before bothering our State Department with our affairs. Then Mr. Lansing instructed us to place before the American consul, Mr. Boyle, all of our titles, organization papers, and everything pertaining to the company, and after such examination was made by Mr. Boyle, the State Department, as evidence by the letters I have here, reported that our contentions were fully sustained, both as to the title and as to the steps that we had taken with reference to the occupation of our lands.

The CHAIRMAN. And our State Department, from the evidence presented by you, held that your title to the lands was good?

Mr. KELLER. Yes, sir.

The CHAIRMAN. Mr. Cantu "passed the buck" to Carranza?

Mr. KELLER. Yes, sir; exactly.

The CHAIRMAN. Carranza wrote a letter in which he said that the lands were public lands, as I understand.

Mr. KELLER. Yes.

The CHAIRMAN. And in the meantime you have not had possession of the lands restored to you?

Mr. KELLER. No, sir. Our correspondence with the State Department has run over a period of about two years now, and we are no further along than when we started. After the State Department had satisfied themselves that our claims were just and that our titles were perfect, since Carranza declared that our titles were not good, the State Department is now examining our chain of titles again, so we are starting from where we first started some two years ago.

The CHAIRMAN. Have you the date of the letter from the State Department of the United States with reference to your titles?

Mr. KELLER (producing copy). The date of that letter was April 26, 1919.

The CHAIRMAN. Is there any identifying mark or number upon the letter?

Mr. KELLER. The identifying mark is "S0312.115SA516-6."

The CHAIRMAN. You have no objection to this committee obtaining a copy of that letter from the State Department?

Mr. KELLER. No, sir; not at all. The substance of that letter is:

In reply you are informed that the department has recently received from the American consul at Mexicali a report from which it appears that the allegations heretofore made by your company as to the occupancy of a portion of your lands by Cantu are correct.

The CHAIRMAN. Any of this correspondence touching this matter which is in the archives of the State Department, as I understand you, the committee is at liberty to obtain from the department?

Mr. KELLER. Yes, sir; or anything else.

The CHAIRMAN. I ask this question because the committee might desire to obtain the correspondence upon its return to Washington, and it being in reference to a private matter we want to show the department that we have the consent of the parties interested.

Mr. KELLER. You have that consent, Senator.

The CHAIRMAN. Then it will not be necessary to embody in our record of these proceedings the copies of this correspondence, as we can get the copies at Washington.

What have been the damages which your company has sustained, approximately, with reference to this property?

Mr. KELLER. We have never set up any claim, Senator, or filed any claim with our Government, because our injuries have not been very great. During the occupancy of the military colony, so called, we had offers of as high as $10,000 for the pasturage on the property, which we were unable to accept because of the occupancy of the Cantu forces, and the number of settlers which had settled on the ranch at the invitation of Gov. Cantu.

The CHAIRMAN. Some of these settlers yet remain upon the property, do they?

Mr. KELLER. They do. The last information we have on the subject is that the Department of Fomento has finally received orders, or at least the local representatives in Tia Juana has received orders, to confiscate all of our properties.

The CHAIRMAN. That is what I was leading up to.

Mr. KELLER. Yes. And we are also reliably informed that it is their intention to put a surveyor at work on the property at once and parcel it out and distribute it among——

The CHAIRMAN. As I understand, Mr. Carranza has declared that it is public land?

Mr. KELLER. Yes, sir.

The CHAIRMAN. And now he is proceeding against it, or authorizing procedure against it, under the section of the constitution of 1917 with reference to the boundary?

Mr. KELLER. Well, that claim would not lie, because an examination of our chain of titles will show that in each instance our predecessors in interest obtained permission from the Mexican Central Government to acquire these lands within this prohibited zone, so called.

The CHAIRMAN. Then upon what ground is the proceedings to confiscate based, if not upon that clause of the constitution?

Mr. KELLER. I think under section 27 of the constitution of May, 1917.

The CHAIRMAN. Well, that is what I refer to.

Mr. KELLER. Yes. But the constitution of May, 1917, article 27 provides that lands which were acquired from the Government by concession, or through Government contracts, and lands acquired up to 1876, can be, by order of the President abrogated. But our lands do not fall under that category. The San Isidro ranch, for instance, was set aside through the Locas brothers in 1833, and the Governor of California confirmed the title in 1840, and Benito Juarez issued a patent in 1861. So that they were never Government lands, never concessions, nor contracts with the Government.

The CHAIRMAN. Now, Mr. Keller, have you received any revenue from this property at all?

Mr. KELLER. No, sir. That is, the revenue that we have received has been very nominal. We have every year planted a certain amount of grain for the horses we had on the property, but about a year ago Mr. Cantu took our field away and cultivated it himself, so that we have not been able to do anything, and are afraid to do anything.

The CHAIRMAN. You could have derived, however, revenue, you say, to the amount of $10,000 per annum for the grazing privileges?

Mr. KELLER. We had that offer, yes.

The CHAIRMAN. And you had cultivated fields from which you had expected to derive revenue?

Mr. KELLER. Yes, sir; and we had many offers from the local people there, and especially from the Russian colony, to rent these lands on shares at various times, and none of those offers were we permitted to avail ourselves of.

The CHAIRMAN. Then if you eventually secure possession of your lands, and are enabled to handle the same, the only damage which will have been incurred would be the deprivation of the use of the lands and the revenue therefrom for the time they have been withheld from you?

Mr. KELLER. That is true.

The CHAIRMAN. And up to the present time what is that—the length of time?

Mr. KELLER. They have occupied our land since 1916.

The CHAIRMAN. And you have not, as yet, filed any claim with the State Department of the United States?

Mr. KELLER. I have not; no, sir.

The CHAIRMAN. It would appear to the chairman of the committee that you might seriously consider the question of filing a claim at an early date fixing your damages at such amount as you can reasonably establish them to be; because if the matter is to be taken up diplomatically with reference to the titles, the growing annual damages might have some influence in the matter of the claim. I can say to you, however, that this Government is not at present presenting claims for damages to the Mexican claims commission, and has advised American citizens not to present their claims to the claims commission, but is filing the claims away in the archives at Washington for future action.

Now, is there any further statement that you desire to make? If so, you may continue.

Mr. KELLER. I would like, Senator Fall, to read one letter which sets forth the procedure of the Mexican Government and their claims as presented by their Mr. Medina to our chargé d'affaires, Mr. Summerlin, in Mexico City, and after I had received a copy of Mr. Medina's letter, or a translation of it, we wrote the department, and I ask to read this letter because it sets forth our position with reference to the whole matter that I have testified to this morning.

The CHAIRMAN. Do you prefer to read it, or shall we have it embodied in the record?

Mr. KELLER. It may be embodied in the record. I don't want to take up the time of the committee in reading it.

The CHAIRMAN. I presume it is along the line of the statement you have made here?

Mr. KELLER. Yes. Some of the fallacies of the contention of the Mexican Government with reference to our lands being national or vacant lands.

(The letter above referred to is as follows:)

DECEMBER 30, 1919.

Hon. ALVEY A. ADEE,
Second Assistant Secretary of State,
Washington, D. C.

SIR: We are in receipt of your communication of December 16, advising us that our letter of November 26, 1919, had been forwarded to our consul at Mexicali for his comment.

We are also in receipt of your communication of December 17, in which is inclosed copy of letter of George T. Summerlin, chargé d'affaires, transmitting copy of a communication of H. Medina, subsecretary of state of foreign affairs and addressed to George T. Summerlin. It is to the allegations and misstatements and omissions of Mr. Medina, the Mexican subsecretary, that we particularly wish to address ourselves.

Mr. Medina says that "the competent authorities report that the San Ysidro Ranch Co. asked the Department of Agriculture and Fomento to confirm the validity of various titles covering portions of lands acquired by said company, named 'El Moro,' 'El Refugio,' 'Poso del Encino' Land and House in the Carrizo Ranch and the Frontier Strip, and the matter being submitted to the President of the Republic, this high official saw fit to decide that the petition should not be granted, in view of the fact that the titles presented for confirmation thereof have all the defects of capacity, form, and essence necessary to legitimize the acquisition of public property and especially waste lands, and therefore are not proper for the purpose."

This company never asked the Mexican Government or any of its departments to confirm the validity of our titles. We knew before we purchased and paid for these lands the condition of the titles of the various ranchos. Competent attorneys had passed upon them for us and when our deeds were protocolized the Mexican courts, in conformity with Mexican legal procedure, admitted the validity of our titles and placed us in possession.

About a year ago the Department of Fomento appointed a commission to examine into the title of lands privately held in Lower California, and this company, in common with other land holders, was ordered to submit its titles, with which order we complied. We were also advised by a member of this Mexican commission that our titles were found to be perfect, and the commission so reported to the Department of Agriculture.

We particularly wish to call your attention to the omission from the list of properties enumerated by Mr. Medina and owned by this company, of the San Ysidro Rancho, from which property this company derived its name. This is our largest individual holding and has been in our possession and that of our predecessors in interest for almost a century. The grant or patent having been signed by Benito Juarez, Mexico's first President.

You will observe, Mr. Secretary, from our previous communications, that our chief cause of complaint was that the San Ysidro had been taken from us and was occupied, farmed, and pastured by a Mexican military colony. We have never been dispossessed of the properties mentioned by Mr. Medina, and we never knew until this moment that the Mexican Government claimed these

other properties adversely to us. It is certain that all these lands, including the San Ysidro Rancho, are assessed to us, and the Central Mexican Government and the local government of Lower California collect and receipt for taxes which we annually pay. In short, the only property of which we have been actually dispossessed is the very property which the Mexican Government, by indirection at least, admits the validity of our title.

We purchased all these properties with American gold, our articles of incorporation were accepted and filed in the Mexican courts of proper jurisdiction, the purchases were made with the knowledge and consent of the Mexican Government, and it was legal under Mexican laws for us to acquire and hold these lands at the time they were purchased. The constitution of May, 1917, with its retroactive Article XXVII, had not its birth when these purchases were made originally in 1910.

What jurisdiction and under what law, unless it be by virtue of Article XXVII of the constitution of May, 1917, had the department of agriculture to pass upon the validity of title of lands privately owned?

Mr. Medina says that the President of the Republic decided that our titles could not be confirmed because of "defects of capacity"—whatever that may mean—and for the further and more important reason that these lands were public property and especially waste lands. From the foregoing recital you can judge whethey they fall under either of these categories.

Prior to the time we appealed to your department for assistance and restitution of our properties, we had protested to the governor of Lower California, and our protest being ignored, we protested to the Mexican Central Government, and our representative presented our protest to President Carranza in private audience. This "high official" gravely read the accusations levelled at the governor of Lower California, and informed our representative that he deprecated the acts of Gov. Cantu, but nothing was done by the Central Government to restore the property to its rightful owners. Yet, within a few months, and after condemning the actions of Gov. Cantu, he decides that our titles are invalid and annexes them to public domain.

We are treated to the spectacle of the Mexican President assuming judicial powers, and passing upon the titles of lands in Lower California, over which territory his temporal control is uncertain, and which acknowledges his authority only when it best serves their purpose.

The question herein involved is not one of title. We know that our titles are valid, and if they were imperfect we would not be found enlisting the services of the United States Government to remedy the defects. Your records show thousands of cases similar to ours, wherein the Mexican Central Government, or its agents, by force or by fraud, have despoiled citizens of this Republic of their lawful possessions.

In conformity with the orders of your department, we submitted our titles and evidence of ownership to the American Consul, Mr. Walter F. Boyle, and your department has graciously advised us that Mr. Boyle has confirmed our contentions.

If there be anything further that this company can do to assist your honorable department in this matter, you have but to command us.

Respectfully yours,

PRESIDENT.

The CHAIRMAN. Are there any other witnesses this morning who desire to be heard by the committee at this particular time?

Due to the facts stated in opening the hearing, and to the further fact that the committee has a lot of private investigation which it is carrying on, there will be no further meeting until to-morrow morning at half past 10 o'clock at this room. In the meantime, any persons who desire to testify are requested to give their names to the secretary of the committee at the Van Nuys Hotel, which is the headquarters of the committee and they can there find one member of the committee at any time with whom they may have the opportunity of consulting before giving testimony.

The committee will be in recess until half past 10 o'clock tomorrow morning.

(A recess was then taken until Friday, March 19, 1920, at 10.30 a. m.)

FRIDAY, MARCH 19, 1920.

SUBCOMMITTEE OF FOREIGN RELATIONS,
UNITED STATES SENATE,
Los Angeles, Calif.

The committee met pursuant to adjournment in room D, Chamber of Commerce, Los Angeles, Calif., Friday, March 19, 1920, 10.30 a. m.

Present: Senator Albert B. Fall, chairman; Senator Mark A. Smith; Maj. Dan M. Jackson, secretary.

TESTIMONY OF MR. ARTHUR THOMSON.

(Witness sworn by the secretary.)

The SECRETARY. Your name is Arthur Thomson?

Mr. THOMSON. Yes.

The CHAIRMAN. Where do you live, Mr. Thomson?

Mr. THOMSON. Los Angeles at the present time.

The CHAIRMAN. Are you a citizen of the United States?

Mr. THOMSON. No, sir. I have my first papers, but I am not a citizen.

The CHAIRMAN. Where did you secure your first papers?

Mr. THOMSON. In San Francisco.

The CHAIRMAN. Of what country are you a native?

Mr. THOMSON. Australia.

The CHAIRMAN. The committee is informed that you desire to make a statement, Mr. Thomson, and permission is granted you so that you may go ahead with any statement you desire to make.

Mr. THOMSON. Well, I am not experienced at this; I thought you would like to ask a few questions first of all so that I can get started on it.

The CHAIRMAN. Well, sir, I have asked the only question I have to ask at the present time. You can make a statement and then you may be interrogated and will have an opportunity to answer specific questions.

Mr. THOMSON. Well, it was mainly about this booklet, "The Conspiracy Against Mexico," that I wrote some time ago, that there was some fuss made about in the press and in the Senate and other places. I was accused of being an anarchist by some press representatives. I don't know whether they got it from Senator Fall or not, but that was the impression they led me to believe. And the book, that was also charged as being Bolshevik propaganda. There were a couple of paragraphs in that that may have led people to believe that it was.

and perhaps you could interpret it, in a strict sense, as being Bolshevik propaganda, but it was not intended as Bolshevik propaganda. That was just merely incidental. The whole booklet was about Mexico, and what I was writing against was intervention by the United States. I wanted to try and show that there was a conspiracy against Mexico by certain interests that had economic interests in Mexico to bring about intervention, and that was the reason I wrote the booklet. It was written entirely on my own initiative. The Mexican consulates and embassy in Washington had been accused of distributing Bolshevik propaganda. Well, they distributed 5,000 copies of the book, which I sold them at cost, about 5 cents each, which was just the cost of printing alone. I lost on the whole proposition. And I published it, due to a little misunderstanding with the original publishers, so I lost about eight or nine hundred dollars on the whole work, and while of course I believe I had radical ideas, people thought that the Mexicans had held the same ideas, and I don't know what Mexicans believed on it. I sold the booklet to them—I went to them and asked them if they didn't want to distribute some of these, and they considered the matter and said they would, and they took those 5,000 copies that I gave them. I have since sold about 2,000 here to some more Mexicans in Los Angeles, but I haven't gotten any money for them yet. That was about three weeks ago. That does not exactly square with the statement made in the Los Angeles Examiner here about two days ago, I think it was, where it was said there was a slush fund of $8,000,000 in Los Angeles, to paint rosy pictures of Mexico.

Now, I don't think there is any slush fund of any kind here, for several reasons, because I haven't got paid for those booklets of mine, and if there was money here I surely would have been paid for those; and then the Mexicans—they call it the Independencia Club, a local organization of Mexicans, got out a manifesto or bulletin here about a month ago, and I understand the printer has not been paid for it yet. So that doesn't exactly square with the slush fund. And then, also, I am told that the Mexican consular officers are about the lowest paid of any consular officers in the world. Their pay ranges from $90 to $240 a month, the way I am told about it.

There may be a few other things I would like to say that would be brought out by questions. I can't think of very much right now; I didn't prepare that way. I thought probably you would start off by questions.

The CHAIRMAN. Well, the committee issued an open invitation to anyone who knew anything about Mexico to appear before it. When the committee serves a subpœna on a witness or requests the presence of a witness we usually know what the line of examination will be, and what we expect to establish by the witness; but in your case you requested of the committee an opportunity to be heard, and it is granted, cheerfully and gratefully, but we were not prepared to proceed any further than to allow you to make any statement that you pleased, irrespective of whether it might be in the nature of criticism of the committee, or the personnel of the committee, or the work of the committee, or of what nature the statement might be. We will ask you some questions, however.

Mr. THOMSON. No; I had no criticism, especially, to make of the committee. I wanted to clear up a little misunderstanding about

that booklet, mainly, that had been sent around through the press all through the country.

The CHAIRMAN. You have referred to some newspaper report that you had been called an anarchist on account of the book which you published and to which you have been testifying. Have you seen a published or printed copy of the investigation of this committee of Mexican affairs containing a partial and ad interim report of the committee?

Mr. THOMSON. Yes, sir; I have that right here.

The CHAIRMAN. Well, you have there exactly what the chairman of the committee had to say.

Mr. THOMSON. Well, I am not saying you said it, but the press representatives said it. The San Francisco Chronicle published it, and I went up to the editor and asked to be allowed to contradict it, and he didn't give me much satisfaction.

The CHAIRMAN. Well, the committee is very glad to afford you the opportunity to make any statement of that kind that you want to make publicly.

Mr. THOMSON. Of course, it is kind of a serious statement, or it was at that time, to call a man an anarchist. They were raiding, and all that sort of thing, and I was liable to be picked up with the rest of them, and I have done nothing to warrant being called an anarchist. I am not an anarchist. I believe in government.

The CHAIRMAN. Your purpose in writing that booklet, which is in the hands of the committee, as I understand you, was to prevent armed intervention by this country in Mexican affairs.

Mr. THOMSON. Yes, sir. That is it exactly.

The CHAIRMAN. You had nothing in view with reference to interference by Mexico in the affairs of this country?

Mr. THOMSON. No—I didn't quite get that statement.

The CHAIRMAN. Well, have you ever thought of what Mexico may have done or may be doing or what Mexicans may have done or may be doing at this time, with reference to interference in the affairs of the United States?

Mr. THOMSON. Well, I knew nothing about it at that time. There may be something like that. I don't know. I am not saying there is or there is not. I have no knowledge of it, except what the press says, and it is not very convincing so far, to me, that there is anything like that.

The CHAIRMAN. How did you arrive at your convictions that there was in the minds of the American people or any of them an effort to cause this country unwarrantedly to interfere, by arms or otherwise, in the affairs of Mexico?

Mr. THOMSON. Well, I thought the moneyed interests of this country wanted intervention—those that were interested in Mexico.

The CHAIRMAN. What method, if any, did you pursue to convince yourself of the truth or falsity of that idea?

Mr. THOMSON. Well, I read—I got those ideas from the press, from writers that had been to Mexico, that investigated it, such as this man DeBekker that you had up before you at Washington, I understand.

The CHAIRMAN. Yes; you know we did. You have read his evidence?

Mr. THOMSON. Yes.

The CHAIRMAN. And you know that he was writing for the New York Call, do you not?

Mr. THOMSON. Is that so? I didn't know that. I think he wrote something for the Nation.

The CHAIRMAN. Yes; he wrote something for the Nation, too. Now, you obtained from the press and from the writings of such men as DeBekker the impression that moneyed interests in the United States were seeking to bring about armed intervention in Mexico by this country?

Mr. THOMSON. Yes. From various sources. There may be a few others that I can't recall just now. But that is the way I got it; yes.

The CHAIRMAN. Now, you have mentioned the name of DeBekker. From what other source did you obtain this idea?

Mr. THOMSON. Well, it seemed to me there was a kind of insidious propaganda carried on by the press in this country.

The CHAIRMAN. Now, what do you have reference to?

Senator SMITH. What press?

Mr. THOMSON. Well, the Hearst press for one. It is true they haven't done any propaganda within the last couple of months. They have been pretty square, it seems to me.

The CHAIRMAN. Well, prior to that time, as a writer, have you retained any clippings from the press or any articles from the Hearst press?

Mr. THOMSON. Yes; I have a few here. I don't know that I have any from the Hearst press. I haven't paid a great deal of attention to the Hearst press. Now, there was a statement made in the Los Angeles Times a few days ago, a special dispatch from Chicago, where Prof. Starr—I suppose you know of him—here it is [producing paper].

The CHAIRMAN. Do you know him?

Mr. THOMSON. No, sir. I do not.

The CHAIRMAN. Well, I don't, either; so we break even on that.

Mr. THOMSON. I said "of him."

The CHAIRMAN. I know of him through this very article that you refer to.

Mr. THOMSON. Well, he wrote it. I saw it up in the Los Angeles Library the other day. He has written several, I understand; but he is supposed to be a great authority on Mexico.

The CHAIRMAN. By whom?

Mr. THOMSON. Well, by the learned people. They seem to think so.

The CHAIRMAN. Well, what learned people?

Mr. THOMSON. The university people.

The CHAIRMAN. Mention any one.

Mr. THOMSON. This came out of the Chicago University. I suppose they do. It says: "War with Mexico was planned and fixed up at the peace conference in Paris. Of this I am positive." That is a pretty serious statement for the Los Angeles Times to print. That is a special dispatch. And Prof. Starr was over there, I understand, and he was in with all those men.

The CHAIRMAN. Now, how do you understand that he was over there?

Mr. THOMSON. Well, that is what I am led to believe. I am told that.

The CHAIRMAN. Well, who told you?

Mr. THOMSON. The press.

The CHAIRMAN. That article there?

Mr. THOMSON. No; this article doesn't say that.

The CHAIRMAN. Where did you see any other article?

Mr. THOMSON. I saw it some time ago. It was reported in the—the Associated Press, I believe, sent it out. I haven't got a copy of it.

The CHAIRMAN. That Prof. Starr was over there at the peace table in what capacity?

Mr. THOMSON. Over in Paris.

The CHAIRMAN. Have you read any of the testimony adduced before the Foreign Relations Committee with reference to what went on at the peace conference?

Mr. THOMSON. Yes; a little of it. I haven't studied it.

The CHAIRMAN. Did you read Secretary Lansing's statement?

Mr. THOMSON. I believe I did.

The CHAIRMAN. Do you remember whether the question was asked him as to whether Mexico was considered at all, in any way, shape, form, or fashion whatsoever, at the peace table?

Mr. THOMSON. Yes; I think he said it was not considered.

The CHAIRMAN. Yes, sir. Do you remember whether he was asked if he had a talk with any Mexicans there, with De La Barra or any others?

Mr. THOMSON. Yes. I think he replied in the negative.

The CHAIRMAN. He was the Secretary of State and one of the Mexican commissioners.

Mr. THOMSON. Yes.

The CHAIRMAN. And you doubtless had your attention called to the fact that in the invitation extended to other countries to join the League of Nations no such invitation was extended to Mexico; have you not?

Mr. THOMSON. I believe I saw that, too.

The CHAIRMAN. And you take a newspapers statement as to what went on around the peace table or at the peace conference against the sworn testimony of the Secretary of State of the United States?

Mr. THOMSON. Well, Prof. Starr is a professor, and he ought to know——

The CHAIRMAN. Now what is he a professor of?

Mr. THOMSON. It says here, anthropology.

The CHAIRMAN. What is it?

The CHAIRMAN. That is the study of man, I believe.

The CHAIRMAN. Now, that is all you know, Mr. Thomson, about Prof. Starr, is it not? Just from what you see there?

Mr. THOMSON. That is all on that matter; yes.

The CHAIRMAN. And still you say that is one of the matters that have fixed in your mind the idea that Americans want armed intervention—that American special interests want armed intervention—in Mexico; that it was fixed up at the peace table; and you take that, and then admit that you read the evidence under oath of the Secretary of State of the United States, that Mexico was not even discussed at the peace table, nor in Paris, to his knowledge?

Mr. THOMSON. Yes. But I am not saying that that actually took place, but I am just quoting that.

The CHAIRMAN. But you quote that approvingly.

Mr. THOMSON. No; I am not saying that that proves it.

The CHAIRMAN. Well, then, what does prove it to your satisfaction?

Mr. THOMSON. Well, the press propaganda seems to me to prove it.

The CHAIRMAN. Now, what propaganda do you refer to? That is exactly what we were asking you, and you have referred to this very article. You have referred also to an article published in the Times two or three days ago.

Mr. THOMSON. Yes.

The CHAIRMAN. Now, what is that article that led you to believe that?

Mr. THOMSON. Well, this is the article I refer to particularly.

The CHAIRMAN. A reproduction of the Starr article?

Mr. THOMSON. Yes. But there has been, it seems to me, an insidious propaganda, if no other propaganda, carried on by the press ever since the signing of the armistice.

The CHAIRMAN. Well, now, let's get down to facts. That is what we are here for. What do you refer to? Where and when?

Mr. THOMSON. All the propaganda carried on by the Hearst press for one.

The CHAIRMAN. Now, you have accused the Hearst press—I am not an advocate for the Hearst press, but let us have anything you may have there showing that.

Mr. THOMSON. Well, there has been so much of it that I haven't clipped it. I will admit, though, that for the last couple of months the Hearst press has been very square, both on Mexico and Europe, and particularly about Russia.

The CHAIRMAN. Now, let us start back a little bit at the beginning, then possibly we may lead up to something of value. Do you speak Spanish?

Mr. THOMSON. No, sir; very little. Just a few phrases.

The CHAIRMAN. How long have you been in this country?

Mr. THOMSON. About 10 years.

The CHAIRMAN. Where have you lived?

Mr. THOMSON. In the East, and in the Middle West, and in the Northwest, and in the South.

The CHAIRMAN. When did you come south.

Mr. THOMSON. In about 1912, I think it was.

The CHAIRMAN. Where have you lived?

Mr. THOMSON. I have lived mostly around Los Angeles and southern California.

The CHAIRMAN. What has been your business?

Mr. THOMSON. Electrical engineer.

The CHAIRMAN. Where have you been engaged in your profession?

Mr. THOMSON. Well, I have been engaged in it in different parts of the country.

The CHAIRMAN. I mean here. We are now speaking of your residence along the border. My object is to show what you know about Mexico and where you got your knowledge of it. That is, frankly, the object of the question.

Mr. THOMSON. Well, I worked here for the different electrical companies here, and I worked for an electrical company in San

Francisco during the war. They were operating one of the largest power stations there. I worked through the East. I attended Northwestern University for about a year or more, and I worked on the side there to pay my way through.

The CHAIRMAN. Well, I have explained frankly the object of this line of questioning. I want to see how you considered yourself qualified to write a book on Mexico.

Mr. THOMSON. Well, it has been secondhand knowledge about the conditions, I will admit.

The CHAIRMAN. Now, it has been secondhand knowledge of the conditions. What has been your reading about Mexico? What books have you read?

Mr. THOMSON. I have read "The Mexican People," by de Lara, and——

The CHAIRMAN. That is Gutierrez de Lara?

Mr. THOMSON. Yes, sir.

The CHAIRMAN. You knew he was executed by Gen. Calles, did you not?

Mr. THOMSON. I knew that.

The CHAIRMAN. You knew Gen. Calles was a socialist, one of the original revolutionists in Mexico who established this government?

Mr. THOMSON. I didn't know he was a socialist.

The CHAIRMAN. I think he is now a member of the Carranza Cabinet. You knew that, didn't you?

Mr. THOMSON. Yes; but I didn't know he was a socialist.

The CHAIRMAN. All right; we will drop that. You know he is a member of the present cabinet of Mexico?

Mr. THOMSON. Yes.

The CHAIRMAN. And you were writing in advocacy of the Mexican form of government, as I understand, and no interference with it here, based upon the stories of Gutierrez de Lara, and you knew he had been executed by this present Mexican Government?

Mr. THOMSON. Well, I didn't uphold that. It is reported that he has; it has not been proven that he was executed; at least, I didn't see any proof of it.

The CHAIRMAN. Did you know anythnig of Mr. De Lara?

Mr. THOMSON. Yes. I knew him here in Los Angeles.

The CHAIRMAN. Oh, you knew him here?

Mr. THOMSON. Yes.

The CHAIRMAN. You knew he was a socialist, didn't you?

Mr. THOMSON. Yes; I knew that.

The CHAIRMAN. You knew that he was with Francisco I. Madero, jr., at the battle of Casas Grandes, did you not?

Mr. THOMSON. Yes; I understand he was a captain under Madero.

The CHAIRMAN. Do you know what part he played in that battle?

Mr. THOMSON. No.

The CHAIRMAN. You don't know that he ran off and left Madero to be attacked in the rear by Col. Telles when those men were doing the fighting for Madero, because Gutierrez de Lara left? You didn't know that?

Mr. THOMSON. No; I didn't know that.

The CHAIRMAN. You don't know that Mr. Gutierrez de Lara, a captain there to fight for the holy cause of the revolution, explained

to Mr. Madero when he was questioned as to why he allowed the Telles forces in the rear that he could not kill a fellow man, that he could not pluck a flower?

Mr. THOMSON. I didn't know that.

The CHAIRMAN. Then, if those happen to be the facts they would have been interesting for you to know before relying on Gutierrez de Lara as a correct historian?

Mr. THOMSON. Well, I just took what he wrote. I don't say that I upheld all the personal views of Mr. De Lara, but just what he wrote is what I went by. I have quoted many books in there, but I don't agree, probably, with all they say. I read John Kenneth Turner's Barbarous Mexico.

The CHAIRMAN. Yes; written in collaboration with Gutierrez de Lara?

Mr. THOMSON. Yes; he went through Mexico with Gutierrez de Lara.

The CHAIRMAN. Gutierrez de Lara—this same man?

Mr. THOMSON. But John Kenneth Turner's book has been upheld by other writers; at least a lot of it.

The CHAIRMAN. Well, by whom?

Mr. THOMSON. By Arnold and Frost, for two.

The CHAIRMAN. Who are they?

Mr. THOMSON. They are two Englishmen that went through Yucatan. And it has also been upheld by a correspondent of the London Times, Henry Baerlin, in Mexico, the Land of Unrest, I believe it is.

The CHAIRMAN. The object of my questions, Mr. Thomson, bear in mind, is to display your knowledge of Mexico.

Mr. THOMSON. Yes; I understand that.

The CHAIRMAN. I am not criticizing Mr. Turner, Mr. De Lara, or anyone else. That is not the purpose of this committee. But I am simply trying to draw out from you upon what you based your information.

Mr. THOMSON. Yes; I understand that perfectly.

The CHAIRMAN. Have you ever read a history of Mexico?

Mr. THOMSON. Yes; I have read Bancroft's history.

The CHAIRMAN. What did you learn as to the history of Mexico, as to revolutionary troubles, and so forth, and disturbances, and internal and foreign conflicts prior to the year 1877?

Mr. THOMSON. What books I went by?

The CHAIRMAN. You said you read Bancroft's History of Mexico. I said, from such reading, from Bancroft's history, or any other authority, what do you know about Mexican conditions prior to the year 1877?

Mr. THOMSON. That was prior to when Diaz——

The CHAIRMAN. Well, I put the year as 1877, a year or more prior to the recognition of Gen. Porfirio Diaz as President of Mexico by the United States of America.

Mr. THOMSON. Well, Juarez was in power then, and I understand Mexico was——

The CHAIRMAN. Juarez was in power when?

Mr. THOMSON. Well, some time between 1867 and 1876, when the agrarian democracy held Mexico.

The CHAIRMAN. What was the agrarian democracy that you refer to?

Mr. THOMSON. Well, that was when Mexico had a sort of democratic rule of the land.

The CHAIRMAN. Was that prior to the time of Juarez or subsequent?

Mr. THOMSON. No; during the time of Juarez. From 1867 to 1876.

The CHAIRMAN. Now, from what source did you learn that?

Mr. THOMSON. Well, I gathered it from reading various books.

The CHAIRMAN. Well, what books?

Mr. THOMSON. Bancroft's and that book of De Lara's on "Mexican People," and from Gustavo Paz—his book on Juarez. I don't recall any others.

The CHAIRMAN. What was the form that this agrarian democracy took in Mexico?

Mr. THOMSON. Well, they established the constitution of 1857. That was their basis.

The CHAIRMAN. The advocacy of the constitution of 1857 is not what you were writing about in this pamphlet, is it?

Mr. THOMSON. Well, I just spoke of that incidentally.

The CHAIRMAN. But De Lara and the others do not quote it approvingly, do they—the constitution of 1857 and the reform laws?

Mr. THOMSON. Quote it to prove which?

The CHAIRMAN. Do any of the writers you have been taking your information from, De Lara, Kenneth Turner, Paz, or anyone else, approve the constitution of 1857?

Mr. THOMSON. Yes; De Lara does.

The CHAIRMAN. He does?

Mr. THOMSON. I think he does. I am pretty sure he does.

The CHAIRMAN. And would you be able, do you think, to recall where he approves it in his writing?

Mr. THOMSON. Through the chapter on the constitution of 1857 in his book.

The CHAIRMAN. And that is what he calls the agrarian government of Juarez?

Mr. THOMSON. I presume that is what it is.

The CHAIRMAN. Now, do you know anything about what the constitution of 1857 provided?

Mr. THOMSON. It was quite a radical constitution. It hit property pretty hard, I believe.

The CHAIRMAN. What property?

Mr. THOMSON. Well, the property of the large landowners and the Catholic Church.

The CHAIRMAN. Was there anything in the book or in the constitution with reference to the property of large landowners?

Mr. THOMSON. I think there was.

The CHAIRMAN. Now, Mr. Thomson, I advise you to read something about it, and to read the constitution itself.

Mr. THOMSON. Well, I have read the constitution itself, only offhandedly I can't recall those things. I think I have got a copy of it somewhere.

The CHAIRMAN. Well, then if you have read it, possibly I can refresh your recollection. The constitution and the reform laws

passed under the constitution provide for the confiscation of all of the real estate of the Catholic Church of Mexico.

Mr. THOMSON. Yes; that is true.

The CHAIRMAN. That was done. The constitution and the reform laws also provided for taking from the States and municipalities the public lands, did it not?

Mr. THOMSON. You mean the communal grants, what they call the "ejidos"? Is that what you refer to?

The CHAIRMAN. Well, I am afraid we can not get anywhere unless either you or I are better informed as to what "ejidos" mean.

Mr. THOMSON. Well, I don't understand your question, then.

The CHAIRMAN. Do you know what a municipality is in Mexico to-day?

Mr. THOMSON. Well, I suppose it is similar to other municipalities.

The CHAIRMAN. Well, what? How?

Mr. THOMSON. Well, they have a city government, I presume. It may not be exactly the same as American city governments. They have what they call—how do you pronounce that word—jefe politico.

The CHAIRMAN. A jefe politico of a municipality?

Mr. THOMSON. Yes; you see I was not writing about those things; I was writing about the social and economic relations.

The CHAIRMAN. No; but you were writing about the reform laws, too. You were talking about the reform laws and about what was done by the Juarez government with reference to the lands, and how this was an agrarian government, as you call it.

Mr. THOMSON. Yes.

The CHAIRMAN. Now, was that changed by Diaz in any way, shape, form, or fashion, or by the Congress during the Diaz administration?

Mr. THOMSON. I don't think the constitution of 1857 was lived up to by Diaz.

The CHAIRMAN. Well, was the practice inaugurated by Juarez under this agrarian rule that you speak of with reference to the lands of Mexico changed in any way by the laws or acts under the Diaz administration?

Mr. THOMSON. Yes. Diaz, as I have it, confiscated or evicted something like 2,000,000 small farmers from their land and gave it over to the large landowners.

The CHAIRMAN. Where did you get that?

Mr. THOMSON. Well, I have seen quite a number of writers—those books I quoted before nearly all refer to that in one form or another.

The CHAIRMAN. Do you know where they obtained their information?

Mr. THOMSON. No; I don't know where they got it. I suppose from records and observation.

The CHAIRMAN. Now, Mr. Thomson, it is certainly no part of the duty of any member of this committee to correct errors that you may entertain with reference to Mexico.

Mr. THOMSON. Well, if I have got any wrong views, I am quite willing to be shown. I want to tell the truth. I am not trying to take any stand with reference to any part of the Mexican Government or anyone else; I am just trying to tell the right thing to

prevent a war with Mexico. My motives are purely humanitarian. I have no other reason for writing that book or doing that work.

The CHAIRMAN. And you thought you were serving the interests of humanity in writing the book?

Mr. THOMSON. That is what I thought.

The CHAIRMAN. Based upon such information as you have intimated to the committee you had received from other sources?

Mr. THOMSON. Yes, sir; that is what I thought.

The CHAIRMAN. Did you ever understand that under the Diaz government any of the property taken under the reform laws was restored to the Catholic Church?

Mr. THOMSON. Why, I believe Diaz restored a large amount of land to the Catholic Church.

The CHAIRMAN. Well, you don't know anything about it. I am compelled to say that because your sources of information are entirely incorrect, and I do not care to go into the history of it; I haven't the time; but I advise you to inform yourself from the proper sources. You can get the information.

Mr. THOMSON. Well, the Catholics themselves—I have read some Catholic statements themselves, written by Catholics themselves, that kind of follows that out.

The CHAIRMAN. Well, of course, we will not be able to get anywhere, because, as I say, it is not the business, nor is it the purpose of the committee to undertake to deliver a lecture on Mexican history and the execution of the laws in Mexico. I may say, shortly, to you that there had been much scandal and oppression in connection with the handling of the lands by municipalities—and "municipality" in Mexico is not what you understand by municipality at all. It is not governed, either, by a jefe politico. A jefe politico is in charge of a certain district, the execution of certain laws in that district. The municipalities have their own local officers, and they do not necessarily, by any means, consist of simply one town, with its boundaries fixed, but also of a subdistrict that may have several towns in it that may have a jefe politico. Now, if you will go into the history of any of the communal grants in Mexico made or confirmed by Benito Juarez you will find they are existing under the same procedure exactly to-day, with the same lines marked out that were marked out by Benito Juarez when those people enabled him to overcome the French, when he was an exile at El Paso, Tex.

Mr. THOMSON. Yes; I understand that is true, too. But there are certain pretty good reasons for that.

The CHAIRMAN. Well, I will be glad to have them.

Mr. THOMSON. Well, I blame the United States Government for it.

The CHAIRMAN. For what?

Mr. THOMSON. For a lot of the conditions in Mexico to-day.

The. CHAIRMAN. What condition?

Mr. THOMSON. Well, Wilson has protested and threatened whenever the Carranza Government contemplated putting into effect any of the reforms of the revolution.

The CHAIRMAN. Now we are getting down to it. The constitution of 1917 restores the old conditions which you have been saying Gutierrez de Lara and other writers there protested against as having established this agrarian government under the constitution

of 1857. Under the constitution of 1917 those very lands were turned back to the municipalities.

Mr. THOMSON. Well, the constitution of 1917, as I understand it, is similar to the constitution of 1857. It has some alterations, but it parallels it in quite a good number of articles.

The CHAIRMAN. Now, the very thing you have been protesting against, that you say Diaz has done, opportunity was given to do under the constitution of 1917, and you say that the Government of the United States has hampered him in carrying out those things. Now, the Government of the United States has never, in a single instance, made any protest to the Mexican Government whatsoever in handling these municipal lands.

Mr. THOMSON. Well, I am not speaking of the municipal lands, particularly.

The CHAIRMAN. That was the subject of our conversation.

Mr. THOMSON. Well, I misunderstood you, then.

The CHAIRMAN. In what respect, then, have they undertaken to interfere with the carrying out of any proper reforms? When and where, or what protest have they made?

Mr. THOMSON. Well, article 27 of the 1917 constitution has been protested against.

The CHAIRMAN. Well, what is it?

Mr. THOMSON. They claim it is confiscatory. It is relative to the nationalization of oil and the nationalization of property.

The CHAIRMAN. Now, what protest has the United States made about it?

Mr. THOMSON. Well, it claims it is confiscatory. I claim it is not confiscatory. It may be to the large interests. You can't very well adjust the property without hitting somebody. I think that if the Mexican Government or the Mexican people wish to nationalize all their land or their oil, or anything else, that is their privilege.

The CHAIRMAN. And nobody in the world has ever protested against their doing exactly that thing. Neither this Government nor any other Government nor any individual that I know of.

Mr. THOMSON. I understand that Mr. Lansing wrote a note to Carranza, at the initiation of Mr. Wilson, protesting against the putting into effect of article 27, and that it was therefore modified somewhat by the Carranza government, though it is not in effect now, I understand. What is the use of making a constitution if other countries are going to butt in and tell you what to do? What is the use of having a government or having a sovereignty?

The CHAIRMAN. You think it would be better to have none?

Mr. THOMSON. Well, I think it would.

The CHAIRMAN. Do you know anything about the Constitution of the United States?

Mr. THOMSON. Yes; I know something about it.

The CHAIRMAN. How is that? How does that suit you?

Mr. THOMSON. Oh, that is all right. But I would like to change that, too, to tell you the truth.

The CHAIRMAN. Do you think it would be better to have none than to have it?

Mr. THOMSON. Oh, no; I don't think that at all. You must certainly have something until you get something better.

The CHAIRMAN. Does the Constitution put itself into effect in the United States?

Mr. THOMSON. Oh, I think so.

The CHAIRMAN. You do?

Mr. THOMSON. Yes.

The CHAIRMAN. Well, I would advise you before you apply for your papers as a citizen of the United States to study it and to understand whether it does or not.

Mr. THOMSON. Well, in what way does it not put itself into effect?

The CHAIRMAN. Well, it doesn't at all. It is not self-acting. What do you think is the province of the Congress of the United States?

Mr. THOMSON. Well, to make laws.

The CHAIRMAN. Under what?

Mr. THOMSON. Under the Constitution.

The CHAIRMAN. Why, if the Constitution is self-acting?

Mr. THOMSON. Oh, I don't say that; no. I misunderstood you again. I didn't know just what you mean by it.

The CHAIRMAN. All right. Then you think it is necessary for the Congress of the United States to make laws to put the Constitution into effect, do you?

Mr. THOMSON. Well, the Congress of the United States makes laws.

The CHAIRMAN. Under the Constitution. For instance, just take something that you doubtless have had called to your attention and have made a deep study of—the prohibition question.

Mr. THOMSON. Yes.

The CHAIRMAN. Recently there has been adopted an amendment to the Constitution of the United States. What was the necessity for what is known as the Volstead Act?

Mr. THOMSON. Do you mean the prohibition amendment?

The CHAIRMAN. The prohibition amendment was adopted. Now, what necessity was there for the passage of the Volstead bill?

Mr. THOMSON. What is the Volstead bill? I don't understand what it is.

The CHAIRMAN. Why, it is because the Constitution is not self-acting; and although the people of the United States had adopted the constitutional amendment providing for Nation-wide prohibition, it was necessary under our form of government, as it is under any other democratic, constitutional form of government, for the lawmaking power to provide the means and put the constitutional provision into effect in the United States. That is the Volstead bill.

Mr. THOMSON. Well, of course, I am not very much interested in prohibition, because——

The CHAIRMAN. Well, that is neither here nor there now. I am asking if you understand that finally, that that is the way the Constitution is placed in effect?

Mr. THOMSON. Is that so? I didn't know that.

The CHAIRMAN. Well, now, how does article 27 of the constitution of Mexico act?

Mr. THOMSON. Well, that is the basis on which they work, on which they make their laws.

The CHAIRMAN. Exactly. Has there ever been a law made with reference to the nationalization of any of these lands you talk about?

Mr. THOMSON. I have never heard of it.

The CHAIRMAN. Then, how could the United States protest against the law?

Mr. THOMSON. It protested against putting into effect that constitution.

The CHAIRMAN. How putting it into effect? We are getting down to it. I am in hopes you will have a little different idea of things when you leave here. I don't know that you will.

Mr. THOMSON. Well, I guess we don't quite understand each other. That is the main trouble.

The CHAIRMAN. I don't think we do, because I think you are looking at it from one standpoint and I from another.

Mr. THOMSON. That is quite likely.

The CHAIRMAN. In the United States the President can not put a constitutional provision into effect; in Mexico he can not, except under a certain provision of the constitution itself. Mr. Carranza has undertaken to do certain things by an edict as of an autocrat or a tyrant. I don't know whether you understand what I mean or not.

Mr. THOMSON. Yes; I understand.

The CHAIRMAN. That is what I would call a one-man government. He has undertaken to take this constitution and put it into effect by his word of mouth, and in some two or three instances—three at least—the President of the United States, through his State Department, has objected to the method proposed to be used by Mr. Carranza in his construction and enforcement of the constitution, not the courts' construction. They have a supreme court which will construe the constitution, and they have a congress which shall pass laws to put it into effect. The congress has failed to pass any laws to put the constitution into effect, and Mr. Carranza has undertaken to issue certain decrees of his own, under which he has assumed to carry out some of the provisions of the constitution. Now, it is as to his particular individual acts in undertaking to put his own construction upon the constitution that a protest has been made, and not one protest has ever been made, or ever will be made, I can say to you frankly, by the United States Government as to what the Mexican people may care to do with their own property; nothing.

Mr. THOMSON. Well, the way I have it, the reason that Carranza has adopted his attitude is due largely to the unsettled state of affairs in that country.

The CHAIRMAN. He has had a congress in session, just adjourned.

Mr. THOMPSON. Well, the congress has been doing its regular work, I presume.

The CHAIRMAN. Yes; it passed a bull-fight law.

Mr. THOMSON. You see, the Mexicans have got a great suspicion of the United States.

The CHAIRMAN. Now, how do you know?

Mr. THOMSON. Well, most every Mexican that I have ever talked to told me that.

The CHAIRMAN. You don't speak Spanish, do you?

Mr. THOMSON. No; but there is lots of them around here that talk English.

The CHAIRMAN. Well, who are they? Mention them. Let me have the name of one who has a great suspicion of the United States. Let's see who he is.

Mr. THOMSON. Well, there are lots of them that I wouldn't——

The CHAIRMAN. Just let us have the names, please, of any of them.

Mr. THOMSON. Well, I don't know that they would want to get implicated in it. You see, the Mexican Government has made some kind of a ruling that Mexicans shan't testify before this committee, so I don't care about implicating anybody in it. But I know them.

The CHAIRMAN. Oh, you do?

Mr. THOMSON. I have known quite a number. And most of the writers that come out of Mexico—at least, a lot of them—have said the same thing. David Starr Jordan, for instance, he said that Mexico looked upon the United States as the Colossus of the north; and he is a university chancellor or president, and he ought to be kind of careful what he says.

The CHAIRMAN. And an ordinary writer who seeks to write about Mexico directly, who is not a chancellor, need not be careful at all about what he says?

Mr. THOMSON. Well, I have been careful, as far as my knowledge is—as far as the facts that I have had at my disposal.

The CHAIRMAN. I have no doubt of that, sir.

Mr. THOMSON. If I am wrong, I am willing to be shown.

The CHAIRMAN. You are shown by Mexicans, largely fugitives from their own country, who can not live across the line, who have voiced to you their suspicion of the United States. Now, if they are any of those men that I refer to, this order that you speak of—of the Mexican Government—could not affect them.

Mr. THOMSON. Why not? I don't see why not. If they went and testified, whether they are fugitives or——

The CHAIRMAN. Mr. Thomson, you are too bright a man to equivocate, as you are attempting to do, and to avoid and evade the questions. I have asked you what Mexicans have expressed to you their suspicion of the United States. You have declined to give the names because you say that an order of the Mexican Government has been made that Mexican citizens should not testify before this committee. If that order applies, it is to Mexican citizens residing in this country.

Mr. THOMSON. Yes.

The CHAIRMAN. Very well. You decline to mention them because, you say, the Mexican Government has issued an order with reference to it, and you do not want to disclose their names.

Mr. THOMSON. Well, I have met these during the past five or six years. I have lived in this——

The CHAIRMAN. And they are all living outside of their own country. Now, why are those men that you have mentioned living outside of Mexico?

Mr. THOMSON. For various reasons, I presume. There are lots of Mexicans, as I understand it, in Los Angeles, some 35,000 Mexicans, and 95,000 in southern California. They can't all be fugitives.

The CHAIRMAN. Of course they are not all fugitives. Do you think a large majority of those people are not fugitives driven out of Mexico?

Mr. THOMSON. I think that; yes.

The CHAIRMAN. You are now not speaking of the native American Mexican population of Spanish descent in California, are you?

Mr. THOMSON. No; these Mexicans that you see around the streets.

The CHAIRMAN. That come from old Mexico over here.

Mr. THOMSON. Yes; that is it.

The CHAIRMAN. Now, what are they doing here? How did they happen to come out of their country, the majority of them?

Mr. THOMSON. Well, some of them came from the border States seeking work.

The CHAIRMAN. Now, what was Gutierrez de Lara doing here when you knew him?

Mr. THOMSON. He was a fugitive, as I understand, from Diaz.

The CHAIRMAN. When?

Mr. THOMSON. In 1908, I believe it was.

The CHAIRMAN. Oh, I am not talking about 1908. You didn't come to the border here at all until 1912.

Mr. THOMSON. Well, I don't know what he was doing here after that. I didn't ask him. But I know he was arrested here in Los Angeles, it was understood to be under the orders of the Diaz government, and he was held in prison several months and finally released.

The CHAIRMAN. When?

Mr. THOMSON. In 1908.

The CHAIRMAN. Now, what do you know about it? You were not here?

Mr. THOMSON. Well, there are records to prove it.

The CHAIRMAN. Ricardo Flores Magon was arrested here, too, was he not?

Mr. THOMSON. I believe he was. I don't know him.

The CHAIRMAN. Did you know Antonio I. Villareal?

Mr. THOMSON. Yes; by sight.

The CHAIRMAN. Do you know Sarabia?

Mr. THOMSON. Not to speak to.

The CHAIRMAN. Do you know anything about the inception of the Mexican revolution?

Mr. THOMSON. Well, I think from a Liberal club or a Liberal organization, as they called it, engaged in——

The CHAIRMAN. Who formed it?

Mr. THOMSON. These different men.

The CHAIRMAN. What different men—those I have mentioned?

Mr. THOMSON. Yes.

The CHAIRMAN. And they were arrested, were they not?

Mr. THOMSON. Yes; they were.

The CHAIRMAN. How, and upon what charge?

Mr. THOMSON. For having something to do with the violation of the neutrality laws.

The CHAIRMAN. And were sent to the penitentiary for violating the neutrality laws?

Mr. THOMSON. Yes.

The CHAIRMAN. And that was under the Diaz régime?

Mr. THOMSON. Yes.

The CHAIRMAN. And were the same men afterwards convicted and sentenced to San Quentin for a revolution against Madero?

Mr. THOMSON. I believe there was something like that.

The CHAIRMAN. And Mr. Diaz is not the only man who secured the arrest and conviction of the same parties. And Mr. Gutierrez de Lara

was a fugitive from Mexico after the overthrow of Diaz, just as he had been prior to the overthrow of Diaz?

Mr. THOMSON. Yes.

The CHAIRMAN. Have you ever been in Mexico, Mr. Thomson?

Mr. THOMSON. No, sir.

The CHAIRMAN. Now, you, of course, know that in connecting up this pamphlet of yours with Mexican officials upon this side you received a letter from a man along the line of Texas under the name of Gus Klempner?

Mr. THOMSON. Yes.

The CHAIRMAN. And did you reply to that?

Mr. THOMSON. I received two. I have them right here.

The CHAIRMAN. You know who Gus Klempner is, now, don't you?

Mr. THOMSON. No; I do not.

The CHAIRMAN. He is the senior captain of the Texas rangers, cooperating with this committee, and is our special man on the Mexican border.

Mr. THOMSON. Well, I treated him as a—I thought he was a friend. I was just perfectly frank with him.

The CHAIRMAN. Yes. We have your letter.

Mr. THOMSON. And I sent him 25 copies of those booklets.

The CHAIRMAN. And you got your money, didn't you?

Mr. THOMSON. No, sir.

The CHAIRMAN. Well, I will see that you get it, because they are in the hands of the committee and have been used by the committee. I am sorry you have not received the money. Mr. Secretary, will you see that the gentleman gets his money as soon as possible?

Mr. THOMSON. Well, I just want it to be thoroughly understood that this has not been a money proposition with me.

The CHAIRMAN. Well, it is with the committee. We were perfectly willing and will be very glad to pay for them, but it has been overlooked.

Mr. THOMSON. I lost something like eight or nine hundred dollars of my personal savings on it that I don't suppose I will ever get back.

The CHAIRMAN. Now, you let the consul general at San Francisco have 5,000 copies of this book, as you say, at cost or less than cost?

Mr. THOMSON. Yes.

The CHAIRMAN. You are aware of the fact that this committee has stated that it received copies of those books from Bonillas, the Mexican ambassador at Washington?

Mr. THOMSON. Yes. That is in this memorandum.

The CHAIRMAN. That was another part of this committee's investigation, that the committee had a letter written to Mr. Bonillas, and secured a copy of this book from him.

Mr. THOMSON. Well, there is another thing I want to clear up. This thing was handled secretly; at least there was a certain amount of secrecy about it. I suppose it was handled by the Mexican authorities secretly because it would be misrepresented, which it was, but that was not my idea at all.

The CHAIRMAN. That it would be misrepresented how?

Mr. THOMSON. By the press, I presume.

The CHAIRMAN. Did they think it was capable of misrepresentation?

Mr. THOMSON. I suppose they did.

The CHAIRMAN. What was their purpose in handling it at all?

Mr. THOMSON. Well, to kind of offset some of this insidious intervention propaganda, and, as they said, to get——

The CHAIRMAN. That is a morsel that you and some others like to roll under your tongue, this "insidious propaganda" proposition, and yet when you are requested to point out any part of it you can not point it out.

Mr. THOMSON. Well, I told you the Hearst press and the New York Times——

The CHAIRMAN. Well, my life is too short to go back through the files of the Hearst press or the New York Times, or the Los Angeles Times, or these other papers and search their records to endeavor, in the obscurity of my little knowledge of Mexico, to ascertain what has impressed you about Mexico.

Mr. THOMSON. Well, you see there has been so much of it that I didn't clip it.

The CHAIRMAN. But it has impressed you, undoubtedly.

Mr. THOMSON. Certainly it has. I wouldn't have written it if it had not.

The CHAIRMAN. It is a wheel within a wheel. You get something from Mr. DeBekker or Mr. de Lara and you swing it around, and then Mr. DeBekker gets something from you, and he swings it around, and that is the way it goes on.

Mr. THOMSON. Well, we are acting under purely disinterested motives. We think we are doing the right thing. I suppose DeBekker is willing to be shown; I know I am.

The CHAIRMAN. Well, I would hate to undertake the job of showing you. I refer you to historical works. If you will get "Ward's Mexico," published in 1828; if you will get "The Great Mexican War," in three volumes; if you will get 'Mexico al Traves de los Siglos' work on Mexico, and then if you will read up along the modern lines and the modern histories of Mexico, and then undertake to read something about Mexico, I might then be willing to consider it with some degree of patience at any rate.

Mr. THOMSON. Well, that "Siglos"—that long name—I have quoted from that.

The CHAIRMAN. No; you have quoted from somebody who quoted from that, because it has never been translated into English.

Mr. THOMSON. No; I have not read the original, I will admit. It is translated in books I have quoted from, but I have not read the original.

The CHAIRMAN. But you have quoted from some one who has quoted from it.

Mr. THOMSON. Yes. Well, I don't think we can claim that those men that translated those did not translate them truthfully.

The CHAIRMAN. Now, Senator Smith wants to ask you some questions.

Senator SMITH. Mr. Thomson, how long were you in the United States before you became so deeply interested in the conditions in Mexico?

Mr. THOMSON. Well, I became interested about 1912 or 1913.

Senator SMITH. When did you learn first that the economic conditions in Mexico were conspiring to bring about intervention by the United States?

Mr. THOMSON. Oh, along about 1914, when the papers here used to run great scare headlines about it.

Senator SMITH. What time did you print this book?

Mr. THOMSON. September, 1919.

Senator SMITH. At that time you were more deeply interested in the relations of the United States to Mexico, it seems from your publication, than you were in our relations with Europe?

Mr. THOMSON. Yes, sir. I was interested in our relations with Europe, too, of course.

Senator SMITH. You didn't write anything about that?

Mr. THOMSON. No; I wrote this book.

Senator SMITH. Now, I would like to know those economic conditions in Mexico that were conspiring. Please do not go into generalities, but tell me one single economic condition in Mexico and with whom it conspires to bring about intervention.

Mr. THOMSON. Well, Col. Dan Burns, a very wealthy man, he has got large interests in Mexico on the west coast.

Senator SMITH. I know him very well.

Mr. THOMSON. I don't know him personally, but I know a very close friend of his, and this close friend told me that Col. Dan Burns reports a case from the west, Saltillo, or some place down there, where there was a Mexican——

The CHAIRMAN. Let us get our geography straightened out. Saltillo is on the east.

Mr. THOMSON. I mean down through Sonora and that next State.

The CHAIRMAN. Sinaloa?

Mr. THOMSON. Sinaloa. I think his interests are mostly in Sinaloa.

Senator SMITH. Now, about this conspiracy.

Mr. THOMSON Well, he reports that this man was going around the country preaching Mexican hatred of the United States, trying to stir up those Mexicans to cause disorder, so that the United States would have to act.

Senator SMITH. Now, this was some friend of Col. Burns?

Mr. THOMSON. Well, this man is a partner of Mr. Burns.

Senator SMITH. A partner of Mr. Burns told you that somebody was going around in Mexico stirring up hatred on the part of the Mexicans against the United States?

Mr. THOMSON. Yes, and Mr. Burns also published that in a series of——

Senator SMITH. Then Burns was not conspiring if he was publishing that, was he?

Mr. THOMSON. Burns was not conspiring. I didn't say that.

Senator SMITH. Well, I was asking you for the names of the conspirators.

Mr. THOMSON. Well, this native Mexican was going around through that part of the country stirring up the people, trying to cause trouble, so that the United States would be forced to intervene.

Senator SMITH. Now, that is a conclusion again. They wanted to stir up trouble to make the United States do something.

Mr. THOMSON. Yes.

Senator SMITH. Isn't that a far-fetched conclusion of yours, and isn't that going on in every Province in Mexico to-day—stirring up the Mexicans to hatred of the United States?

Mr. THOMSON. Well, but this Mexican was paid by American interests.

Senator SMITH. How do you know? Who paid him?

Mr. THOMSON. I have got Col. Dan Burns's statement. I don't know. I wasn't there.

Senator SMITH. Well, you don't know, and I would like to have Col. Dan Burns tell who paid him.

Mr. THOMSON. Well, he is in Mexico now. I think you would perhaps like to have him testify. He has a lot of interesting matter. He wrote a series of articles in the San Francisco Bulletin.

Senator SMITH. We are traveling now away from my question again. In this book you have said: "Now, as I said at the beginning, the cry of Wall Street and its kept press," and so forth. What did you mean by the words "kept press?" Name the papers.

Mr. THOMSON. Well, I can name—every metropolitan paper in the United States is more or less what you might call a kept press of Wall Street.

Senator SMITH. Now, you may not be a socialist, but that sounds a lot like it.

Mr. THOMSON. I am a Socialist. I will admit that. But I am not engaged in any work like that.

Senator SMITH. Now, name one. It is like calling a whole community a lot of abandoned women to say that anybody that runs a paper is "kept" by somebody else. Name the paper?

Mr. THOMSON. What I mean by a kept press is a press that——

Senator SMITH. I don't care what——

Mr. THOMSON. "Kept press" is a term that we understand is applied to papers that are more or less responsible to Wall Street or to the moneyed interests. By Wall Street, I mean the moneyed interests of the country.

Senator SMITH. Yes. I am acquainted with that sort of propaganda.

Mr. THOMSON. But you take the New York Times or Herald or Sun, or any of those papers, or the Los Angeles Times for that matter.

Senator SMITH. So they are all "kept," are they?

Mr. THOMSON. That is the way I think it.

Senator SMITH. Then according to your broad views of the rights of people, do you think it confiscation to seize private property and use the same for any purpose without compensation?

Mr. THOMSON. No; I think there should be compensation.

Senator SMITH. Suppose they can not compensate; is it right to seize property and not compensate its owners?

Mr. THOMSON. Well, you might call the prohibition amendment here confiscatory. They claim it is confiscatory. In a sense it is.

Senator SMITH. I am asking you the question; yes or no. You and I might not disagree on a good many of those things, as to what is or is not confiscation. I am putting the self-same question. Do you think seizure in Mexico, by the Mexican authorities, of private property for which money had been paid, seizure by the Government for any purpose without compensating the owners, is confiscation?

Mr. THOMSON. No; I don't think that is right.

Senator SMITH. Do you think it is confiscation?

Mr. THOMSON. Yes; it would come under the term "confiscation."

Senator SMITH. Well, do you think it is confiscation?

Mr. THOMSON. I think it is.

Senator SMITH. Well, that will do.

Mr. THOMSON. But then, of course, you have got to qualify that.

The CHAIRMAN. Is La Prensa, in this city, a "kept" paper?

Mr. THOMSON. I don't know anything about that.

The CHAIRMAN. Are the publications sent out by the Independencia Club representing any interests?

Mr. THOMSON. As I understand it, this club is an organization of local Mexicans that represent no interests whatever.

The CHAIRMAN. They are engaged, among other activities, in securing letters from such men as Jorge Veraestanol and others with reference to the relations between the United States and Mexico, are they not?

Mr. THOMSON. Well, I don't know much about that, Senator, to tell you the truth. I have only been in Los Angeles for about a month. I came down from San Francisco about the middle of last month, and I haven't mixed around among them much.

The CHAIRMAN. The difference between "kept press" and "kept press" is a difference as to who keeps it, in your judgment, is it not?

Mr. THOMSON. Well, a kept press is what we call the capitalist press.

Senator SMITH. Who do you mean by "we"?

Mr. THOMSON. Well, I do, for one.

The CHAIRMAN. Then a press that represents peculiarly and solely the ideas which you have a perfect right to entertain so long as you do not come in conflict with the laws or institutions of this country you regard as a perfectly proper press to conduct?

Mr. THOMSON. Yes; I believe——

The CHAIRMAN. But if it happens that parties interested in finance have a medium through which their views are expressed, for instance, as any of the commercial journals in New York, that is an improper medium?

Mr. THOMSON. I didn't say that; or, at least, if I said it I certainly did not mean it.

The CHAIRMAN. Well, that is a capitalistic press, and that is the one to which you object, as I understand it.

Mr. THOMSON. I think the capitalists or anybody have a perfect right to conduct any propaganda or hold any views they wish so long as they conform to the laws of the country, but I think they are perfectly proper to conduct those as long as they do conform to those laws, but then the other side has got a right to their views, too.

The CHAIRMAN. Now, you said in opening that you did not think that there was any slush fund at all of any kind for any pro-Mexican propaganda in this country?

Mr. THOMSON. Yes, sir.

The CHAIRMAN. Do you know whether there is or not?

Mr. THOMSON. I don't know positively; no; but I gave you my reasons for it.

The CHAIRMAN. You have not been able to get to it?

Mr. THOMSON. No; I have not been able to get to it, and if there were that slush fund it would seem to me that a lot of these Mexicans around here would be riding around in fine automobiles.

The CHAIRMAN. You suggested to Mr. Gus Klempner or to Capt. William Hanson, a senior captain of the Texas Rangers, alias Gus Klempner, that he might use his influence to secure you employment from Mexicans to write the situation along the border, at the same time saying you would write the truth as nearly as you could ascertain it, did you not?

Mr. THOMSON. Something like that, I think I said.

The CHAIRMAN. But you wanted employment from Mexicans to write of the situation along the border?

Mr. THOMSON. Not particularly from the Mexicans.

The CHAIRMAN. Well, that was the text, I think. You will find your letter there. You were very frank in saying that you did not want to be hampered, but you would write what you understood to be the facts.

Mr. THOMSON. Yes; I wanted to write so that no one would think there were any strings to it.

The CHAIRMAN. Mr. Klempner here asks the question: "Let me confidentially know just what efforts you have made along these lines, and suggest about what you think will be necessary, and I will try to assist you." He did. He possibly was not justified in misleading you, of course.

Mr. THOMSON. Well, that thing was a funny matter all around.

The CHAIRMAN. Well, "Mr. Gus Klempner" wrote it in consultation with the chairman of the committee, so I take the responsibility.

Mr. THOMSON. Well, it didn't hurt me any.

The CHAIRMAN. No; but it enabled us to show that the Mexican Government, through its ambassador and through its consuls on the border and otherwise, was engaged in the circulation of this propaganda, because they are very careful in sending it out not to mark it as coming from the Mexican consul or the Mexican embassy, and while we could get from them, by writing this letter to you, your statement that you had sold it to them, we cinched the fact that they were circulating it.

Mr. THOMSON. Well, there is one thing, you admitted that I was honest, anyhow.

The CHAIRMAN. No; I beg pardon. I don't mean to say that I think you were not honest, sir; but I said that in the letter to Mr. Klempner you stated that you did not want any strings on you, but you wanted employment from the men that he might have influence with in Mexico to go along the border and investigate and write about it.

Mr. THOMSON. Well, I just made that slip incidentally. That was not the purpose of my writing at all.

The CHAIRMAN. I did not mean by that to either reflect upon or indorse your honesty. I have no reason to doubt your sincerity.

Now, I have had a copy of this booklet with certain paragraphs marked. That marked copy is not in my hand at this time.

Mr. THOMSON. You have got me down here as connected with a German name. What was the idea of that, Senator?

The CHAIRMAN. Because I thought, sir, that your propaganda on this situation, after reading it, had a German tincture to it. I did not know you were an Australian. It was so in line with the German propaganda that has been going on in Mexico, and to the same effect, that I had a man write you under a German name, and it elicited an immediate response.

You referred to the fact that this booklet had been classed as soviet literature?

Mr. THOMSON. Yes.

The CHAIRMAN. Are you familiar enough with this to refer directly to the paragraphs in which you refer to the——

Mr. THOMSON. Yes; I think so.

The CHAIRMAN. I wish you would refer me to them.

Mr. THOMSON. There is one on page 16.

The CHAIRMAN. Now, before getting to that, you used this language here, just before you close your appeal:

> Finally the army of the "punitive expedition" was held in Mexico for nine months after the Villa chase was definitely abandoned, nine months after Gen. Scott, acting for the United States, had signed a memorandum to the effect that the dispersion of the Villa bands had been completed. Meanwhile, Franklin K. Lane and his associates on the American-Mexican Joint Commission, were attempting to browbeat the Mexicans into yielding the guarantees demanded by the Rockefellers, the Guggenheims, the Dodges, and the Dohenys. Although, in explaining the expedition, the President had declared that the troops would not be used in the interest of "American owners of Mexican properties" "so long as sane and honorable men are in control of the Government," the public statement of Lane, issued at the end of November (1916), after a long interview with the President, was nothing more nor less than an acknowledgment that the troops were being held in Mexico for that purpose and for no other, and a threat that they would remain there until an agreement was reached regarding such little matters as oil and mining taxes.

You are responsible for that, are you?

Mr. THOMSON. No; that is quotation.

The CHAIRMAN. Well, but you adopt it?

Mr. THOMSON. Yes.

The CHAIRMAN. Are you responsible or not for the quotations with which you have filled this book?

Mr. THOMSON. Yes; I am responsible.

The CHAIRMAN. On page 24 you make some statements of your own, and then you quote from John Kenneth Turner in the Liberator of June, 1919, as to the policy of the Wilson government.

Mr. THOMSON. Yes, sir.

The CHAIRMAN. In this quotation he refers to agrarian reform having always been opposed. Now, it is from that quotation and from the continuing words of Turner with reference to agrarian reform that you have gotten your ideas that you have undertaken to explain here as to what took place under Benito Juarez and the agrarian reform?

Mr. THOMSON. That is, partly. There are others that I do not recall just now.

The CHAIRMAN. I want to just call your attention, if you ever do make a study of the history of Mexico, to one rather interesting phase of it—I don't know whether it would interest you or not, but it is interesting to some of us in studying Mexican conditions. The first congressional government that was ever given to Mexico was

given by Morelos, an Indian; the second constitutional government ever given to Mexico was given by Juarez, an Indian; and the first period of peace that was ever continued for more than one year at any time was given to Mexico by Porfirio Diaz, who was, while not a full-blooded Zapatecan Indian, in every characteristic practically an Indian. I just suggest that for your consideration.

Mr. THOMSON. Yes; I understand that to be true.

The CHAIRMAN. Now, you say here on page 24 that representations were made against Carranza's original land decree at the beginning of 1915. What was Carranza's original land decree?

Mr. THOMSON. Well, off-handedly, I couldn't quote it.

The CHAIRMAN. It is on page 24 of your pamphlet.

Mr. THOMSON. Well, I know what you mean; but I don't remember the text of it. I haven't got it with me.

The CHAIRMAN. To whom was the protest made?

Mr. THOMSON. To Carranza, I believe.

The CHAIRMAN. Well, do you know?

Mr. THOMSON. I don't know exactly; no.

The CHAIRMAN. No; I don't think you do, Mr. Thomson, because Carranza was not recognized by this Government, even as de facto president, until November, 1915. I just call your attention to the fact that it is not always well to swallow hook, line, and sinker, something that John Kenneth Turner or some other writer of that kind may say.

Mr. THOMSON. Well, I didn't swallow them; I put them in quotation marks so that people could see where I got it from.

The CHAIRMAN. Yes; but you are basing your entire pamphlet here practically upon similar quotations.

Mr. THOMSON. Well, I let the people see. They could judge it by that.

The CHAIRMAN. If it is misleading it is possible that that is the reason why the Mexican authorities considered it valuable.

Mr. THOMSON. I don't know anything about that. I think they believed it; at least the ones I dealt with directly believed it.

The CHAIRMAN. With whom did you deal directly?

Mr. THOMSON. The consul in San Francisco.

The CHAIRMAN. Now, let me ask you whether this is a quotation or whether this is your own language on page 16, the second paragraph?

Mr. THOMSON. Well, that is my own.

The CHAIRMAN. Then you say that—

> One of the schemes of the interventionists is to try to make people believe that the present constitution of Mexico, known as the constitution of 1917, is in no way related to the constitution of 1857, but is a new one framed mainly with the purpose of confiscating all property supposedly belonging to foreigners, Americans in particular. The constitution of 1917 is an evolution of that of 1857; it is a modification and an enlargement of the constitution of 1857. It was written with the blood and tears of the oppressed and exploited peons of Mexico, and it is without a doubt the most democratic and humanitarian document in the Western Hemisphere; in fact, outside of soviet Russia, no country in the world has taken such a step toward real liberty.

That expresses your conviction as to the constitution of Mexico?

Mr. THOMSON. That was my belief. I would not have written it if I did not believe it.

The CHAIRMAN. Referring to confiscation. You refer to Mr. Doheny. I presume you have reference to Mr. Edward L. Doheny?

Mr. THOMSON. Yes, sir.

The CHAIRMAN. Do you know how Mr. Doheny's titles to the property he claims in Mexico were obtained? How were they secured? From whom?

Mr. THOMSON. Well, I read Mr. Doheny's testimony that he gave before you in Washington; but there was so much I just hurried through it; I couldn't——

The CHAIRMAN. Did you ever read "An Oil Concession in Mexico?"

Mr. THOMSON. I just read it through. I haven't studied it.

The CHAIRMAN. Well, now, just what is it? What line or form does it take?

Mr. THOMSON. Well, offhandedly, I couldn't tell you, to tell you the truth.

The CHAIRMAN. Do you know anything how mining properties are conducted or held in Mexico?

Mr. THOMSON. Well, just in a general way. You see, I was not very much interested in those things, so I didn't——

The CHAIRMAN. You were writing about them.

Mr. THOMSON. Not about concession and such like.

The CHAIRMAN. You were writing about confiscation of properties.

Mr. THOMSON. Yes; just in a general way.

The CHAIRMAN. You have learned recently through some of the evidence that has been offered before this committee that the cry of many others who are no better informed than yourself with reference to concessions in Mexico is based on a false premise, have you not?

Mr. THOMSON. I don't know that I have.

The CHAIRMAN. Do you know how lands were obtained since the reform laws of 1874 in Mexico?

Mr. THOMSON. Through concessions, I believe.

The CHAIRMAN. Well, now, there is where you don't know anything about it. There never was such a thing as a concession, as you understand concession.

Mr. THOMSON. A concession of land?

The CHAIRMAN. Yes.

Mr. THOMSON. Well, Diaz gave concessions to foreign interests, did he not?

The CHAIRMAN. No, sir; he did not.

Mr. THOMSON. Well, how did they get them?

The CHAIRMAN. How do you get property if you accumulate property?

Mr. THOMSON. I suppose you buy it and pay money for it.

The CHAIRMAN. Did it ever suggest itself to you that you might interest yourself in knowing whether foreign interests bought property in Mexico?

Mr. THOMSON. Well, I see what you mean now. I didn't mean that they didn't pay any money for those concessions. He gave concessions, but undoubtedly they paid some money for them, at least in the majority of cases, I presume.

The CHAIRMAN. Can you mention one single concession that he ever gave?

Mr. THOMSON. I have got a list of the concessions that he gave. I believe, or at least that were given under the Diaz régime.

The CHAIRMAN. Before you go into it, by whom was that list prepared?

Mr. THOMSON. I don't remember; I think it came from Mexican sources.

The CHAIRMAN. Well, it is a singular thing to me, Mr. Thomson, that you, a writer, should write upon a subject when you don't know where your information comes from at all. Now, did it come from Mexican sources or not?

Mr. THOMSON. I believe I got it out of the "Mexican Review," and they got it from one of the Mexican Government officers.

The CHAIRMAN. Who published the "Mexican Review?"

Mr. THOMSON. John Weeks, I believe.

The CHAIRMAN. George Weeks?

Mr. THOMSON. George Weeks.

The CHAIRMAN. Paid for by Mr. Carranza?

Mr. THOMSON. I don't know——

The CHAIRMAN. But you read the evidence taken in Washington, didn't you?

Mr. THOMSON. I read that they said that, but I don't know.

The CHAIRMAN. And you don't know it, although a witness swore to the fact, a reputable witness in Washington, and it has never been denied, and still you don't take his word for it?

Mr. THOMSON. Well, I didn't read that very thoroughly, Senator. I was not very much interested in that part of it, so I didn't pay much attention to it. There was so much testimony taken there.

The CHAIRMAN. All right. You got it from the "Mexican Review." Now, go ahead and give fully your authority for it. You got it from DeBekker's articles in the "Mexican Review," didn't you?

Mr. THOMSON. No; I got it from a recent issue of the "American Review."

The CHAIRMAN. Oh, you got it yourself out of the "American Review?"

Mr. THOMSON. Yes, sir.

The CHAIRMAN. All right. Now, let us see what they were. I just want one of them.

Mr. THOMSON. Well, we will take down here in Lower California, Louis Huller owns 14,437,433 acres.

The CHAIRMAN. Well, it is not doing him much good, because he departed this life, I think.

Mr. THOMSON. Well, that estate.

The CHAIRMAN. Well, all right.

Mr. THOMSON. Rudolfo Bulleg.

The CHAIRMAN. Well, now, hold on. About the Huller estate. Did you investigate that?

Mr. THOMSON. I haven't been down there.

The CHAIRMAN. You made no investigation. You simply take——

Mr. THOMSON. Well, I am not writing this.

The CHAIRMAN. No; but you took it, and upon that you base your judgment as to Mexico and undertake to instruct and inform the American people on Mexico. Now, I want to know did you make any investigation as to this statement as to how the Huller estate holds any concessions in Mexico?

Mr. THOMSON. Yes; I went up to the Los Angeles Library and found there was a book up there written by a surveyor appointed by the Diaz government, where it says that most of those concessions were forfeited because they did not comply with the—what will I call it?—the original—I don't know just what it was.

The CHAIRMAN. Contract?

Mr. THOMSON. Contract.

The CHAIRMAN. Now, as a matter of fact a contract and a concession are the same thing, are they not?

Mr. THOMSON. A contract and a concession?

The CHAIRMAN. Yes.

Mr. THOMSON. Pretty much, I presume.

The CHAIRMAN. Except that the concession, as you know, has something of the element of a concession which allows a street railroad to build through Los Angeles, for instance.

Mr. THOMSON. Well, I didn't mean that so much.

The CHAIRMAN. Well, I do. I mean it, exactly. Did you make any investigation as to whether the Huller concession, or any part of the Huller concession, had been forfeited?

Mr. THOMSON. Had been forfeited? Well, all of these lands were originally owned by the California—no; at least the International Development Co., I believe it was—and they either sold them or gave them in some way or other to these different interests that——

The CHAIRMAN. What different interests?

Mr. THOMSON. Well, L. Huller and Bulleg and Flores Haile, Mesado, Andrade——

The CHAIRMAN. Now, how did the original company obtain them? They had a right to sell them if they owned them, didn't they?

Mr. THOMSON. Sure they had.

The CHAIRMAN. How did they obtain them?

Mr. THOMSON. They got them from the Diaz government under grant, or contract, or concession, or whatever you like to call it.

The CHAIRMAN. What was the consideration?

Mr. THOMSON. I understand it was about 5 cents an acre, or 3 cents an acre.

The CHAIRMAN. Have you investigated it?

Mr. THOMSON. I have the surveyor's statement for it.

The CHAIRMAN. That it was obtained originally at about 3 cents an acre?

Mr. THOMSON. Something like that, I think.

The CHAIRMAN. Did you ever hear of any concessions being made to the Union Pacific Railroad Co. by the Congress of the United States?

Mr. THOMSON. Yes; I have heard something about that.

The CHAIRMAN. Is that the character of concession that you understand generally is such a concession as they get on lands in Mexico?

Mr. THOMSON. Well, I don't know that it is.

The CHAIRMAN. As a matter of fact, you have not investigated and do not know anything about how the lands are held or obtained in Mexico. Now, Mr. Huller agreed with the Mexican Government that he would construct a railroad for military and other purposes where no railroad had ever been able yet to penetrate, leading from the American border, or near the American border, to Topolobampo,

opening up a country which had never been opened by a railroad. If you have not a reference to the Huller concession, I suggest you go to the Department of Communications in the city of Mexico and ascertain what the Huller concession was and then how they had any concessions, if any, with reference to lands.

Now, Mexico has not had a survey in townships, sections, and quarter sections of its public lands as has the United States. Mexico did not have the money—no matter how much she has now—with which to divide these lands up. Mexico made contracts with various parties for the survey of her national lands, and she paid those parties in land, they putting up all the money, doing all the surveying, monumenting the land, photographing the monuments, and all their work being approved by an engineer furnished by the Mexican Government, the Department of Fomento, and his expenses and salary and all were paid by the contracting parties. Those parties obtained, in various instances, large acreages of land. The balance of it was surveyed for the Mexican Government. The parties received their pay in lands. And your so-called concessions in every instance you can trace to exactly the land surveying contract. In other certain instances the Mexican Government made cash subsidies for the construction of strategic railroads, not having the funds with which to do it, but guaranteeing to whoever did build the railroads, subsidies of so much per kilometer. In other instances, in lieu of granting a cash subsidy per kilometer, they granted land subsidies, exactly as the United States did, and subject to forfeit unless the contracting party completed his contract exactly as he entered into it.

Mr. THOMSON. Yes. Well, these lands I understood should have been confiscated because the original contract was not followed out in Lower California.

The CHAIRMAN. Have they been confiscated by the Carranza Government?

Mr. THOMSON. I don't think they have.

The CHAIRMAN. Were they confiscated by the Madero Government?

Mr. THOMSON. I don't believe so.

The CHAIRMAN. Well, don't you think that they should have commenced the confiscation or the forfeit of lands, where they were subject to forfeit before they attacked the property of particular individuals whose title they recognized?

Mr. THOMSON. Well, that is one of the things there. I claim they were afraid to do that because they thought the United States Government would not stand for it.

The CHAIRMAN. No; but the United States Government has stood for their attempted confiscation of the property of its private citizens until patience ceased to be a virtue, and then they have protested.

Now, Mr. Thomson, do you know anything about the economic development of Mexico at all?

Mr. THOMSON. Well, in a general way I do.

The CHAIRMAN. Now, I will ask you, do you know who own the taxpaying properties and who pay the internal revenues in Mexico?

Mr. THOMSON. Well, I understand that the large landowners didn't pay but very little taxes.

The CHAIRMAN. Well, I didn't ask you that. Do you know whether Mexican citizens or foreigners of other countries support the internal government of Mexico, State, municipal and national, by taxes?

Mr. THOMSON. Everybody, I believe.

The CHAIRMAN. Down to what person, do you know?

Mr. THOMSON. I don't know that.

The CHAIRMAN. No; I supposed you did not. How many factories are there in Mexico, do you know?

Mr. THOMSON. I couldn't say.

The CHAIRMAN. Do you know how many shoe factories there are there?

Mr. THOMSON. I couldn't say.

The CHAIRMAN. You never investigated that?

Mr. THOMSON. Well, I was not interested in that part. That booklet has nothing to do with that at all.

The CHAIRMAN. No; and nothing to do with much of anything else, except a repetition of something that John Kenneth Turner or De Lara or some one else has published, and a comparison of the Mexican constitution with the soviet government, and an attack upon the policy of the President of the United States and other officials. You are not interested in what is going on, then, in Mexico as to its actual conditions, and so forth?

Mr. THOMSON. Oh, yes; I am.

The CHAIRMAN. Well, then, let me ask you: Have you ever read or seen or heard anything about the City of Mexico?

Mr. THOMSON. I have seen lots of pictures, that is all.

The CHAIRMAN. Do you know what the principal street in the City of Mexico is?

Mr. THOMSON. I have heard it, but I don't recall it.

The CHAIRMAN. Calle Francisco Madero?

Mr. THOMSON. Something like that.

The CHAIRMAN. Do you know how many business houses there are on that street?

Mr. THOMSON. I do not.

The CHAIRMAN. Would you be surprised to know that there are none?

Mr. THOMSON. Is that so?

The CHAIRMAN. Not one.

Mr. THOMSON. Is that so?

The CHAIRMAN. Well, I say, would it surprise you to know?

Mr. THOMSON. Oh, I don't think it would surprise me very much.

The CHAIRMAN. You say you don't know anything about shoe factories in Mexico?

Mr. THOMSON. No, sir.

The CHAIRMAN. You don't know whether there is a Mexican shoe factory in the entire Republic of Mexico?

Mr. THOMSON. I don't know that.

The CHAIRMAN. Do you know anything about the cigarette and tobacco and cigar business of Mexico, which is quite an extensive business?

Mr. THOMSON. Just in a general way.

The CHAIRMAN. Do you know whether there is a Mexican owned—conducted by Mexicans—cigarette or cigar factory in Mexico?

Mr. THOMSON. No. I understand those sort of businesses are conducted mostly by foreigners.

The CHAIRMAN. Do you know whether the Mexicans themselves ever developed an oil well in Mexico?

Mr. THOMSON. Quite likely not.

The CHAIRMAN. Do you know whether Mexico has granted a concession on both sides of the Tamesi River to Japanese citizens recently, for oil, an exclusive concession?

Mr. THOMSON. I don't know, sir.

The CHAIRMAN. You don't know where that river is, do you?

Mr. THOMSON. No, I do not.

The CHAIRMAN. Mr. Thomson, there is another reference or two showing your ideas as to the Mexican constitution and the soviet form of government in Mexico, and other possibly interesting paragraphs that we might refer to if we had plenty of time, but the committee has other matters to attend to. We have been very glad to give you the opportunity of coming before the committee. I can say to you, if you want my impressions—and I am going to say it whether you want them or not—that you possibly are sincere in what you have had to say, and in your interference, and unwarranted interference in my judgment, by a man who has applied for his first papers in the United States to become an American citizen under our form of Government, with the tense situation existing between the peoples and the governments of the two countries, where your ignorance is so absolutely colossal that you have hardly been able to answer a question which may have been propounded to you or has been propounded to you by the committee. While you have answered, I think, honestly, and given the sources of your information, you have yourself admitted that you knew nothing about it. And still you have stepped in where there is a tense situation, where you claim there has been an attempt and is an attempt on the part of certain interests to cause, possibly, a war with Mexico, and for the purpose, as you say of avoiding the war you have stepped in here with a lot of stuff such as you have put in this pamphlet, which was so satisfactory to Mexicans that they have purchased it and secretly circulated it here in the United States. Giving you full credit for absolute honesty and integrity and sincerity of purpose, I must say that the impression which is made upon my mind is that you have been engaged in a very dangerous and a very ignorant experiment.

Mr. THOMSON. Well, that is your view of it.

The CHAIRMAN. That is my view.

Mr. THOMSON. But, then, that can be explained, too. I did it—I thought it was the right thing to do. I thought we were headed right straight for war, and I thought I would get in and try to prevent it or do what I could to prevent it. The American people were told by Mr. Wilson and others that this was a war to end war.

The CHAIRMAN. You didn't get into it, did you?

Mr. THOMSON. No; I didn't get into it. I was exempted for industrial and alien citizenship.

The CHAIRMAN. You took advantage of the fact that you were not an American citizen. You offered that when you were drafted, did you?

Mr. THOMSON. Yes; I was exempted industrially, first of all, and then I decided to claim the other exemption.

The CHAIRMAN. Yes.

Mr. THOMSON. Of course, I didn't believe a great deal in the war, anyhow. I think the war was caused more by England than by Germany. That is, by England I mean the English ruling class. Even though I am, I suppose, still legally a British subject, in the interests of truth I am compelled to state that. And the facts of the case prove that. That has been proven by——

The CHAIRMAN. Oh, well, I don't care for you to go into a disquisition on the cause and results of the European war.

Mr. THOMSON. Well, I just say that incidentally.

The CHAIRMAN. Yes. I think your actions speak as loudly as your words could. That is all, sir.

Mr. THOMSON. All right.

The CHAIRMAN. Unless you have something further on Mexico.

(An adjournment was thereupon taken until Saturday, March 20, 1920, at 10.30 o'clock a. m.)

SATURDAY, MARCH 20, 1920.

UNITED STATES SENATE,
SUBCOMMITTEE OF THE COMMITTEE ON FOREIGN RELATIONS,
Los Angeles, Calif.

The committee met pursuant to adjournment.

Present: Senator Albert B. Fall, chairman; Senator Mark A. Smith; Maj. Dan M. Jackson, secretary.

TESTIMONY OF MR. D. W. CHURCH.

(Witness sworn by the secretary.)

The SECRETARY. Your full name?

Mr. CHURCH. D. W. Church.

The CHAIRMAN. Mr. Church, are you a citizen of the United States?

Mr. CHURCH. Yes, sir; I was born at Pomeroy, Ohio, in November, 1847.

The CHAIRMAN. Where were you living in 1911?

Mr. CHURCH. I was in Lower California, at the mining camp of Alamo.

The CHAIRMAN. What was the condition of the country around Alamo, in Lower California, in the middle of the year 1911?

Mr. CHURCH. That was in June. Well, it was the time the insurrectionists came—no; they had gone. The Government troops came in June. In February the insurrectionists came again and took possession of the town. Along in March some time, I don't remember just when, but it was pretty well toward the 1st of April when they left; and then, in the course of two or three weeks after they left, the governor of Lower California, at that time Col. Celso Vega, sent a detachment of Federal troops out there, and they came in, and they were the ones that murdered those Americans and then left. While they had me under arrest I asked their commander, Capt. Gonzales—I said, "Captain, will you please tell me who is responsible for these arrests?" Well, he had not learned at that time that I could speak Spanish, and he started a little, and then he said, "Yes, sir; it is done by order of Col. Celso Vega." I knew at that time from hearing them talk among themselves, though they pretended they were going to take us to Ensenada as prisoners—I knew they did not intend to let us get anywhere alive. That is why I asked that question.

The CHAIRMAN. Among other matters which this committee is directed to inquire into and report to the United States Senate upon

is damage or injury done to Americans in Mexico from 1910 down to the present time, and to report the names of the Americans.

Mr. CHURCH. Yes.

The CHAIRMAN. Now, you say that you were under arrest at that time?

Mr. CHURCH. Yes.

The CHAIRMAN. What was finally done with you?

Mr. CHURCH. I escaped when they shot the others. They shot four of them right there in the street.

The CHAIRMAN. Who was shot?

Mr. CHURCH. John Carroll, merchant; Patrick Glennon, merchant; Dr. Foster, physician and surgeon; and a miner, Constantine Duboise.

The CHAIRMAN. Do you know whether Dr. Foster was a citizen of the United States?

Mr. CHURCH. Nothing, only just what he claimed himself. He claimed to have been born and raised in Boston, Mass.

The CHAIRMAN. Pat Glennon; do you know where he was born?

Mr. CHURCH. He was born in Ireland, but was a United States citizen by naturalization. I saw his papers, so that I know that.

The CHAIRMAN. And John Carroll?

Mr. CHURCH. He was born, as he told me himself, in New York City.

The CHAIRMAN. And Constantine Duboise?

Mr. CHURCH. He was born in France.

The CHAIRMAN. You don't know whether he was naturalized or not?

Mr. CHURCH. I do not. His parents moved to Canada when he was a child, and then they moved from there down to California, and from California into Lower California—the family.

The CHAIRMAN. Was there any trial given you Americans?

Mr. CHURCH. No trial whatever.

The CHAIRMAN. You were not even brought up before a court-martial?

Mr. CHURCH. Oh, no; nothing of the kind.

The CHAIRMAN. Never confronted by witnesses?

Mr. CHURCH. Nothing. Just simply took them out and shot them in the street. They left me at the time because they discovered that I could talk to Mrs. Foster and keep her quiet, and I gave them the slip right then and there. They left guards over the house; but as soon as the shooting commenced those guards made a little rush over there to get a better view, and I threw the door open on the other side of the house and told the two women, my housekeeper and Mrs. Foster, to get out and run for their lives, and I followed and closed the door after me, and when the guards got back we were out of sight.

The CHAIRMAN. Where did you go?

Mr. CHURCH. My house was about a quarter of a mile out of town, and we took right down the road toward my house; and just as the guards were getting back we had come to a little sink in the road that partially hid us, and there were some oak bushes there, and I said to them to stand behind those bushes so that they couldn't see us; and we stood there until the whole crowd came back, and they ransacked the house, rode up and down the street, and raised quite

a disturbance generally; and they didn't find us, and it was getting late in the afternoon, and they were in a hurry to get on to Ensenada, and went on and left us.

The CHAIRMAN. And those were the regular forces of the Mexican Government?

Mr. CHURCH. The regular troops of the Mexican Government.

The CHAIRMAN. Now, why did they shoot these Americans? Why did they have you arrested?

Mr. CHURCH. My opinion is that it was pure spite work of Col. Celso Vega, then governor of Lower California. I don't think the Madero administration knew anything about it until afterwards.

The CHAIRMAN. Did he have any reason to have any——

Mr. CHURCH. Nothing, only that he had been wounded in a skirmish with the insurrectos some little time before that.

The CHAIRMAN. Had you Americans been taking sides on either side in the difficulties there?

Mr. CHURCH. Nothing whatever. In fact the insurrectos had me up twice, because I would not take sides with them.

The CHAIRMAN. Had you declined to take any part in their internal disturbances?

Mr. CHURCH. I declined to take any part in any way, shape, or manner. I told them it was not my country and not my business.

The CHAIRMAN. Did the insurrectos have any Americans under arrest besides yourself at any time?

Mr. CHURCH. They had a list of those they intended to arrest, but the principal one, Meyers, a particular friend of mine, they did not find. He happened to be out that day somewhere.

The CHAIRMAN. I speak now of the insurrectos. Did they do any damage to any of the other Americans?

Mr. CHURCH. No; the insurrectos didn't do any damage to the Americans that I know of.

The CHAIRMAN. But they did arrest you?

Mr. CHURCH. It was the federal troops that arrested me. But they called on me twice. You could hardly call it an arrest.

The CHAIRMAN. What did they want with you?

Mr. CHURCH. Well, in the first place, they had a man that had been chief of police in Alamo, and they had arrested him for a spy, and the fellow couldn't talk any English, and I came up there just as they were talking about executing him, and I got in and spoke for him, and did the very level best I could, and finally Mosby, one of the leading men, says, "Well, turn the brute loose; I don't think he amounts to anything anyway." And he proved to be a spy, all right enough, and that got me into trouble with the insurrectos as soon as they discovered it.

The CHAIRMAN. Did you leave Alamo at that time or later?

Mr. CHURCH. I left Alamo at the time the Government troops came, although they had me arrested. When I escaped them I knew that all I could do was to get out of the country.

The CHAIRMAN. And you got out of the country, did you?

Mr. CHURCH. I got out of the country under great disabilities. In getting out in the nighttime I fell in an old mining shaft and broke an ankle. I traveled over a hundred miles, over the roughest kind of mountains, with that broken ankle.

The CHAIRMAN. And you finally made your way to the United States?

Mr. CHURCH. Finally got through. And they had telephoned to Ensenada that I had escaped and they telephoned right back to Alamo to send the best Indian trailer they could find after me, and they sent out scouts from Ensenada to head me off, but I knew the country pretty thoroughly and beat them off.

The CHAIRMAN. What became of Mrs. Foster and your housekeeper?

Mr. CHURCH. My old housekeeper is now in San Diego, and Mrs Foster went to Winslow, Ariz., and I have never heard from her since. She had some relatives there.

The CHAIRMAN. How did she get out; do you know?

Mr. CHURCH. She came out from Alamo with a man by the name of Weber, who brought her to Ensenada, and then she took a steamer and came up to San Diego.

The CHAIRMAN. You say two of these Americans that were killed were merchants?

Mr. CHURCH. Yes.

The CHAIRMAN. What became of their stocks of goods?

Mr. CHURCH. I really don't know what became of any of them, because I had to get out of the country.

The CHAIRMAN. Do you know whether any representations were made, either by yourself or any other persons, to the State Department of the United States concerning these murders?

Mr. CHURCH. I made the statement myself to the district attorney in San Diego, and they sent out Secret Service men from Washington to interview me. I sent them on to Ensenada to get evidence of my statement. They came back and told me they had not only discovered my statement was absolutely correct but they had discovered more evidence that I had not reported at all, and notified me to be ready to go to Washington any minute that I should be called, but I was never called.

The CHAIRMAN. What district attorney was it you made your statement to?

Mr. CHURCH. Mr. Utley. And he played the meanest trick on me that one white man ever played on another. He called a Mexican secret service man in to hear my statement in order to get me into trouble with the administration in Mexico. It happened in my statement—I didn't accuse the administration of anything, because I didn't think they were guilty, and I attributed it all to spite work of Col. Celso Vega. That Mexican secret service man I met afterwards in Mexico, and he told me, he says, "Church, if that district attorney of yours in San Diego could have known how he lowered himself in my estimation by that trick, he would have thought twice before he did it."

The CHAIRMAN. You have filed a claim with the State Department of the United States, have you?

Mr. CHURCH. Yes, sir.

The CHAIRMAN. What was your business at Alamo?

Mr. CHURCH. Mining and milling ore, and I had also a general repair shop—wagons and such things.

The CHAIRMAN. You were a workingman, were you?

Mr. CHURCH. Yes, sir.

The CHAIRMAN. You were not a capitalist?

Mr. CHURCH. I was not a capitalist, no; but a mine owner.

The CHAIRMAN. You were not a capitalist down there exploiting the Mexican people?

Mr. CHURCH. Oh, not by any means. I had a deal on at the time with a Boston syndicate who were taking an interest in my property and were paying me $20,000 cash and were going to develop the property for me, but the revolution came up just in time to break up the arrangement.

The CHAIRMAN. Now, you have never gotten anything out of your property?

Mr. CHURCH. Not a dollar. I spent a good many thousand dollars there, besides a lot of time and labor, in the country.

The CHAIRMAN. Was this money you had inherited or worked for?

Mr. CHURCH. Money that I worked for.

The CHAIRMAN. What was your trade?

Mr. CHURCH. The trade I was brought up to from a boy was carpenter, but I have been a mining man for a great many years.

The CHAIRMAN. Tool sharpener, etc.?

Mr. CHURCH. Yes; I understand tool-sharpening thoroughly, among other things. I followed the mines ever since 1876.

The CHAIRMAN. Mr. Church, the committee is under obligations to you for your evidence, and we will try and see whether the Government of the United States will take the matter up for you further.

I will ask that the reporter copy this communication into the record at the end of Mr. Church's testimony and as a part thereof.

(The document last above mentioned is as follows:)

PALMDALE, CALIF., *August 4, 1911.*

To whom it may concern:

I, Carl L. Carlson, am 38 years of age, was born in Sweden, 1881, and am a naturalized citizen of the United States since 1908. I was engaged in prospecting and mining business in Lower California, Mexico, from March, 1910, until June, 1911, and in that time I spent more than a year in Alamo. While there I was well acquainted with Mr. Church and knew him to be the owner of different properties mentioned in his statement. For nine months or more I worked together with and for Mr. Church on his various mining claims and at his quartz mill, also while there I occupied, together with my partner, Mr. A. Cratz, the smaller one of his houses, and I feel that Mr. Church has made a conservative estimate as to the value of his properties at Alamo.

I was also personally acquainted with Dr. Arthur L. Foster, Patrick Glennon, John Carroll, and Constantine Duboise, who, in my estimation, were all law-abiding men and attending their own business.

During the occupation of Alamo by the insurrectos Mr. Glennon had an American flag hoisted over his store with the Mexican colors on top to show that he was an American citizen.

On June 8 or 9, 1911, Juan Rivera, under command of Capt. Gonzales, came to Mr. Glennon's store with a squad of men and demanded that the flag be pulled down, and when Mr. Glennon refused to do so Rivera sent one of his men up and tore it down and also shot Mr. Glennon's dog.

On June 11, 1911, Mr. Myers and I were standing talking together near our place, about a quarter of a mile from town, when Señor Sanchez, a Mexican living at Alamo, came riding by. He seemed very much excited, and told us that they had been out in the surrounding country and had shot 11 Indians and that now they were going to get Mr. Glennon and some other Americans.

In an hour or so we heard several shots fired and climbed up on a ridge overlooking the town. We could see a squad of mounted men, but from that distance I could not distinguish who were with them, but afterwards learned that the four Americans above mentioned were all shot and killed.

Fearing that they would come back for the rest of us, D. W. Church, Dan Barr, C. L. Myers, and myself decided it best for us to try and reach the United States boundary. Leaving all our personal property and belongings behind, we started out in the night and succeeded in getting, unobserved, out of town.

The first night out Mr. Church fell down an abandoned mining shaft and severely injured his ankle and leg. He begged the rest of us to leave him behind and seek safely for ourselves, which we would not do without him, and after eight days and nights, during which time we suffered severe privations from lack of food, water, loss of sleep, and from exposure, we reached the United States boundary at Campo, Calif., June 21, 1911.

CARL L. CARLSON.

The CHAIRMAN. Mr. Secretary, please swear this witness without using his name.

TESTIMONY OF MR. HARRY C. DONOHO.

(Witness sworn by the secretary.)

The CHAIRMAN. The record will, of course, show the name of the witness, but he prefers not to give his name for certain reasons. Of what State are you a resident?

Mr. DONOHO. California.

The CHAIRMAN. Where were you born?

Mr. DONOHO. Kansas.

The CHAIRMAN. You are a citizen of the United States, then?

Mr. DONOHO. I am.

The CHAIRMAN. Do you speak the Spanish language?

Mr. DONOHO. I do.

The CHAIRMAN. Have you been in the Republic of Mexico at any time?

Mr. DONOHO. Yes.

The CHAIRMAN. When did you go there last?

Mr. DONOHO. I think it was in July or August of 1918.

The CHAIRMAN. When did you come out?

Mr. DONOHO. About October, 1919; this past October.

The CHAIRMAN. You remained there something over a year?

Mr. DONOHO. About 15 or 16 months, I think; something of that sort.

The CHAIRMAN. In what State were you principally; in what portion of Mexico?

Mr. DONOHO. I was about six or seven months in Mexico City; perhaps a month in Puebla, and around in the Federal district; and the rest of the time I was in the States of Tamaulipas and Vera Cruz.

The CHAIRMAN. What were you doing in Tamaulipas and Vera Cruz?

Mr. DONOHO. I was doing several things. In the first place, I was gathering material with the thought in mind of doing some writing after I had learned what the real conditions in Mexico were; but in order to get that material, in order to inform myself personally and at first hand as to just what the conditions were, I took a position with one of the oil companies—I hardly know what to call myself—I was supposed to be attorney and paymaster for the oil company, although there was not very much legal work in connection with it, excepting the perfecting of titles and making of contracts and leases and the payment of rentals to the Mexican land owners from

whom the company was leasing oil lands. Those oil lands were scattered throughout the two States of Tamaulipas and Vera Cruz.

The CHAIRMAN. Did your business require you to visit the interior or to go from one point to another in those States throughout the oil districts and in the adjacent territory?

Mr. DONOHO. Almost constantly. I would be perhaps at our headquarters at Tuxpam, or near there, perhaps a week, translating leases to send back to the States, and then anywhere from two weeks to six weeks I would be riding on horseback out through the interior.

The CHAIRMAN. While you were there did you become acquainted with Col. Cardenas?

Mr. DONOHO. I did.

The CHAIRMAN. What is his official position? Is he a military man?

Mr. DONOHO. He is a Carrancista colonel in charge of the garrison at the city of Tuxpam in the State of Vera Cruz, or he was, at any rate, at the time I left.

The CHAIRMAN. Did you have occasion to make a report to him at any time with reference to actions of his subordinate officers or soldiers?

Mr. DONOHO. I did.

The CHAIRMAN. Concerning any matter in which the Americans were interested?

Mr. DONOHO. Yes.

The CHAIRMAN. Will you please state the circumstance and relate what occurred?

Mr. DONOHO. About 9 miles from the city of Tuxpam, in the State of Vera Cruz, were the headquarters of the company for which I was working. One night in—let's see—that was in this past either July or August, I don't recall the exact date now; there was a bunch of fellows playing poker in a rear room of the signal station.

The CHAIRMAN. Of course, you were not playing?

Mr. DONOHO. Oh, absolutely not—much. And it was about 12 or 1 o'clock in the morning, and the room next to where we were—there were four Americans and a couple of Mexicans in the room—the room next to where we were at that time was used as a telephone headquarters for the company—a telephone central. The little Mexican boy who slept in that room and who attended to the telephones came creeping into the room apparently very much frightened. I asked him what was the trouble. He said that about 20 minutes to half an hour before that a man had opened the door and came into the room, pointed a pistol at him and told him if he made any noise he would kill him. He said he was a Villista, and he proceeded to cut the wires and destroy the telephones. He told the boy to stay there and not make any report.

The CHAIRMAN. Did the boy describe the man?

Mr. DONOHO. Yes. I asked him what sort of a man he was and he said he was a "militar"—a military man. And if I might digress just a little bit rumors were constantly coming to the camps in the interior to the effect that the garrisons at Tuxpam, or at Los Naranjos, or some of the other surrounding garrisons were going to come down and massacre the Americans. Those reports were of weekly occurrence, and naturally we knew that something was afoot, but

didn't know what. The rest of the Americans, with the exception of one young fellow who was there with me, jumped out of a back window. The headquarters is on an island; that is, the Gulf of Mexico on one side and a river running around the other side, and the thick underbrush and forest is right within a hundred yards of where the house was, so they escaped into the brush. There wasn't any of us had any arms there. I had just come in the day before and my guns were locked down in my office. And they made their escape, but we turned out all the lights, and this young fellow—I forget his name now—Ted Osterwitz, I believe it is—a young man from New York—we went up into the tower of the signal station with some night glasses; we saw that in the office, which was about 200 yards from the building in which we were, they were beginning to light up the office. We could see with the glasses. They lighted up every office in the building, and we watched while they went to the houses near by and got the officers of the company and brought them down.

The CHAIRMAN. That is, the officers of the American oil company?

Mr. DONOHO. The officers of the oil company; yes. And they marched them down to the office of the company. They didn't even give them time to put on shoes or trousers or anything else, but just simply brought them along. We could see sufficiently with the night glasses when they were in the room to distinguish their features. As each man was brought up, for instance, we recognized immediately who it was they were bringing. We could see very distinctly the features of the men—that is, of the Mexicans who were doing this. There were three of them. And, in addition to this young American man of whom I spoke, there was also a Mexican with us in the tower. All three of us recognized the three Mexicans who were collecting the crowd at the office as Carrancista soldiers from the garrison at Tuxpam. One of them was the lieutenant colonel. I sent this young man up to the pump station, which was up in the opposite direction.

We, of course, didn't have any means of knowing how many of these men were on the island; but I saw there were only three of them working, and I sent this young man up to the pump station to see if he could get a gun. In the meantime they brought over—I forget his name now, the auditor of the company—they brought him in first and told him to open the safe. I learned part of this afterwards, as to what they said to him—or asked him, rather, if he could open the safe; and about the only Spanish he knew was "si," so he said "Si." They brought him in and told him to open the safe. Well, he didn't have the combination of the safe and couldn't open it; and one of the Mexicans thought he was simply stubborn and took out a knife and shoved the knife up against him and told him if he didn't open the safe immediately he would kill him; but another employee of the company, a Frenchman who had been garnered in with the rest of them, spoke up then and explained to the Carrancista soldiers that this man didn't speak Spanish. They then went and got the treasurer of the company, brought him down, and he opened the safe and they took $40,000. Incidentally, they took a sack containing 200 pesos in 5-cent pieces, and as they took them out of the safe they put these various sacks on a table, and there was a pile of papers at one end of the table, and one sack got shoved

over under one of these papers and they carried off this sack with 200 pesos in nickels in it and went off and left $10,000 in American gold in the sack that got shoved under the papers.

As soon as this young man returned, he came back with a gun, and I didn't know what men might be posted between the signal station and the office, so instead of going straight there I ran down to the beach with the thought that I could run down and head these fellows off, and if there were only three of them I thought we might have a chance to break even with them. By the time I got down to the wharf, which was only a comparatively short distance from the office, however, the men had left. They had taken one of the power launches belonging to the company and made the launch boys go with them to take them up the river. I called a couple of launch boys—our general manager at that time was in the United States, so I more or less had charge of things—and jumped into a power launch and started after them up the river. I had been told by some of the men there at the wharf that there were only five of them. Two of them had been left on guard down at the wharf. We met the other launch, though, coming back in about 20 minutes, and they said these men had disembarked within about four or five miles of Tuxpam. We continued on up to Tuxpam, and I went in and awoke, or, rather, caused Col. Cardenas to be awakened. He came out, and I explained what had occurred. His first statement was, "I suppose they were Villistas." "Well," I said, "They said, Colonel, they were Villistas, but as a matter of fact they were men belonging to your own company." And that was just at the time that a sharp note had been sent by our Government to the Mexican Government, and Cardenas appeared anxious to make some sort of a showing, so he said if that were true, if they were his men, he would throw a cordon of guards around the city and catch them as they came in, which he proceeded to do. The following day I received a telephone message from him asking me to come to Tuxpam.

When I arrived there he said that two of the men had confessed, that two of his soldiers had confessed to their participation in the robbery, and he wanted to know if I wanted to take a walk with him. I didn't know why he wanted me to take a walk, but anyway I went along, and we walked up on the main street of Tuxpam to a big stone church, and there was a firing squad with these two men standing up against the church, and they shot them right on the principal street—executed them. I might mention, in connection with that, that when I came out of Mexico here—I think this was in the early part of October—I picked up a paper, the San Antonio Light, as I now recall it, and there was a Washington dispatch in which they said that Juan Barragan, the chief of staff of the Carranza army, was credited with making a statement that it was now discovered that the persons who had committed this robbery were employees of the company, and they had already executed two of their own soldiers for it.

The CHAIRMAN. What became of the lieutenant colonel? Was he arrested?

Mr. DONOHO. The lieutenant colonel and two of the men were still in jail, being held there when I left. I never heard what became of them.

The CHAIRMAN. But the two men who had confessed——

Mr. DONOHO. They confessed not only to their own participation in it but also implicated the lieutenant colonel. They said he was the man in charge.

The CHAIRMAN. And their mouths were closed by the firing squad?

Mr. DONOHO. Yes.

The CHAIRMAN. You mentioned the name of Juan Barragan. He was chief of staff of the Mexican Army?

Mr. DONOHO. Yes; I know him personally.

The CHAIRMAN. Do you have occasion to remember seeing him particularly?

Mr. DONOHO. Why, I have several reasons for remembering Juan Barragan—one in particular. While I was in Mexico City I was in an American café one night—incidentally, the same café in which the Jack Johnson episode occurred—when Barragan came in with two other Carrancista officers, sat down at a table, and there were perhaps 150 persons in the café at the time, men and women, and the waitresses were exceedingly busy, and he didn't get waited upon quite as quickly as he evidently thought he should, and he took his riding crop and pounded it on the table until he attracted the attention of everyone in the room, and called to one of the waitresses who was at that time waiting on a table where there were four ladies seated, right next to him, and he called out, "Don't you know who I am?" The girl looked over at him, and said, yes; she knew who he was, and that she would wait on him just as soon as she served these ladies. He then took his fist and pounded it on the table and said, "When I come in here to this 'Gringo'"—it was not a Gringo joint, but that is what he meant—"When I come in here and ask for service," he says, "I don't expect you to wait on anybody until you wait on me." Well, the girl, although she was a Mexican, was a little bit spunky about it, and she said, "General, I will wait on you just as soon as I serve these ladies." And she brought the ice cream, or whatever it was she was serving the women, and a moment later came up and took his order. He ordered some ice cream, as did the other two officers with him, and sat there frowning and tapping his riding crop on the table, and a moment later this girl brought the ice cream to him, and he reached over and took hold of the back of her neck like that [illustrating] and picked the ice cream up and just slammed the dish of ice cream in her face in the presence of all these people.

The CHAIRMAN. There are occasionally pleasant trade excursions from this country into the Republic of Mexico along the railroads, are there not?

Mr. DONOHO. Yes. There were three such parties came to Mexico City while I was there.

The CHAIRMAN. Did you have any reason to observe the preparations made for the reception of the committees before they reached the city?

Mr. DONOHO. I did; yes. It was a matter of common knowledge by the Mexicans that the Carrancista Government was putting forth every effort to create the impression among the American visitors, and especially the delegations from Chambers of Commerce and other civic organizations who came to Mexico City, that the Carranza forces were absolutely in charge of everything and that while

there might be a few scattering bands of rebels out through the country everything was going along fine. On the three occasions of which I speak that the chamber—I don't recall now from whence they came—but they always were met at Laredo, Tex., by a delegation of Carrancista officers, and with an armored train in front—that is, an engine with a box car with sheet iron over it—were brought straight through to Mexico City. Then they went up the street, either in automobiles or walking, literally thousands of beggars that one sees on the streets of Mexico City at the present time—the police always went about two blocks in advance, or three, and herded these beggars all off the street, so that one wouldn't get a bad impression. Moreover, during the six or seven months that I was there, and when these various committees or excursionists, or whatever you might call them, were there, they never were taken, to my knowledge, off of—well, they were brought up the principal street of Mexico City, and usually taken out to the Castle of Chapultepec, but aside from that they were not taken about the city. That is absolutely the only street in Mexico City that one can travel with any degree of comfort. They, however, managed to keep Avenida Juarez and Calle Francisco I. Madero up pretty well, but the other streets, you might say, are almost impassable. Then these men were taken, after they were banqueted and surrounded by Carrancista officers always, and sent right straight back down the line again to the United States, and they didn't know any more about Mexico after they left than they would if they stayed in San Antonio as to the real conditions of Mexico.

The CHAIRMAN. The committee, through its official investigators, has been receiving telegrams and letters reporting the exodus of Mexican workingmen from the Republic of Mexico, particularly from the States of Jalisco, Michoacan, San Luis Potosi, Aguascalientes, as well as the border States, the Mexicans coming over now, at the present time, from day to day, clandestinely as well as through the ports, not by the hundred but by the thousands. The investigators of the committee and the officers of the United States Government along the border, at the request of the committee, have been taking the affidavits of these Mexicans as to the cause of their leaving Mexico at the present time. This exodus has taken place since this committee held its meetings along the border of San Antonio and other places in Texas. It has grown to such exceedingly great proportions within the last few days that it has been the cause of telegraphic reports from the sources which I have mentioned. The purport of the statement which is made by practically all of these Mexican citizens, workingmen, to our officials and to the investigators of this committee, is to this effect: They had very little work; only received from 25 to 50 cents a day, and had only a few days' work in a month; that the hacendados could not plant, for the reason that they had been cleaned out by the Carrancistas and Villistas, and had no oxen, horses, or mules left; that if they had money it would do them no good to produce crops, for either the rebels or the Carrancistas would take them as soon as they were ready to gather; that it was the general opinion of everyone that another revolution about election time was pending, and that to escape it, and for the other reasons given, they concluded to come here, where they had heard good prices were being paid for their work and where they would have guaranties.

Incidentally, there has also been called to the attention of the committee a decree of President Carranza directed to the governors of the States warning them that unless they were able to prevent the exodus of workingmen from Mexico he would prevent it with military forces.

Now, from your knowledge of Mexico and your travels through the interior, necessarily in some portions of the agricultural district of Tamaulipas and Vera Cruz, can you give the committee any information throwing light upon the true conditions there as to whether these Mexican workingmen are telling the truth now about those conditions?

Mr. DONOHO. I know nothing as to the conditions in Jalisco and the other States you mentioned; that is, virtually nothing, except from hearsay. I did know, personally, however, of conditions in the States of Vera Cruz and Tamaulipas. I may ramble a little bit in this statement.

The CHAIRMAN. Well, describe, for instance, some one trip you have made and what you observed.

Mr. DONOHO. I could describe many trips, Senator. But just take one instance: I rode a two-day trip on horseback from the San Fernando district to Tuxpam. That is the richest agricultural district in the whole of southern Mexico. Although I had never made that particular trip before, I knew from my investigation and study of the State that that was true, that it was a rich agricultural district. I knew that many of the persons from whom we leased lands had prosperous farms in that particular district. This trip of which I speak was taken—well, I have been over there three times, but the first trip of which I speak was taken along in this last June, 1919.

The CHAIRMAN. Which would be, ordinarily, I suppose, about the height of the crop season?

Mr. DONOHO. Just about. I took a Mexican guide from San Fernando to show me the trail. He suggested that it would be well for us to take some provisions. I said, "We don't want to carry any provisions along with us. We will just stop, as I always do, out in the country and stay with the people, and eat right with the people." "Well," he says, "Señor, you will not find any people." And I rather laughed at it. It seemed so absolutely incredible to me. But nevertheless we did take some provisions; I left that matter to him. And I want to make this statement without any qualification, that we rode for two days through absolutely the richest agricultural district in Mexico, with the prettiest little farms that one could imagine, and passed village after village, and passed cornfields where everything had been burned, and every time we would come to a little farmhouse or to a little village I would go up and try to arouse some one, and during that whole two days ride we didn't see a single solitary living soul.

Now, the same conditions obtained, virtually, in the Anona district. The city of Anona is a very pretty little place up on the mountain, but in the valleys about Anona it is a rich agricultural district. But on the four occasions that I was in Anona—I would go there and pay rentals, or on business connected with the company; I would know the people that I wanted to find—I found the natives—if you would go and inquire for a man, where he was, why was he not on his farm, why, they simply said that they didn't

know; and sometimes I would have to spend as much as a week at a time just staying there until I could win the confidence of those people to find out where those people were hiding, with the result that I found that virtually all the owners of these rich agricultural lands had simply abandoned their farms and had gone to hiding in the mountains. After I found out where they were and managed to find them, I talked with them and found that they were simply hiding in fear of their lives, and their constant complaint was that "in the first place, we are afraid that the Government troops will come into the district and kill us; and, in the second place, those of us who have been so foolhardy as to go ahead and raise crops, the Government troops have come in and taken what of the crops they wanted and have burned the rest, and there was no incentive in the world." In the Balcazar district, over near Tanhuijo, I found the Government had posted notices, adopting the plan that was adopted in Cuba by Weyler, of a concentration camp, and they had made Balcazar a concentration camp. Balcazar is also in a rich agricultural district. But in that beautiful city—and it is a beautiful city—there were anywhere from one to a dozen families crowded into every house in the village. There was no chance to get a room, and I slept out in the rain, as I quite well recall—just lay down under a tree. There was no chance in the world to get a room. Now, this edict that had been issued by the military governor of that particular district did not even permit the men—it simply said that if any of these men were found outside the confines of Balcazar they would be hunted down and shot as rebels, and it didn't even permit them in the daytime to go out to their surrounding cornfields and plant their corn, and the people were absolutely on the verge of starvation. There was nothing coming in; the Government was not furnishing any food for them. I stayed there three days, and during that time I managed to get a few tortillas and frijoles; that is all. There was no meat; they had eaten up all the chickens, and there were no eggs; there were no cows—there was absolutely nothing.

The CHAIRMAN. Now, you have very interestingly described what you have seen in going through the country in the way of devastation, destruction of crops, houses, and so forth. Did you ever witness the entrance of any Carranza government soldiers into any of those little towns yourself?

Mr. DONOHO. I did, on two occasions; one at the city of Anona, of which I speak, and the other at a place away up on the Panuco River, called El Higo. I happened to be present when attacks were made on both of those places.

The CHAIRMAN. What occurred at Anona, for instance?

Mr. DONOHO. I had been there for something over two weeks. Two days before the attack occurred a Scandinavian, I think he was—I can't recall his name—it seems to me it was Jensen—that was the first time I met him—he was working for one of the oil companies. He had come in and we were stopping at the home of Juan Cobas—or rather, the home of his widow, for Juan had been killed. Now that, Senator, is supposed to be in a rebel district. What I mean is that the Carrancistas have no garrison there. On the other hand, Manuel Pelaez's men were very strong in that district.

The CHAIRMAN. Did they have a garrison there?

Mr. DONOHO. No, not at Anona. Col. Robate, who was under Manuel Pelaez—that was his district.

The CHAIRMAN. But he had no garrison there?

Mr. DONOHO. He had no garrison there. Absolutely none. The nearest garrison he maintained was 17 miles from there. The Carrancistas never venture into that district unless they come in in considerable forces. This man Jensen—I might mention, however, that there were two boys, the sons of Cobas, one of whom was 14 and the other 16—just boys in years and boys in appearance. In back of their home there was a little cornfield down in the valley. As I told you, Anona is up in the mountains, but there is a little flat space there where they worked a little cornfield. During the two weeks or more I was there these boys had worked every day in the cornfield. They were supporting their mother and one younger brother, 2 or 3 years old, and three sisters. I had never seen any of the boys with a gun. I had never seen any armed men in the city, excepting on Friday, which was market day, when people would come from all over the country. I did on two occasions there during that three weeks meet and had occasion to talk at some length with Col. Robate. He came in with some of his troops, about 60, and stayed virtually all day Friday, on market day. He invited me to a ball, incidentally, and I attended the ball, about 17 miles from there. On this day of which I speak Jensen and myself were sitting on the front porch, it was about 3 o'clock in the afternoon, on the front porch of this house, right on one of the principal streets, when he heard a firing, and Carrancista troops, about 300 in number, came in from three sides. They attacked from three sides. If there were any rebels in town I didn't know it. There may have been, but at any rate there were not a great number of young men in the town. What few young men and middle aged men there were, however, beat it for the brush as fast as they could, and some 12 or 14 men were killed by the Carrancistas. They came in firing indiscriminately, and the colonel rode up with about 12 or 15 officers and stopped on this particular corner. He saw us sitting over on the porch, and spurred his horse over to within just a few feet of us, and there was a kind of shadow cast there; I judged at the time that he rode over close enough to see that we were foreigners, and the firing was still going on all over town, and I spoke to him, and he didn't answer at all, and just then these two boys came out of the house onto the front porch. The colonel turned to one of his officers and pointed with his riding crop to these two boys and he says, "Hang those two rebels," and the boys stood as though they were stupefied, and a couple of men jumped off their horses and came in onto the porch and grabbed these two boys.

I walked out into the road and introduced myself to the colonel. I says, "Colonel, I am a stranger; I have no intention and no desire to interfere in your affairs, but," I said, "I thought perhaps you would welcome some information about this matter." I said, "It was dark in there, and maybe you didn't see that those were just boys." I says, "Those are not rebels." And I called his attention to the fact that I had been there for something over two weeks, and that during the whole of that time these boys had been working

in the cornfield, supporting their mother and sisters, excepting the days that they rode with me out into the mountains hunting some people I was trying to find"; and he used a little complimentary language toward me, as a Gringo, and turned to one of his officers—by the way, though, Jensen came out and joined me just about that time, and he said, "Yes, Colonel; I have been here two days, and," he said, "there haven't been any rebels in town since I have been here." He said, "These two boys are just kids, just working here, supporting their family." And the colonel's face flushed up, and he jerked his horse around and leaned his head over sideways and called back as he started away—he called back to the lieutenant that he had left in charge. He says, "Hang those two rebels, and if those two Gringos have any more to say about it, hang them to the same pole." Well, we didn't have any more to say about it. They hung the younger boy first, and they botched the job pretty badly; they didn't make a hangman's noose at all just threw a rope around his neck, and the way they hanged him it took quite a little while before he died.

The CHAIRMAN. He died of strangulation?

Mr. DONOHO. Yes. And the older brother, 16 years old, stood there and watched him, and then he walked up to this group of six or seven men, and commenced cursing them and called them butchers, and he said, "You can't even hang a man decently," and he took the rope and made a hangman's noose and put it around his own neck, and they jerked him up on the pole, and hanged him.

I didn't see anything of that kind at El Higo. I saw three women killed at El Higo when the Carrancistas came in there. Oh, I was about to overlook something at Anona. They gathered all the old women and the little children and told them to leave the city and not come back, to go off into the mountains or any place they wanted to, but that they were going to burn the city, and not to come back, under penalty of being killed. They gathered the young women and girls up in a group; I didn't count them, but I judge perhaps there were 120 or 130 of them, and on four different buildings in the city—they set fire then to all the buildings in the city. Of course the only thing that would burn was the roof. They set fire to every building, and on the walls of four buildings they posted a placard addressed to the rebels of the Anona district in which they said that "We have driven your old men, women, and children into the mountains and we are taking your young women and girls to turn over to the Carrancista garrison at Los Naranjos." Whether they did that or not I am not in position to say, although when I got back to headquarters some two weeks later and went up to Tuxpam, I heard from a dozen different sources that the report was all over Tuxpam that Anona had been attacked and burned—they didn't know, of course, that I had been there—and that the women had been turned over to the Carrancista garrison at Los Naranjos. That was the only instance of that kind that came under my personal observation. I saw those things, and I saw those posters, and I was very strongly tempted to tear down one and bring it with me, but I thought it would be a little dangerous, and didn't attempt to do it. On two occasions aside from that that same report came from other districts, that that had been done, but as to whether there was any truth in it I am not in position to say.

The CHAIRMAN. What was the date of this occurrence at Anona, approximately?

Mr. DONOHO. My best judgment would be that it was some time last August, 1919; perhaps along the first part of August.

The CHAIRMAN. Then the condition that you found the agricultural district in there, and the want and scarcity of foodstuffs, and so forth, would indicate that the statement issued by the Mexicans who are now coming into the United States at this immediate time, with reference to similar conditions existing in their own districts may be, and likely is, true?

Mr. DONOHO. That would be my impression, Senator. And may I make a statement, Senator? I don't know that it is at all pertinent, but I want to say, or to go on record as saying, that I have not a cent's worth of interest in Mexico. The Mexican people as a whole, as I met them out in the interior, the Mexican farmers, the small shopowners, the Mexicans in general, aside from the military people that I have met, the Government people—I have never met a kindlier, more lovable people in my life than they are. I have had Mexican boys and grown men, when I have gone into a district where I didn't know the way where I wanted to go, who have volunteered to go with me, and have ridden one or two days on horseback with me, and when I would ask them, "How much do I owe you for it?" they would say "Pues, nada, Señor."

The CHAIRMAN. "Nothing"?

Mr. DONOHO. "Nothing." I don't want anybody to get the impression that I am interested. I was simply working for an oil company; that is true; but I had absolutely no interest in it, I have no interest now, and did not have at that time. I was simply working for them, and was trying to learn what real conditions were, for my own benefit.

The CHAIRMAN. With reference to the statement you have made concerning the Mexican people, the committee are glad to have you go on record in that way, and the chairman is very glad to be able, after 35 years living among those people and in very intimate association with them, to say that he can corroborate, from his own judgment, everything you have said with reference to the Mexican people themselves, and possibly might corroborate some things with reference to the Carranza military officers.

Mr. DONOHO. I venture to say that I have had as many as—well, just to be conservative I will venture to say that I have had 200 Mexicans, men and women, in various parts of the country say to me with reference to existing conditions in Mexico, "Señor Donoho, we are ignorant people; we don't know very much about what your country intends to do, but you folks have had a thousand times more reason to come into Mexico and afford us some sort of relief than you did have to go into Cuba, and yet you don't do it." Now, some of those are Spaniards. A great many of the storekeepers in the small towns in Mexico are Spaniards. Both Spaniards and Mexicans have said that to me, many, many times.

The CHAIRMAN. If the very enterprising newspaper men who are present happen to get your name, you will be aware of the fact that it was not the committee that mentioned it.

Mr. DONOHO. Well, being a newspaper man myself, and having been a newspaper man for a good many years, I would like to ask

as a courtesy that the newspaper men—I told the Senator that I was perfectly willing to come here to Los Angeles and testify concerning matters, and instead of testifying in executive session, as I had intended in the first place, I was perfectly willing to testify so that all of you could hear what I had to say; but I do ask that if any of you happen to know my name you will refrain from using it.

The CHAIRMAN. It was by inadvertence that the witness, in repeating a statement made to him, used possibly the Mexican pronunciation of his name. The committee request the newspaper men present not to publish the name. We have a pretty fair suspicion that there are secret service men of the Mexican Government present, and they can exercise their own discretion, as we have nothing to do with them.

I ask this particularly, as the newspaper men of Los Angeles are so exceedingly lively, industrious, and anxious for news that my colleague has called my attention to one evidence of their enterprise as appearing in the Daily Times of Saturday morning in connection with the story published as given by a Mr. Collins. According to this report, Mr. Collins was heard by a committee yesterday afternoon, and "Senators Fall and Smith listened to Mr. Collins with great interest, and said they were not surprised at his statements, because they had learned that Mexico had gone the limit to avail herself of military equipment at about the time this country went into the war," and so forth. If this committee had a meeting yesterday afternoon, Senator Smith and myself must have been dreaming, because we did not know it. If Mr. Collins appeared at that time or at any time before this committee, we must have been still in a daze, because we have no recollection of it and the record does not show it. I merely mention this in connection with the request just made.

Senator SMITH. I do not know whether Senator Fall knew about this meeting. I know I did not. I don't know Mr. Collins; I don't know who made the report; but I know that the committee was not in session on yesterday afternoon, and no such testimony as reported has been heard by the committee from any source, so far as I know.

The CHAIRMAN. It is immaterial, but interesting as showing the enterprise of the newspapers.

Mr. DONOHO. I just want to volunteer a statement, that as between the so-called rebels and the government troops in Mexico to-day, I think I know personally virtually every American in the oil fields, and I never yet have met any American, any Englishman or German or any other foreigner in Mexico who from time to time has had occasion to travel out through the interior where it was part of their duty to do so but what have told me that their observation has been the same as mine, and that although I have sometimes carried as high as $17,000 in gold out in the interior I never have felt any hesitancy whatever in going into a district or into a town that I knew to be held by the so-called rebels. I have had the personal assurance of Gen. Manuel Pelaez, Col. Robate, and a host of so-called leaders in the south that they would issue instructions that no American was to be bothered either as to their life or

property, and with the exception of the one instance of which I speak, when a half-drunken man violated that order, with me they never bothered. On the other hand, we have ridden one or two or three days out of our way in order to go around a town that we knew to be held government troops.

The CHAIRMAN. Well, sir, we are under obligations to you for the statement which you have made, and thank you very much. There is a witness who desires to be heard in executive session. The committee will go into executive session, and you will kindly let us have the room.

(Room cleared, with exception of committee, staff, and witness.)

FRIDAY, MARCH 19, 1920.

FEDERAL BUILDING,
San Antonio, Tex.

Oral testimony and depositions of Melquiades Ortiz, S. E. Rix, Roscoe C. Burbank, Thomas Hart, M. L. Osborn, C. Campa, V. V. Bryant, W. J. Lewis, witnesses appearing before W. M. Hanson, Esq., duly authorized by the subcommittee of the Committee on Foreign Relations, United States Senate, to take testimony in the investigation of Mexican affairs, the following testimony being taken in the office of the Immigration Service, in the Federal building, San Antonio, Tex.

The witnesses were sworn by Henry L. Gazley, a notary public in and for Bexar County, Tex., acting in said capacity and as shorthand reporter.

TESTIMONY OF MR. MELQUIADES ORTIZ.

(The witness was duly sworn by the notary public.)

Capt. HANSON. What is your name?

Mr. ORTIZ. Melquiades Ortiz.

Capt. HANSON. What nationality are you, Mexican or American citizen?

Mr. ORTIZ. I am an American citizen born and raised in Texas.

Capt. HANSON. What is your occupation?

Mr. ORTIZ. I run a labor agency.

Capt. HANSON. Are you engaged in shipping Mexican labor to the interior?

Mr. ORTIZ. Yes, sir.

Capt. HANSON. How many have you shipped during the last month, more or less?

Mr. ORTIZ. I don't know.

(The witness displayed inability to comprehend English sufficiently to testify without an interpreter, and therefore Mr. F. B. Parker was sworn by the notary to well and truly interpret questions propounded into Spanish and the answers of the witness into English, and thereupon the witness testified through the interpreter as follows:)

Capt. HANSON. How many Mexicans have you shipped during the last month, more or less?

Mr. ORTIZ. About 150 men; that is all I sent.

Capt. HANSON. What per cent of those handled by you have you talked to as to why they came to this country?

Mr. ORTIZ. About 20 or 30. They said they haven't got anything to do in Mexico.

Capt. HANSON. It has been stated by certain people and through a portion of the press that certain Americans in Mexico and along the border have been engaged in inducing these people to come to this country for the purpose of exploiting them, and have led them to believe that they would receive high wages, etc. Now, I will ask you to make a statement as to just what reason these people you have handled came here, and whether they claim or stated that anyone importuned them to come, or assisted them in any way, and in substance just what they told you with reference to this matter.

Mr. ORTIZ. I don't know nothing about that. All I do is to go from my office outside to get these men up and send them out to work. They have never said to me that big wages would be paid to them if they would come here or not. They have no work in their own country and they came here to get work; nobody has induced them to come.

Capt. HANSON. Well, now, what did they state to you were the conditions in their States that caused them to come to this country?

Mr. ORTIZ. They told me that they came here because there was no work and they couldn't make a living; and there are a great many that I send off without collecting from because they haven't got the money; they are destitute.

Capt. HANSON. Did they tell you anything about a great many children of the poor people being naked, having no clothes?

Mr. ORTIZ. No; they haven't.

Capt. HANSON. How did they cross the river?

Mr. ORTIZ. I don't know.

Capt. HANSON. Did they state to you that anyone from this side of the river assisted them to cross or had anything to do with their coming to this country?

Mr. ORTIZ. No.

Capt. HANSON. Have you any agents in Mexico soliciting these people to come to this side?

Mr. ORTIZ. No, sir.

Capt. HANSON. Do you do any advertising in Mexico to bring them to this side?

Mr. ORTIZ. No, sir; only here in San Antonio.

Capt. HANSON. What are the general conditions in the section of the country, in Mexico, from which these people come?

Mr. ORTIZ. What they have told me is that they have come to look for work here because they can not get anything to do in Mexico. I don't know how the general conditions are in Mexico.

Capt. HANSON. What, if any, information did you obtain from these people as to why they were unable to obtain work in Mexico?

Mr. ORTIZ. They have told me that Mexico is no good, because they can not get work, and if they do get work they get such small wages that they can not live on it or buy their grub with it.

TESTIMONY OF MR. S. E. RIX.

(The witness was duly sworn by the notary public.)

Capt. HANSON. What is your name?

Mr. RIX. S. E. Rix.

Capt. HANSON. What is your nationality?

Mr. RIX. Irish.

Capt. HANSON. Well, you are an American?

Mr. RIX. Yes, sir.

Capt. HANSON. Where were you born, Mr. Rix?

Mr. RIX. Down here in Live Oak County, Tex., about 90 miles below here.

Capt. HANSON. What is your occupation?

Mr. RIX. I run a labor agency here.

Capt. HANSON. Have you any employees in Mexico?

Mr. RIX. No, sir.

Capt. HANSON. Are you engaged in shipping Mexican labor to the interior?

Mr. RIX. No, sir; only in the State.

Capt. HANSON. Well, that is what I mean.

Mr. RIX. Yes, sir.

Capt. HANSON. How many have you shipped since, for instance, the 1st of February, more or less?

Mr. RIX. Oh, I don't know; some two or three hundred I guess.

Capt. HANSON. Can you furnish a list of those shipped out and those on file to ship out?

Mr. RIX. Yes, sir.

Capt. HANSON. Have you it with you?

Mr. RIX. I haven't it with me; no, sir.

Capt. HANSON. You can get it?

Mr. RIX. Yes, sir; I can show it. The inspector, Mr. Mills, and I were looking at it yesterday evening.

Capt. HANSON. What per cent of those you handled have you talked to as to why they came to this country?

Mr. RIX. Quite a few of them, sir.

Capt. HANSON. It has been said by certain people and through the press that certain Americans in Mexico and along the border have been engaged in inducing these people to come to this country for the purpose of exploiting them, and have led them to believe they would receive fabulous prices for their work. Now, I will ask you to make a statement as to about just what reason these people gave you for coming here, and whether they claimed or stated that anyone had importuned them to come and, in substance, just what they told you with reference to this matter?

Mr. RIX. Why, there was none of them told me that anyone induced them to come here at all. They said that they had come here hunting work, that there wasn't anything in Mexico for them to do, and what they did do there they only got 25 cents a day for, and they couldn't live on it, and that was the reason they came here—hunting work.

Capt. HANSON. Did they tell you anything about the general conditions in their State?

Mr. RIX. Why, yes, sir. They would lead a person to believe that it is bad; they can get absolutely nothing to do over there; what little they could get to do they only paid them—they told me that the rich people over there, the rich Mexicans, only paid them 25 cents a day, and they would have to live on it. That is just the state-

ment as they gave it to me, that the rich ones over there only paid them 25 cents a day and they couldn't live over there.

Capt. HANSON. Well, those rich people, did they state whether they were officials of the Government?

Mr. RIX. They did not; no, sir.

Capt. HANSON. Did any of them state to you the condition of their families with reference to clothing, and food, etc.?

Mr. RIX. Why, no sir—only sometimes when they get here, and I handled them when they get here, they have absolutely nothing at all, or anything to eat and no clothing only just what they are dressed in, and they just haven't got anything and they say that is all they have got.

Capt. HANSON. Well, now, what did they tell you with reference to how they crossed the river?

Mr. RIX. Well, I have asked several of them—I asked one in particular, I think there were five or six in a bunch, they were signing the other morning to go to the railroad, and I asked them, I says to one of them in particular—are your feet wet, did you get your feet wet? He says, "No; I got wet all over."

Capt. HANSON. Your understanding is, though, that the skiff men at Laredo bring them over instead of them coming over on the bridge, isn't it, from their statements?

Mr. RIX. No, sir. I understand that they infer by that that they swim the river. I have had some of them tell me that they were held up on the other side by guards.

Capt. HANSON. Government guards?

Mr. RIX. I suppose so; they didn't say Government guards—"guardas mochos," and they would take about half of the money they had from them and would turn them down and turn them over to somebody else, and he would turn them over to somebody else, and they would cross the river, and then when they got on this side somebody else would run into them and take everything else they had—I have had two or three of them tell me that they absolutely would take these Mexican blankets away from them.

Capt. HANSON. Was that on this side or the other side?

Mr. RIX. Both sides. When they didn't have the money to pay them, or anything like that they would take their blankets, some of them would come here—one came here with a cap on, and he said they had taken his hat off, taken it for part pay.

Capt. HANSON. For crossing them over?

Mr. RIX. Yes, sir.

Capt. HANSON. Where did they claim they were depredated on—on this side of the river, in Laredo, Tex., before they left there coming this way?

Mr. RIX. No; I couldn't answer that; I didn't ask them that; but I suppose either above or below Laredo, I don't know; but laughing with them and running on, talking to them, that is what they would say.

Capt. HANSON. Well, did anyone state to you that anyone on this side of the river assisted them in crossing the river or had anything to do with their coming into this country?

Mr. RIX. No, sir; I asked that question two or three times; and there are some in the office now that are going to leave to-night, and

they told me they just came hunting work, and that was all; that nobody advertised for them; they came just because they wanted to—I asked some of them I had in the office last night and this morning.

Capt. HANSON. What portion of Mexico are these men from that you talked with?

Mr. RIX. Well, sir, I couldn't tell you; they are from all parts of Mexico.

Capt. HANSON. Now, can you mention what States any of them are from?

Mr. RIX. No, sir; I couldn't; I didn't ask them.

Capt. HANSON. Most of them came from the interior, did they?

Mr. RIX. Yes, sir; they are from the interior. I never asked them anything like that.

Capt. HANSON. In your conversation with these people coming out of Mexico, what, if any, statements have they made indicating that there was an unsettled political condition which influenced the industrial conditions or their ability to get employment?

Mr. RIX. They say they can't do anything over there; if one side doesn't take it away from them the others will, and they don't know one from the other; sometimes they don't know the Carranza people from the Villa people; they can have nothing; it is taken away from them—if they get a few dollars and clothing or anything, a bunch of those bandits will come along and take it away from them—they told me that the Carranza people are worse than the Villa people. I have had several of them tell me that the Villa people would leave them something to eat, but the Carranza people will take it all. I have had them tell me that—they said the Villa people would divide with them, but the Carranza people wouldn't; they would take it all.

Capt. HANSON. From the statements you have just made I infer that the property owners themselves have given up any attempts to farm——

Mr. RIX. To do anything.

Capt. HANSON. Their properties or to raise crops, for the reason that when they get these crops to the point of harvesting that they are taken away from them by some one or other of the armed factions in Mexico?

Mr. RIX. Yes, sir; that is just exactly what these poor working people who come here say; several of them I have talked with, some of them I haven't talked to, but they say they couldn't raise anything; when the corn got up to roasting ears or anything like that, they would come along and cut it down and take it away; take it off.

Capt. HANSON. And for that reason the big landowners themselves have abandoned any attempts to raise crops?

Mr. RIX. Yes, sir.

Capt. HANSON. And for that reason these people have been thrown out of employment?

Mr. RIX. Yes, sir.

Capt. HANSON. And can not get employment?

Mr. RIX. Yes, sir; and for that reason they have come over here.

Capt. HANSON. Do you know approximately how many of these people have come from Mexico during the last 30 or 60 days?

Mr. RIX. I don't know how many; I couldn't guess at that; goodness, there have been so many; there have been several thousand, I

know; I suppose there are something like a thousand or fifteen hundred in the city now; last night the street and alley places there were crowded; you couldn't get up or down the street at all.

Capt. HANSON. Now, from what they have told you, do you anticipate there will be more to come?

Mr. RIX. Oh, yes. You can go from here to Laredo and you will find every fifty to a hundred yards 5 and 10 in bunches coming afoot, besides what are coming in trucks and have money to pay their fares.

Capt. HANSON. And the same thing exists, I suppose, on all the roads leading into San Antonio from the border?

Mr. RIX. Yes, sir. Now, I had a friend who went from here to Laredo the other day; he came back and stopped at the office as he came in—a boy that was raised with the family—and he says, "I never saw so many," he says; "there will be 500 in here to-night," he says; "every 100 yards I say 15, 15 or 20 in a bunch," he says; "they have a trail beat out that deep along the railroad track" [indicating].

Capt. HANSON. Now, what is the general character of these people?

Mr. RIX. What do you mean?

Capt. HANSON. Well, as to being peaceable and law abiding, as to whether they have come here for a well-meaning purpose or otherwise?

Mr. RIX. Well, I couldn't answer that at all; I suppose the majority of them come here for honest purposes, to work and to make a living: but still, at the same time, you couldn't overlook the fact that there is a lot of them liable to come here for anything—this low class of people you can not guess them at all, they can't write their own name and don't know a thing in the world, and there are some pretty well-educated people, there are some right down at the office right now that are well-educated people, and I can't do nothing for them there.

Capt. HANSON. Well, in times past these people that you speak of as well-educated and high-class must have been prosperous and well to do people in Mexico?

Mr. RIX. Yes, sir.

Capt. HANSON. And have lost their property through heavy charges placed on them by taxation and otherwise by the officials of Mexico?

Mr. RIX. Yes, sir. Some of them might come up here and talk to you—one of them is a stenographer and well educated, you may get a whole lot of information from them.

Capt. HANSON. He is here?

Mr. RIX. Yes, sir.

Capt. HANSON. Seeking a position?

Mr. RIX. Well, he is just fooling around the office there, he asked for a position, and he didn't know where to go.

Capt. HANSON. Is he from the interior?

Mr. RIX. I don't know. I never asked him.

TESTIMONY OF MR. ROSCOE C. BURBANK.

(Witness was duly sworn by the notary public.)

Capt. HANSON. What is your name?

Mr. BURBANK. Roscoe C. Burbank.

Capt. HANSON. You are a member of the firm of the Garza Labor Agency?

Mr. BURBANK. Yes, sir.

Capt. HANSON. What is your nationality?

Mr. BURBANK. American.

Capt. HANSON. Where were you born?

Mr. BURBANK. Laredo, Tex.

Capt. HANSON. And your occupation?

Mr. BURBANK. Railroad conductor.

Capt. HANSON. No; but your occupation is labor agent now, isn't it?

Mr. BURBANK. Yes, sir; labor agent.

Capt. HANSON. Are you engaged in shipping Mexican labor to the interior?

Mr. BURBANK. Interior, where?

Capt. HANSON. Well, out of San Antonio?

Mr. BURBANK. Yes, sir.

Capt. HANSON. Have you any employees in Mexico?

Mr. BURBANK. I have not.

Capt. HANSON. Do you do any advertising in Mexico?

Mr. BURBANK. I do not.

Capt. HANSON. About how many laborers have you shipped out since February 1, say?

Mr. BURBANK. Let's see—I shipped the month of February 1,200, including men, women, and children.

Capt. HANSON. From this place?

Mr. BURBANK. From this place; yes, sir.

Capt. HANSON. How many did you ship from Laredo?

Mr. BURBANK. I don't know, sir.

Capt. HANSON. How many did you ship from Houston?

Mr. BURBANK. I couldn't say, sir.

Capt. HANSON. But you have labor agencies, branches in each one of those cities?

Mr. BURBANK. Yes, sir; branches in Laredo, and one in Houston.

Capt. HANSON. How many did you ship in March?

Mr. BURBANK. In March? I haven't figured it up, Captain.

Capt. HANSON. Well, approximately, how many?

Mr. BURBANK. Well, I have shipped about 500—450 or 500, somewhere along there.

Capt. HANSON. How did you get in touch with these people—you say you employ no people in Mexico to line them up?

Mr. BURBANK. No, sir.

Capt. HANSON. Or advertise for them?

Mr. BURBANK. No, sir.

Capt. HANSON. How did they get to your office here, how did you get in touch with them?

Mr. BURBANK. Well, Captain, they make the rounds of the different offices in San Antonio, and wherever you offer them the best proposition, and they think you are telling the truth in regard to wages and where they are going, and so on, they will stay right there. They make the rounds of every office in San Antonio, you can see them in bunches, they have what they call a leader, a man who has been in this country before, and he is the one that brings them over—sometimes they come in bunches of 15, 16, 18, and 20; there is just

one man as the leader, a labor agent can pick out the leader, they are just like a bunch of sheep, if you can get the leader they will follow him right on.

Capt. HANSON. And these leaders are the ones who have been in this country before?

Mr. BURBANK. Yes, sir.

Capt. HANSON. And they are the ones that are piloting these men to your office?

Mr. BURBANK. Yes, isr.

Capt. HANSON. Seeking employment?

Mr. BURBANK. Yes, sir.

Capt. HANSON. Do they bring them from Mexico?

Mr. BURBANK. They bring them right over from Mexico, right from their own pueblo—their own town—like if you see bunches of 16 or 18 they don't want to separate, they want to go together, and if you can't send them together they don't want to go.

Capt. HANSON. These people, the leaders, are they employed by any one?

Mr. BURBANK. No, sir.

Capt. HANSON. They just assist their friends to get work?

Mr. BURBANK. Yes, sir.

Capt. HANSON. Do these people get a rake off?

Mr. BURBANK. No, sir.

Capt. HANSON. Or do they charge anything?

Mr. BURBANK. Well, I don't know; I couldn't say.

Capt. HANSON. Not to your knowledge?

Mr. BURBANK. Not to my knowledge.

Capt. HANSON. Well, what per cent of those handled by you have you talked to as to why they came to this country?

Mr. BURBANK. Well, I don't know, I never asked them.

Capt. HANSON. You did not talk to them?

Mr. BURBANK. No, sir.

Capt. HANSON. It has been stated by certain people and through a portion of the press that certain Americans in Mexico and along the border have been engaged in inducing these people to come to this country for the purpose of exploiting them, have led them to believe that they would receive fabulous wages, etc., for their work. Now, I will ask you to make a statement as to what these people gave you for coming here, and whether they claimed or stated that any one importuned them to come, and, in substance, just what they told you in reference to this matter?

Mr. BURBANK. I haven't asked them, Captain; I don't know.

Capt. HANSON. You did not ask them anything about the conditions?

Mr. BURBANK. I never have; no, sir; never have.

Capt. HANSON. You did not ask them where they came from?

Mr. BUREANK. No, sir.

Capt. HANSON. Do you know how they crossed the river?

Mr. BURBANK. No, sir; I don't.

Capt. HANSON. They made no statement to you?

Mr. BURBANK. No. I never asked them.

Capt. HANSON. How many do you think have come to San Antonio since the 1st of February up to the present time?

Mr. BURBANK. Well, I have shipped about 1,600 or 1,700. I couldn't say how many the other offices have shipped.

Capt. HANSON. Well, you can approximate it, can't you? You have a general idea how many have been here; you know about how the business is run, how many was in here since the 1st of February?

Mr. BURBANK. It is hard to say, Captain.

Capt. HANSON. How many are here now, of Mexicans recently arrived from Mexico?

Mr. BURBANK. Well, I only have 29 on my list to send out to-day.

Capt. HANSON. Well, you have your men out around?

Mr. BURBANK. No, sir. I hardly ever leave the office. I have only one man working for me and he works in the office.

TESTIMONY OF MR. THOMAS HART.

(Witness was duly sworn by the notary public.)

Capt. HANSON. What is your name?

Mr. HART. Thomas Hart.

Capt. HANSON. What is your nationality?

Mr. HART. My nationality? I am an American citizen.

Capt. HANSON. What is your occupation?

Mr. HART. Chauffeur.

Capt. HANSON. For whom?

Mr. HART. Service car. I am driving a car for Mr. Reyna.

Capt. HANSON. Do you work for Mr. Ortiz, as chauffeur for him, of the labor agency?

Mr. HART. Why, he hires my car in the evenings to go up to the station and deliver people.

Capt. HANSON. You have talked to a great many of these Mexicans coming out of Mexico, that these labor agencies are sending to the interior?

Mr. HART. Why, yes, sir; I have been talking to some of them.

Capt. HANSON. Well, to just a few or a great many of them?

Mr. HART. Well, a few of them; sometimes I sit in the car there and they go and talk to me, have conversations with me.

Capt. HANSON. You know it has been said by certain people and through a portion of the press that the Americans in Mexico and along the border have been inducing these people to come to Texas, to this country, for the purpose of exploiting them, and have led them to believe that they would receive fabulous wages for their work. Now, I will ask you to make a statement as to just what reason these people that you have talked to gave you for coming here, and whether they claimed or said that anyone brought them over here or even induced them to come.

Mr. HART. Why, this is the way they came here: Some of these people that came from Mexico to work here, why, they go back there, and they get pretty good money in their work and they tell them they make good money here, and that is the way they come—they tell them that they are making good wages out here, are paid good wages, and everything, and that is the way these people talk; why, they are leaving Mexico to come to work out here, because they say over there if they raise up a crop either the Carranza people or the Villa people will take the crop away from them, and their

money and everything and don't leave nothing to them; that is the way it is.

Capt. HANSON. They state to you then that the conditions where they came from are very bad and it is impossible for them to make a living?

Mr. HART. Yes, sir.

Capt. HANSON. So that they come to this country to get guaranties for their life and property?

Mr. HART. Yes, sir.

Capt. HANSON. For better wages?

Mr. HART. Yes, sir; because they don't treat them right over there, they say they don't get work enough to make their living and dress themselves up.

Capt. HANSON. Well, isn't it a fact that they have said to you on many occasions that the children of the poor people were naked, they didn't even have clothes to wear?

Mr. HART. Yes, sir; I have heard that several times, several of them told me that.

Capt. HANSON. That the children didn't have any——

Mr. HART. Didn't have any clothes.

Capt. HANSON. That they were naked. Just like they came into the world?

Mr. HART. Yes, sir; some naked—not all of them, but several of them.

Capt. HANSON. Do you have any idea as to the number of Mexicans that have come into this country?

Mr. HART. No, sir; I don't know.

Capt. HANSON. Well, are there a great many or quite a few?

Mr. HART. Oh, there are a good many all right—there are a good many have been in here already.

Capt. HANSON. Would you suppose that there had been as many as 8,000 or 10,000 who have come from Mexico, out of all the different points along the border, during the last 60 days?

Mr. HART. Why, there have been a great many, but I don't exactly know how many, and never paid much attention—but there has been over 5,000 I think, something like that.

Capt. HANSON. The city of San Antonio is full of them isn't it?

Mr. HART. Oh, yes; there are lots of them here.

Capt. HANSON. And there has been for several weeks?

Mr. HART. And there has been for several weeks, yes, sir; they have been looking for jobs, for work, they have sent them out.

Capt. HANSON. Well, from your conversations with them, would you conclude that there were a great many more coming?

Mr. HART. Yes, sir; that is what they tell me, they tell me some are coming on the road, walking.

Capt. HANSON. Do they tell you how they cross the river?

Mr. HART. No; they never did tell me.

Capt. HANSON. Did you hear any of them say that any one from this side of the river had gotten across or had anything to do with bringing them into this country?

Mr. HART. No, sir; they never did tell me anything.

Capt. HANSON. You did not ask them that question?

Mr. HART. No, sir; I never did ask them anything like that.

Capt. HANSON. Did you hear them express an opinion or a fear that there was going to be another revolution down there over the presidential election, or anything like that?

Mr. HART. Why, sir, I never heard them; they never did say anything about that; they just told me they came here to make their living better and work, because they can't make their living over there.

Capt. HANSON. What reason did they give as to why they believed they could get better wages and more work here than in Mexico?

Mr. HART. On account of some fellows that go over there from here—they have money in their pockets and dress themselves better.

Capt. HANSON. That is, their own people who have been over here and gone back?

Mr. HART. Yes, sir; their own people who have been over here and gone back there; yes, sir.

TESTIMONY OF MR. M. L. OSBORN.

(The witness was duly sworn by the notary public.)

Capt. HANSON. What is your name?

Mr. OSBORN. M. L. Osborn.

Capt. HANSON. What is your nationality, Mr. Osborn?

Mr. OSBORN. I am an American.

Capt. HANSON. Where were you born?

Mr. OSBORN. Down here in Oakville, Live Oak County.

Capt. HANSON. What is your occupation?

Mr. OSBORN. Labor agent.

Capt. HANSON. You are engaged in shipping Mexican labor to the interior?

Mr. OSBORN. Yes, sir; Mexican labor exclusively, you may say; very few Americans I ship.

Capt. HANSON. About how many have you shipped since February 1?

Mr. OSBORN. Why, I don' know.

Capt. HANSON. Approximately?

Mr. OSBORN. Oh, about three or four hundred, I guess.

Capt. HANSON. Would it be convenient for you to furnish us a list of those men?

Mr. OSBORN. Yes, sir.

Capt. HANSON. And the States they are from?

Mr. OSBORN. Yes, sir; I can get that book; I don't know whether I could get the States they are from or not, but more than likely I can; I will send you a list of it. Do you want the women and children, too?

Capt. HANSON. Yes, sir; all of them.

Mr. OSBORN. All of them? Yes, sir; I will get it out.

Capt. HANSON. Have you any employees in Mexico looking for these laborers?

Mr. OSBORN. No, sir.

Capt. HANSON. Do you do any advertising in Mexico?

Mr. OSBORN. No, sir. No, sir.

Capt. HANSON. You have nothing to do with those laborers until after they get to San Antonio, or until after they have crossed the river?

Mr. OSBORN. After they get here to San Antonio, that is all; I have no one working with me except Garza there in the office; that is all.

Capt. HANSON. Well, now, what percentage of those that have been handled by you and others, that have been around your office, have you talked to as to why they came to this country?

Mr. OSBORN. Well, for the last two or three weeks I have talked to all of them—nearly all of them.

Capt. HANSON. It has been reported through the press and by others that certain Americans and others were engaged in bringing them in here to exploit them. What do you know about that?

Mr. OSBORN. Not a thing in the world.

Capt. HANSON. They have not said anything to you?

Mr. OSBORN. No, sir. They state right the opposite.

Capt. HANSON. What did they state with reference to that matter?

Mr. OSBORN. About why they came here?

Capt. HANSON. Yes.

Mr. OSBORN. Well, nearly all the same; they have heard about the work in the United States in several different ways; that during these war times we shipped something like six or seven thousand to Pennsylvania Railroad Co.; that is, I did myself, to the Pennsylvania Railroad Co.; they went to New York, finally to Philadelphia; they went to different parts in the North; they made good wages; they went back to Mexico; they told their people about it; they came back and I shipped them again—I have shipped the same man three or four times, that made visits to Mexico, and he came back and we sent him. I have also made shipments to Michigan Sugar Co.—San Antonio to Michigan—and, just to illustrate, there was a man in my office last week who lives here with his family, and he said it was the most money that he thought he would ever see; why, they paid him one time $500 for his work, for him and his family, and the next time it was $400, and he came back here with $900 clear money; well, he takes that and goes to Mexico, comes back and brings some of his comrades and friends, and they take it themselves; and it has gotten to be regular talk to come to the United States and getting good wages. Of course, they don't know but what this war is still going on, I guess, and labor is going to be very scarce, they think.

Capt. HANSON. What do they state to you with reference to conditions from whence they come?

Mr. OSBORN. Well, I talked to a good many; they say it is awful bad.

Capt. HANSON. Well, explain more or less what they have told you with reference to conditions?

Mr. OSBORN. Well, now, when they lived in the little communities over there—it seems like a great many of them lived in a small community—and in these places beans and corn are very high; I think one of them told me they paid 60 cents a kilo; about that was the price of beans over there, and they are very high, and there it takes about $1 a day, and a man with a family, he says it is impossible to get any meat, and they just have to live the very best they can and starve with hunger, and they live in any manner they can. One man told me—well, I know this to be a fact, because I read his

letter—he came over here; he stole two burros that they loaned him over there in the State of Guanajuato to do a little hauling; he stole those two burros and gets to Laredo and then gets to San Antonio, and when he gets to San Antonio he writes the woman who owns the burros a letter, asking her to please stop the prosecution, as he is going to send the money to pay for them, as his family was starving and he had to take these burros in order to get to Laredo and get here, and I mailed that letter for him back to her.

Capt. HANSON. Did you hear any of them state anything about being naked or no clothes to wear?

Mr. OSBORN. Oh, yes. A fellow yesterday we asked about that; he said you could go into a house there any place and you could see the children with paper around them, and some of them without any paper around them, and some without any clothes at all, but just rags; that is their tale. I heard a good deal of what the newspapers state, the San Antonio Express and Evening News, but I never paid any attention to it; I know more about it than they, I think, and I didn't reply to any of it.

Capt. HANSON. Well, then, is it a fact from what they tell you that they came here because they are nearly starved to death?

Mr. OSBORN. Yes, sir.

Capt. HANSON. And because economic conditions in that country were unbearable?

Mr. OSBORN. Yes, sir; that is what they tell now.

Capt. HANSON. Well, who do they say depredates on them there?

Mr. OSBORN. Why, I have talked to some, more or less; they stated that some of those big haciendas there, they let them plant a crop of corn and if they will plant 8 or 10 acres and get it up in roasting ears a bunch of Carranza soldiers would come along and just take it all and give them a piece of paper, and just tell them that Col. So-and-So took it, and they would chop it down and feed it to their horses and leave them in that condition, and they are very glad to get off with their lives; they say they can't say anything back to them at all.

Capt. HANSON. If they do, do they kill them?

Mr. OSBORN. Sure.

Capt. HANSON. Can you approximate how many people have entered the United States from Mexico during the last 60 days—just a rough guess from what you have seen and heard?

Mr. OSBORN. Well, it would only be a guess, Captain; I don't know, I couldn't hardly say, but I wouldn't be surprised if it wouldn't go up to about 75,000.

Capt. HANSON. Seventy-five thousand?

Mr. OSBORN. Yes, sir; I think so—oh, I don't know, it would be just an approximate guess, you know.

Capt. HANSON. What class of people are these laborers that have come in here from Mexico, with reference as to why they came, and as to whether they are peaceful, law-abiding citizens that have come here for work or come here for other purposes?

Mr. OSBORN. Oh, these people that we have here now, they are a harmless class of people; they could have no other purpose.

Capt. HANSON. They are ignorant?

Mr. OSBORN. They are ignorant; they could have no other purpose; they couldn't harm us, the first money that they get they send it right back home to their wives.

Capt. HANSON. Is it their intention to bring their families here as soon as they get money to send for them?

Mr. OSBORN. A good many of them; yes, sir. In picking out a good bunch of laborers for a man I make it a purpose to ask them if they are married or single; if he is a married man and has a family at home in Mexico I am confident that he is in need—that his family is in need, and this man will go and stay with this man in order to send money back; I make it a habit of taking those with families, that have the families back at home hungry, because they will undertake or naturally want to do some good service for the man I am furnishing them to.

Capt. HANSON. What did they tell you with reference to crossing the river into this country; what are their statements with reference to that?

Mr. OSBORN. Well, I have been told by some of them that they wade the river.

Capt. HANSON. Wade the river?

Mr. OSBORN. Yes, sir; that they get across without paying their $8; I have been told by others that they have to pay a man in Mexico $4, and I have been told by others that they paid a man in Mexico $4 to show them how to get across the river, and when they get to the river on the other side another man told them—a Mexican—told them he had to have a dollar, and if they didn't have it, he would have to collect what he could.

Capt. HANSON. Were they officials?

Mr. OSBORN. Well, I don't know; somebody with a gun on; they didn't know anything but that he has a gun on; it might not be an official, I don't know; they call him an official, and they get him across the river that way. I have been told also by some of them that it cost them more to get across the river that way than it does to pay $8 head tax, but they had been told by people on the other side that they can not get across the river, because they can not read and write, or there is some defect in the eye, and they tell them it would cost them more to swim the river than it would to come across on the bridge, but this is done on the other side of the river.

Capt. HANSON. Done by Mexican citizens?

Mr. OSBORN. Yes, sir.

Capt. HANSON. And not by Americans?

Mr. OSBORN. No, no; they pay the Americans as soon as they get here; not an American tries to rob any Mexican here, or even skin him here; it is done by Mexicans from Mexico; no Americanized Mexican will try to do that.

Capt. HANSON. What class are they, as a rule; what age people are they?

Mr. OSBORN. Some are old; some of them are 55 or 60 years old; but on the average I should say they are about 30 or 35; there are some of them over the middle age, and middle-aged people; you might say on an average about the middle age.

Capt. HANSON. But as a rule they are able-bodied workmen?

Mr. OSBORN. Yes, sir; all of these latest people coming over are nearly all single men, those coming alone and leaving their families there.

Capt. HANSON. Have you talked with any of them as to the political conditions in Mexico, their belief in and fear of another revolution there as the result of the pending presidential election?

Mr. OSBORN. Yes, sir; I tried to find out something about that. but they wouldn't talk on the subject, and we asked them—they didn't know who the President of Mexico was, they didn't seem to know—this class that is here now don't seem to know about how it is; it seems like they don't know. I asked them who the judge was where they lived and they didn't know his name.

Capt. HANSON. What State are these people mostly from?

Mr. OSBORN. The States of Michoacan and Jalisco and Guanajuato, the most of them.

Capt. HANSON. And very few from the border States?

Mr. OSBORN. Yes, sir; very few from the border States. They come and go all the time. You mean now what these people that are here lately are?

Capt. HANSON. Yes, sir; that is, the recent influx?

Mr. OSBORN. Yes, sir; from the States of Guanajuato and Jalisco and Michoacan.

Capt. HANSON. And you never heard any of them say that they were brought over here by propaganda put out by Americans or people on this side of the river?

Mr. OSBORN. No, sir; they say they were not.

TESTIMONY OF MR. C. CAMPA.

(The witness was duly sworn by the notary public and testified through the interpreter, Mr. F. B. Parker.)

Capt. HANSON. What is your name?

Mr. CAMPA. C. Campa.

Capt. HANSON. What is your nationality?

Mr. CAMPA. Mexican.

Capt. HANSON. Where were you born?

Mr. CAMPA. In Guadalajara.

Capt. HANSON. What is your occupation?

Mr. CAMPA. Labor office, and also exchange money.

Capt. HANSON. Are you engaged in shipping Mexican labor to the interior?

Mr. CAMPA. Yes, sir.

Capt. HANSON. How many have you shipped since February 1?

Mr. CAMPA. About 600 since the 1st day of February.

Capt. HANSON. Where were these people from mostly—what States?

Mr. CAMPA. Guanajuato, Jalisco, and Michoacan.

Capt. HANSON. There was very few of them from the border States?

Mr. CAMPA. Very few.

Capt. HANSON. It has been stated by certain people, and through the press and otherwise, that Americans and Mexicans from this

side of the river have been bringing these people across to exploit them.

Mr. CAMPA. It is not true.

Capt. HANSON. What percentage of the people that you have shipped out of here have you talked to?

Mr. CAMPA. Mighty near all of them.

Capt. HANSON. What did they state to you were the conditions in Mexico?

Mr. CAMPA. Very bad; because the people pay them wages of 20 cents a day and give them a peck of corn.

Capt. HANSON. Did they state the condition of their families as to clothing, or the condition of the poor people as to clothing?

Mr. CAMPA. In those small villages everyone has left there—the workingmen—on account of the authorities abusing them.

Capt. HANSON. Abusing their families.

Mr. CAMPA. Yes, sir.

Capt. HANSON. Is it a fact that a great many children of the poor people in Mexico, in that country from which these people came, are naked, without clothes?

Mr. CAMPA. Yes, sir.

Capt. HANSON. Has the political situation in Mexico anything to do with their coming here?

Mr. CAMPA. Yes; because those people are against Carranza's government.

Capt. HANSON. Well, do you understand from that that the Carranza Government has made it so unbearable for them to live there that they will have to get out?

Mr. CAMPA. Yes; because his own officers abuse them—the Carranza officers abuse them.

Capt. HANSON. What party, in your opinion, do these people favor in Mexico?

Mr. CAMPA. Obregon.

Capt. HANSON. Do these people that have come to this country fear a revolution, a new revolution, from the elections that are pending?

Mr. CAMPA. That is the rumor in Mexico.

Capt. HANSON. And that is one of the reasons that they come here?

Mr. CAMPA. That is the reason they come.

Capt. HANSON. An another is that they are badly treated there?

Mr. CAMPA. The soldiers abuse them.

Capt. HANSON. Do the soldiers abuse their women folks?

Mr. CAMPA. They certainly do; they all abuse the families.

Capt. HANSON. And these people have no recourse; they are afraid to say anything or do anything?

Mr. CAMPA. If they do make a complaint, they don't listen to them. I know people have pawned what little they have to come here, to get money to come to the United States.

Capt. HANSON. Have you any employees in Mexico?

Mr. CAMPA. No, sir.

Capt. HANSON. Do you do any advertising in Mexico?

Mr. CAMPA. No, sir.

Capt. HANSON. And you have nothing to do with the people until they get to this side of the river?

Mr. CAMPA. I don't have anything to do with them until they get here to San Antonio.

Capt. HANSON. It is not true that you have people in Mexico sending people over here to exploit them?

Mr. CAMPA. No, sir; it is not true.

Capt. HANSON. From your intercourse with people from Mexico of all classes during the last several months, does about the same condition exist over the interior points of Mexico as these people state?

Mr. CAMPA. Those are the sufferers, those in the interior of Mexico are the ones that suffer on account of abuses.

Capt. HANSON. Do you believe that the Carranza Government can ever bring law and order and peace and prosperity to Mexico?

Mr. CAMPA. No, sir; it can not.

Capt. HANSON. Have you any information as to how these people cross the river into the United States from Mexico?

Mr. CAMPA. They bring money, when they get to the other side of Laredo, for instance the Carranza officers over there take it away from them, get it from them, they tell them over there on the other side, they get them off on the side and tell them if they don't give them what they have got they will put them in the army in Laredo—the Mexicans tell them that.

Capt. HANSON. You are positive that Carranza officers and officials are doing that on the other side of the river?

Mr. CAMPA. Yes, sir; that is what they do with the poor people that have a little money; most of them are ignorant; they scare them up into giving what they have got, they will take everything, blankets and everything else—if they have a fine blanket why they take that away from them; when they get to the office here they are broke and tell their stories of how they got broke and who takes their money, then I give them something to eat.

Capt. HANSON. Generally speaking, what are the conditions with reference to law and order in Mexico and in the entire Republic in the portions of the Republic that Carranza is in charge of, is it safe or is it otherwise?

Mr. CAMPA. These people get about 50 cents a day, and then after they get their pay, why, these soldiers will get hold of them and take it away from them; they get work and get paid about 50 cents.

Capt. HANSON. Then we are to understand that in your opinion there is very little law and order in the interior of the Republic of Mexico?

Mr. CAMPA. Yes, sir; that is the reason they come to the United States, because they get $2 a day and get enough to eat and something to put on themselves—clothes—and have guarantees.

TESTIMONY OF MR. V. V. BRYANT.

Witness was duly sworn by the notary public.

Capt. HANSON. What is your name?

Mr. BRYANT. V. V. Bryant.

Capt. HANSON. What is your nationality?

Mr. BRYANT. American.

Capt. HANSON. Where were you born?

Mr. BRYANT. I was born in Alabama.

Capt. HANSON. What is your occupation?

Mr. BRYANT. Well, I am in the employ of the Hutt Contracting Co., and local manager in San Antonio.

Capt. HANSON. Where are their headquarters?

Mr. BRYANT. Kansas City.

Capt. HANSON. Have you or this construction company any employees in Mexico?

Mr. BRYANT. No, sir; we have not.

Capt. HANSON. You are engaged in shipping Mexican labor to the interior, to your company?

Mr. BRYANT. Yes, sir.

Capt. HANSON. Mr. Bryant, you do no advertising in Mexico?

Mr. BRYANT. None whatever.

Capt. HANSON. About how many laborers have you handled since the 1st of February, say?

Mr. BRYANT. Since February 1, the last month, we shipped 1,214 from San Antonio.

Capt. HANSON. And this month?

Mr. BRYANT. This month, why, we have shipped about 800.

Capt. HANSON. Can you furnish lists of those shipped out and those on file?

Mr. BRYANT. Yes, sir.

Capt. HANSON. You will do that, will you?

Mr. BRYANT. Yes, sir. We supplied Mr. Jennings, at Austin, State Labor Commissioner.

Capt. HANSON. You speak Spanish?

Mr. BRYANT. Not fluently.

Capt. HANSON. But enough to understand it and get along with them?

Mr. BRYANT. Yes, sir.

Capt. HANSON. Now, what percentage of those that you have been handling have you talked to as to why they came to this country?

Mr. BRYANT. We have talked with the majority of them.

Capt. HANSON. It has been said by certain people and through the press that Americans in Mexico and along the border have been engaged in inducing these people to come to this country for the purpose of exploiting them, and have led them to believe they would receive fabulous wages, etc. Now, I will ask you to make a statement just as to what these people give as their reasons as to why they came here, and whether they claim or state that anyone importuned them to come, and in substance, just what they told you in reference to this matter?

Mr. BRYANT. Well, it might be summed up this way: The intolerable conditions in Mexico, that they were starved, and that they came to the United States to better themselves.

Capt. HANSON. What do they say as to conditions in the State?

Mr. BRYANT. Very bad.

Capt. HANSON. In what way, Mr. Bryant?

Mr. BRYANT. That they could not make a living; that they were starving.

Capt. HANSON. Well, why?

Mr. BRYANT. They were underpaid, their wages, their wage rate was very low; they are paid 30 to 60 cents a day, and they were not able to live on that amount.

Capt. HANSON. Did they state to you who depredated on them; what class of people, or who was to blame for the bad conditions there?

Mr. BRYANT. In the majority of cases they never said, they just told me the general conditions of the country. We have talked with a great many men, and we have asked them in particular to compare present conditions with the conditions under Diaz, and in the majority of instances they have stated that under the Diaz régime they were paid an average of about 30 cents a day, but their living conditions were better; and even now they are paid more in proportion, but still they are unable to make a living.

Capt. HANSON. They seemed to be satisfied with the Diaz régime and with the treatment that they received at that time?

Mr. BRYANT. It seems so; yes, sir.

Capt. HANSON. And, now, under the present conditions they are very much dissatisfied?

Mr. BRYANT. In the majority of cases, in talking with these men, they have stated that conditions have grown worse, and are growing worse all the time, and they had hoped that conditions would settle down to where it would be possible for them to make a living and to remain in the country, but that conditions are steadily growing worse, and that they are leaving Mexico because they want to make a living. You might say that is a summary of our talk with the laborers every day.

Capt. HANSON. Have they made any statements to you with reference to the mistreatment of their woman folks or their families over there?

Mr. BRYANT. Some of them; yes, sir.

Capt. HANSON. And who do they claim were depredating on their women folks and families?

Mr. BRYANT. Well, some claimed it was soldiers—Government soldiers.

Capt. HANSON. Carranza soldiers?

Mr. BRYANT. Carranza soldiers; some by various bandits and outlaws, they didn't know just what faction they belonged to, all they knew was they were bandits depredating the country.

Capt. HANSON. Would you gather from what they told you that conditions, economically and in every other way, were very bad where they came from?

Mr. BRYANT. Yes, sir; very bad; and they have stated, a great many have, that the women folks and children were practically naked, they had no clothing—the small amount of wages that they had made was not sufficient to buy the necessary clothing, and some of the men themselves show very plainly that their own condition is not very much better.

Capt. HANSON. What class of people are these; are they good, law-abiding class and able-bodied?

Mr. BRYANT. They seem to be, more so than usual—that is, compared with previous years.

Capt. HANSON. They are a better class of laborers than have been coming out during the last few years?

Mr. BRYANT. Yes, sir; we consider them so.

Capt. HANSON. Did they make any statement to you as to how they crossed the river into the United States?

Mr. BRYANT. Some of them; some claimed that they paid their head tax, others claimed that they waded the river, some claimed that they paid the Mexican runners, they call them, on the other side of the border to move them across the river—that is, some of them told us they paid $2 to $4 in order to get across the river.

Capt. HANSON. Did any of them make a statement in regard to being held up across on the other side of the river?

Mr. BRYANT. Some of them on the other side of the river.

Capt. HANSON. Yes, sir; on the other side of the river?

Mr. BRYANT. Some of them, and stated they had been turned back, but this was in a very few instances; the majority of them stated that they were not molested.

Capt. HANSON. Did any of them make any statement to you that they were assisted to cross the river by any Americans or Mexicans on this side?

Mr. BRYANT. On this side; no, sir. We have talked with them; we have asked them particularly on this point, just from one standpoint: We wanted to know, and not that we thought that would justify it, or anything like that, but just for our own satisfaction, we asked them that question. None whatever has stated that he was assisted on this side.

Capt. HANSON. And the statement made by certain interested people and a portion of the press that Americans have been engaged in this unlawful business is untrue to the best of your knowledge and belief?

Mr. BRYANT. Yes, sir.

Capt. HANSON. What are the railroads paying these laborers?

Mr. BRYANT. Thirty-seven cents an hour, eight-hour day, $2.96 a day.

Capt. HANSON. Do they furnish transportation from San Antonio to wherever you send them, or is that deducted from their wages?

Mr. BRYANT. Nothing is deducted from their wages; transportation is furnished from San Antonio to the point of work and a return pass within four months to San Antonio, after a laborer has worked four months.

Capt. HANSON. Do you furnish them their box cars to live in, too, on top of that.

Mr. BRYANT. Yes, sir. Now, that is not clear, that $2.96; they are charged 90 cents a day for board; that includes their board, their bed and their quarters; they clear $2.06 a day.

TESTIMONY OF MR. W. J. LEWIS.

The witness was duly sworn by the notary public.

Capt. HANSON. What is your name?

Mr. LEWIS. W. J. Lewis.

Capt. HANSON. Where were you born?
Mr. LEWIS. Brownsville, Tex.
Capt. HANSON. Do you speak Spanish?
Mr. LEWIS. Yes, sir.
Capt. HANSON. Fluently?
Mr. LEWIS. Yes, sir.
Capt. HANSON. What is your occupation?
Mr. LEWIS. I am labor agent.
Capt. HANSON. Have you any employees in Mexico?
Mr. LEWIS. No, sir.
Capt. HANSON. Do you do any advertising in Mexico?
Mr. LEWIS. No, sir.
Capt. HANSON. How many laborers have you shipped since February 1, to interior points?
Mr. LEWIS. Well, it is between 250 and 300.
Capt. HANSON. Can you furnish a list of those shipped out and those on file?
Mr. LEWIS. I can this evening, Mr. Hanson.
Capt. HANSON. Well, all right.
Mr. LEWIS. I have got a man working on it now.
Capt. HANSON. What percentage of those handled by you have you talked to as to why they came to this country?
Mr. LEWIS. Well, not very many of them, only what I hear them say; I didn't hardly ever ask them why they came here.
Capt. HANSON. You hear them talking around the place?
Mr. LEWIS. Yes, sir.
Capt. HANSON. In handling them?
Mr. LEWIS. Yes, sir.
Capt. HANSON. Well, it has been stated by certain people and through the press that certain Americans in Mexico and along the border have been active in inducing these people to come to this country for the purpose of exploiting them, robbing them, and have led them to believe that they would receive fabulous wages, etc. I will now ask you to make a statement as to what reason these people give for coming here, and whether they claim or state that anyone brought them over or importuned them to come, and, in substance, state what they told you in reference to this matter.
Mr. LEWIS. Well, I have heard them say that conditions were bad down there; they don't make any wages, I have heard them talk—they make 2 bits a day and 3 pecks of corn, those are the only wages they got, and half the time they don't give them any meat or hardly anything to eat, and the conditions are so they couldn't plant; if they did raise a crop, why, somebody would come and take it from them.
Capt. HANSON. Well, who would take it away from them?
Mr. LEWIS. Well, they didn't say who, but some one would come around and knock them out of it; they couldn't make anything, couldn't make a living.
Capt. HANSON. Did you hear them state as to the condition of their families and children and the condition of the poor people in their country, as to clothing?

Mr. LEWIS. Well, they said clothing was very hard to get, couldn't hardly get any clothing.

Capt. HANSON. And their children are naked?

Mr. LEWIS. Well, some are naked that I have seen come from there—that is, that I have seen here in San Antonio.

Capt. HANSON. Did they tell you how they got over the river?

Mr. LEWIS. No, sir.

Capt. HANSON. You don't know anything about that?

Mr. LEWIS. No, sir.

Capt. HANSON. You never did hear any of them claim that they were brought over here by Americans or Mexicans from this side of the river, did you?

Mr. LEWIS. No, sir.

THURSDAY, APRIL 8, 1920.

UNITED STATES SENATE,
SUBCOMMITTEE ON FOREIGN RELATIONS,
Washington, D. C.

Testimony taken at Washington, D. C., April 8, 1920, by Francis J. Kearful, esq., in pursuance of an order of the subcommittee of the Committee on Foreign Relations of the Senate.

TESTIMONY OF WILLIAM STRAUBE.

(The witness was sworn by Mr. Kearful.)

Mr. KEARFUL. What is your name?

Mr. STRAUBE. William Straube.

Mr. KEARFUL. Where do you live?

Mr. STRAUBE. Downers Grove, Ill.

Mr. KEARFUL. Are you an American citizen?

Mr. STRAUBE. Yes, sir.

Mr. KEARFUL. Native born?

Mr. STRAUBE. Yes, sir.

Mr. KEARFUL. What is your occupation?

Mr. STRAUBE. I call myself a constructive pioneer; primarily a farmer.

Mr. KEARFUL. To what extent have you been engaged in business in Mexico?

Mr. STRAUBE. I went there first in 1898 on a tour of inspection. I was in business at that time manufacturing the Straube pianos. I subsequently sold that out in March, 1902, and went down there to make investments.

Mr. KEARFUL. How did you happen to go to Mexico?

Mr. STRAUBE. It is a long story. It starts back when I was going to Catholic school, when a Catholic priest told us some fairy stories about Mexico, and the pictures I saw in my geography always had a sort of alluring effect on me, and I remembered it, and when I was at leisure I took the notion to go to Mexico.

Mr. KEARFUL. You went down there and found those alluring pictures were not overdrawn?

Mr. STRAUBE. No, sir; the ones the Catholic priest told us of, yes; but the ones in the geography, no.

Mr. KEARFUL. What did you do in Mexico then?

Mr. STRAUBE. Invested in lands.

Mr. KEARFUL. To what extent and where?

Mr. STRAUBE. Myself and two others first bought the Pacheco estate, at Motogrongo, in the State of Vera Cruz. We bought the Pacheco estate, which consisted of 165,000 acres, and we paid $300,000 in gold for it.

Mr. KEARFUL. What else did you buy?

Mr. STRAUBE. I bought the Cerro Majarro plantation. I did that individually and paid $275,000 Mex. I afterward bought San Pablo at Omealto from Juan Sentias. I paid 107,000 pesos for that. I developed that and lived on it for about nine years.

Mr. KEARFUL. Have you been pretty much over the whole country of Mexico?

Mr. STRAUBE. Not thoroughly; only passing through it in that particular section.

Mr. KEARFUL. In what state were these places located?

Mr. STRAUBE. Two of them were in the State of Vera Cruz, and Cerro Majarro was in the State of Oaxaca.

Mr. KEARFUL. You lived in the city of Vera Cruz?

Mr. STRAUBE. Yes, sir.

Mr. KEARFUL. Did you in the course of your operations come in contact with Mexican officials and Mexican people generally?

Mr. STRAUBE. Yes, sir.

Mr. KEARFUL. How were you treated by them while you were there?

Mr. STRAUBE. Absolutely fair.

Mr. KEARFUL. That was between what dates?

Mr. STRAUBE. From 1902 until June, 1911.

Mr. KEARFUL. What sort of operations did you conduct in those places?

Mr. STRAUBE. I started the planting of sugar cane for the Motogrongo Co., and stayed there about six months. Then I moved over to San Pablo and lived there the rest of the time.

Mr. KEARFUL. What sort of operations did you conduct there?

Mr. STRAUBE. I would call it a general hacienda business. It consisted of planting and renting and loaning money and buying crops from my tenants.

Mr. KEARFUL. Did you have any concessions from the Mexican Government under which you were operating?

Mr. STRAUBE. No, sir.

Mr. KEARFUL. Do you know of any other American citizens who were operating in Mexico during the time you were there?

Mr. STRAUBE. Yes, sir.

Mr. KEARFUL. Did they operate under concessions that gave them special privileges there over other foreigners or natives?

Mr. STRAUBE. Not that I ever heard of.

Mr. KEARFUL. Perhaps you have heard stated, as we have often, that American citizens in Mexico were engaged in exploiting the Mexican people under special concessions which they obtained by fraud from the Mexican Government?

Mr. STRAUBE. I have heard so.

Mr. KEARFUL. Is there any truth in that at all?

Mr. STRAUBE. Not to my knowledge.

Mr. KEARFUL. What kind of people were the American citizens with whom you came in contact in Mexico? Were they law-abiding and peaceful and decent people, or otherwise?

Mr. STRAUBE. The fact is I did not meet very many Americans. I was in rather an isolated place most of the time. In the towns of Orizaba and Cordoba there were very few Americans. The Americans I did meet I considered representative American citizens.

Mr. KEARFUL. High class people, were they?

Mr. STRAUBE. Fairly so.

Mr. KEARFUL. Did they compare favorably with citizens whom you met in this country?

Mr. STRAUBE. Yes, sir.

Mr. KEARFUL. Did you observe the effect upon Mexicans and upon their mode of living by the operations of the Americans or other foreigners in Mexico?

Mr. STRAUBE. Only in those who were under my jurisdiction.

Mr. KEARFUL. How were they affected there?

Mr. STRAUBE. They would buy better clothing. They would buy shoes. In fact, they would buy anything that they could buy on credit from me. They wore better clothes.

Mr. KEARFUL. What about wages? Were the wages increased or diminished by reason of the foreign operations?

Mr. STRAUBE. In Motogrongo they were increased. In my place I made them conform with those of my neighbors, who were Mexicans.

Mr. KEARFUL. What wages were prevailing at that time?

Mr. STRAUBE. Five reals.

Mr. KEARFUL. That would be how much?

Mr. STRAUBE. Sixty-two cents Mexican.

Mr. KEARFUL. So that the prevailing wage throughout the entire period while you were there was about that?

Mr. STRAUBE. Pretty much, yes, sir.

Mr. KEARFUL. Did you have any troubles at all before you left Mexico?

Mr. STRAUBE. Never.

Mr. KEARFUL. You were not there under the Huerta government?

Mr. STRAUBE. No, sir.

Mr. KEARFUL. Have you any interests in Mexico now?

Mr. STRAUBE. Yes, sir. I have a mortgage due me from a Mexican who bought my plantation.

Mr. KEARFUL. That is the only interest you have?

Mr. STRAUBE. Yes, sir.

Mr. KEARFUL. You are not operating at all in Mexico?

Mr. STRAUBE. No, sir.

Mr. KEARFUL. And you have not since 1911?

Mr. STRAUBE. No, sir.

Mr. KEARFUL. Have you been there since that time?

Mr. STRAUBE. I was there in 1912.

Mr. KEARFUL. What was the condition of the country then compared with what it had been during the years you were there?

Mr. STRAUBE. It was more unsettled.

Mr. KEARFUL. Have you any information now as to conditions since that time?

Mr. STRAUBE. I have. Occasionally I hear from my representative there who has my power of attorney and acts for me.

Mr. KEARFUL. What is the nature of the reports you get from him about the conditions in the country?

Mr. STRAUBE. At times he states that business seems to be improving, and other times it seems to be demoralized.

Mr. KEARFUL. Do you keep in touch with it because of your mortgage interest in the place you sold?

Mr. STRAUBE. And friendship as well.

Mr. KEARFUL. To what is the demoralization due that you hear about?

Mr. STRAUBE. I hear that so far as it affects the man who bought my plantation, they tell me he has had a great deal of trouble with the constant changes of authorities and that he is obliged to pay tribute for safe conduct of his products, so that he is not able to pay me any money, either principal or interest, that is due me. The government taxes his output so that his profits are very small.

Mr. KEARFUL. When did you cease receiving interest upon your mortgage?

Mr. STRAUBE. January, 1912.

Mr. KEARFUL. Since that time the reasons given for not paying interest have been the unsettled condition of the country?

Mr. STRAUBE. That and the moratorium.

Mr. KEARFUL. What do you mean by that?

Mr. STRAUBE. The law protects them; that is, to the extent that it would be impossible to foreclose or force collection.

Mr. KEARFUL. Do you think that the debtor is taking advantage of that and failing to pay although he is able to do so?

Mr. STRAUBE. No; I would hardly say that.

Mr. KEARFUL. You think then that he is not able to pay because of the unsettled conditions?

Mr. STRAUBE. Yes, sir.

Mr. KEARFUL. Have you made investigations so as to be able to state whether those reports are true or not?

Mr. STRAUBE. Yes; from hearsay.

Mr. KEARFUL. You are satisfied then that conditions are such that he is unable to pay the interest?

Mr. STRAUBE. That and the fact that I could not compel him to because of the moratorium, although he tendered payment for the entire indebtedness and interest in 1915 when the currency was almost worthless.

Mr. KEARFUL. That is the paper money which was issued by Carranza?

Mr. STRAUBE. Yes; but the fact that my document was dated previous to 1913 was the saving clause and I was not compelled to accept it.

Mr. KEARFUL. The debt was payable in the money current at the time it was created?

Mr. STRAUBE. At the time the document was dated.

Mr. KEARFUL. In connection with your interests in Mexico have you satisfied yourself as to whether the conditions are improving or not?

Mr. STRAUBE. No, sir; I have not.

Mr. KEARFUL. You have not investigated that enough to say?

Mr. STRAUBE. Only what I read and know through letters that I received from my friends down there makes me believe they are unsettled.

Mr. KEARFUL. Are the letters that you receive optimistic as to the future of Mexico?

Mr. STRAUBE. No, sir.

Mr. KEARFUL. What is the general tenor of them?

Mr. STRAUBE. Some of them state that unless the United States intervenes in some form or other, they never will improve?

Mr. KEARFUL. What is your own opinion about that? Do you believe that?

Mr. STRAUBE. Yes, sir; I do.

Mr. KEARFUL. Did you see enough of the disorders while you were still there on which you could base an opinion that the Mexicans are unable to control the situation themselves?

Mr. STRAUBE. I would think so.

Mr. KEARFUL. What was it that induced that belief in your mind.?

Mr. STRAUBE. The way Madero handled affairs from the time he became President until the time I left, and the different decrees that he issued. They did not seem to be for the benefit of the people, but more for the benefit of Madero and his immediate friends.

Mr. KEARFUL. What was the feeling of the people generally after Madero had been in office awhile as to whether he was a success or not?

Mr. STRAUBE. There was a lack of confidence.

Mr. KEARFUL. A general lack of confidence in Madero?

Mr. STRAUBE. Yes, sir.

Mr. KEARFUL. Did that constantly grow?

Mr. STRAUBE. It seemed to.

Mr. KEARFUL. Is that the reason you sold?

Mr. STRAUBE. No, sir.

Mr. KEARFUL. You think intervention is the only solution?

Mr. STRAUBE. Yes.

Mr. KEARFUL. What form do you think that ought to take?

Mr. STRAUBE. My idea would be about the same as in Cuba, to stabilize the government for them and let them run it the same as we did in Cuba.

Mr. KEARFUL. Keeping a fatherly hand on it?

Mr. STRAUBE. Yes, sir.

Mr. KEARFUL. Is there any further statement you wish to make in regard to the matter?

Mr. STRAUBE. Nothing that I can think of.

Mr. KEARFUL. Very well; thank you. That is all.

(Witness excused.)

TESTIMONY OF CHARLES M. BURNETT.

(The witness was sworn by Mr. Kearful.)

Mr. KEARFUL. Will you state your full name?

Mr. BURNETT. Charles M. Burnett.

Mr. KEARFUL. Where do you live?

Mr. BURNETT. Trilby, Fla.

Mr. KEARFUL. What is your business?

Mr. BURNETT. I am a farmer-preacher. I have a little farm down there, but I am a Baptist pastor.

Mr. KEARFUL. Are you a native-born American citizen?

Mr. BURNETT. Yes, sir.

Mr. KEARFUL. Have you ever been engaged in business or lived in Mexico?

Mr. BURNETT. I was farming there and fruit raising for six years.

Mr. KEARFUL. During what period?

Mr. BURNETT. From the fall of 1908 to the spring of 1914, very nearly six years.

Mr. KEARFUL. At what place?

Mr. BURNETT. At Medina.

Mr. KEARFUL. That is the name of a colony of Americans?

Mr. BURNETT. Yes, sir.

Mr. KEARFUL. In what State?

Mr. BURNETT. Oaxaca.

Mr. KEARFUL. Were you there at the beginning of this colony?

Mr. BURNETT. No, sir, I was not there until perhaps two years after this company took charge of the land, but we were the first family there; I was the first man with a family to go there. There were some bachelors there who had been there for two years when we went there.

Mr. KEARFUL. About how many acres were embraced in the lands of this colony?

Mr. BURNETT. About 58,000, I believe, in the three tracts that they had, lot 1, lot 2, and lot 3. There were the two agricultural land companies, of Peoria, Ill., and Norman, Okla.

Mr. KEARFUL. About how many American colonists finally settled in this place?

Mr. BURNETT. During the six years after the first few months we had about an average of 80 in the colony, old and young, 15 to 20 families. It was during four years of revolution so there were some people coming and going, but it was an average of about 80.

Mr. KEARFUL. What kind of people were those colonists?

Mr. BURNETT. They were nearly all foreigners from almost all the States. Principally Texas, Oklahoma, Kansas, and Illinois were the States very largely represented, although there were some from Oregon and Washington, and one from Idaho.

Mr. KEARFUL. Were they a fair class of American citizens?

Mr. BURNETT. Yes, sir.

Mr. KEARFUL. Of the farming class?

Mr. BURNETT. Yes, sir.

Mr. KEARFUL. Did they own their own places?

Mr. BURNETT. Yes, sir, they had not a renter. One man rented a little while, but he had his own place before very long. They all owned their own places and had them improved.

Mr. KEARFUL. They had their wives and children there?

Mr. BURNETT. Yes, sir. We considered that they would average with the people in almost any place we ever lived, not so many, but putting the company together they were a good average of any place we ever lived before or since, in intelligence and sociability and all that.

Mr. KEARFUL. Were they law-abiding and peaceable?

Mr. BURNETT. Yes, sir. There never was a person in the colony that I can remember of that had any trouble there among themselves or with the natives.

Mr. KEARFUL. Did they buy and pay for the land and receive the title?

Mr. BURNETT. Yes, sir.

Mr. KEARFUL. Did they pay their taxes?

Mr. BURNETT. Yes, sir.

Mr. KEARFUL. And their debts?

Mr. BURNETT. Yes, sir.

Mr. KEARFUL. Did they have a school?

Mr. BURNETT. Yes, sir.

Mr. KEARFUL. By whom was it maintained?

Mr. BURNETT. By the American people themselves. We built our own schoolhouse.

Mr. KEARFUL. Without assistance from the Mexican authorities?

Mr. BURNETT. Yes, sir; without any assistance whatever.

Mr. KEARFUL. Did you hire your own teacher?

Mr. BURNETT. Yes, sir. I had Sunday school at that time every Sunday, which was voluntary on my part of course.

Mr. KEARFUL. Were you the pastor?

Mr. BURNETT. We had no organization. I did preach and superintend the Sunday school. We had Sunday school every Sunday and preaching every Sunday night, always fairly well attended.

Mr. KEARFUL. What agricultural products were raised on those places?

Mr. BURNETT. First of all we raised corn. That was the first thing to plant after clearing the land. Everybody on their first clearing put out corn.

Mr. KEARFUL. What was the condition of the land when you first went there?

Mr. BURNETT. A thick jungle, mostly of bamboo brush, that you could not go through a rod without cutting your way through.

Mr. KEARFUL. What was done by way of improvements by the colonists?

Mr. BURNETT. Every one had built his own house and had made his own clearing and was working his place to improve it, just like he would in this country.

In answer to that other question, if you want it more fully, we were not dependent on our corn for principal crop. That is the first thing we planted. Then our para grass, our money crop, was the primary crop. That was proven to be a great success. We knew what we were doing with that. We all had our citrus fruits; everybody had his orchard, but we did not try to find any market. We had proven what we could do, but nobody tried to market anything.

Mr. KEARFUL. About what size farms did the colonists have?

Mr. BURNETT. That depended on what a man was starting to do. Some of them, like Dr. Manly, who will testify for himself, had the object of establishing a ranch. His first crop was corn, like ours, so he had two or three hundred acres sowed to para grass. Those of us that were going to raise pineapples needed a smaller acreage for that. A few acres of that went a good ways.

Mr. KEARFUL. How large was your place?

Mr. BURNETT. I had 10 acres up near town that I had bought and set to citrus fruit, and between that was putting out pineapples on my larger tract 6 miles out where I had 40 acres that had been planted to corn and then set to para grass.

Mr. KEARFUL. Did those colonists have agricultural implements and stock of all kinds?

Mr. BURNETT. Yes, sir; all of our implements came from the United States, and our harness came from the United States. We bought native horses and mules and broke them and taught our Mexican help how to harness them. He turned the collar the wrong way on a mule; they never saw one harnessed before. We had to get all the implements from the United States. They did not have them there.

Mr. KEARFUL. Were you in any wise engaged in exploiting the Mexican people, or oppressing the Mexican people, or did you hear it stated that Americans were doing so in Mexico?

Mr. BURNETT. Only in this way, that we paid them double what they would pay one another. We had men working for us that we paid double what they would pay the other fellow if they worked for them, and they were very, very glad to work for us. If they did not want to work there was no way of forcing them and we never tried to. We always had all the labor we wanted. We paid labor just the same that the railroad did when it was put through their several years before, and from the very beginning we paid the same wages that they were paying, which was double what the Mexicans paid one another for work.

Mr. KEARFUL. What effect did the American operations have upon the Mexicans and their mode of living?

Mr. BURNETT. Men that had never seen a horse or a plow used in the field, before we left were borrowing our plows and putting some of our harness on their horses and were plowing their corn. They never had done the like before. At least three Mexicans had bought American wagons, which were a novelty in that country before our colony started. We hitched two horses to them, and they had bought three of those, and that was a good deal for them to be doing. Some of them had bought land of the company and had really their own home, which was a new thing. They never had known what it was to have a small tract of land, and they had put out their own fruit and they had a pride that no Mexican had who had not owned his own home. It made better citizens of them in every way.

Mr. KEARFUL. You say they learned that from the American colonists?

Mr. BURNETT. Yes, sir; some of the young men that worked for our people learned how to do things like American citizens, and learned to talk English, and very good, very proud of it.

Mr. KEARFUL. What was the relations between the American colonists and the native Mexicans?

Mr. BURNETT. I can illustrate that better by telling the closing scene when we left the neighborhood. It will be in order to tell it right now. When we were lined up ready to leave, our Mexican women shed more tears over our women going than I ever saw shed when families were being divided here. They threw their arms around their necks and cried. As their head men were shaking hands with us, tears were running down their cheeks. They felt that friends were leaving, and there was not one of them but what was a friend of ours, even after Vera Cruz had been occupied. We had nothing to fear from the Mexicans that lived in our community. All we feared then was straggling people and bandits, but our immediate Mexican neighbors that we lived among were friends right up to the very last.

Mr. KEARFUL. You went there first in the time of Porfirio Diaz?

Mr. BURNETT. Yes, sir; we went there when the Government was really inviting or bidding for Americans to come. On my first trip, I brought Fitzgerald's Guide to Mexico, in which the president was really throwing out inducements and inviting Americans to come and invest. It was part of his policy.

Mr. KEARFUL. To develop the resources of the country?

Mr. BURNETT. Yes, sir.

Mr. KEARFUL. Did you hear of any objections made by this Government to American citizens going there to develop Mexico?

Mr. BURNETT. I never heard any objection to it whatever in any way.

Mr. KEARFUL. Was there ever any intimation that Americans would not receive protection there?

Mr. BURNETT. No, sir. We really had every reason to suppose, up until the very last, that we would be protected in case any protection was needed. We never suspicioned but what we would be protected.

In passing from the other answer, do you care for any proof about the feeling of the administration at the time I went there regarding the Americans going there?

Mr. KEARFUL. I should like to have a statement from you about that.

Mr. BURNETT. Here is a publication gotten out by Fitzgerald. In that they were trying to get Americans to go there by showing up the natural resources and possibilities of the country and bidding for Americans to go there and settle. I read that on my first trip down, and also I met Fitzgerald.

Mr. KEARFUL. Who was Fitzgerald?

Mr. BURNETT. He was an American, and he was living in Mexico City. I do not know how long he had been there. He published three editions of that book. In looking through that you will find that it is bidding in as strong language as anybody could for Americans to develop the resources of that tropical country.

Mr. KEARFUL. Do you understand that this book was gotten out under the auspices of the Mexican Government?

Mr. BURNETT. Yes, sir. You will find on the first leaf that that was started by them—that is, while the first edition was not printed by the Government, the Government was furnishing expenses of having it published.

Mr. KEARFUL. The title page states that it is published by the Mexican Government under the direction of Hon. E. Aldesoro, acting secretary of Fomento, by order of Gen. Porfirio Diaz, President of the Republic of Mexico. Was this book pretty generally circulated in the United States?

Mr. BURNETT. Yes, sir; and especially among any one that was going down with any view of doing anything. I had one on my first trip, and there were three editions already put out.

Mr. KEARFUL. This seems to have been published in 1906?

Mr. BURNETT. Yes, sir. The first trip down was in the very close of 1906. The book holds out every inducement possible and every encouragement possible for Americans to invest in land in Mexico and develop the resources. That had more to do in deciding me than anything else. Just at present I can not turn to the particular pages there because I have not read the book for a good while, but I read it over carefully when it was first put out.

I do not want to be understood that there was any concession or anything like that from the President of Mexico or the Government of Mexico. There was nothing like that. Our people bought their land right out and paid for it just like they would pay for it here.

Mr. KEARFUL. You and your neighbors had no concessions from the Mexican authorities that gave you special privileges over other people?

Mr. BURNETT. No, sir; not in any way, and we never had any clash or any trouble in any way with the authorities and they had no reason to complain of our being there during the six years.

Mr. KEARFUL. Do you know whether or not this publication was approved by the authorities of this Government?

Mr. BURNETT. Of course, I do not know about that, but I never heard any hint whatever to the contrary. I had read that and owned my land two years before I went to it. I was living in Oklahoma the rest of the time, and other people were going down and buying, and I never heard a word of any protest whatever. I talked occasionally with the American consul at Vera Cruz, and I never had any hints from him that there was any objection from this country regarding our being there at all.

Mr. KEARFUL. When was the first intimation you had from the authorities in this country that you had no business there?

Mr. BURNETT. We did not know much about that until we were going out and after we got out, but some things that did not sound just right to us were statements that we had heard to the effect that while American lives abroad would be protected, yet not a life would be sacrificed to protect property in foreign countries, or something to that effect. We heard of statements like that being made. Then when we were leaving we had a conviction that we were not being protected as well as subjects of other countries were being protected.

Mr. KEARFUL. What was the reason for that?

Mr. BURNETT. We realized that the Mexican people were not having the respect for this Government that they had for others.

Mr. KEARFUL. What grounds had they for that feeling?

Mr. BURNETT. The watchful waiting policy.

Mr. KEARFUL. You heard them talk about it, I suppose? What did they have to say about the actions of this Government toward them and their country?

Mr. BURNETT. The papers that we read, the Mexican papers, seemed to feel it was a little bit of a joke. Things that this country were stating they did not like, because we were hearing occasionally that if the Mexican Government would do certain things it would be displeasing to this country, and they would go on and do them and that was the last of it. After awhile there would be another statement that certain other things would be displeasing to this country, and then they would go on and do them again, so that it became rather a standing joke that they could do as they pleased with this country; that this country would not call them to time for it.

Mr. KEARFUL. Before you left Mexico did you have any troubles with the Mexicans?

Mr. BURNETT. None whatever, until after the landing of the troops at Vera Cruz. We lived there throughout four years of revolution, and it was very common to hear of notices saying, "You have nothing to fear; you Americans have nothing to fear." They were afraid of being forced into the Federal army, if the Federal army was in control, or into the rebel ranks if the rebels were in control, but we being foreigners were not supposed to be bothered either way, and we were not bothered until the landing of the troops at Vera Cruz.

Mr. KEARFUL. You spoke about the revolution. That was the beginning of the Madero revolution, and up to the time of the landing of the troops in Vera Cruz?

Mr. BURNETT. Yes, sir; four years. We lived there during that four years of revolution.

Mr. KEARFUL. Prior to that time and in the time of Diaz what was the condition as to security for life and property?

Mr. BURNETT. It was a common saying that if a man wanted to commit any crime, he had better commit it in the United States than commit it in Mexico; that he was sure of punishment there and severe punishment. We had nothing to fear. We never even locked our houses. We never had anything stolen, so far as I know

Mr. KEARFUL. What was the condition of travel?

Mr. BURNETT. They hardly knew what roads were. There was not a wagon road in that part of the country. They would go horseback. We had roads all over our colony, but we could not go out of the colony in a wagon.

Mr. KEARFUL. I meant as to feeling secure in travel.

Mr. BURNETT. Until a way along in the war a person could travel anywhere and be perfectly safe. We had nothing to fear in traveling and going among strangers.

Mr. KEARFUL. Were there any districts infested with bandits during the time of Diaz that you know of?

Mr. BURNET. I think not.

Mr. KEARFUL. Did any of that sort of thing occur before you left there?

Mr. BURNETT. Yes, sir.

Mr. KEARFUL. To what extent?

Mr. BURNETT. To a very large extent. Of course, during the Madero revolution we were not in the part that was having so much fighting. We were more in the district that Zapata's rebels were occupying, and yet they would only be in our part of the country to gather up recruits, and we had nothing special to fear from them They came to our town occasionally.

One morning our people got up and found something like 100 men on horses in the streets watching for people to get up, and they robbed the depot and two or three trains that came in that day. They considered that as government property and they had the right to it; but Americans, members of our colony, stood back and saw what they were doing. They also allowed the Americans to take kodak pictures of them, pictures showing some of our Americans in their picture also. They paid no attention to anything of that sort. There was no trouble between them and our Americans at all.

Mr. KEARFUL. Those were Zapatistas, you say?

Mr. BURNETT. Yes, sir; more especially, but all of them at that time were claiming to be looking to Madero, all the revolutionists then, and that was before Madero was at the head. While he was really at the head of the revolution, yet Zapata was the leader.

Mr. KEARFUL. Those people claimed to be followers of Madero and rebels against Diaz?

Mr. BURNETT. Yes, sir. That was at the beginning of 1910.

Mr. KEARFUL. When did your first troubles begin?

Mr. BURNETT. Really we did not have any trouble until the landing of the American troops at Vera Cruz. We stayed at our homes and

went on with our work just as we always had. Some of our Americans had saddle horses taken from them, and they would ride them until they got tired and then turn them loose, and in some cases send them word where they had turned them loose. There never was but one horse that stayed away, and an officer took that. It was a good horse and he kept it. A few lost their guns, but that was all. They were the only losses Americans had until the time of our leaving.

Mr. KEARFUL. What happened at the time you left the country?

Mr. BURNETT. In how much detail do you want that?

Mr. KEARFUL. Just as it occurs to you as it was impressed upon your mind, so we can get a picture of it.

Mr. BURNETT. The superintendent of the company received word from his wife and son, who were at Vera Cruz, of the serious condition and the insulting of the flag at Tampico and the fleet that was coming. Of course news was being kept down, and if it had not been for that we would not have known about it.

We called the colony together Sunday afternoon. That was the 20th of April. We said we had no right to keep those facts secret and not let the people know the condition, and we read the letter that had come and told them just how conditions stood.

Mrs. Miles was urging us all to come. We said a woman might not realize like a man what it would mean for us all to leave our homes, and every one decided to stay until they had additional word. Mr. Miles went down on Monday. Sunday was the 19th and he went down on Monday the 20th. He was to notify us of the condition.

Mr. KEARFUL. That is, he went down to Vera Cruz?

Mr. BURNETT. Yes, where his wife and son were. He wrote a letter back, and if you wanted it it could be put in as a part of my testimony, but the substance was that he gave us conditions that you people here all knew about, that we had not been hearing, but the consul at the time the train left, which was eight something, refused to give any order to us to leave until after he had opened his morning mail, which was 8 or 8.30 or something like that. That was at that hour in the morning before the troops landed about 10.30, and yet the consul would not give any instructions for us to come out.

Mr. KEARFUL. What was the reason for that?

Mr. BURNETT. He knew of no special reason at that time for giving that order.

Mr. KEARFUL. Do you mean that he did not know that troops were going to be landed?

Mr. BURNETT. No; he knew nothing about that at about 8 or 8.30 in the morning before they landed at ten something.

Mr. KEARFUL. What notice did you get to get out of the country before that time?

Mr. BURNETT. Along in the fall, perhaps October before this, we had the notice that was given to the consuls for them to deliver to the Americans for us all to leave our property in the hands of the consuls and to leave the country at once. That was it in substance. I have not a copy of it here. I did have a copy of that order.

Mr. KEARFUL. What was the reason given for the order, if any?

Mr. BURNETT. The reason was not given. We considered that the order that was given like that ought to have meant that intervention was going to follow. That is what everybody really considered.

Mr. KEARFUL. There was no interpretation you could put upon it?

Mr. BURNETT. That is about the only one. I have a statement here that was sent at the time we were leaving. I do not think I have the notice. I am sure that it could be procured.

Mr. KEARFUL. This notice you say was given in the fall of 1913?

Mr. BURNETT. Yes, sir.

Mr. KEARFUL. And the impression created was that intervention was imminent?

Mr. BURNETT. Yes, sir.

Mr. KEARFUL. You could find no other reason for such a notice being given?

Mr. BURNETT. We could find no reason for our leaving unless intervention was coming. We did not leave, and something like 10 days or two weeks afterwards we had the statement sent out that the Government did not mean by that for us to abandon all we had at a sacrifice, but the interpretation was that as soon as it was convenient to do so, as soon as we could straighten our affairs, we should get to a safer place. That was not the way we interpreted the message when we received it.

Mr. KEARFUL. That was inconsistent with the first message?

Mr. BURNETT. It was entirely opposite, and to be plain about it, that caused some of us to smile when we read it, and others as well.

Mr. KEARFUL. Some of them did more than smile, did they not?

Mr. BURNETT. They might have done more if they had had an opportunity, but that is all we could do.

Mr. KEARFUL. You were a minister and perhaps they did not swear in your presence?

Mr. BURNETT. Our people were not all swearing people anyway, but we were not real well pleased, and that is putting it mildly.

Mr. KEARFUL. What events were happening in Mexico at the time this first order was received that seemed to be a ground for interference in Mexico by this Government?

Mr. BURNETT. The conditions were getting pretty bad, and our Government was taking a stand against what we Americans that lived in Mexico thought was the last chance of the Mexican people to ever bring about a stable government. We believed that Huerta government was the last chance Mexico had, and this Government was taking a positive stand against the Huerta government.

Mr. KEARFUL. Did you receive protection to life and property under Huerta?

Mr. BURNETT. Yes, sir. At one time they had about 20 soldfers stationed there simply to give us protection, and they did everything we asked them to do to give us protection.

Mr. KEARFUL. Was there any looting or robbing of your property during the time of Huerta, up to the landing of troops at Vera Cruz?

Mr. BURNETT. We never lost anything. Usually the corn pens were out of sight of every house and unlocked, and never could we see that any corn was missing. We never lost any horses or cattle.

Mr. KEARFUL. What was the policy of the American Government in regard to Huerta as it was understood by you?

Mr. BURNETT. It was that they had positively refused to recognize him, and it seemed to us that they were determined to put him down. That is the way it seemed to us at that distance. It looked that way, that they were taking a positive stand against the Huerta govern-

ment, but we considered it was the last chance that Mexico had to bring about a settlement of their troubles.

Mr. KEARFUL. Do you mean the American Government was losing a chance?

Mr. BURNETT. No, sir; the Huerta Government was to lose the chance. As a man we did not consider that he was anywhere near an angel, but we considered that Mexico needed a good strong hand at that time, and it seemed that Huerta was that kind, and as far as we could see was respecting the rights of the people, and we felt that we had had, just as the people in general had had, justice from him.

Mr. KEARFUL. What was the general feeling in Mexico as to the probability of Huerta being successful except for the attitude of this Government?

Mr. BURNETT. We felt he would have brought about peace even if this country had remained neutral and taken no stand. With their help, there is no question in my mind that he would have brought about peace. So far as I ever heard, that was the opinion of every American in Mexico that I heard express themselves.

Mr. KEARFUL. What was the opinion of Mexicans generally, intelligent Mexicans, who were capable of having opinions?

Mr. BURNETT. That is hard to answer. At the time Huerta went in he had a very strong influence on his side. Of course, Carranza was up in the north and Zapata we always had with us; he was in the south, but neither one had any strength at the beginning, and I think that, recognizing Huerta, they never would have gained much strength.

Mr. KEARFUL. Do you think they would have had any strength if they had not been supported in this country?

Mr. BURNETT. Without saying how much support they were getting, cutting off the financial support of the established government under Huerta was helping the side, and if they had been left entirely alone I believe Huerta would have handled the situation without any outside help if he could have been left free to do it without having his resources curtailed by other people.

Mr. KEARFUL. The taking of Vera Cruz had some effect?

Mr. BURNETT. That was the only reason for taking Vera Cruz. It was Huerta's greatest source of revenue. They had refused to loan money and all that, which they had a right to do, but the legitimate income from Vera Cruz was keeping him going, and the taking of Vera Cruz was cutting that off. That was the final blow, as we thought.

Mr. KEARFUL. Will you proceed now and relate your further experience at that time?

Mr. BURNETT. On this Tuesday morning, the 21st, before we had our letters—of course, there was an operator there at our station giving the news all the time from Vera Cruz. We had a man that was a telegraph operator, who understood Mexican, that sat right by the operator all day long. We had all the news that was going over the wire. It was not all truthful news but we realized the condition before we got any word through from our man in Vera Cruz that our troops had landed at Vera Cruz, and there had been firing—exaggerated reports, of course. It is not necessary to tell the rumors that were broadcast. This country perhaps would have exaggerated, too, when they had a two fold object. The Mexicans

exaggerated to arouse their people so they would enlist under the banner of their country to meet the enemy, and so they exaggerated conditions at Vera Cruz, but we knew they were very critical before we had heard.

The first word was that the consul refused to give any orders until he opened his mail, and in that hour and a half or two hours troops had landed and we had a dispatch that made it necessary to leave. We got that late in the evening of Tuesday, and we planned to leave Wednesday morning.

We spent the night packing our trunks and grips, ready to take the train for Vera Cruz. Then we heard Wednesday morning, just about starting time, that the track had been torn up out of Vera Cruz, and that we could not reach Vera Cruz, and we preferred staying among Mexicans whom we knew, rather than to leave home and be among strange Mexicans. So we stayed there until Friday. Most of our people had gone into the hotel, and were staying there. Two or three families of us, mine among them, stayed in their homes until Friday.

We were expecting that the American army would rebuild that track and come out for us. They knew where we were, and we supposed they were coming immediately to the interior. All those days troop train after troop train went through, going to the mountains. They had taken most of them out of three or four States south of us, and were taking them toward Mexico City, really abandoning all those tropical States, thinking that American troops would soon be coming in, and they were turning that country over to them.

On Friday I was out at my place and my wife was in town, and when I came in I found a number of men there and found that they had taken charge of the Americans that were there at the station, had taken their guns and kind of herded them there together, and as different ones of us came in they would take our guns and put us over there with the others. We had better judgment than to show any fight. There were 30 of them, and we were coming in 1 or 2 at a time, and we had no way of knowing what was going on. We had appealed to the Mexican Government to send us a guard to protect us from bandits. We did not know but what the Mexican Government had sent them, and we did not know whether they were bandits. They wore no uniform at all.

After we came in, all except a few, they sent men out to bring them in, and then they had all our guns. They opened all of our trunks and grips to see whether we had any more guns or ammunition that was put away.

After our women had cooked a good meal and offered dinner to the soldiers, they said they did not need anything. We saw by that that they were afraid there was some poison in the food, and then we began to wonder what kind of people they were that thought we wanted to poison them. So we sat down and ate a very hearty meal, with about 12 men standing over the table with rifles watching us.

Up to that time they had been very quiet. As we came out on the porch they were through searching the trunks, and the leader gave instructions to line up. One of his men did not move quickly enough and he slapped him in the face. He jerked our men into line. He lined us up in the street and took us from the hotel and lined us up in

such a way that when we faced the street our backs were to a garden. He took one man and shoved him up against my back, and then followed suit with two more men. Putting us about four or five steps apart, he would take one of his men by the shoulder and straighten him around so he was in good line with myself and the man behind me, and then another one in front of the next two. In this way he had one soldier with a rifle in front of every pair of men, and then he ordered the rest of the men to stand off at one side. He stood up there then and stated that he was going to shoot us down like dogs. We could not tell how long it was. It seemed a long time. It might have been a minute or it might have been 10 minutes. It seemed, though, quite a while. Then we were ordered to line up and march back. The men went single handed. We did not carry a thing.

After half an hour our women, who had collected the grips, gathered the grips together and their little packages so if they had any chance to leave they could carry them. Under another escort they were marched over to the station and all that we took out of Mexico was carried by the women and children on that one trip to the depot. Our trunks are still in Mexico, with their contents and everything else. Our teams were left there tied to the hitching rack.

Mr. KEARFUL. Do you mean your trunks are left in some safe place?

Mr. BURNETT. They were left at the hotel, part of them, and part of them were left at the depot. Months later, when our first people went back, the trunks were still there, but when they later had to leave and go to Vera Cruz the trunks had been looted of everything of any value. We never got any of them or anything that was in them.

We were put on a flat car—the men were. The women were put in a coal car on a wrecking train, and then we were all taken up the line. The men were first unloaded and, midst the jeers of a great crowd, we were marched through the streets and taken to a guardhouse. About half or three-quarters of an hour later we heard the women and children coming. We supposed perhaps the train was going to take them on to some other station. They brought them in and put them in another room, and we were just sitting there and expecting every moment that they were going to give us some kind of a trial. They did not even inform us that we would stay there all night. We stayed there all night and we stayed there the next day and the next night and until the following day.

Mr. KEARFUL. Did you have food and accommodations?

Mr. BURNETT. We had food when we paid for it. They allowed some Mexican women to come to the windows and we would order some food and pay for it. We had plenty up until Sunday.

Before our dinner came we were ordered to line up and were marched to the train, and then sent up to Cordova to the military prison and were put in the military prison. We had nothing to eat from Sunday morning until in the afternoon of Monday in the military prison. We left there Monday night.

At that time they had found that it was not intervention that the United States was talking with the Mexican Government with a view of settling their differences. Then the authorities agreed to send us to Vera Cruz. We, with Americans that lived in the town, made a company of over 200 that were crowded into one coach and

started off toward Vera Cruz. We went as far as the place the Mexican troops sought that were driven out of Vera Cruz——

Mr. KEARFUL. Soledad?

Mr. BURNETT. Yes. We were left in the car all night. The next morning we were told that we could get out on the sidewalk, and the next thing we knew they had filled the coach with soldiers and had reversed the engine and were riding straight back up the mountains. We asked what he meant. He said it was not safe to go any further. That was 25 miles from Vera Cruz.

Mr. KEARFUL. Were you given accommodations in Vera Cruz?

Mr. BURNETT. Only as we would find Mexicans that would bring us something. We still had some money. We had accommodations. When the officials found they were charging us too much, they put a stop to it and caused the natives to sell us food reasonably.

We were just there until a little after noon. The agent said that it would be necessary to send us to Mexico City. He had no instructions about us. We were left without instructions, and they had sent them to Mexico City. We told him we wanted to go the other way and he said he could not send us the other way.

About 11 or 12 o'clock, unexpectedly a train came in from Mexico City and there were two British officers and two British marines in the car. They had been to Mexico City to try to get permission from Huerta to guard that strip of line where the track was torn up, so that refugees could go, and they refused to grant permission and refused to let him take any Americans out of the city, but he took us all in and took us to the end of the track.

Mr. KEARFUL. Did he represent that you were British subjects in order to get that permission?

Mr. BURNETT. No, sir; he did not at all, and we did not deny our nationality. We were known to be Americans. I do not know what he did. He said he would see what he could do for us, but it was not half an hour until he took us on. Perhaps he got permission from the agent, because they wanted to get us off their hands after they found it was not a matter of intervention.

We found later that we had been prisoners of war, but we did not know what we were until that time.

Mr. KEARFUL. What was the name of the Huerta military commander at Soledad?

Mr. BURNETT. I do not know. The main part of the army had moved the day before. It was only a remnant there, so there was really no officer in charge at Soledad.

When we reached the end of the track, the marine went ahead with a white flag, behind him 100 yards was a British officer with a British flag, then 200 people strung out along the torn-up railroad, with an officer behind with a British flag. We traveled the 2 miles we were supposed to travel, and found no train at the end of the track and we walked 4 miles farther, which was 6 miles we walked in the heat of the day in a tropical sun in the hottest month of the year in that country. Then we came in sight of the outposts of the American Army and saw the United States flag. If we had had a flag before that we would have hidden it or burned it to get it out of sight, but it looked mighty good when we saw it over on that side of no man's land.

Mr. KEARFUL. Did you think it looked good in Vera Cruz?

Mr. BURNETT. Splendid. It looked fine up on top of those grand sand dunes, too.

Mr. KEARFUL. Did it occur to you at the time that all your troubles were caused by the bringing of the flag into Vera Cruz?

Mr. BURNETT. They could not feel about it just then like we did afterwards, because we felt afterwards that it would go on and do what we considered it ought to do. We did not know at that time what it was going to do.

Mr. KEARFUL. You did not know at that time that it was going to stop at Vera Cruz?

Mr. BURNETT. It was being suspicioned, and we actually heard soldiers say that if it did they would be ashamed, and would be ashamed to look other nationalities in the face if it went back.

Mr. KEARFUL. Was that generally the feeling among Americans and American soldiers?

Mr. BURNETT. Pretty generally.

Mr. KEARFUL. The soldiers themselves felt that way, did they?

Mr. BURNETT. Surely; but to us it looked pretty good. It meant safety, and our troubles were seemingly at an end. We had everything we wanted to eat just in a little while after we came up to the outposts. They fed us, and they had already signaled the city for a train. We were through eating by the time it came, and we actually were picked up and put on the train by the marines that were acting as porters and that were swarming around there like bees. They led us on to the end, and we were well cared for from that time on and had no complaint whatever.

Mr. KEARFUL. How did you get out of Vera Cruz?

Mr. BURNETT. Before we reached the city we had all signed cards, giving our names, where we were from, and where we wanted to go in the States. When we reached Vera Cruz, we stepped off the train, and the first thing we heard was the Mexican newsboys calling out the Mexico City Herald in good English. The depot man was an American post-office man, and the American flag was on almost every building. There were American mules hitched to American wagons, and everything like that all over town.

We were taken immediately to the ship that was to take us across and were given our quarters and well cared for from that time on. About the 1st or 2d of May we started for New Orleans, and then were sent to our destination in the United States after we reached there.

Mr. KEARFUL. Did you have good accommodations on the ship?

Mr. BURNETT. Good enough; yes, sir; plenty to eat; and, if no other place, a good place on the deck to lie down and sleep, and we enjoyed it.

Mr. KEARFUL. Were you well received at New Orleans?

Mr. BURNETT. Yes, sir.

Mr. KEARFUL. And you then went to your own homes?

Mr. BURNETT. Yes, sir.

Mr. KEARFUL. Was your passage paid?

Mr. BURNETT. Yes, sir; our passage was paid and as we passed from one desk to another we stated the amount of money that we had and without asking any other questions if they saw we had plenty to pay for our meals to destination we just received the passage. If they saw that we had not enough we were given enough money to give us our meals until we reached destination.

Mr. KEARFUL. Did you receive first-class passage on the ship from Vera Cruz?

Mr. BURNETT. There was no first and no second.

Mr. KEARFUL. It was all one?

Mr. BURNETT. One thing we enjoyed, some of us, was when people would throw out their money and say, "Here, I want so and so," they would reply, "The United States is running this vessel. Tips don't go here." We were all treated the same. We all had the same food. Some ate up in the dining room that had fine furniture and fine dishes, but they had exactly the same food that we had at our long table where it was put on farmer style. Soon the first-class fellows were down eating with us. We had every reason to be proud of the way the Government treated us in bringing us across, and every one was cared for alike. There was no complaint, and no complaint about treatment when we reached the United States.

Mr. KEARFUL. Did you ever go back?

Mr. BURNETT. To Mexico?

Mr. KEARFUL. Yes.

Mr. BURNETT. No, sir.

Mr. KEARFUL. Why not?

Mr. BURNETT. I was ready to go back for about three or four years just whenever conditions were in any wise safe at all, and a few times was ready to go until something else would break out down there worse than it was before. To us that was home. We liked to live there, we enjoyed living there, and everything we had in the world was there.

Mr. KEARFUL. In October, 1915, this Government recognized Carranza as head of the de facto government. Did you receive any assurance then that you would be protected if you went back, or were you invited to go back at that time?

Mr. BURNETT. No, sir; I do not think we were ever invited. Some of our people that had no families went down in the fall of 1914 and stayed awhile there, part of the time at Vera Cruz, and we kept hearing regularly from them, but the rebels were pretty active all through that time down there and finally they had to leave again. The conditions were very bad and have been ever since and are yet in that part of the country.

Mr. KEARFUL. Have they been getting worse or better?

Mr. BURNETT. It is difficult to tell. If you are to judge by what you read—I am taking a paper that is published in English in Mexico City that would indicate that perfect peace prevails all over Mexico and that it is perfectly safe to go into any part of the country; but information from other sources would indicate that it is not at all safe to be in that part of the country yet.

Mr. KEARFUL. If you thought it was safe, would you go back there?

Mr. BURNETT. Yes, sir; because the savings of a lifetime are all there.

Mr. KEARFUL. Do many of your neighbors feel the same way, and are they in the same condition?

Mr. BURNETT. Yes, sir. I only know of possibly two or three families in our colony that had anything left in the United States at all. Everything they had was down there.

Mr. KEARFUL. Are any of them there now?

Mr. BURNETT. No, sir.

Mr. KEARFUL. Have they all gone?

Mr. BURNETT. Every one left. We all had to leave.

Mr. KEARFUL. What became of their property?

Mr. BURNETT. When we were leaving, the man that had charge, that took us away, said our property was all right and they would take care of it and look out for it.

Mr. KEARFUL. That was a Mexican officer?

Mr. BURNETT. Yes; that was a Mexican officer. We did not know whether he was an outlaw or an official, but he turned us over to the Federal authorities, and later we were sent by him to the headquarters of the Mexican army at Cordova.

In response to what he said, they took charge, and about two days after we left, so we heard afterwards, they sent soldiers there to take charge of our houses and our property, and they shipped out all of our horses and cattle and wagons and everything that the army or the Government could make any use of. They stationed men there to take care of our crops and ship them out when they ripened.

Mr. KEARFUL. Did you get pay for any of those things?

Mr. BURNETT. Not a cent. We estimated that we had at least 75 acres of pineapples that were just beginning to ripen and we would have about 100 acres the next year. It takes two years for them to ripen, and we would have had 75 acres the first year and 100 acres the next year. We never had a cent from that or from any of our stock or anything that we left there at all.

Mr. KEARFUL. What efforts have you made to recover your property or to receive compensation for it?

Mr. BURNETT. This Government instructed us before we left there, through the American concul at Vera Cruz, to make out an invoice of the property that we were leaving and have it signed by two or three witnesses and to leave it with the consul at Vera Cruz, I think four copies, so that he could send one copy to Washington, keep one, send one copy to Mexico City, whenever a government was established there, and one to the governor of the State. I think that is where the fourth one went. That is all that we did until along in the fall or really in January. In following out the instructions of the Secretary of State a number of us filled out blanks like he instructed us to fill out, and have filed them with the Secretary of State.

Mr. KEARFUL. That is the ordinary blank form provided for claims against a foreign Government?

Mr. BURNETT. Yes; showing our reason for being in Mexico and our right there and what we had and what we abandoned, and the reason for abandoning it, and all the proof that it was possible for us to give. You have seen the form and know about what it is. We were to fix up three copies, and send two to the Secretary of State and keep one. This is the one copy that I have here.

Mr. KEARFUL. The only reason you could give for abandoning your property was that you were ordered out by the American authorities?

Mr. BURNETT. Well, hardly that.

Mr. KEARFUL. Or the taking of Vera Cruz?

Mr. BURNETT. We did not leave because of any order. We left when we were led out by the Mexican authorities.

Mr. KEARFUL. Because American forces had taken Vera Cruz?

Mr. BURNETT. Surely that was the reason, when they thought it was intervention. Three days later I believe the American authorities would have let us remain in our homes, but when we reached Vera Cruz some of us were perfectly willing to stay there, hoping we could go back, but we had no choice in the matter at all.

Mr. KEARFUL. The American authorities made you go?

Mr. BURNETT. All except a few of our number that they enlisted in their service and kept there, that they could use as stenographers or guides. The rest of us had no choice. We had to go to the ships and leave, as the easiest way for them to handle us.

Mr. KEARFUL. You do know, do you not, that Americans in other parts of Mexico did go back to their properties, and were protected by Huerta as long as he held control?

Mr. BURNETT. He did not have control for so very long; in fact, conditions kept getting worse and worse. They were worse all over the country when the United States troops left Vera Cruz than they were when they landed, or worse than they ever had been before they landed.

Mr. KEARFUL. Vera Cruz was taken in April, and Huerta left in July?

Mr. BURNETT. That was not very long, and we had no choice in the matter. We had to leave. Even our wives were perfectly willing and wanted to stay at Vera Cruz, so we could go home in a few days, but we had no choice in the matter.

We were under instructions from this country, and were taken to the rescue ship and brought across, and had no permission to go back. Some of our people went back that fall, men that had no families, and even then they later said it was monotonous to have the train fired on every time they wanted to go anywhere, fired on by men in the bush, and that that was continually happening. It never has been safe in that neighborhood so far as we know, and Carranza has not had charge of that part of the country for a good long while. The rebels are holding that part of the country.

Mr. KEARFUL. The State of Oaxaca has throughout the revolution maintained its independence, and has not recognized Carranza?

Mr. BURNETT. I do not think they recognized him. They did not at the start. Then that is the home of Felix Diaz. He is somewhere in that State now. Our part of the country, it has been my understanding, has been in the hands of the rebels for a good long while.

Mr. KEARFUL. In that part of the country Carranza has no control?

Mr. BURNETT. That was the case as long as any of our people were going back and forth down there.

Mr. KEARFUL. Have you definite information as to the conditions of those farms now?

Mr. BURNETT. I have not heard anything for two or three years, but for a time, as long as any of our people stayed at Vera Cruz, some single men, and men whose families were back here, and especially those that worked for the government—while they were there, they made their homes in Vera Cruz, but would go out occasionally, and the last I heard was that a Mexican whom they did not know at all was living in my house. No one was out to my place where my stock was left, and I do not know whether my stock was ever shipped out or was left in the jungle. They said, regarding the furniture and the implements—Mr. Miles, who was superintendent for the com-

pany, wrote me that there was just barely enough that they could gather up from every source to kind of "bach" with while they were there. They had no way of knowing who any of it belonged to. It had been sacked until there was just enough for four or five of those fellows to have enough to "bach" and get along with. Even in the hotel the furniture had been taken out, and everything that was of any value was taken; just enough here and there that by putting it all together they could kind of keep house and "bach" while they were there.

Mr. KEARFUL. Have any of the colonists received any revenue from their places?

Mr. BURNETT. Not a cent. There was no revenue ever had.

Mr. KEARFUL. The places are not rented out?

Mr. BURNETT. No, sir.

Mr. KEARFUL. Are they occupied and worked at all by the Mexicans?

Mr. BURNETT. The houses, where they were fit to live in, the last we heard, were being occupied. I asked who it was that was living in my house, and the party wrote me that he did not know who it was; that it was someone that had come in. Most of the Mexicans that lived in that community when we were there were driven out by soldiers when they came. They did not care to have anybody there that had been very friendly to the Americans, and that made it hard for us to hear anything, and I have not had anything directly or indirectly for two or three years.

Mr. KEARFUL. Do you know what the condition of the fields is to-day?

Mr. BURNETT. Yes, sir; by what I observed before I left. My 10 acres, that was all set to either citrus fruit or mangoes, is less than a quarter from the railroad. In a year's time it would be grown up to weeds and vines and brush, and the first time the section men burn the right of way, if it was a dry spring, the fire would run right through it. That would mean death to the trees. If no fire went through, even then it would be crowded out by brush 10 feet high, and there would be nothing left of any value, because the ground is very fertile and they would grow in that way, but I am sure the fire has destroyed all the trees before now. There is no hope of anything else there.

Mr. KEARFUL. When did you file that statement with the State Department to which you referred awhile ago?

Mr. BURNETT. That statement was filed in January, 1920. When I wrote the Secretary of State he looked over his records and said that he had the invoice of my property, which is the same as the invoice that I have here, which was filed with him, and he gave the date, in 1914, just about as soon as the consul could send it. It had been in his office all the time, but he said it was not a claim for damage, but would be looked upon more as an invoice of abandoned property, but suggested the filling out of this blank as soon as he had it prepared. We waited two or three months before it was out and just as soon as I received it I filled it out and filed it with him.

Mr. KEARFUL. What efforts did you make to get any compensation from the statement that you filed? Have you made any inquiries as to what was going to be done to compensate you for your property that you left there?

Mr. BURNETT. Make inquiry of whom?

Mr. KEARFUL. Of the State Department.

Mr. BURNETT. No. They simply stated, as nearly as I can remember now—I have not brought the letter with me. I think this application states that this does not say that the State Department has passed upon it or would give any insurance or assurance that the claim would be paid, but they would consider the matter, and at the first opportunity, or something to that effect, they would present the claim. I do not know when it is going to be done. I have no idea.

Mr. KEARFUL. What was your understanding as to what the effect of this claim or inventory would be at some time? It was supposed to be the basis for something, was it not?

Mr. BURNETT. Yes, sir.

Mr. KEARFUL. What did you understand it to be?

Mr. BURNETT. It was the understanding with us that the State Department was going to assist us. Let me read the action by the State Department. I think this covers the ground:

This application form has been prepared for the assistance and guidance of prospective claimants, and it is not to be understood from its contents as committing the Department of State to take any action with respect to claims filed in accordance with its requirements. The department will, however, consider the claims on their merits and will take such action, if any, as may be deemed appropriate and opportune considering the foreign relations of the United States and the circumstances of the case. Assistance of the State Department with respect to claims has been withheld or refused in particular cases on account of speculative, exaggerated, or exorbitant nature of claims or on discovery of fraud.

There are a number of other things. These were made out for everything, and they were selling the ground on which they had refused some of the claims. My final application was returned for some changes, and I have not heard since they passed upon it, if they have. After receiving the last copy they said at their earliest convenience they would consider it, and they have not told me whether they thought it was complete or not.

Mr. KEARFUL. You lost everything you had at that time in Mexico?

Mr. BURNETT. Well, hardly. I had $9 in cash when I reached home and the clothes that I had slept in in jail and a few things that were in those grips that my wife and daughter carried. That is everything on earth we had, and we have never had one penny from there since. It was everything we had in the world.

Mr. KEARFUL. What was the value of your investment in Mexico?

Mr. BURNETT. I had nearly a thousand acres of land and as you know the Government there raised the valuation a couple of years ago with the understanding that if any one could prove that they had given the proper valuation in their deed, it would be restored. Mine was restored. The valuation was $4,466.32 on the thousand acres. I am paying taxes on that basis.

Mr. KEARFUL. You are still paying taxes on that, are you?

Mr. BURNETT. Yes, sir. Those taxes were paid in December, 1916. They were 264 pesos, paying from the middle of 1913 to 1916. Since then I have paid the taxes up to July 1 of the year 1920. Of course, in this application, I am not putting in any claim for land, any more than for the citrus growth, of course, and the land that we had cleared and the crop that was growing up in brush and jungle like that tropical land does. That is all that is claimed for the land, but

I have claimed, which is legitimate, for about $11,000 and I can give you some of the prices that you can see that it is not exorbitant.

Mr. KEARFUL. The committee does not care to go into the items for the purpose of passing upon your claim.

Mr. BURNETT. Anyway, these items are really the actual value, and much cheaper than any of those things could be replaced for now. The principal loss was the pineapple crop, and the 10 acres of citrus fruit that was beginning to bear, and a nursery of about 7,000 trees that had been budded to citrus fruit.

Mr. KEARFUL. Your loss was $11,000?

Mr. BURNETT. Yes, sir; besides my land. My land I am still holding in the hope of some day getting something out of it, and the Government there still recognizes my right.

Mr. KEARFUL. Is that in terms of American money?

Mr. BURNETT. Yes; in American gold.

Mr. KEARFUL. It has been nearly six years since your loss occurred?

Mr. BURNETT. Yes, sir; and not one cent of interest or anything like that is counted in, and no war-time price. Every figure that I have given is the same as the Secretary of State will have that was filed with him six years ago. It is items like $25 for a native horse, and $25 for a milk cow, and such prices as that. I am out the use of the money all this time, and am not making any note of that at all.

Mr. KEARFUL. In the statement by the State Department which you read a while ago there was something to the effect that in substance action would be taken at some time that would be appropriate and opportune.

Mr. BURNETT. Yes; and I have had no hint when that time was coming.

Mr. KEARFUL. During the six years that have passed, have you made any inquiry as to whether the opportune time has arrived for appropriate action?

Mr. BURNETT. You see, this was just out this year, but I do not consider that there was any opportune time and that is why I have not taken the matter up. Really I was under the impression and the consul gave us to understand that that was a damage claim that this Government would look after, and the Secretary of State last summer wrote me that it would be considered in the light of invoices and inventory of abandoned property and not as a damage claim.

Mr. KEARFUL. What did he mean by abandoned property?

Mr. BURNETT. Secretary Bryan at an early date, when he was ordering us out, instructed us then to leave all our property in the hands of the American consul and that they would look after it, and some people understood that it meant that it would be perfectly reasonable that our Government was going to see that everything was cared for, and yet we did not abandon it. We stayed until we were taken away by force.

Mr. KEARFUL. Your claim is against this Government and not against the Mexican Government? Is that the idea?

Mr. BURNETT. No, sir, but we do feel that this Government should see that the Mexican Government would fulfill the pledge that Carranza made to this country a week or two before they recognized him as president. He made four pledges. The first was giving religious liberty to the people. The second was to make good all

damage to American property that was destroyed during the revolution, and on that and the other pledges this country recognized him as president of Mexico. We feel that they ought to see that the Mexican Government keeps that particular pledge. It was the Mexican Government that took us from our homes, and when we reached Vera Cruz this Government took their own course and did not permit us to stay to look after our things, but told us to leave an inventory with the consul and that they would be looked after.

Mr. KEARFUL. If you are right in your supposition that Huerta and his government were the only hope of Mexico and that Huerta was driven out because of the policy of this Government and that you were forced to leave and were taken away by the American authorities, how do you avoid the conclusion that this Government is responsible to you and not the Mexican Government?

Mr. BURNETT. If we would accept the statements that were first made and the feeling that existed among the people, this country was taking the responsibility of caring for our interests and it was supposed that they were going to do it.

Mr. KEARFUL. Would not you go still further? Would not you hold this Government responsible for conditions in Mexico generally, for interference with the only hope that Mexico had, and removed the chance that Mexico had and imposed upon Mexico a Government that can not perform its obligations?

Mr. BURNETT. We all feel that that was the case, and although it would have made us remain there as prisoners of war almost to a man, when the troops landed they ought to have gone on and brought about order in the republic. It would have meant that we would have been taken to the mountains and kept as prisoners of war and perhaps would have starved to death. However, that is what ought to have been done when they landed at all; that is, they ought to have gone on and taken the country.

Mr. KEARFUL. Was not the difficulty in the landing of the troops in the first place?

Mr. BURNETT. That is all that caused the trouble, the landing of the troops. There was a friendly feeling in that part of the Republic toward Americans up until that time.

Mr. KEARFUL. You are naturally very much interested in what happens in Mexico and have talked with your friends who, like you, have been driven out or taken out of Mexico?

Mr. BURNETT. Yes. sir.

Mr. KEARFUL. What is the general opinion among the American refugees from Mexico as to what ought to have been done to protect them and their Mexican rights?

Mr. BURNETT. When we came out there were about 700 on the vessel, 715 I believe. Some of them had been many years in Mexico. It was the unanimous opinion that there never would be peace in Mexico and our interests never would be cared for until the United States or some other country came in and brought about peace, after the city was taken. It was claimed that the Huerta Government was gone. We had no hope of any other Government bringing about peace. So far as I have ever heard, we are still strongly of that opinion. We do not feel Carranza has the situation under his thumb at all.

Mr. KEARFUL. What course do you and others in your condition think that that action should take?

Mr. BURNETT. I hardly know. I have been separated from the rest of the people and have not had much of a chance to talk with them for the last four years at least. In the first place, we do not feel in our part of the country like they ever ought to have meddled, and if they had not done so Mexico, I believe, would have looked after herself. But after they did meddle there was no question in our minds but that they ought to have gone on while they were there and brought about peace.

If the Mexicans had a little more respect for us and our influence and our power and our word, it might not take intervention. They might be willing to do the right thing and settle down rather than have any trouble. But as it is they will pay no attention to anything we say. They do not believe and they have no regard for our wishes as a government in their affairs at all.

Mr. KEARFUL. What would be necessary to do in your opinion in order to make them respect us?

Mr. BURNETT. Of course it is hard for one to say what they would do if they were at the head of things, but whatever it would lead to, this Government ought to take some kind of a stand and say to Mexico that certain things had to be, and then follow it up and not back down. They used to be told that it was never followed up, and there is where we were not respected by them.

Mr. KEARFUL. Following it up would mean, of course, entering that country with an armed force?

Mr. BURNETT. That would be the ultimate result if the right thing were not done. There is no question that this Government ought to see that our people that have lost the property there must be protected and their losses made good, and the people that are there should be protected, just like a school-teacher that would lay down rules to govern his school—there ought to be some way of enforcing them. He could say beforehand what would be done if certain things were not done, but if he has the respect of his school and desires to keep it, he must stand by his proposition.

Mr. KEARFUL. Suppose our new Secretary of State, under the direction of President Wilson, should make such a declaration to the Mexican people, what do you think they would do at the present time?

Mr. BURNETT. Smile.

Mr. KEARFUL. Then in order to make them feel that it was serious something drastic would be in order?

Mr. BURNETT. Yes; or else know that a different one was stating it or that it was coming from a different source than the other statements heretofore made. As a school boy, I know some teachers said things that I did not respect very much, and later statements I did not respect; but when another one took charge, perhaps the snap of the eye was all that was wanted even if he did not do anything very drastic. I knew that conditions had changed. I believe Mexico must know that conditions have changed if they expect anything of an administration, but under certain conditions that might not be true at all. If they really felt we meant it, things might be done in the right way.

I am not just stating some convictions that have just come into my mind. While there we read the Mexico City Herald, which gave in English quotations from the Spanish papers of the city, and when I say the Mexicans would smile at certain things, they would tell the statements of those papers regarding things that this country would be displeased with, and it was a standing joke. They did not mind expressing it at all. That much is a fact that is generally known.

Mr. KEARFUL. That is not news to the committee.

Mr. BURNETT. Probably not; it ought not to be. It is generally known to be news.

Mr. KEARFUL. Is there any further statement that you care to make about anything that has not been covered up to this time?

Mr. BURNETT. Just now I do not think of anything; no.

Mr. KEARFUL. Perhaps between now and the time we convene to-morrow morning something else may occur to you. If so, you will be given an opportunity at that time to present it.

Mr. BURNETT. Thank you very much.

(Thereupon, at 8.30 o'clock p. m., the hearing was adjourned until to-morrow, Friday, April 9, 1920, at 10 o'clock a. m.)

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FRIDAY, APRIL 9, 1920.

UNITED STATES SENATE,
SUBCOMMITTEE ON FOREIGN RELATIONS,
Washington, D. C.

Testimony taken at Washington, D. C., April 9, 1920, by Francis J. Kearful, Esq., in pursuance of an order of the Subcommittee of the Committee on Foreign Relations of the Senate.

TESTIMONY OF CHARLES M. BURNETT—Resumed.

Mr. KEARFUL. Mr. Burnett, I believe you have a further statement that you wish to make this morning?

Mr. BURNETT. Regarding the people of the colony, I desired to add the fact that more than 200 people owned land and were only waiting for suitable conditions to come down and make their homes there, but were debarred on account of the revolution.

Mr. KEARFUL. Those were in addition to the ones who were at that time living there?

Mr. BURNETT. Yes. Two hundred above the ones who were already there.

Regarding my answer as to my holdings, I would like to say that while I owned a little less than a thousand acres, 950 acres to be exact, I took this land with the understanding that others were to take a part of it. They held contracts from me and intended long before I left to come down, to make their homes there and get their deeds, so that instead of holding the whole amount myself there would have been eight of us holding the 950 acres. It is mine, as I answered, from the fact that they were not willing in 1916 to pay three years taxes. They said it looked as though we would lose it all and they were willing to throw up the job, and as it is in my name I answered that I had that much land. That is the way I happened to have that much.

Mr. KEARFUL. They were prevented from going there to establish their homes by the conditions which you have described?

Mr. BURNETT. Yes, sir. Regarding the question as to the amount of land being developed, our ideal there was small farms for the settlers. The majority of the actual settlers were living on 10-acre tracts, set to citrus fruit and pineapples, and the intention of all except a few of the ranchmen was to subdivide the larger tracts, and they had their men ready to come any time that it had been safe for them to cross the border.

Mr. KEARFUL. We have heard about the agrarian problem in Mexico, which is a project to subdivide large holdings into small tracts, but it has never been put into operation to any large extent. What was the condition in the locality of the Medina colony in regard to that project?

Mr. BURNETT. I knew of no Mexican owning less than 4,000 acres, and no tract of less than that amount could be bought by any individual; that is, until it was subdivided by Americans.

Mr. KEARFUL. The first subdivision into small tracts in your locality occurred in connection with your colony?

Mr. BURNETT. Yes, sir. I would like to add something regarding the subdivision of land. Mexicans could not appreciate what that meant as they never had known what it was to have small homes and live in them. None of their ancestors had owned land. Those who observed it commenced to want homes. Until they saw it demonstrated and knew what it meant, they could not realize the benefit of it, but they were already wanting and some were getting their homes, buying them from the Americans.

Mr. KEARFUL. Then you and your neighbors by your example educated those people toward the ambition of small homes which they could own and improve themselves?

Mr. BURNETT. Yes, sir; and several of them had been sold land. The tract adjoining ours under a few months' favorable condition would have been planted with the express purpose of selling it to Mexicans on easy terms in small tracts, because of the fact that there was going to be public sentiment in favor of that. They could see what it meant, and that tract in a short time would have been planted and sold to Mexicans for homes adjoining ours.

Mr. KEARFUL. Did these Mexicans appear to be capable of taking advantage of the opportunity as to homes upon small tracts and operating them, after seeing the example of the Americans?

Mr. BURNETT. Yes, sir.

Mr. KEARFUL. And some of them did do so?

Mr. BURNETT. Yes, sir; at that time, and had their own fruit, fixed up their homes beautifully, and were prouder and respected themselves more than any of the people that had no homes, but they knew not how to go at it until they saw how the Americans did.

Mr. KEARFUL. Is there anything further that you desire to state?

Mr. BURNETT. I do not think of anything further at this time.

Mr. KEARFUL. Thank you very much; you are excused.

TESTIMONY OF DR. PAUL G. MANLEY.

(The witness was sworn by Mr. Kearful.)

Mr. KEARFUL. What is your full name?

Dr. MANLEY. Paul G. Manley.

Mr. KEARFUL. Where do you live?

Dr. MANLEY. Mount Carmel, Ill.

Mr. KEARFUL. What is your business?

Dr. MANLEY. Physician.

Mr. KEARFUL. Are you a native-born American citizen?

Dr. MANLEY. I am.

Mr. KEARFUL. From what State?

Dr. MANLEY. Illinois.

Mr. KEARFUL. How long were you in Mexico in business?

Dr. MANLEY. I was not there very long at any one time. I never lived there in a regular way. I was there frequently for periods of a month to three months over the period that I was operating down there.

Mr. KEARFUL. What period was that?

Dr. MANLEY. It began in the fall of 1906 when I sent my first man down there to take charge, and continued until the time when this same man was brought out at the time of the Vera Cruz incident.

Mr. KEARFUL. That was April 21, 1914?

Dr. MANLEY. I believe so.

Mr. KEARFUL. What interest did you have in Mexico?

Dr. MANLEY. I had nearly 6,000 acres of land at the time that Mr. Peter, my representative, came out of there.

Mr. KEARFUL. Where was this located?

Dr. MANLEY. It was located near Medina, Agua Fria tract of land.

Mr. KEARFUL. In the State of Oaxaca?

Dr. MANLEY. Yes.

Mr. KEARFUL. What were you doing with this tract of land?

Dr. MANLEY. I sent a man down there in the fall of 1906 on a two-year contract. Prior to that I had acquired three or four hundred acres of this land through the Mexican Agricultural Land Co. Mr. Peter, this man I had sent down, took charge and went ahead and cleared up more land until I had something like 800 acres of land clear that had been put to grass and cattle. I imported a couple of carloads of registered thoroughbred white faces.

Mr. KEARFUL. Herefords?

Dr. MANLEY. Yes, a thoroughbred Percheron and a Clydesdale stallion and a Kentucky stallion, and a large black Spanish jack and a good start of thoroughbred Duroc Red Jersey hogs, and O. I. C. white thoroughbred hogs, thoroughbred chickens, etc., household furniture and agricultural implements.

Mr. KEARFUL. Did you buy your land and pay for it?

Dr. MANLEY. Yes, sir.

Mr. KEARFUL. Have you paid taxes on it ever since to the Mexican Government?

Dr. MANLEY. Yes, sir.

Mr. KEARFUL. Did you have any special concession from the Mexican government that gave you advantage over anybody else in the country?

Dr. MANLEY. No, sir. They have been unjustly raising my assessments, that is raising my assessments without raising the assessments of others around me. I have been paying more taxes proportionately than others.

Mr. KEARFUL. Do you mean other Americans?

Dr. MANLEY. Even other Americans, yes.

Mr. KEARFUL. What do you know about raising the taxes of Americans as compared with the taxation of the Mexicans? Has there been any discrimination in that respect?

Dr. MANLEY. I could not really tell you about that. I have left the matter of payment of taxes mostly to my representative down there during the time that he was there, and it has been partly in Mr. Kerr's hands since that, up to the time of his death, and since that time in Mr. Grigsby's hands, and I have not paid much attention to it. I supposed I had the taxes to pay and I just paid them without question, but Mr. Kerr did get a reduction of my assessment at one time and Mr. Grigsby is now refusing to pay my taxes until they correct the matter of overcharges, which he hopes to get done very

soon. That is about all I know about the taxes. I do not know as to the assessments of the Mexicans around me, but I have been told that there is a great difference in my assessment at least and probably other Americans also.

Mr. KEARFUL. Can you state now much money you had invested in these operations?

Dr. MANLEY. I spent $20,000 in Mexico that is lost—lost from the fact that my clearing has grown up into the original tropical jungle, my home has been burned, my citrus fruit orchards have been burned over, my fencing has been burned, and I suppose the wire, etc., hauled away. I have nothing of my investment down there. The white face cattle that were left there when Mr. Peter and my son came away, they being the men who managed my affairs down there during this period of my ownership, have all been taken away. There were none of them left in three or six months after leaving there. I have nothing left there of all my improvements, excepting the land.

Mr. KEARFUL. When you went there did you anticipate that these things might happen to you and did you not realize that you were taking chances with the prospect of making great profits?

Dr. MANLEY. When I first went down to Mexico I went not with any intention of buying at all. I had not thought of such a thing. I went down there to Mexico City for my health more particularly than anything else. I had had a railroad accident in which a southern train ran through my buggy one night and gave me a gentle toss of a couple hundred feet, and I suffered from headaches. I went down to Mexico City thinking the altitude might benefit me. I had been greatly interested in Mexican history and I went down on a kind of pleasure trip.

On the way down I got accidentally in association with Mr. Grigsby and the company that he represented, the Mexican Agricultural Land Co. at Laredo, and luckily got into their private car and went on down to Mexico City in that way. Of course, not being able to talk Spanish, we were lucky in that respect. When they got ready to leave Mexico City we did not feel like being left behind, so we went on down with them to the Tropics. I was so charmed with the beauties and the richness of the country and its prospects that I invested in this land, only part of it at first, and then gradually my enthusiasm and my further knowledge of the situation and the encouragement of the Mexican Government, as shown particularly in Mr. Fitzgerald's book which was published by the country, and being assured of the favorable attitude of the Government toward American investors, I kept on buying until I got the amount which I now have.

This book of Fitzgerald's I understood to have been published, and it was published, I think, or at least the money furnished to publish it by the Mexican Government. I took that to be a guarantee of the friendliness of the Mexican Government to American investors, and I bought my land largely upon that assurance. Then, too, I knew that they had had peace in Mexico for 20 or more years prior to that time, and it was generally believed by everybody, as well as myself, that the Mexican Government was quite stable, and I had no fears at that time of any interference on the part of the Government whatever. I had faith in their ability to control the country. In fact, I

think the first five or six years of my holdings down there I felt as secure and safe as I did in the United States, and I think we were absolutely secure.

Mr. KEARFUL. You are not one of those speculators that we have heard about who went down to the revolutionary region of the country operating under a concession from the authorities?

Dr. MANLEY. No, indeed. I sought nor had any concession of any kind. Mine was an individual proposition. Nobody had any interest excepting myself. There was no company or organization or anything of the kind. I began there legitimately and earnestly to develop my own proposition for my own purpose.

Mr. KEARFUL. Did you have any reason to believe that in case you were persecuted by the Mexican authorities you would be abandoned by your own Government?

Dr. MANLEY. Not at all. I believe in the sovereignty of the Stars and Stripes and supposed I would be protected by that flag anywhere on earth.

Mr. KEARFUL. Did you subsequently have any reason to change that opinion?

Dr. MANLEY. I have thought that the attitude of the Government toward Mexican affairs has not entirely justified my former faith.

Mr. KEARFUL. What happened to you that diminished your faith in the constitutional right of American citizens to protection of their lives and property in foreign countries?

Dr. MANLEY. Personally, nothing. My representative, Mr. Peter, suffered I suppose about as much as any of the parties who were brought out in 1914. He was one of them.

Mr. KEARFUL. You refer to the personal hardships of your representative. What about your own property interest? What happened to you with respect to them?

Dr. MANLEY. My property interest?

Mr. KEARFUL. Yes; with especial reference to the attitude and policy of the American Government?

Dr. MANLEY. I hardly know how to answer that question.

Mr. KEARFUL. When did your first troubles begin down there? You say your property has all been taken away and destroyed. When did your first troubles begin?

Dr. MANLEY. I might say that my son and his young wife went down there at the expiration of Mr. Peter's first two year contract, the man I first sent down there. Then my son and his wife went down there and they were there about five years. During the latter year probably of the time that my son and his wife lived there, bandits or bands of bandits would come along past there once in a while and not conduct themselves just properly. They did not do anything very bad, but they were always in rather a threatening attitude and my son began to appreciate the fact that there was going to be trouble and he thought it best to get his wife out of the country.

Mr. KEARFUL. What year did that begin?

Dr. MANLEY. I really can not tell you.

Mr. KEARFUL. During whose rule in Mexico?

Dr. MANLEY. Just about the time I think of the end of the Huerta régime. I am not really positive about that.

Mr. KEARFUL. Huerta abdicated in July, 1914. Was it prior to that time?

Dr. MANLEY. It was a little earlier than that I think.

Mr. KEARFUL. Was it during the time of Porfirio Diaz?

Dr. MANLEY. No.

Mr. KEARFUL. Or of Madero?

Dr. MANLEY. No; I think it was in Huerta's time.

Mr. KEARFUL. You had no trouble prior to that time?

Dr. MANLEY. No.

Mr. KEARFUL. Just visits from marauding bands, which were not very serious?

Dr. MANLEY. No; they had not done anything very bad up to that time, but were threatening all the time. A man had been killed very near my place before that, but that I think had nothing to do with it. I think that was a little personal matter.

Mr. KEARFUL. When did your worst troubles begin?

Dr. MANLEY. It was just about the time the trouble that all the rest of the colony began there.

Mr. KEARFUL. At the landing of the American forces in Vera Cruz?

Dr. MANLEY. That was the most serious; yes. I do not think they had much trouble up to that time.

Mr. KEARFUL. Were you there at that time?

Dr. MANLEY. No; and my son was not there just at that time. He had come to the States. In the first place he sent his wife out, or came out and brought his wife out. Then he went back and stayed a period of time. Then he came home again to see her, and it was along about that time that this happened. He left the case in the care of Mr. Peter, the man who had had charge of it then and who owned land there. He bought land at the end of his first two years with me, between me and town, and the place was left in his care. They were brought out, as you know, at the time of the Vera Cruz incident.

Mr. KEARFUL. What was done with your property when they were brought out?

Dr. MANLEY. Mr. Peter left it there and left it in the care of a Mexican caretaker, I think, as nearly as he could.

I might say that prior to the time my son came out the last time, he sold off—but I am getting ahead of my story. I bought about 250 native breeding cows in addition to the importation of my white faces. I bought also about 40 or 50 Mexican mares to breed to my thoroughbred stallions. Prior to his coming out the last time, my son sacrificed or sold, at a very great sacrifice, the cows, to get rid of them, foreseeing what was coming. Then the thoroughbred white faces that we had there we did not care to sacrifice, but thought we could leave them with my half-breed horse animals in the care of others, so they were left in Peter's care, and he turned what was left of them over to the Mexican caretaker, and they were all taken away in a little while. I do not know what became of them.

Mr. KEARFUL. What became of your thoroughbred hogs and chickens?

Dr. MANLEY. They disappeared the same as the other things that were left there.

Mr. KEARFUL. You do not know who took them?

Dr. MANLEY. I do not know anything about it. I think that there were some of the animals that were taken away by the authorities, but

really I do not know. I was not there at the time and I could make no definite statement regarding that.

Mr. KEARFUL. What was the reason for your representative leaving the country in 1914 and leaving the property in the hands of the Mexicans?

Dr. MANLEY. It was an order from the Mexican Government to board a train and come to Vera Cruz, or rather they were taken out, as I understand it, by the Federal authorities.

Mr. KEARFUL. What order or notice was given by the American authorities in regard to getting out?

Dr. MANLEY. I know nothing about that, only as I have heard others talk about it. I remember Mr. Bryan's instructions to get out at one time and later on his changing his interpretation of what that language meant. We were advised to get out of Mexico.

Mr. KEARFUL. That was the year before the taking of Vera Cruz, was it not?

Dr. MANLEY. I think so.

Mr. KEARFUL. Or at least some months before?

Dr. MANLEY. Yes.

Mr. KEARFUL. Then at the time of the taking of Vera Cruz did you know about the instructions that were first given by Mr. Bryan in regard to getting out of the country?

Dr. MANLEY. I do not remember.

Mr. KEARFUL. Since that time has it been possible to return to your property and continue operations?

Dr. MANLEY. No.

Mr. KEARFUL. Or to recover any of it?

Dr. MANLEY. No; not with any safety. I certainly should have done so if I felt that it was at all permissible or safe.

Mr. KEARFUL. In your Mexican experience, did you have occasion to observe the attitude of the natives toward the American settlers and the treatment that the American settlers gave to the natives?

Dr. MANLEY. Yes. During nearly all the period that we were there, up to near the last, the attitude of the Mexicans was very polite and genteel. They were very serviceable to us, pleasant and agreeable, good laborers, easily managed. We had no trouble with our labor and the Mexicans seemed to appreciate us from the fact that we would give them about four or five times as much wages as they had received before we came there. We were paying our men $1.25 a day and they had been accustomed to taking about 25 cents a day prior to the time of the American colonization there. We liked them and they seemed to like us very well, and we got along splendidly up to about the last year or so. Then the clouds began to spread over and difficulties began to arise.

Mr. KEARFUL. What other benefits to the Mexican natives did you observe beside the raising of their wages, by way of education and improvement in living?

Dr. MANLEY. There seemed to be quite an improvement. The Mexicans were picking up our methods of doing things and had a tendency to use our implements and methods of farming.

Mr. KEARFUL. What sort of implements had they used prior to that time?

Dr. MANLEY. The very simplest—a sharpened stick and a piece of steel on the end of a stick to shove along, instead of a hoe. They used oxen once in a while.

Mr. KEARFUL. With a wooden plow?

Dr. MANLEY. Yes; entirely primitive.

Mr. KEARFUL. Did they readily adopt American methods when they saw how beneficial they were?

Dr. MANLEY. Oh, yes. Of course they were a little slow about it at first, but they were catching on and seemed to be glad of the chance.

Mr. KEARFUL. Did you notice any change in the good feeling of the Mexicans toward the Americans while you were there?

Dr. MANLEY. Not until along about the time of the Vera Cruz incident.

Mr. KEARFUL. Up to that time they were friendly and good feeling existed?

Dr. MANLEY. Oh, yes. I saw no sign of any trouble whatever until possibly six months or so prior to the Vera Cruz incident, when there seemed to be a little feeling of enmity that grew up to the time of the Vera Cruz incident, and when that affair occurred, of course they were inflamed by that and were rather hostile.

Mr. KEARFUL. Have you made any effort to recover your property or get any compensation for it?

Dr. MANLEY. I have filed a claim against the Government for damages.

Mr. KEARFUL. Did you file it with our State Department?

Dr. MANLEY. Mr. Grigsby is managing it. I have here a copy of the claims that I have made. Of course that does not represent my damages at all, but I have made this claim.

Mr. KEARFUL. This appears to be a statement of losses of personal property and improvements?

Dr. MANLEY. Yes.

Mr. KEARFUL. If you have no objection we will insert that in the record.

Dr. MANLEY. That is all right.

(The statement referred to is as follows:)

MARCH 29, 1919.

Statement of losses in Mexico.

450 acres of clearing and grass (home place), at $20	$9,000
500 acres of clearing and grass (La Providencia), at $10	5,000
5 miles 3-strand fence (home place) and 2 miles 2-strand fence (Providencia), at 40 cents per rod	896
Home and outbuildings	1,000
Citrus fruits	500
16 head registered Herefords, at $175	2,800
2 3-year-old mules, at $150	300
12 native mares, at $25	300
4 half-breed horses, at $100	400
Farm implements, tools, etc	500
Total	20,696

Mr. KEARFUL. What, if any, encouragement have you received in regard to the settlement of your claims?

Dr. MANLEY. Nothing whatever.

Mr. KEARFUL. Have you made any efforts subsequent to the filing of your claim?

Dr. MANLEY. No.

Mr. KEARFUL. Have you received any information as to when it will be acted upon?

Dr. MANLEY. No.

Mr. KEARFUL. Have you any idea at all as to when you will be able to get compensation for the injuries which you suffered?

Dr. MANLEY. None.

Mr. KEARFUL. Do you expect this Government or the Mexican Government to settle this claim?

Dr. MANLEY. I thought possibly this Government might persuade the Mexican Government to pay it.

Mr. KEARFUL. Have you known of any effort being made in the last six years by this Government to persuade the Mexican Government to do anything of that kind?

Dr. MANLEY. I do not know of anything. I have been rather patiently waiting for them to do something.

Mr. KEARFUL. How much longer do you expect to wait?

Dr. MANLEY. As long as we have to. I do not know how long it will be.

Mr. KEARFUL. You are very naturally interested in how long you will have to wait?

Dr. MANLEY. Yes, indeed.

Mr. KEARFUL. And when the appropriate time may come for some action?

Dr. MANLEY. Yes, indeed.

Mr. KEARFUL. Have you any definite idea as to what action ought to be taken?

Dr. MANLEY. Nothing definite; no.

Mr. KEARFUL. Do you think there is any chance of your receiving justice under the present Government of Mexico?

Dr. MANLEY. It does not appear to me so just now.

Mr. KEARFUL. Do you have any opinion that you care to express as to what ought to be done with respect to yourself and other Americans similarly situated?

Dr. MANLEY. It has appeared to me that we could not hope for very much until a change of administration occurs in the affairs of the United States. I think that Mexico will have to be brought to terms by a change in attitude on the part of the United States Government.

Mr. KEARFUL. Do you have faith that a new administration of a different character will entertain a different policy toward Mexico and one that will result in settlement of your claim and claims of others like you?

Dr. MANLEY. We have hoped so. There does not seem to be much chance under the present administration.

Mr. KEARFUL. Is there anything that has been done in pursuance of the present policy that leads you to believe that the American Government is under any duty to American citizens who have been robbed and driven out of Mexico?

Dr. MANLEY. No.

Mr. KEARFUL. In reference to the policy of eliminating Huerta and the taking of Vera Cruz for that purpose and the consequent necessity for you and others similarly situated to leave Mexico, does that indicate to you that there is any duty to repair the result of that action?

Dr. MANLEY. Yes; there surely is a duty to repair it.

Mr. KEARFUL. Did you have occasion to observe other Americans who were located and operating in Mexico?

Dr. MANLEY. Yes.

Mr. KEARFUL. Did you observe what they were doing and the kind of people they were?

Dr. MANLEY. Yes.

Mr. KEARFUL. What was the character of American citizens with whom you came in contact?

Dr. MANLEY. In our colony?

Mr. KEARFUL. Yes; or in other parts of Mexico. What kind of people were they in the colonies?

Dr. MANLEY. They were individual farmers who were conscientiously operating their own farms for their own good and the good of their families and the good of their surrounding neighbors, both American and Mexican, who were making an honest endeavor to establish homes in Mexico and earn an honest living.

Mr. KEARFUL. Were they people of small means as a rule?

Dr. MANLEY. Yes; as a rule nearly all of them. In fact I was the largest individual holder in the colony. It was not my intention to have such large holdings as I had, but it was rather by accident that I got as much land as I did get.

Mr. KEARFUL. Did these colonists, as a rule, have invested there all that they had in the world?

Dr. MANLEY. Yes; as a rule that is a fact, I think, almost to a man.

Mr. KEARFUL. And they had purchased land and were building homes upon the small tracts of land which they were developing?

Dr. MANLEY. Yes.

Mr. KEARFUL. How did these colonists in character compare with farmers of the same class in the United States?

Dr. MANLEY. Very favorably.

Mr. KEARFUL. They were all good citizens and paid their taxes and obeyed the laws?

Dr. MANLEY. Yes.

Mr. KEARFUL. And paid their debts?

Dr. MANLEY. Yes, indeed.

Mr. KEARFUL. Do you know whether they maintained schools at those places?

Dr. MANLEY. Yes.

Mr. KEARFUL. At their own expense?

Dr. MANLEY. Yes, sir; also a church and religious services.

Mr. KEARFUL. Do you think the influence of their operations upon the Mexicans was good in every respect?

Dr. MANLEY. I think so; it certainly was.

Mr. KEARFUL. Do you think that their leaving the locality was a benefit to the Mexican natives?

Dr. MANLEY. It was a detriment.

Mr. KEARFUL. Is there anything further, Dr. Manley, that has not already been covered that you would like to state?

Dr. MANLEY. Not that I think of at this time.

Mr. KEARFUL. The committee are very much obliged to you.

(Witness excused.)

TESTIMONY OF MR. SLOAN W. EMERY.

(The witness was sworn by Mr. Kearful.)

Mr. KEARFUL. What is your full name?

Mr. EMERY. Sloan W. Emery.

Mr. KEARFUL. Where do you reside?

Mr. EMERY. Tibbee Station, Miss.

Mr. KEARFUL. What is your business?

Mr. EMERY. Dairyman at the present time, and I am still president of the Vista Hermosa Sugar & Mercantile Co.

MR. KEARFUL. Are you a native-born American citizen?

Mr. EMERY. Yes, sir.

Mr. KEARFUL. Of what State?

Mr. EMERY. Texas.

Mr. KEARFUL. When did you first go to Mexico?

Mr. EMERY. In 1900.

Mr. KEARFUL. How long were you in Mexico?

Mr. EMERY. I visited Mexico in 1900 and was there for several weeks. In 1901, in December, I returned there as manager of the Vista Hermosa Sugar & Mercantile Co. and was there in that capacity until April 27, 1914, I believe, when we were deported by the Huerta troops.

Mr. KEARFUL. What were the properties of this company that you were managing?

Mr. EMERY. We bought originally 7,000 acres of land for which we paid $80,000 gold. When we came to make a survey of those lands, we found that there were less than 2,500 acres instead of 7,000. That is as near as we came to robbing the Mexicans. We had a straight deed carrying 7,000 acres of land, and it came through a prominent Mexican, Jose Maria Ortiz, of Mexico City, a very prominent man in those days, and is yet, I guess. We put the matter to him so strongly that he had to make up the shortage of this land.

Our lands bordered on the Rio Tonto. There were no other lands on our side of the river available. This Tonto River is quite a considerable stream. It is about 500 to 800 feet wide in front of our property and perhaps 12 feet deep. There were no lands suitable for our business on the same side of the river on which we were. However, there was a large tract of land on the opposite bank of the river consisting of some 43,000 acres, and by a compromise between Mr. Ortiz and our directors we paid $54,000 for enough land to make up the shortage and some 15,000 acres more, making our investment down there in lands something like $134,000 gold, and we had between 24,000 and 25,000 acres in all.

Those lands were devoted to the production of sugar cane mainly, sugar cane, rubber, coffee, and bananas.

Mr. KEARFUL. What was the principal character of your operations?

Mr. EMERY. Sugar was our principal crop.

Mr. KEARFUL. Did you have a sugar plant?

Mr. EMERY. We had one of the best in Mexico. We had an investment of $250,000 in machinery alone. It was conceded to have been the finest distillery in Mexico. We had made and used in our construction work 4,000,000 bricks. We had very fine brick clay, and we made our own brick. Everything that we used there was for keeps, so to speak, a permanent investment.

Mr. KEARFUL. What was the total amount of your investment?

Mr. EMERY. $1,250,000.

Mr. KEARFUL. What sort of labor did you employ?

Mr. EMERY. Native labor entirely.

Mr. KEARFUL. How many men did you employ?

Mr. EMERY. We had, dependent on the season of the year, from 300 to 700 hands. I would like to say that I would never want to have better labor under the system we employed.

Mr. KEARFUL. Were the laborers peaceful and industrious?

Mr. EMERY. Yes, sir. In the 15 years that I was there we never had but one fatality from quarrels among themselves. We worked entirely with what were known as contract people. I should not say that either. We had perhaps 100 men who were regular volunteer labor, but the great bulk of our labor was derived from two sources. One was from the villages about. A peon would drop in there and become accelerated and get into trouble and be put in the juzgado, and our agents would pay their fines and advance them a certain amount of money, usually about $30, and those people would come to us under a six months' contract. As soon as they were received, they were examined by the physician, and if their physical condition was such that they could work, they were kept. They were searched for anything in the line of weapons. If they had any weapons that were at all dangerous, those were taken away from them until their term was up, because we knew their character so well that if they had anything of that sort there might be trouble and there might not. We were so careful that we had only one case. In that case a man had an opportunity to get hold of a file and in a controversy over a woman he drove this file into his companion's side, and although we sent him immediately to headquarters, as were our instructions in those cases, blood poison ensued and this man died. That is the only case we had on our place of anything arising from trouble with the people.

Mr. KEARFUL. How were the laborers treated by you and your people? Were they oppressed in any way or were they well treated?

Mr. EMERY. We had frequent visits from the authorities who had charge of this business. I would like to state one little occurrence that happened that opened my eyes.

Soon after we went down there we had three men who ran away from us. They were Indians that were contracted, and for some reason or other they left us in that way. By the way, our loss from that source was about 3 per cent of our entire work. Year by year it would run until it was about 3 per cent out of 100 that we would employ that for some reason or other would get out and go.

Those people were brought back. We were making excavations for our sugar mills, which weighed 10 or 12 tons apiece in the rolls, and they required very solid foundations, and we had a pit perhaps 15 feet deep. I said to my mayordomo, "Put those three men down in that pit. They can not get out of there without being helped out, and we will be pretty sure of finding them there when we want them through the day." I had had some leg irons made, or rather bought them, and I put leg irons on those people.

After doing it, I got to thinking the matter over, and I wrote to the local official in the town what I had done. He did not make a reply to that letter, but he sent a private message to me to tell me

that I had done what the governor of Oaxaca would not do, and he would advise us to never do anything of that sort, never put anything in the line of irons on a Mexican. He said, "If you have occasion to control any of these people, you are at liberty to tie them and you are at liberty to put them in the carcel (jail)." We had a carcel that we used if a man made us trouble, where we locked him up for a day or two. We used that as a place of confinement, and by little fines that were imposed—and that was done very seldom—we kept the whole business so that we could move them about. The favorite expression of our foreman was that the men were "very contented." We never had any trouble with our help and we tried to get our people to feel that it was a good place for them to labor, and labor was just as much of a want there as it is anywhere, and you had to treat people right in order to get them.

Mr. KEARFUL. With whom were these contracts made?

Mr. EMERY. We had agents; we had two or three different agents at various points, who were instructed to pick up all the labor they could at any time and to take them before the proper officials and to draw the papers and have them sign and everything executed properly, and then to deliver those people to us.

Mr. KEARFUL. Was that done in accordance with the Mexican law?

Mr. EMERY. Yes, indeed.

Mr. KEARFUL. That was during the time of Diaz?

Mr. EMERY. During the Diaz administration; in fact, clear up through the Madero as well.

Mr. KEARFUL. Were any changes made in that system of operation by Madero?

Mr. EMERY. Only that I think the inspectors were a little more attentive to their business. They came around to see if the people were being treated right, and of course they always had the right of way and could to talk to anyone they wanted to and find out.

We had a very elaborate system of accounts with those people. Every man when he came there was given what we called a boleta, a ticket for wages. It was a statement ruled for six months' time in weekly periods, and the man's name headed that and the amount he owed us to begin with. Then there was a column for his weekly earnings, and those weekly earnings were extended each week. If he bought anything from the tienda, or store, it was charged against him, and the balance carried, so that everybody knew exactly week by week where he stood. If there was any dispute about the time the man had given or about amounts, it was fixed up right then and there.

Mr. KEARFUL. What, if anything, was provided by which the company looked after the welfare of the Mexican workmen?

Mr. EMERY. We kept a general stock of goods. We sold the goods at the prices that were common in the country. We fed our people and saw that they were suitably clothed and had medical attention.

Mr. KEARFUL. Did you have a hospital?

Mr. EMERY. Oh, yes.

Mr. KEARFUL. Did you have a school?

Mr. EMERY. Yes, sir.

Mr. KEARFUL. Were the workmen assessed to support the hospital and school?

Mr. EMERY. No, sir.

Mr. KEARFUL. That was done as a company expense?

Mr. EMERY. Yes, sir.

Mr. KEARFUL. Was that voluntary?

Mr. EMERY. Yes, sir; we felt that with our property it was useless without labor and that we could afford to treat labor right in order to have a good standing with the Mexican laborers.

Mr. KEARFUL. How did you treat them as compared with the treatment they received from the Mexican operators?

Mr. EMERY. There were very few of those. There is a singular thing. I do not know that that fact has ever been brought out before you committee. The Mexicans do not do big things. When a property gets so large that a Mexican and his immediate family can not handle it, they either stop progress right there or else sell it to some one else. If you will stop and look over the record you will find that the big business in Mexico is not handled by Mexicans. It is handled by English, French, German, Spanish, or American business men.

The Mexicans do not trust each other. There is the source of all this political trouble down there. These revolutionists do not dare put their lives in the hands of the present Mexican Government or former ones outside of the Diaz Government, because they might make all the promises in the world to a man, but once they get him into their power, they take him out and stand him up against the wall for the "good of the people."

Mr. KEARFUL. What has become of all this property you have described that you say represented an investment of $1,250,000?

Mr. EMERY. It stands there idle, dismantled, the copper stolen out of it, the machinery going to wreck, the cane fields practically grown up to monte—that is, to young timber. The property has been headquarters for bands of bandits for three or four years past, so we are informed.

Mr. KEARFUL. Did you have live stock and supplies of all kinds?

Mr. EMERY. Oh, yes. We had 125 head of mules, 250 oxen, we had, I think, 12 or 15 head of horses, and 8 or 10 head of milch cows. We had a going concern.

Mr. KEARFUL. Did you have a stock of supplies in your store?

Mr. EMERY. Yes, sir, we carried about $12,000 worth of stock in our store.

Mr. KEARFUL. And you had buildings of various sorts?

Mr. EMERY. Oh, yes.

Mr. KEARFUL. What has become of your horses and implements and supplies?

Mr. EMERY. They were stolen. The oxen were killed and eaten, I suppose.

Mr. KEARFUL. Were the horses and mules driven off?

Mr. EMERY. Yes, sir.

Mr. KEARFUL. What was the amount of your production at the time your trouble first began?

Mr. EMERY. We were making about 900 tons of sugar a year. We were making about 50 barrels of aguardiente daily.

Mr. KEARFUL. That is alcohol derived from the cane?

Mr. EMERY. Yes; that is to say, it is not alcohol until it has been refined. We redistilled. We sold it usually or sometimes as aguardiente and again we rectified it and sold it as alcohol. At one time

I sent 5 gallons of alcohol to the United States gauger at Peoria, and our 5 gallons tested out 8.35 gallons under the United States test. We made a very superior article of alcohol and that in large part went across to France to be used in the manufacture of fine liquors.

Of course we did some retail business. A Mexican who did not drink was as much of an anomaly down there as an American here who got drunk.

Mr. KEARFUL. You are familiar with the very high price of sugar in this country, are you?

Mr. EMERY. I am.

Mr. KEARFUL. What do you think would be the effect upon that of the continued operation of the sugar plantations in Mexico under the old conditions?

Mr. EMERY. They never would have seen sugar at 19 cents a pound, as I saw it advertised the other day. We made sugar for 1¾ cents a pound and we made money at that price. Of course, we had our alcohol. These people have the same thing here. It is true that they do not make it in the alcohol, but they get just as much out of the molasses, which will not crystalize in manufacturing various feeds and other uses that they are putting molasses to. They are not throwing any molasses out nowadays. They are getting a good price for their molasses.

Mr. KEARFUL. Do you know how the sugar industry in Mexico compares with that of Louisiana?

Mr. EMERY. It is about the same—it was at that time, with capacity for very great development.

Mr. KEARFUL. Were those developments in progress or in prospect?

Mr. EMERY. In Mexico?

Mr. KEARFUL. Yes.

Mr. EMERY. I should say not. I do not know of a single sugar property operating in Mexico to-day.

Mr. KEARFUL. I mean during the good times were further developments in prospect?

Mr. EMERY. Oh, yes, indeed. We were clearing land every year and adding to our acreage.

Mr. KEARFUL. Was this a profitable operation of yours?

Mr. EMERY. Yes, sir; it was going to be very profitable.

Mr. KEARFUL. Did you have any concessions from the Mexican authorities that gave you advantages over other people operating in the country?

Mr. EMERY. No, sir; and never asked for any. We knew it would be useless.

Mr. KEARFUL. Did you know of any other Americans operating down there who had concessions that gave them special privileges?

Mr. EMERY. No, sir; I do not. The only people that had any concessions from the Government that I know of are the concessions given to Cubans who have cut our throats.

Mr. KEARFUL. When did that occur?

Mr. EMERY. When Cuba was specified. They were given an advantage in the matter of the introduction of their sugar here, I think, amounting to about 25 per cent perhaps of the customs duties. It was something like that, enough to make quite a considerable difference in their profits.

Mr. KEARFUL. So that it was difficult for American citizens operating in Mexico in sugar to compete with them?

Mr. EMERY. Yes, sir. One of the most iniquitous things that was done was when our sugar came here it was not tested by the polariscope. The polariscopic test is a scientific test. It tells exactly what sugar is worth and the amount of saccharine that exists in the raw sugars. They judged solely by the looks of the thing. You can imagine how difficult it is to glance at an article and tell what there is to it, when you could have a scientific test that could tell absolutely, beyond what you might term the vagaries of the eye. I made a desperate effort to get that matter changed so the polariscopic test would rule, and finally succeeded in getting it about the time the trouble came up in Mexico. They took the polariscopic test here in the United States. We were not able to ship sugar into the United States on account of the risk that we ran of having our sugar rated so high that the duty would take up the value of the sugar. Our sugars were sent entirely to England.

Mr. KEARFUL. When did your first troubles begin in Mexico?

Mr. EMERY. We never had any trouble until 1914, the night that we ourselves were taken out.

Mr. KEARFUL. Was that the occasion of the landing of American troops at Vera Cruz?

Mr. EMERY. Yes.

Mr. KEARFUL. What became of your property at that time?

Mr. EMERY. It was confiscated by the Mexican Government. The officials were sent over one morning, an inventory taken, and the property taken into the hands of the Mexican Government.

Mr. KEARFUL. What became of it subsequently?

Mr. EMERY. They operated the property for about 12 months, and then we made representations that enabled us to recover the property, and the property was jointly put into the hands of my cashier and my mayordomo, two men who had been with me for many years and were very responsible and reliable people—my right hands, you may say, in our work down there.

Mr. KEARFUL. Were they Mexicans?

Mr. EMERY. One was a Mexican, and the other was a Cuban. They held the property together. The railroads were disorganized, and they could not get material in which to ship, they could not get cans for the alcohol, they could not get sacks for sacking the sugar, and their instructions were to keep the cane fields alive and to do enough cultivation to keep a good stock of cane, so that when it was possible to resume operations there we would have plenty of seed cane.

It requires about 5 tons of cane to plant an acre, and it is a very important matter to have cane of the right quality in order to secure a good stand in your cane fields.

Mr. KEARFUL. Were they able to follow out those instructions?

Mr. EMERY. For a time. They were until the operations of the bandits became so rank that their lives were both threatened and they did not dare stay, and they were forced to leave the property.

Mr. KEARFUL. Who were the bandits you speak of?

Mr. EMERY. Little, isolated groups who lived by plundering and robbing and murdering.

I said we had no trouble at first. The Madero difficulty began about 1910. There never was a greater fake in the world than the raising of the Madero revolution. The Madero family had made $15,000,000 from the handling of the very peons that they claimed as being the cause for their revolution. They got into power and found $52,000,000 in the treasury in Mexico City, and an uncle of Francisco Madero was put in charge of the finances of that country, and at about the time Madero was killed there was not a dollar in the treasury. Every dollar had been expended.

The brother of Francisco Madero organized the Zapata raids in the State of Morelos. The State of Morelos was called the Sugar Bowl of Mexico. It was devoted almost entirely to sugar. It was his idea and his hope to get control of those properties in that state, and he conceived the idea that if he could scare out the people who were in there by some hocus-pocus, the Madero family would get control of that state.

Mr. KEARFUL. This was Gustavo Madero you are speaking of now?

Mr. EMERY. Yes. I omitted something. At the uprising of the Madero business we had a little settler over in a neighboring village by the name of Penuncio Martinez. He had gotten into some trouble with the government. They had given orders to arrest him, and he had been in an unhappy state for some little time with the Diaz government for his peccadillos—this I found out months afterwards—and he came to my foreman and begged him to let him have a rifle, and after a certain length of time he gave him this rifle. That was the initial step toward one of these bunches.

This man gathered together three or four others with him and they began circulating around the country, going into plantations and getting what they could and living off the country, so to speak. Their force kept augmenting, and finally he began sending me word that I need not worry at all, that we were not going to be disturbed by them. After this thing had come to me half a dozen times I began to take some little stock in the idea that Penuncio Martinez was acting in a small way much as Pelaez was doing in the Tampico district.

The thing went along for a couple of years, with Penuncio making headquarters there. We were a little way off from the main road and I think he came to see us only once. Toward the latter part of that time it seemed to me that it was a bad state of affairs to have this man operating and I suggested to him why not fall in with the Madero government. He said he would if he thought he could do it safely. I went to Mexico City and arranged matters so that he could become a good Indian, so to speak, and come in on the reservation and resume relations with the government, and this was done.

It went along until shortly after the time that we left there. Penuncio was the last man I saw on leaving Cordoba. He came in and was very regretful to see the condition we were in and promised to do all he could to look after our property, and he did as long as he was alive. I think finally they killed him; I heard they had, but I think we owed in some small measure a debt of gratitude to him. At one time he came to me and wanted $500, not as a forced loan, but simply as one business man would borrow from another. I let him have the $500 and perhaps 60 days after that he returned the money. He always seemed to be very friendly and very grateful.

I think we owed in large part our immunity from any trouble there to his actions.

Mr. KEARFUL. He was a free lance up to the time you arranged for him to join Madero?

Mr. EMERY. Yes, sir; and he operated with the Madero government for, I think, several months after we left the country, and for some reason or other something came up that displeased him and he went out again. I have heard since that he was killed, but it has never been confirmed.

Mr. KEARFUL. Don't you mean that he operated with the Carranza government after you left?

Mr. EMERY. Yes.

Mr. KEARFUL. You said he operated with the Madero government.

Mr. EMERY. I mean the Carranza government, but he fell out with that government and resumed his old tactics later, I believe.

I recollect at one time there was a very large movement of perhaps 1,500 revolutionists—two separate bands—that passed down through our property. When they approached the highway leading into our works, which was some three-quarters of a mile from the highway, this other man was in the lead and they started to come in. Penuncio rode up to the head of the column and said, "Where are you going?" He said, "This is an American company. We are going in there and see what we can do." Penuncio said, "No, you must not go in there." They insisted, and he told them no. He had some people whom he knew were straight, and he said, "There is only one way you can go in there. They are friends of mine, and you shall not molest them. If you get in there you will have to do it after disposing of us." He had that sort of feeling for us.

Mr. KEARFUL. He did protect you then?

Mr. EMERY. Yes, sir; there is no question about it. They passed on and there was no further trouble about it.

Mr. KEARFUL. What happened to you at the time of the occupation of Vera Cruz?

Mr. EMERY. We had been urged by our bankers in Mexico City and by our attorney, Mr. Robert J. Kerr, who at that time was in Mexico, to leave; we had been very urgently advised to get away from the plantation. We were off to one side; we were some distance from the railroad and rather in a remote inaccessible section in a way.

I went to Vera Cruz and arranged to get a place to move my family. I disliked leaving until it really seemed a case of have-to. I arranged with Consul Canada to send me a telegram if the situation ever got dangerous, to wire me that my presence was needed at the Aduana in Vera Cruz, that he had a consignment of goods that needed my attention. That telegram was sent the day before the invasion of Vera Cruz by our troops. I did not receive it for 48 hours after it was sent. I never knew why.

Immediately on getting that telegram we threw together our personal belongings that we had had already packed, and started to the train. We had a little stream to cross about midway between the plantation and the railway, which was about 6 miles distant. We were met at this stream by some of the prominent citizens of the little towns—there were two little towns that we had to pass through—and they told us that there was no use in trying to go on, that the bridges had been destroyed and the Americans had attempted to take Vera

Cruz and that they had killed hundreds of women and children, and that they had been driven back to the vessels with great loss, and that hell was popping generally. We thought we would take our chances right at the plantation, and so we returned to the place.

Mr. KEARFUL. That was the first notice you had of the taking of Vera Cruz?

Mr. EMERY. Yes, sir. We returned to the plantation, getting back about noon. We went about our ordinary vocations until about sundown, when a captain of the Huerta troops came up to the place, hitched his horse outside of the yard, started in, laid his rifle down on the grass, and extended his hand and was pleased to resume his acquaintance with me, which had been very pleasant. He came to tell me that the commander at Tierra Blanca was very anxious to have a conference with me. I told him I would be very much pleased to meet the commander and would go the first thing in the morning. He said, "That will not do. You had better go to-night." I said, "It is too late," and I assigned various reasons. My cashier came along and joined the conversation and tried to show that it would be better to go in the morning, but finally the captain became rather provoked, and said, "We can not waste any more time over this proposition. If you do not choose to go with me willingly I will have to take you."

Meanwhile 50 of his men had appeared. He had come alone at the start. My wife had joined the group by that time, and she said, "If you are going I am going, too." She was English, and she had a hunch that maybe all was not as it ought to be, and she insisted on accompanying me. They made no real objection, although they said there was no use in her going.

I and two other American men started. We had no means of conveyance. There was a lady there, an American who had been with us a great many years down there, who had charge of our store.

Mr. KEARFUL. Who was that?

Mr. EMERY. Mrs. Wetherell. I do not know whether she has been before your committee.

Mr. KEARFUL. Yes; she has been.

Mr. EMERY. We of course never would have left her if we had dreamed of the outcome of the proposition. As we started away they gave orders to turn loose all of our people and to give them full liberty in every sense of the word, and they took it. I suppose a white woman never underwent such a night without absolutely having been abused personally. The physician and the mayordomo were able to shift her around from place to place—she told you all of that, however—to protect her through the night. The next morning they got her over to the station and she rejoined us in Cordoba.

We reached Tierra Blanca at 2 o'clock in the morning, and were shoved into an empty room with no bedding and no convenience whatever and were told we could remain there. The next morning we started out to look around and one of the troops returned and said to me, "You had better not show yourselves. There is a very bitter feeling here against Americans." We were told that the night before the Mexicans had assembled and had held a joint meeting—there were 11 Americans in and about Tierra Blanca. It

was railroad headquarters for that part of the country, and they put it to a vote as to whether those 11 people and ourselves should be executed then and there. That was decided by one ballot.

Mr. KEARFUL. In favor of not executing you?

Mr. EMERY. That they would not resort to extreme measures. We were put on the train and started for Cordoba, I should say about 9 o'clock the following morning. Midway between Cordoba and Tierra Blanca, one of the officials from Tierra Blanca, together with this same captain who had arrested us, came to us and said, "We have a proposition to make to you." He said, "We can do one of two things with this company." There were about 15 or 16 in our party. He said, "We can take you down to the front and leave you with the Mexican troops, or we can take you to Cordoba. Which would you rather have?"

We said of course that we would prefer going to Cordoba. We did not think it would be a very pleasant place for my wife and little child down where the fighting was likely to be and where there was a great deal of smallpox. They said, "You will have to give us a thousand pesos to take you to Cordoba."

We debated a little while over that and finally consented to do it, and paid that money to those people. When we reached Cordoba we were met by a file of 50 cavalrymen. The train was drawn up to the regular station in Cordoba and stayed there until the usual passengers and mail were unloaded, and then the train was reversed and we were run back about two blocks. This captain came to us and said, "The minute this train starts you want to get off of it as quickly as you can." We knew enough to obey orders, and we got off the train. We were then, I should say, perhaps 2 miles from the center of town. We were taken that distance on the double quick. We were taken all the way through back streets and we did not reach any evidence of any excitement until we got almost to the municipal building. Then we found a tremendous crowd there and we were ushered up through the guard of 25 soldiers and put into this room. I suppose that room was perhaps 30 by 50 feet, a bare room, with no provisions of any kind in it, a tile floor. We were kept there for six days and nights.

When Mr. Grigsby's party came it was necessary to shift us down into the cells, and the following morning we were told by a resident of Cordoba that there had been 50 peons' corpses taken out of those cells 30 days before, dead from the smallpox. There was not any use saying anything to anybody about it. I talked with my wife, who had had the smallpox, and I had been vaccinated and our little boy had been vaccinated. Eleven days later in quarantine in the Mississippi River my little child had a very high fever and I was certain then that this smallpox had broken out, but it developed into something else.

I speak of that to show the lack of foresight or forethought. There were six days and nights there that I think our lives just hung by a hair.

Mr. KEARFUL. What was the attitude of the Mexican populace?

Mr. EMERY. The municipal building fronted a plaza that contained perhaps three acres, a beautiful place. That plaza would be filled up with peons at night, and about the only thing that would satisfy them was to turn us over to them. That was their attitude. They wanted the blood of the Gringos.

Mr. KEARFUL. How long were you kept prisoners there?

Mr. EMERY. Six days and nights.

Mr. KEARFUL. How many of you were there in the party, eventually?

Mr. EMERY. I think there were 85 altogether.

Mr. KEARFUL. How did you get away?

Mr. EMERY. We were trying to get away for several days. We could get no information from anywhere. We would canvass the situation with the colonel commanding and with the jefe politico of the district, and they all seemed to be in the dark.

Finally on Monday—I think we were landed there on Wednesday—they told us we could get out that night. We were marshaled out between sundown and dark. We had a guard that day and there was no opposition to our going. They were quiet and civil. We found no trouble until we got down to a point called Paso del Macho. That is about 15 kilometers below Cordoba. There the train stopped. It seems the train people were in the habit of taking luncheon there, and there was a very large delegation of Mexicans there, and they bombarded the car with rocks and everything else they could get hold of. One lady was sitting by a window and a peon stepped up and spat in her face. They showed in various ways their animosity. If they really believed what I honestly think they did believe, I do not blame them. If they thought their women and children had been shot down in the streets of Vera Cruz by the hundred, as they were made to believe, I can not question very much their attitude toward Americans.

Mr. KEARFUL. You think that their feeling was justified according to reports?

Mr. EMERY. Yes, I do. I would have felt much the same way.

Mr. KEARFUL. Do you know whether any Mexican women and children were killed in Vera Cruz?

Mr. EMERY. I have been led to believe there were. I would not attempt to state the number, but I am under the impression there were one or two children and perhaps three Mexican women that were accidentally killed by the fire of American marines. They were quite outraged at the landing of those troops.

Mr. KEARFUL. Where were you taken then?

Mr. EMERY. We were put on the train. The train was at Paso del Macho perhaps for 30 minutes, perhaps an hour—it seemed like a lifetime to us while those cars were being bombarded with rocks and everything else. We saved ourselves by piling our valises and anything we could get against the windows.

We were then taken down to a station that was some 15 miles below, to Soledad. We were landed there about daylight and we were held there. The train immediately was returned to Cordoba and we were left there stranded.

There was quite a large collection of Mexican troops there and nobody seemed to know anything about it, and we could not get any advice from anywhere. We did not know whether we were going to be allowed to go on or not, and the troops were not feeling very friendly. There was a very well-defined feeling among a good many people that there would have been very serious trouble there if we had been held there another 24 hours. But meanwhile a train came bearing a commander of the English fleet, who was afterwards

killed in the Pacific. He was sent up to Mexico City to see if he could not persuade Gen. Huerta to resign. He went to Mexico City on a special train. Of course his attempt was futile, and when his train returned about 2 o'clock in the afternoon a committee from our people went over and made a very strong plea to him to allow us to board his train and we were taken to Vera Cruz on board his train. We were rescued really by the British Navy. They had a flag of truce. The column was headed and followed by a white flag.

Mr. KEARFUL. Did you meet Consul Canada and Admiral Fletcher in Vera Cruz?

Mr. EMERY. On arrival at Vera Cruz, I knew the shortcuts to American headquarters there and my wife and I slipped out of the rear of the coach, which was very well filled. By the way, we traveled 9 miles afoot the worst walk I ever experienced, over a torn-up railway to a point about 4 kilometers from Vera Cruz, to Boca del Rio, and we were there given a train and taken into Vera Cruz. As I say, I made my way to Consul Canada's office and I opened the door and he grasped my hand and he said, "Old man, we sweat blood over you." They could not get word from us and could not get any advice as to where we were or what had happended to us or why we were held. Our own thought was that if the American troops had continued to march toward Mexico City, that we were held there as a sort of hostage to get terms.

Mr. KEARFUL. Were you released upon information that the Americans were not going in any farther?

Mr. EMERY. I imagine so. We never did get any information one way or the other. There was a very singular occurrence. In entering the minicipal building where we were kept, a miscount was made of our party and my wife was not counted with the number. For example, we perhaps went in there with 15 people and they only took tally of 14. There was a hotel right across the street, the Hotel Diligencia. We attempted to get Mrs. Emery out of the building. It was not pleasant for women there by themselves, but nothing was doing. We understood the leading Spanish merchants in the town, with whom we did business, and we got word to them and they would say, "We will do what we can," and they would come back to us again, but she was held there until the very last and she was held there simply because the colonel commanding felt she was safer there than in the hotel.

I am satisfied that but for the position of the leading Spanish and Mexican merchants of Cordoba there would have been one of the most horrible slaughters there. I was told that perhaps the first night after we reached there—by the way, the day before we came there a little party was brought in that was attacked, and they were from the first plantation out of Vera Cruz. At any rate they were stoned and one of the party had quite a severe wound on his head. That is the reason why they were so insistent on getting us up by the side passages, so as to avoid knowledge of the populace.

Mr. KEARFUL. Did you have any conversation with Consul Canada or Admiral Fletcher in reference to plans that had been made for the Vera Cruz landing?

Mr. EMERY. The following morning after our arrival in Vera Cruz, I paid my respects to the consul and to Admiral Fletcher, who hap-

pened to be in his office, having been entertained on Admiral Fletcher's ship previously and he having been at the plantation. Of course my relations with Mr. Canada were almost as a brother. I had the very deepest respect and feeling for Mr. Canada. They talked very freely to me. I do not know that this matter has ever come out. They told me this, that they had perfected this sort of an arrangement. They knew that the steamer *Ypiranga*, the Spanish steamer, was due to arrive in Vera Cruz, in fact was in the offing then.

Mr. KEARFUL. A German steamer, was she not?

Mr. EMERY. A Spanish steamer, I thought. At any rate, it does not matter whose steamer it was, it had a large consignment of arms for the Huerta government, and it was desirable from the standpoint of the United States at that time to prevent the arrival of those arms and their going into the hands of the Huerta government. They did not care to lock horns with the vessel. That would have been an act of war, of course, against that nation which owned the vessel. They conceived the idea of arranging with the colonel commanding the Mexican troops that he would withdraw his troops—I think he had something like 1,000 men there—and that in the early morning before daylight a detachment of marines would enter the city by rowboat or motorboat, and would occupy the customhouse, the post office, and the telegraph office, and that when the vessel did come in our people would receive the arms and would see that they did not reach Mr. Huerta.

After perfecting this plan they submitted it to Washington for confirmation. In place of receiving a prompt reply from Washington, as they had a right to expect, they received the order the following morning about 7 o'clock telling them to go ahead and carry out their plan. They did so, and by some oversight a little handful of boys—they were nothing but lads down in the naval academy there—when they saw this foreign invasion, not knowing that the Mexican troops had been withdrawn, jumped in the breach and turned loose on the marines and killed a few of our people, and that was the trouble. Had our people gone in there—they should never have gone in, in the first place; it was a horrible outrage; I do not care who authorized it—had they gone in there as was planned, I am satisfied there would never have been a gun fired.

(Thereupon at 12.30 o'clock p. m., a recess was taken until 2 o'clock p. m., at which time the hearing was continued as follows:)

AFTER RECESS.

TESTIMONY OF MR. SLOAN W. EMERY—Resumed.

Mr. KEARFUL. Are you acquainted with Mr. John Lind, who was sent by President Wilson to Mexico to eliminate Huerta from the Presidency of Mexico?

Mr. EMERY. Are you a mind reader? I was just going to tell you the pains I went to with John Lind to show him the manner of treatment that the Mexican peon received at the hands of the American hacendados. Yes, sir; I knew John Lind in Minnesota. I lived in Minnesota 25 years and thought a great deal of John Lind and watched his course in Congress with a great deal of interest—helped to elect him, in fact—and felt he was an old friend and one to whom I an

appeal could be made and that, perhaps, he would take some stock in the observations that I might offer.

Mr. KEARFUL. After John Lind presented his proposition to Huerta and had been unsuccessful in his mission at Mexico City, he went to Vera Cruz. While he was there did you have occasion to take him out to your plantation?

Mr. EMERY. I visited him in Vera Cruz immediately when I heard he was there. I had great hope that his coming would bring beneficial results with our Government, because I thought that representations could be made to him by people whose opinions he ought to have respected and might have some influence upon his actions. We had a great deal of business in Vera Cruz and I frequently was there.

Finally I received a letter that John and the admiral were coming with a little escort, and they did arrive. They spent a day with us. As I remember it, they spent a couple of nights at the finca, and we went all over the ground with them. I showed them the manner we had of handling our help and how they were treated. I took him out in the field and introduced him on our farm to one of the old caciques. He had a very good interpreter with him and he carried on quite a conversation with this man.

Mr. KEARFUL. Did John Lind know any Spanish?

Mr. EMERY. No. There is Mr. Wilson's great fault. I was taught as a boy a mighty homely old saw, never to measure another man's oats in your half bushel. Mr. Wilson's whole treatment of this affair down there, or rather this Government—I do not know that I should specify Mr. Wilson—has been that they could be handled as Americans could be handled. One has to have some insight into their character and into their disposition. You have to know the genesis of such people before you can measure them up or outline any line of action for them.

Mr. KEARFUL. Do you know the national origin of John Lind?

Mr. EMERY. I know he is a Scandinavian.

Mr. KEARFUL. Is there anything more different that you can imagine than the temperament of a Scandinavian and a Mexican?

Mr. EMERY. No, indeed. I might add that within, I think, 60 days, or possibly 90 days, I addressed a letter to John Lind to this effect, that "I trust by this time you and President Wilson have had your bellies full of the Carranza régime," and signed myself "Very respectfully," but I never had a reply to that.

Mr. KEARFUL. What impression were you able to make upon him at that time?

Mr. EMERY. None whatever. I could not get anything. We talked about Carranza and what was being done up in the northwest. At that time the operations were confined mainly to the northwestern part of Mexico. He said he thought something could be done, etc., but I gathered my impressions from our resident Mexicans who were men of affairs, who were leaders and who studied the situation.

Mr. KEARFUL. And with whom you could talk?

Mr. EMERY. Yes; and whom I could sound out to get their ideas and their impression.

Mr. KEARFUL. Do you know of any other trip into the interior that John Lind ever made?

Mr. EMERY. I do not think he ever made any to a plantation except to ours.

Mr. KEARFUL. How far is your plantation from Vera Cruz?

Mr. EMERY. About 45 miles—106 kilometers.

Mr. KEARFUL. Did Lind expound to you any of his theories in regard to what should be done about Mexico?

Mr. EMERY. The only thing that I could gather was that he thought Carranza would be able to pull out and make good; that Carranza and Villa between them would pass by the country, and it was a longer shot and a better one than to attempt to place any dependence in Huerta.

Mr. KEARFUL. Had you been receiving protection to life and property and did you have all security under Huerta?

Mr. EMERY. Yes, sir; and not only that but we had obtained permission to import arms into Mexico for the protection of our property from bandits, and it would often happen that a company of perhaps 100 men would come through and we would entertain them, we would provide them with quarters for the night and feed them, and they would move on to the next point. We enjoyed the very kindest relations with the Huerta government.

Mr. KEARFUL. Did you ever receive any concessions from Huerta?

Mr. EMERY. Never.

Mr. KEARFUL. Any special favors?

Mr. EMERY. No, sir; none except I might say the permission to bring arms into our plantation. We brought in 10 Winchester rifles and had our own police force that patroled the grounds for months.

Mr. KEARFUL. That was merely for your protection?

Mr. EMERY. Yes, sir.

Mr. KEARFUL. What was Lind's idea about pacifying the country that was not in need of pacification? Was there any need to pacify the country that was safe and secure under Huerta?

Mr. EMERY. He knew there was a good deal of objection, that Huerta was putting up a very strong fight against Carranza. They seemed to have held Huerta responsible for the death of Madero. Nothing that you could say to the contrary seemed to alter that impression, that such a man was not fit, that no man that had the remotest association with such work should have the right to rule Mexico.

Mr. KEARFUL. That was the American administration idea?

Mr. EMERY. Yes.

Mr. KEARFUL. Was that the Mexican idea?

Mr. EMERY. Oh, no, indeed. I think had a poll been taken as between Carranza and Huerta, at the time, say, six months after the assassination of Madero, that Gen. Huerta would have had practically the support of the American people by a very big majority.

Mr. KEARFUL. Lind thought it was the function of the American Government to supervise the political morals of the Mexicans and to put in any man that they might be satisfied with even if he was not acceptable to us?

Mr. EMERY. Yes, sir; we were the people to be satisfied and not they. That was apparently the position he took.

Mr. KEARFUL. Did he expound to you an idea which he subsequently published in a book about the pacification of Mexico depending upon the good Mexicans of the north defeating the bad Mexicans of the south?

Mr. EMERY. No; he did not. We had very few bad Mexicans in the south.

Mr. KEARFUL. What is the truth about the difference between the Mexicans of the north and the Mexicans of the south?

Mr. EMERY. There is no comparison between them.

Mr. KEARFUL. Which are the better?

Mr. EMERY. The southern Mexicans. Here is a point that I question whether it is generally known in the United States. What is your idea of a Mexican?

Mr. KEARFUL. I would rather have you tell the committee your idea.

Mr. EMERY. A Mexican is the result of the crossing of the Spanish blood with the native Indian. You know what they used to say about the northwestern Indian half-breed, that he inherited the vices of both and the virtues of neither. The old conquistadores—I expect you might scratch all hell and never find a tougher lot than those conquistadores that came into Mexico. We see what the Germans do and what they are doing everywhere they colonize. They are insisting on their people cohabiting or living with the native women in order to infuse their blood as largely as possible into the native races. As for the Indian, the pure Indian, the pure Aztec, he is a noble character. He is just as different from the American Indian as day is from night. The American Indian is a meat eater, he is a loafer, he is a tough, he is a roustabout, a good for nothing, prior to that time this Government had undertaken to starve them into something like making a living for themselves; but to the contrary the Mexican Indian is one of the finest original forces that this continent has ever known. He has been steady, law-abiding, peaceable, and industrious. He is not industrious in a way that we consider men industrious, because he can take 5 acres of land and can have a pig or two and his 5 acres of land will grow all the corn and beans he wants, and it will enable him to buy the very small outfit of clothing that is necessary and pay his taxes, and when you have done that what more does a man need to-day if you get right down to it? What is the use of worrying and fretting over the future and over life? Those people are the salt of the earth so far as the aborigines are concerned. They are the people we have in the south.

Mr. KEARFUL. They are the natives of the State of Oaxaca?

Mr. EMERY. Yes, sir. By the way, I stated this morning that we recruited our labor largely from the natives of the State of Oaxaca. We had an association with two brothers whose grounds were almost in sight of the Pacific Ocean, and when the cane-grinding season came on we used to send there and say, "We need 200 or 300 or 400 people and would like to have them about such a time." We would send money that would enable them to make arrangements for the people to live, and they would come down there under a six months' contract, which was written up by their own officials, and we would pay their taxes in advance for them, and those people would march across the isthmus, an eight days' journey, and come in there and settle right into their work. We paid those people a dollar a tarea (task) for cutting cane, and oftentimes they would cut two or three tareas (tasks) a day. They were not locked up or anything of that sort. They were treated just as you would treat laborers in the United States. We had that relation with those people. They

trusted us and would do anything in the world for us that we could ask them to do. There was never any trouble with them.

Mr. KEARFUL. In the history of Mexico two great men stand out with prominence, Benito Juarez and Porfirio Diaz. From what part of Mexico did those two men come?

Mr. EMERY. From the State of Oaxaca. I have said that when the true history was known Porfirio Diaz would rate with Abraham Lincoln. He was one of the finest characters I ever knew.

Mr. KEARFUL. In that opinion you are corroborated by Mr. William Jennings Bryan in an article published in 1903 in the Commoner.

Mr. EMERY. I had the pleasure of knowing Porfirio Diaz personally. Before going to Mexico I had been a director of the Montana Experiment Station for seven years, and when I got down there I saw a good many things that did not look right to me, and I volunteered and wrote the President of Mexico that if I could be of any service to his agricultural department in fostering the cause of agriculture down there I hoped he would command my services at any time without remuneration. It was money in our pockets to have better agriculture there. We were doing exactly what the cotton planter does down in Mississippi and the South. We were making a specialty of cane, while they are making a specialty of cotton. We needed things that could be produced outside of our plantation, and we needed them in abundance with the forces we had.

I received a nice letter from the President on the subject and some months later he offered me a position at one of the principal experiment stations, but, of course, I could not leave my own business there and undertake that. That was the nature of my relation with Gen. Diaz. I had nothing but the very highest respect for him. He did things that would be shocking to people up here, but he did them because they ought to be done.

I remember when I interviewed Gen. Funston, and he wanted to know my opinion, as to whether they would have trouble in going to Mexico City with the force then in Vera Cruz. I said, "If you handle this proposition right, Gen. Funston, there need never be a gun fired on your trip. If I were handling a campaign like that, I would pick out half a dozen responsible men who were well known to the next one or two towns on your journey. I would send those men ahead of me and have them call together the settlers and explain the situation, that you are going up to Mexico City to see if you can not get order, and that if they have anything to sell you will gladly buy it and pay for it.

"Then from town to town I would pick out and send runners ahead in that way, that would pave the way for them, and that they could go to the capital without having a shot fired." I said, "You are going to find when you go into the country this sort of thing: Men will say to you, 'Here is So-and-so, nothing but a notorious cattle thief and murderer; he is a bad man and he may make trouble.'" I said to Admiral Fletcher, "If you catch any of those people and want to make a good impression on the settlers, the law-abiding settlers, just shoot a few of them." He threw his hands up and said that would never do in the world; that those people would have to be tried. But they did not understand that sort of thing; they did not know anything about the slow movement of the law, which is a farce in many cases in this country.

I recall an incident where a family of people went out to a station a day's trip with some fat pigs. They sold those pigs and made their way back home. They reached home Saturday night. They were a day's journey from the station. Their little houses were scattered here and there, perhaps two or three hundred yards apart, a little settlement, of which there are many in Mexico. There is no motion seen around that property the next morning, so the neighbors went over to inquire and found that the eight people were lying around scattered through their little shacks with their throats cut and heads caved in. We had a contractor working for us and he happened to be on the ground, a very intelligent fellow, and he had foresight enough to note the tracks leading from the houses in the direction of an adjacent property. They immediately sent messengers down to the Atlixco advising of the situation, and the following day the jefe politico, together with his secretary, the judge of the district with his secretary, and a file of six gendarmes, came up to the vicinity by rail. They rode into this little settlement and rounded up everybody in the country and inquired into this business and looked into it thoroughly, and finally they located this family to whose house the tracks led, and they secured a confession. I think there were five of them, two boys and three men. There were three entrances to these houses. They put these boys at the entrances, and these other men went in there and did up the whole outfit.

They secured their confession, and they did this between Tuesday and Friday. Friday morning those five men were taken out, and they dug their graves and were stood up against the buildings and shot and buried, and that is all there was to it. It was that sort of dispensation of law that made that country safe for anybody and everybody.

There was a funny thing about that. That occurrence was on the same stream on which we were. That party came to our plantation and reached there between 2 and 3 o'clock in the afternoon. They had had nothing to eat, and we were very glad to see them. We were always glad to see the officers and we entertained them. They procured a conveyance to take them to the next town. There was never a lisp about this occurrence. We knew nothing about it until some hours afterwards. The contractor followed them down the river and told us what had happened. That is the sort of thing that Mexicans have been accustomed to and that they expect. They expect justice swift and sure, and it is this that makes good Mexicans.

Mr. KEARFUL. Did John Lind express to you his idea about the iniquitous operations of the church in Mexico and the necessity to take some drastic action to eliminate that influence from the Mexicans?

Mr. EMERY. No. He talked very little. You may observe that when a man's head is set, when his "eyes are sot," so to speak, you can not get much of an argument out of him. The burden of his idea seemed to be that if we could just get rid of Huerta, everything would be serene and peaceable.

Mr. KEARFUL. He thought Carranza and Villa were the men to do that?

Mr. EMERY. Yes.

Mr. KEARFUL. Nothing else seemed to have impressed his mind?

Mr. EMERY. No, sir.

Mr. KEARFUL. What do you know about the influence of the church upon the Mexicans as to whether it is bad for them or not and whether it is one of the things that constitutes the problem in Mexico?

Mr. EMERY. To the extent of the ends justifying the means, I am not prepared to say that the church works along the right lines, and yet you have to consider this. There are people that if you deprive them of the Catholic religion there is nothing that will take its place.

Mr. KEARFUL. That is the only religion that the large body of the natives have in Mexico, is it not?

Mr. EMERY. Yes, sir; it is the only religion.

Mr. KEARFUL. What did you observe as to their being very religiously inclined those who professed religion?

Mr. EMERY. We had a friend come down to visit us in the early years of my being down there. He was a particularly fine-looking young man. He happened to have on a clerical looking shirt and sack coat. He rode in to a Scotch plantation near there and the people rushed out and proceeded to take his hand and kiss it. He did not know what to make of it. They thought he was a priest. All of them were good Catholics, as good Catholics as I ever knew anything about.

Mr. KEARFUL. Were they devoted in their religious exercises?

Mr. EMERY. Yes, sir.

Mr. KEARFUL. What character of men were the priests?

Mr. EMERY. I think you might say that the Mexican is very much more faithful about his religion than the Protestants are about theirs.

Mr. KEARFUL. What character of men were the priests?

Mr. EMERY. In the main they were very good. We had of course, the black sheep. There was a priest killed in a little village 4 kilometers from us by a prostitute woman he had been living with. There were some little trouble between them and she stuck a knife in him and killed him. There was nothing said about that. The church shut it up, and there was no scandal about it. They have some queer ideas.

Mr. KEARFUL. Did you observe that the priests made improper use of their influence over the lower classes for the purpose of extorting money from them?

Mr. EMERY. No, sir.

Mr. KEARFUL. Did the priests seem to be really conscientious in the exercise of their functions?

Mr. EMERY. I have known first and last a great many ministers of the Gospel. I never knew one that enjoyed a higher place in my estimation than Father Riley of Cordoba. He was an Irish priest who in times of yellow fever established his own private hospital and went out and gathered by himself persons stricken with this disease and carried them in and did everything in his power that he could for the sick and distressed always. He was a wonderful man. We had a resident priest in the village 4 kilometers from us that was a splendid character, always counseling and advising good living and upright actions on the part of his people. You have to stop and consider this, that those people have the influence. If they told a man to do right it would go a long way further in the direction of causing him to do right than if one of us told him.

Mr. KEARFUL. Did you observe whether or not that influence was exerted for good?

Mr. EMERY. Yes, sir; always. If there was any suggestion that we had that would be better for the people, he always fell in with it and was anxious to do all he could to help along for the betterment of his people. I attributed in no small degree our success, if it may be called a success—because I think it was up to the time we were forcibly deprived of the opportunity to go further—to the fact that we recognized their rights to enjoy whatever religion they pleased, and we did not attempt to force any other ideas upon them. We took it as a matter of fact that anybody that belonged in that country was Catholic by nature and by birth and by practice. There was a little church in that village said to be 200 years old.

Mr. KEARFUL. Where do you place the blame for the present disturbed conditions in Mexico? Upon whom do you mostly place the blame?

Mr. EMERY. I think the lack of confidence that one Mexican has in another has a great deal to do with the situation. There are no big men, when you get right down to it, in these revolutionary movements. I think there was one man down there, Gen. Alvarez. It was a great pity that he was killed, for there was a very fine man. Felix Diaz was another. Those people were above graft, they were above petty malicious looting or plundering. They believed in Mexico and wanted to see it come out in the open and be a strong nation.

Mr. KEARFUL. Do you think the interference of the American administration in Mexican affairs in the time of Huerta had anything to do with the subsequent trouble?

Mr. EMERY. I think it has all to do with it.

Mr. KEARFUL. Who do you think was responsible for that?

Mr. EMERY. I have felt that Mr. Bryan was originally to blame and that he headed the Government in that direction, and that they thought perhaps the better things to do was to try to make good on those lines.

There is no question in my mind whatever that had Gen. Huerta been recognized by this Government, as he was by nearly every other government of importance, that the troubles would have been over in Mexico long ago. Huerta wanted to do right and that is more than some of these other people have been doing. Do you know the primary cause of this trouble?

Mr. KEARFUL. What are your ideas about it?

Mr. EMERY. A brother of my cashier saw among the first checks drawn by the Madero Government a check for $685,000 to the Waters-Pierce Oil Co. We were paying $8 a case for kerosene oil under the Waters-Pierce administration. Cowdray came down there and opened up those oil wells and immediately began to attempt to get into a standing with the people there that could not be done, and they began striking back and forth until oil was worth $2.75. Of course, that was Mexican money. Eight pesos a case was $4 American money or 40 cents a gallon for kerosene. That is a pretty good price, you know, in those days when we were selling oil here for about 10 cents a gallon.

Pierce and his people have their concessions on all that oil territory from Mr. Diaz. He was a very strong man. He did a great deal in Mexico. I know that Pearson, both in Salina Cruz and in Vera Cruz, spent a great deal of government money in fitting that region up to do business. They had great confidence in him.

Mr. KEARFUL. Who was this man?

Mr. EMERY. He is now Lord Cowdray. The Standard Oil Co. had done nothing except put in a vast refinery or two, and these other people had been exploiting these mixed oil products down there, and it has always been my opinion that that was the original source of the attempt to break down the Diaz government. They knew there was no use trying to handle that Government as long as the Diaz people were on earth.

Mr. KEARFUL. What to your mind is the significance of the payment of this large check you speak of?

Mr. EMERY. Moneys they had advanced the Maderos to carry on that revolution. They were friendly to anything that should upset the Diaz Government and were willing to show their friendship by advancing funds.

Mr. KEARFUL. After Madero had been in power for some time and the effects of his rule were felt, what was the prevailing opinion among intelligent Mexicans as to whether his rule was a success?

Mr. EMERY. I think they realized it was an utter failure.

Mr. KEARFUL. When Madero fell and Huerta came into power, what was the general feeling among intelligent Mexicans as to the prospects of improvement?

Mr. EMERY. We received our mail about 5 o'clock in the evening. My people usually came around the office about that time to get their mail and to talk over the doings of the day and plan the work for the morrow. I shall never forget the incident. We had four or five very bright Mexicans in our employ, and when the paper came in there narrating the facts of Madero's assassination and the occupancy of the position by Huerta, I could see those people all sit back with a satisfied look and "Thank God" on their faces. That was the expression on their faces that the farce was ended of the Madero administration of the Government.

Mr. KEARFUL. They received it with equanimity, or with satisfaction?

Mr. EMERY. With the greatest satisfaction. The result had been so disappointing to them and so unsatisfactory, the administration of affairs under Madero, that they received this news with the greatest satisfaction.

Mr. KEARFUL. What do you know about the feeling of substantial Mexicans in regard to Carranza and the prospect of successful government by him?

Mr. EMERY. I have had very little intercourse with Mexicans since leaving there, and I am not prepared to say, but I think the majority of them would welcome something of a change—that is, the right change. I wrote a great many letters in the early days of trouble down there, I would say perhaps three or four letters, to Mr. Bryan, calling attention to the fact of what would be the result of intervention and the position Americans would be in down there, and urged that everything be done to prevent that catastrophe. Very little attention was ever paid to this. Sometimes I would get an acknowledgment of a letter, but that would be about all.

I have quite changed my mind, very much. I think if we ever wanted to do anything with Mexico or in Mexico that it could not be done by our going down there as an armed body and compelling those people. The better read Mexicans have never forgotten the separa-

tion of so much of their territory from them by the United States. There is a constant fear and dread that is in the minds of Mexicans that sooner or later the Americans expect to take Mexico the same as they have territory that they already have acquired formerly from Mexico.

Mr. KEARFUL. What do you think this country ought to do, if anything?

Mr. EMERY. I think we ought to tread on the toes of the Monroe doctrine enough to ask England and France to join us in issuing an ultimatum to the Carranza government to get down and out and get out of the way of people that would be selected by a suitable committee or body that would be put in charge of the business of Mexico in the various States and the Republic at large, and that due provision be made for the payment of damages that have resulted from all this horrible work, and that when the things were in shape so that they could be turned back to the Mexicans, that they would be given the right of way in the matter.

I have thought that on this account, that with the feeling already so bitter against Americans, if we attempt to do it ourselves it will make an unending source of bitterness with the American people, whereas if these parties are jointly interested with us, quite as much or more than we are, were to join with us, they would not dare buck such a combination.

Mr. KEARFUL. They would not have the feeling then towards Americans?

Mr. EMERY. If the French and English join with us in a matter of that sort, I do not think there would ever be a harsh word or thought toward anybody. They would feel that here are these three great nations through whom our only hope lies, that this thing is the best thing for us, and we are going to submit peaceably, whereas if any one undertakes to do it, we will again find that they are a cocky race. Gen. Huerta was heard to say one day with 80,000 men he could take Washington.

Mr. KEARFUL. He believed it, too, did he not?

Mr. EMERY. I think so. I think he was perfectly honest about it. A friend of mine sat at the adjoining table and heard him make that statement. You can not conceive of the ignorance and of the lack of information that those people have. There is no means of passing information back and forth. They have no public press outside of the cities. They used to take fresh fish to the old tiendas (stores) in Mexico City, a day's run from Vera Cruz, a 10-mile jaunt, and they get their information about the same way to-day.

Mr. KEARFUL. A great majority of the people are not able to read to-day even if they had papers, are they?

Mr. EMERY. No, sir, but I want to say one thing. In the 15 years we have had a $100,000 of business with one firm and we had an extended business relation, you might say, from the City of Mexico down in many different places. I do not know that it is any more peculiar than the United States. The various industries seem to be located in centers. Puebla is a great center for everything in the line of earthenware, and they make just as fine china as you ever saw come from France or from any of those places. The various industries are scattered around. We would have our dealings wherever we would find we could buy those things first hand. I

never yet have found an error in a Mexican invoice. They were accurate, they were correct. If you bought a bill of goods from those people you got what you bought. You did not have to go through and examine it and tally up and see whether weights and quality were right and whether you were getting things you paid for or not. They were good people to do business with. In other words, the people who are educated are better educated by far than the business men of this country.

Mr. KEARFUL. What did you find to be the character of the ignorant Mexicans with reference to honesty and responsibility before the Madero revolution?

Mr. EMERY. We were there for 10 years before the Madero revolution broke out. For a good part of that time we lived a mile from anybody—that is, any of our forces. They were off down in the other part of the plantation, and we were up by ourselves in a frame building screened with wire. We had no locks for the doors. We did not dream of ever locking anything. The doors were open day and night, and in 10 years there I lost a pocketknife and a pair of glasses. We could take a barefooted peon and give him a draft for $500 or $800 and send him to the railway, and he would trot out there, and we did not any more doubt his getting that money back than if I sent 10 men down here to the bank with a like draft and asked them to bring the money to this office.

Mr. KEARFUL. You found them to be thoroughly trustworthy?

Mr. EMERY. Yes, sir; when I went down there we were quite a distance from our source of supply financially. It cost us $6 per $1,000 express rates to get currency down into that country. I began canvassing with the little traders around through the country there for 10 or 15 or 20 miles about us. There were a great many little tiendas (stores), all of them doing more or less business. It took me four years to say to those people, "You are paying $6 per $1,000 to send money out, and we are paying $6 per $1,000 to bring it back. Bring your money to us, and let us give you drafts on Mexico City." The point is that after we got the confidence of those people we never had to bring a dollar in by express. As fast as they would get $100 or $200 they would come right in to us and turn over the money and say, "I would like to have a check for $100 or $200 for so-and-so." That was all there was to it. That relation existed up to the very last. It showed that once we secured the confidence of those people there was no further trouble.

Mr. KEARFUL. Do you think that the native character of the large majority of the people of Mexico is such that they are capable of being a great people and of having a good government?

Mr. EMERY. With the right rulers I believe they would. They would be law abiding.

Mr. KEARFUL. Do you think that that condition has been impaired by recent revolutions?

Mr. EMERY. Yes, sir; it will take a long while to recover the equilibrium that they enjoyed before, because they have been able to get so much for nothing during these years of trouble.

Mr. KEARFUL. Do you believe if this Government had not interfered to eliminate Huerta and impose Villa and Carranza on Mexico, that the conditions would have remained as they were and improvement would have gone on?

Mr. EMERY. Yes, sir; I have not the least question of it. I have not any doubt of it whatever.

Mr. KEARFUL. Do you know whether or not it is true that in addition to the sufferings of foreigners in Mexico, that the Mexican lower classes have suffered infinitely more on account of the revolutions?

Mr. EMERY. The Mexicans themselves?

Mr. KEARFUL. Yes.

Mr. EMERY. Oh, Lord, yes. The mortality there has been terrible. There is one thing to remember. If you have read your Prescott, as doubtless you have, you know that they used to sacrifice 25,000 people a year—at least, they were said to, and we have every reason to believe, whether there were that many or not, more or less were made away with. The blood is in their veins and in their minds, and you have to take that into account when you come to consider any of these revolutionary problems.

Mr. KEARFUL. The point I was getting at was this: If the American administration interfered in such wise as to injure this great nation of people as you have described, is not this country under a duty to right that wrong?

Mr. EMERY. They certainly are.

Mr. KEARFUL. Irrespective of the rights of foreigners?

Mr. EMERY. Yes, sir.

Mr. KEARFUL. Or of American citizens?

Mr. EMERY. Yes, sir.

Mr. KEARFUL. In other words, if this country imposed upon the Mexican people a predatory band from the north led by Villa and Carranza, it is the duty of this Government to take some action to correct that mistake?

Mr. EMERY. Yes, sir; absolutely.

Mr. KEARFUL. Do you think that as a matter of good policy we ought to invite some of the other great nations to join us in that work?

Mr. EMERY. I think there would be a great deal less bloodshed and a great deal less loss of property and life if that were done. They would realize the fact that it was hopeless to resist.

There has been a great deal said, and it has been said mainly by the Madero crowd, "Can the cientificos"—I do not know whether that expression was ever used as a mark of opprobrium, because I knew a great many of those people and they were the people that made Mexico. They were the people that put their currency on a 50 per cent basis, and that built those railroads and that made it possible for Mexico to make the progress she did make, and yet there is scarcely one of those people in that Republic to-day.

Mr. KEARFUL. Is there anything further that you desire to say that you have not already covered; anything that you would like to state to the committee, Mr. Emery?

Mr. EMERY. I do not know that there is anything further than this, that as an American and a man that is proud of his country I would like to see something done to restore respect for Americans and for the United States. So far as our property down there is concerned we have practically kissed it good-bye, although we have a claim for $200,000.

We have a bond issue of $200,000 and they have not all been disposed of, but a large percentage of them have, perhaps 75 per cent.

The trustee for our bonds filed a claim on the $200,000 for the loss of our first crop with the Mexican Government, through the Brazilian minister, who was then acting for us down there, and also here in Washington. We feel that the action of this Government has damaged us personally, not only in the loss of our property that stands us over a million dollars, but that we could have made very easily a million dollars since the time we were dispossessed down there owing to this action. We had not the remotest question in our minds that this Government will have to stand the shock on a lot of this stuff.

When it comes to establishing the exact blame for the situation down there I think it will be found by right-thinking people and by the Supreme Court of the United States that the United States is back of the trouble and the loss that has been sustained by people who were down there honestly trying to make a living.

In the early days of our being down there, personally Gen. Diaz has told everybody that ever called on him, and our people always called on him whenever they were passing through, that anything in the world he could do to help us he wanted to do, and if there was anything ever arose that demanded attention from the Government just let him know and he would see that the business was seen to. He had every reason to be satisfied with our being there. He was glad we were there.

Mr. KEARFUL. You spoke of the possibility of your making a million dollars profits if you had been allowed to proceed?

Mr. EMERY. Yes, sir.

Mr. KEARFUL. Would that profit have been a detriment to anybody? Would you have been taking any money away from anybody?

Mr. EMERY. On the contrary, we would have been clothing and feeding thousands of people, literally thousands who have suffered since.

Mr. KEARFUL. You would have been taking nothing out of the country?

Mr. EMERY. Nothing.

Mr. KEARFUL. On the contrary, you would have been doing good there?

Mr. EMERY. We had 1,200 investors in our company, many of them people who could ill afford the loss of that property down there. We would have been able to do the right thing by those people. We were just getting to the position where we could go right ahead.

Mr. KEARFUL. For every dollar of profit that you made the country itself would have been correspondingly benefited?

Mr. EMERY. Yes, sir. We had a little family trouble down there that I might relate. A family row in our certificate company resulted in an investigation of the affairs of the Vista Hermosa Sugar & Mercantile Co. in Mexico through chartered accountants, who spent five weeks in investigating the books and records of the company. The closing sentence of their report to the parties who had sent them there was that they discovered nothing reflecting on the honesty of the administration of the affairs of that company, but on the contrary they had observed every effort made to be economical and careful in the management of the property.

Mr. KEARFUL. Did your company ever have any difficulty with the Mexican authorities?

Mr. EMERY. No sir. I have heard a great deal of the disposition of Mexicans to graft, to cinch people. I recollect we had a cuadrilla that came in there through the contratista, the first and only deal that we ever had with him. He went off and fixed up a lot of people, some 200, without making any contracts with them. He gave them a verbal talk to the effect that we were going to have them come up there and work as long as they wanted to and when they got through they could quit. That did not suit us at all. We could not depend on that sort of labor. When he turned these people over to us he said he had left the contracts on the train and would go back and get them. He went back to see if he could recover his little file of papers, but he never showed up again. He had our money and we had the people.

We undertook to reason with them and to have them see that they could not do business in that way. Finally they became rather obstreperous and were determined to quit. The clerk of the jefe politico up in the district in which we belonged happened to come through one Sunday afternoon and we explained the situation to him. He was then making his way to Vera Cruz but he stopped and went down to where these people were and spent the entire afternoon with them, reasoning with them and talking with them, and urging them to stay and fulfill the contract; that while they no doubt had been abused in the matter, that we had been abused also, and if they would go ahead and work their contract as we expected and had been promised, everything would be all right.

He came back after spending two or three hours with those people and had them pacified and good natured. I said, "What do we owe you?" "Oh, nothing at all, Senor; nothing." "Oh," I said, "That is not fair. You are down here on your own business and you have done us a very great service and I would be glad to pay you for it." But I could not get that man to take a cent for his trouble. Finally I said, "I want you to buy your wife a little present," and I put a $10 bill in his pocket.

That is the kind of graft we suffered from. A similar case in this country with a man of like authority, taking his life in his hands to go among people like that and persuade them to do something they did not want to do, would probably have cost us anywhere from $50 to $100 to fix the matter up with him.

Mr. KEARFUL. That was in the time of Porfirio Diaz?

Mr. EMERY. Yes, sir.

Mr. KEARFUL. You are not familiar with conditions in regard to graft since the Carranzistas came into power?

Mr. EMERY. Only as I get correspondence from the people down there who are looking after our business. They deplore the situation. I noted in Miss Wetherell's report that in one letter the statement was made that if President Wilson had not interfered with Huerta, everything would have been all right. That is the opinion of people down there who really desire the good of Mexico.

Mr. KEARFUL. I believe that is all I care to ask, Mr. Emery. Is there anything further you desire to say?

Mr. EMERY. I do not think of anything further; no.

Mr. KEARFUL. Thank you very much, then; you are excused.

(Witness excused.)

SATURDAY, APRIL 10, 1920.

UNITED STATES SENATE,
SUBCOMMITTEE ON FOREIGN RELATIONS,
Washington, D. C.

Testimony taken at Washington, D. C., April 10, 1920, by Francis J. Kearful, Esq., in pursuance of an order of the subcommittee of the Committee on Foreign Relations of the Senate.

TESTIMONY OF LEROY H. AULT.

(The witness was sworn by Mr. Kearful.)

Mr. KEARFUL. What is your full name?

Mr. AULT. LeRoy H. Ault.

Mr. KEARFUL. Where do you live?

Mr. AULT. No. 1408 Oregon Avenue, Steubenville, Ohio.

Mr. KEARFUL. Are you a native-born American citizen?

Mr. AULT. I am.

Mr. KEARFUL. From what State?

Mr. AULT. The State of Ohio.

Mr. KEARFUL. How long were you in Mexico?

Mr. AULT. From 1906 until 1914, with the exception of the year 1913, when I was detained at home on account of sickness in the family.

Mr. KEARFUL. What was your business in Mexico?

Mr. AULT. First as a bookkeeper on a plantation of which I was subsequently the manager.

Mr. KEARFUL. What plantation?

Mr. AULT. La Esmeralda, located on the Tesechoacan River, above Perez Station, on the Vera Cruz & Isthmus Railroad.

Mr. KEARFUL. In what State?

Mr. AULT. In the State of Vera Cruz.

Mr. KEARFUL. What was the extent of this plantation and what was the purpose of it?

Mr. AULT. The property consisted of 3,614 acres and was originally purchased by an American company for the purpose of developing a rubber property.

Mr. KEARFUL. What improvements were placed on it?

Mr. AULT. The original company, comprised of Ohio people as stockholders largely, started into rubber raising, but realizing that it would be a number of years before they could receive a return upon which they might pay dividends, decided on the raising of short crops and the erection of a sugar and aguardiente mill. This company erected a sugar and aguardiente plant which cost about $44,000 American gold, erected a large dwelling house, store and office buildings, and various other buildings, but after a period of some three years became financially embarrassed and was forced into the hands of a receiver.

The proposition was taken over by the stockholders in 1906, at which time further developments were resumed. This company, being limited in capital, were closed out by the maturity of the preferred stock about 1910 and a new company was organized under the laws of Arizona and funds were furnished to continue the development.

Mr. KEARFUL. Approximately what amount of money was invested in this plantation?

Mr. AULT. The original company claimed to have expended about $185,000 American money; the second company some $10,000 or $15,000; and the company which now owns the property expended in the neighborhood of $20,000 American money.

Mr. KEARFUL. What sort of labor was employed?

Mr. AULT. Mexican labor exclusively.

Mr. KEARFUL. How many employees were there?

Mr. AULT. In the dull or rainy season the number on the pay roll would generally be reduced to 15 to 25, and in the busy season, from December until May or June, would run from 100 to 150 or 180.

Mr. KEARFUL. I judge from your statement that the operations of the plantation were never profitable?

Mr. AULT. Oh, yes; there were.

Mr. KEARFUL. At what point did they become profitable?

Mr. AULT. To the extent that after 1911 we were not only self-supporting—that is, we were able to carry our own overhead—but we were able to further our development work. When I first reached the property in 1906 the cleared area would not exceed 175 acres. When I left in 1914 we had approximately 1,100 acres cleared, 1,400 acres fenced on the boundary, with the necessary field fences between, had increased our main acreage by some 75 acres and replanted all of the original 105 acres.

We had an official survey made of our property, repaired all our own buildings, added additional buildings both of yellow pine and native lumbers, built concrete buildings and bridges, and increased our holdings of cattle from about 20 head to 150, of course taking care of repairs and improvements to our mill, with the addition of machinery and the natural increment that would be attendant upon such development work.

We also planted fruit trees, citrus trees, cedars, and were beginning a large planting of cacao or cocoa.

Mr. KEARFUL. Was the plantation in 1914 fully equipped for thorough operation?

Mr. AULT. Yes.

Mr. KEARFUL. What was the prospect for profits at that time?

Mr. AULT. By reason of the fact that we had some 500 acres of pasture upon which we could place the cattle, had the conditions warranted the expenditure, we would have been in a position to have paid a very considerable dividend within the next year or two.

Mr. KEARFUL. Did you have any trouble at all during the time of Porfirio Diaz?

Mr. AULT. Never.

Mr. KEARFUL. Did you have every protection and feel entirely secure?

Mr. AULT. Yes, sir.

Mr. KEARFUL. How was it during the time of Madero?

Mr. AULT. It was somewhat turbulent. We were visited by bandit groups on at least three occasions. At one of those times 60 alleged Maderistas dropped in upon us and spent three days as our guests, appropriated or enlisted a number of our contract laborers to their ranks, and requested donations of cash and merchandise and clothing and food to equip their men, but caused no other damage. The damage in that case amounted, as we subsequently figured, to close to 1,000 pesos.

Mr. KEARFUL. That was during the Madero revolution?

Mr. AULT. That was in the month of March or April of 1911.

Mr. KEARFUL. Before the accession of Madero to the presidency?

Mr. AULT. As a matter of fact, the Mexico City papers that were received on the evening of the second day after we had these distinguished visitors stated that Madero had signed an armistice and that all fighting would cease, but nevertheless this same group of bandits proceeded up the river and captured a couple of little towns up there almost without the exchange of a shot. They proceeded to possess themselves of such movable property in mercantile establishments as appealed to their desires. From there they proceeded to Cosamoloapam, the head of that canton, where they entered, as I recall, in the latter days of June of that year.

Mr. KEARFUL. Did you receive protection during the presidency of De la Barra prior to the accession of Madero?

Mr. AULT. I could not say we received the protection, but we did not have any molestations during that period, as I believe it was rather short.

Mr. KEARFUL. What was the condition of affairs after Madero became president until he fell, in February, 1913?

Mr. AULT. In the latter part of April, 1912, I was obliged to make two trips to Vera Cruz, the first extending over a period of 10 days and the second 16 days, in order to be absent from the property at the time of the expected and subsequently consummated visits of rebel groups that came from Oaxaca Mountains. They appropriated some animals and men, but did not do our property any damage.

Mr. KEARFUL. What was the condition under Huerta from February, 1913, to July, 1914?

Mr. AULT. During the year 1913 I was not in Mexico, but after my return there the latter part of January, 1914, and until we were instructed by the American consul in April to leave, we had no visits from any disturbing elements.

Mr. KEARFUL. Did you receive any notices from the American State Department, through the consul, in 1913, to get out of the country?

Mr. AULT. I presume that we did. I know that there were occasions when certain manifestoes went out that all Americans that considered that they were not in protected places or were in any immediate danger, should leave Mexico forthwith. As we did not consider that we were in a really turbulent region of the country, there was no occasion for us abandoning our properties and allowing everything to go to pot.

Mr. KEARFUL. What happened when you were notified to get out in 1914?

Mr. AULT. Do you want the conditions attendant or how we came to be advised?

Mr. KEARFUL. Just tell the story in your own way.

Mr. AULT. On Saturday evening, the 18th of April, 1914, I believe, a neighbor from an American plantation farther up the river came in with another American and informed me of a cable that he had received from San Francisco that day, in which he was instructed to "ship cattle at once," which was a code that was prearranged with the people in the States, meaning to leave the country at once or "beat it."

We had noticed in the Mexican Herald of some two or three days previous, that the Ward Line steamer *Esperanza* had canceled her sailing of that week and had discharged all freight. So the following morning early I wrote a letter to the American consul, Canada, at Vera Cruz, and sent it in for the morning train, so it would reach Vera Cruz that evening; that is, the evening of the 19th.

Mr. KEARFUL. Let that letter go in the record.

Mr. AULT. I will read it:

LAS ESMERALDA, VERA CRUZ,
April 19, 1914.

W. W. CANADA, Esq.,
American Consul, Vera Cruz, Vera Cruz.

MY DEAR SIR: Mr. Charles McKim came in last night and advised that he had gotten a wire from his people in San Francisco to "ship the cattle at once," which was to mean "beat it." We saw in the Herald that the *Esperanza* sailing was canceled, and can not help but think there is something on foot, so am writing you to ask what you know about things.

I might remind you that your clerk arranged a code with me in case we should go, and we will gladly reimburse you for any expenses incurred in wiring us, only don't fail. Everything is quiet about here and we feel that there was some improvement of conditions, but these circumstances are disquieting, so please let me hear from you by return mail or wire if you consider it necessary.

Very sincerely, yours,

LEROY H. AULT.

Mr. KEARFUL. What answer did you receive from that letter?

Mr. AULT. On April 21, 1914, about 1 p. m., I received from a messenger of our own, that we had making morning and afternoon trips to the railroad station some 13 miles distant, a telegram as follows:

VERA CRUZ, *April 20.*

To LEROY H. AULT,
Las Esmeralda.

Ship your cattle with McKim.

CANADA.

(Received in Cordoba at 7.45 a. m.)

Mr. KEARFUL. What did you understand to be the significance of that telegram?

Mr. AULT. That we should immediately take steps to reach Vera Cruz, that we might secure protection.

Mr. KEARFUL. What did you then do?

Mr. AULT. I immediately sent messengers to advise all my American neighbors of its contents and advising them that I considered it advisable to take the morning train for Vera Cruz on the following day.

Mr. KEARFUL. Please proceed and relate your experiences following that.

Mr. AULT. On the following morning five of us left our property on horseback, with a very limited amount of handgrips and proceeded to Perez Station to await the arrival of the train. There we were informed by the station agent, who was also the telegraph

operator, that the Americans going north on the train the day before had been taken from the train at Tierra Blanca and thrown into jail, and it was reported that they had been ordered executed. We felt that we did not care to get on the train and ride into a proposition of that kind, and decided then that we would await such developments as the station agent, who was a good friend of ours and was of a great deal of assistance, as was subsequently proved, might inform us of the possibilities of taking the afternoon train in an endeavor to reach Puerto Mexico.

Mr. KEARFUL. That is a port south of Vera Cruz on another railroad?

Mr. AULT. On the Pan-American Railroad at its Gulf terminal. After the suggestion of the station agent, who informed us that a troop train was approaching, we rode back into the woods about a mile from the depot and stayed there until after the troop train had pulled up, taken water, and departed.

When the passenger train was due we also went back to the woods, as we had given up any idea of taking passage on it. After that we returned to the station and learned from the agent that the employees of a large sugar plantation on the river south had taken an engine and some cars and had set out on their own accord presumably to go to Santa Lucrecia and transfer to the Tehuantepec National and go to Puerto Mexico.

At about 11 o'clock we were informed by the operator that the telegraph line south had been cut and the dispatcher had been unable to get any advice of the whereabouts or probable whereabouts of this train of refugees from that sugar property. We then decided, as communications were cut south, there was nothing for us to do except to follow out the understanding that we had had for some two years previously with the American consul at Vera Cruz, that in the event of rail communication being cut, we would proceed down the river from that point to the coast at Alvarado, where we would await rescue from Vera Cruz which he might be able to instigate.

While we were discussing whether or not to follow that advice or go to the Oaxaca Mountains and secrete ourselves until we could determine whether or not this was the first step of American intervention in Mexico, dinner was ready at the hotel and we went in. As we were finishing the meal, one of my employees who was accompanying us came in and informed me that a former station agent at that place was attempting to enlist a number of the natives of the village to rob us and disarm us before we got out of town. I immediately gave orders that the horses be saddled and made hasty arrangements to proceed down the river to the municipal seat of that municipality of Tesechoacan, where we understood that we might secure a boat with a couple of native oarsmen to conduct us down the river to the coast.

I had taken the precaution to secure a number of letters of reference to merchants in Tlacotalpam, a town of considerable size, about 8 miles from the mouth of the river. I found that my finances were in such condition that it was necessary for me to effect a loan of 500 pesos to guarantee me sufficient funds to reach Vera Cruz. Similar financial assistance was secured by two other members of the party.

Mr. KEARFUL. They secured this assistance from Mexicans?

Mr. AULT. From Spanish merchants who operated mercantile business there. As soon as all arrangements were completed we left town very hurriedly, reaching Tesechoacan before 4 o'clock, where, through the good offices of a partner in the firm from whom we had received financial assistance at the railroad station, a boat and two Mexicans were secured for our passage down the river. Our horses were returned with our employees to our respective plantations.

Mr. KEARFUL. Mexican employees?

Mr. AULT. Yes, sir; we proceeded down the river, traveling all that night and the next day and toward evening approached the town of Tlacotalpam. Not knowing what developments or what action on the part of the American troops or American Government might have been carried on since we left the railroad the day previously, we deemed it advisable to write a note to one of the mercantile firms at Tlacotalpam to whom I had a letter of reference, stating that we were merely peaceful American planters who were attempting to reach safety at Vera Cruz, asking this firm that they advise us by the bearer, who was one of our boatmen, if it was safe for us to go to their town and if there was any possibility or probability of our being able to arrange for a fishing smack to conduct us to Vera Cruz.

After a wait of some two hours the messenger returned with a typewritten letter on plain paper, unsigned, stating that they would be very pleased to meet us and be of any assistance possible. They told the messenger by word of mouth that there was considerable feeling in the town by reason of the American occupation of Vera Cruz, and that no other armed action had been taken by the American Government, but advised us to call upon an American who lived a short distance below where we had tied up our boat to the bank awaiting the return of our messenger.

Two of us immediately proceeded to this American house, stated who we were and whence we came, and were very royally received by him and his family. He of course expressed his opinion as to the American interference in Vera Cruz, but stated that he felt there would be no personal danger attending our going to Tlacotalpam. As we had been subsisting during our trip on dry bread and chocolate, he insisted that we come in and partake of such food as they were able to furnish.

About 9 o'clock that night we left his place in our boat, armed with a letter from him to the hotel keeper in Tlacotalpam, ordering him to take us in and see that we were well taken care of.

We went to this town, two of the members of our party went to the hotel, where they were at first refused admission, being told that they had no room. They then showed the letter from this American, and he said that he would take care of us then. They returned to the boat, and we unloaded our few belongings, told our boatman that we had learned that it was a matter of life and death with them that if they were found in the vicinity and it was learned that they had assisted any Americans to escape it would mean serious trouble for them, and urged them to make all haste to get as far back up the river before daylight as their strength might allow. We proceeded to the hotel and were taken in, cautioned to be very quiet, assigned to rooms, and very soon were peacefully sleeping.

The next morning, as my room mate and I went out in the patio of the hotel, the hotel keeper asked if we had heard any disturbance

during the night, to which we replied negatively, whereupon he stated that our entrance into the town had been noted, and that the story had gone out that a number of American soldiers, heavily armed, with large baskets of money, were stopping in the hotel. A small mob was formed and went to the hotel and demanded admittance. The hotel keeper refused, and they were on the point of making threats to break open the door and take us out and deal summarily with us, when the small police force of two or three men arrived, and were able to prevail upon them to wait until morning, until the mayor might investigate the matter. He said the mayor had sent up at daybreak that morning to inquire who we were and what he knew of us, and that he had sent word back inviting the mayor to come up and conduct an investigation for himself.

As we were finishing breakfast the mayor came in, and was introduced to us, and we made known to him who we were and what we were endeavoring to accomplish. It developed in this interview that he was a brother of a very particular Mexican friend of mine in Vera Cruz, one of whose boys was at that time in my employ, and another one had been previously for a number of years. As we concluded the meal we took him to our room and showed him through our baggage, and convinced him from letters that our statements were true, showing him at the same time a number of letters that I had received from his brother at Vera Cruz, which seemed to satisfy him as to our good intentions.

He stated to us that as the Mexican gun boat *Progreso* upon its return to Vera Cruz from a trip down the coast after the American invasion had been refused anchorage at Vera Cruz, they had come down the coast, and anchored at the mouth of the Papaloapam River, and the commander had issued orders that no boats carrying passengers or foodstuffs would be permitted to go to sea bound for Vera Cruz; therefore, that until that order could be lifted it would be impossible for us to go out by water.

We then asked him if he knew of any reason why we might not stay at the hotel until such arrangement could be perfected, and he said he did not, but that he would have to order us, in view of the feeling of the populace toward all Americans, not to go out on the street or be seen in front of the hotel, and that in order to enable him to assure the people of the town that we were not American soldiers heavily armed, as it had been reported, that we turn over to him our pistols and ammunition for safe-keeping, so that he might tell them all that we were defenseless, promising that when arrangements were made for our leaving there that our pistols and ammunition would be returned to us.

While he was still with us, chatting very sociably, the American at whose place we had stopped the night before came in and asked me for a letter of reference to another business man in town, that he might go and see this wealthy merchant, who was very influential, and a large property owner in town, and who he felt sure would be able to make the arrangements for us to get to Vera Cruz without any delay. He returned shortly with this gentleman and while we were discussing the possibilities of making arrangements for our leaving, the mayor excused himself—that is, the Alcalde—saying that it was time to hold court.

We were chatting very congenially with the Mexican and American gentlemen when of a sudden the mayor reappeared, somewhat pale, very much excited, and asked, "What are you going to do?" I replied, "We are going to stay right here." He said, "Oh, my God, you can not do that." I asked him why and he said he had been waited on by a delegation of citizens when he returned to his office and had been informed that it had always been a peaceful community and no foreigners had ever been mistreated there, but that things had come to such a pass and the populace was so incited that they were certain that it would be almost suicide for us to consider remaining there and that we would have to take steps to leave immediately.

I stated to him that we had sent our boats back by the river the night before and had no means of exit other than by foot. Not knowing the country and it being quite densely populated for a rural district, we felt that nothing more could happen to us in the town than would on the road, and therefore we felt it was up to him to afford us some protection. I suggested to him that he might put us in jail for safe-keeping, to which he promptly replied that he could not do that because they might tear the jail down.

He then requested the Mexican gentleman present to offer a solution for the situation. The gentleman replied that he would attempt to secure a boat and a couple of oarsmen to take us back up the river as far as we might want to go and, if we deemed necessary, to return us to the railroad station from which we had set out three days before.

We suggested to the mayor that it would be necessary, in view of the feeling of the populace to afford us a safe conduct to the river where we might embark in the boat—in other words, to see us safely off. He became very much annoyed and stated that that was his busy day and that he would like to help us, but he was so situated that he could not devote the time to it, but said "This gentleman here has been a life-long resident and is the most respected man in the town, and no better conduct could be afforded you than to have him accompany you personally." The gentleman agreed that after making arrangements for the boat he would return to the hotel and conduct us to the river, but that we might remain until after the noon day meal.

Both the mayor and the Mexican gentleman referred to left at once, and within a very short period the actual lessee, whose brother had been in charge of the hotel during his absence to Vera Cruz where he had gone to bring back a daughter that was in school there, came in and manifested consternation to find that he had five Americans in his hotel. He immediately informed us that we would have to leave at once.

We stated that arrangements were being made to secure a boat and that the gentleman would return to take us out to the boat after lunch. He stated that we could not wait that long, that we would have to leave at once. We told him that he need not have any fear on that score, that we were not going to do him any harm. He said he did not fear from us but from the people of the town, stating that the building was merely leased or rented by him, and that should the property be damaged in any way it might take him the remainder of his life to earn enough to reimburse the owner, and that he felt in view of the situation that we would excuse his urgency in the matter.

We asked him for time to get some of our effects together to make an endeavor to secure our arms. He said that our arms were still in the building and that he would certainly guarantee that they would be turned over to us as soon as we were ready to leave town, adding that he would personally conduct us to the river and there await the arrival of the boat to take us out.

As soon as he could make the necessary arrangements, we were conducted out the back door into the alley, through the back streets and avenues, headed for a point at the very outside of the village. A crowd of men and the usual complement of dogs soon formed and followed in our wake, hooting and jeering at us. However, we reached the river front without mishap, and there we were enclosed in a salt warehouse to await the arrival of the promised transportation.

Within a few minutes the gentleman who had gone out in search of a boat and oarsmen came in very much out of breath, pulled off his hat, mopped his brow and exclaimed, "Thank God you are here." He said, "I heard you had been taken out of the hotel, but I did not know whether by friends or foes." He stated that he had been able to secure but one man, but he felt we would be safe there and that the people who were outside, that he talked to before he came in, would not harm us, and that he would make another attempt to secure another man. The one he had arranged for accompanied him into the building, but within a few minutes after the departure of this gentleman in search of a companion for the one who was there, this latter man stepped outside for a few moments, after which he returned and informed us that his neighbors outside had informed him that if he took a hand in assisting us to leave the town, that they would make things very uncomfortable for him upon his return, and therefore that he found himself obliged to withdraw from the undertaking.

About a half hour afterwards the Mexican gentleman returned with the unwelcome news that he had not been able to secure another boatman or launch either, and that he did not know what we could do. As all of us had had some experience in handling boats, we stated to him that if he would furnish us a boat and one large paddle and enough small paddles for the other four to operate, that we would undertake to effect our own escape. He said we might take any of the boats in front of the building, as he was the owner of the building and the boats as well, and take them and make such use of them as necessary, and when we were through with them to turn them loose and sometime they would come back to him.

The necessary oar was secured and pieces of board and clothes props, and we made ready to leave. All this time the crowd had remained outside, hooting and jeering and making threats, and we felt that there were possiblities of some untimely action on their part, but our guns had then been turned over to us and we arranged our party so that each knew his place in the boat, and at a given signal we all made a rush, got in, and started out. It is needless to say that we put every ounce of energy behind those paddles. A number of stones and other missiles were thrown at us and jeers and promises that we would be followed up came floating to us, but no harm developed.

We crossed the river, undecided where to go, the river at that point being very wide and having the tide backing up in it and mak-

ing the water brackish and unfit to drink, but we finally decided to return to this American's place and make a request for fresh water and such food as they might have at hand to carry us through that afternoon and night. The wife came to the boat landing and we told her our tale in a very few words, but she said that she would not furnish us with any food until she had talked the matter over with her husband and she felt that there was no occasion for us to go back up the river; that we would be perfectly safe to stay there with them, reminding us, as we had been informed the day before, that she was a native-born Mexican, speaking excellent English, having been educated at a Methodist mission in Puebla and being one of the aristocratic families of the city of Puebla, and that she felt that we would be perfectly safe there.

She went and called her husband from the field and he came down and she outlined the situation. He reached in the boat and took the chain out and said, "Men, you are going to settle right here." We said, "No; we do not want to imperil the safety and possibly the lives of you and your wife and two young children, and aged mother who is visiting here," but he said he had no fear of any such consequences; that he had lived there for 14 years and was very eminently respected and could assure us that we would be in perfect safety and arrangements could be perfected whereby we could be fairly well taken care of until such time as arrangements might be made to get us transported by water to Vera Cruz. This being the course of least resistance, was very readily accepted.

That evening about dark a Mexican came in, stating that he was a fisherman, the owner of a fishing smack, and that he had been called in by this Mexican gentleman who had assisted us to leave town that morning and was told that we would probably be at this American's place, and that conditions had developed in the town during the day that made him feel that it would not be safe for us to stay in that community, and that if he was willing to accept a risky undertaking, that he felt that arrangements could be made with us whereby we would be willing to pay him quite liberally to undertake to smuggle us down the river and out past the Mexican gunboat in the mouth of the river that night, it being the dark of the moon, and put us on board an American gunboat that was reported to be lying off the bar, but in the event that it might have departed prior to our arrival, that he would undertake to take us up the coast to Vera Cruz; that he had three brothers and a nephew who were willing to undertake the trip if it was made worth their while.

He stated that this Mexican gentleman had informed him that the populace had made its demands on the authorities of the town that day for arms and ammunition to set out to hunt us, and the authorities had agreed that at midnight they would furnish them with a certain amount of arms, thinking by the delay to give us time to get sufficiently far away that they would not be able to overtake us.

The story sounded very nice. We, of course, commenced to be fearful of what might transpire. We asked this fisherman what his price was. He said 2,000 pesos. We discussed the matter amongst ourselves in English and decided that it was better, if there was a chance of getting out that way, to pay these men their price and take the chance of getting into Vera Cruz and not await rescue from the

American Government through what we then supposed the good offices of the consular service, than to take a risk of what might happen to us were we to remain in that locality. So we agreed.

After arrangements were all made and the hour set for his arrival, he asked if we were armed. We grew suspicious and asked him why. We said that we were and asked why. He said, "I merely asked that because we have no arms whatever. As you know, the Government has taken all arms from individuals, and just against the possibility that somebody might attempt from the river bank to stop our exit." We told him he need not fear from that score, that we felt able to protect the party.

The Mexican at whose house we were staying, being better acquainted with the Mexican fishermen than we from the interior, followed the man out into the yard and stated to him that he was not acquainted with him, that he did not know whether he had brought the correct information or not or whether his intentions were good, and stated to him that he wanted to make a remark to him to the effect that he knew the American spirit and temperament well enough that if he was going into this expedition with good intentions, he knew every promise of ours would be faithfully carried out; but, on the other hand if he was attempting to frame us an ambuscade that he would not see the sun come up the following morning, it having been previously agreed amongst ourselves that there being five boatmen and five of us, that the first man that entered the boat would be a Mexican, followed by an American with drawn gun, and so on down the line, and that would keep each one of those men covered until we reached his place of safety, so that in the event they undertook any uprising, they would be dead before they knew it, or at least hors de combat. He assured the American that his intentions were of the best, as the sum of money which was promised to them was a fortune, and they were willing to take the risk. So he told them well and good.

Not being satisfied with this he sent one of his own employees, a trusted man down to the town to make inquiries of this Mexican gentleman if such a feeling was existent among the people and if a demand had been made on the authorities and if any promise had been made by the authorities. In due time his man returned with the verbal information that while there was considerable feeling and talk, that the gentleman did not know of any demand having been made on the authorities of or any promise of arms or offer of arms having been made by the authorities, but suggested that we sleep in the woods. We then decided that some of us would have to get sick in order to furnish a plausible alibi in the event that this fisherman showed up at the hour recommended. But he did not arrive, so we went to the woods and spent the night. The next morning we were joined at this place by four other Americans from a point farther up the river than any of us, to whom the word of the occupation of Vera Cruz had not come as soon as it had to us, but having met our boatmen returning up the river, they were advised by them to stop at this American's place and that they could probably be informed of our whereabouts. This increased the number of our party to nine.

We felt that we should not stay and impose on the good offices of this American and his family, who insisted that we would be just as safe, and if we could put up with the food they could supply us

there and with the sleeping arrangements, as we probably would not want a building to sleep in, that we had better stay there. We stayed there for several days, hoping against hope as afterwards developed when we saw naval launches of the British fleet, one launch carrying the Swiss flag, we took it to be, passing up the river to points on the next river north of ours, the two rivers meeting above the town of Cosamoloapam, going into the State of Oaxaca, in the neighborhood of Tuxtepec, in care of a squad of certain foreigners, as we presumed, that remained in that territory, but none called for us. We made a standing offer of 50 pesos to any one who would carry a letter to the Vera Cruz Railroad, communication over the Alvarado Railroad having been cut off at the Mexican outpost, but no one would carry a letter to the American consul in Vera Cruz or to any reputable business house and bring back a signed receipt stating that the letter had been received, so that thereby our whereabouts might be learned. We had no takers.

We tried to figure out some way that we might get into Vera Cruz. We learned by reason of the salt marshes going back from the coast that it would be impossible for us to undertake to go overland from there and the only way would be to go clear back almost to the railroad. But by sleeping in the woods and sleeping around in the boat on the river at night when traffic along the road was frequent, we passed 11 days and nights before arrangements were finally made by the manager of a large American sugar plantation farther up the river, through a Mexican major of rurales in charge of a detachment located on his property, to smuggle us out to Vera Cruz in a small fishing boat as employees of his company. In that manner we reached Vera Cruz on the 6th of May.

Mr. KEARFUL. What became of your plantation when you left it?

Mr. AULT. I had no communication or any word from our plantation for some three weeks afterwards, although I mailed letters and sent letters back part way by messengers to be mailed at interior points, but did not learn until some two months afterwards of the happenings on the property subsequent to my leaving.

Mr. KEARFUL. When you got to Vera Cruz did you go on to the States?

Mr. AULT. No, sir. We found that all Americans were being deported as fast as boats could be secured, but as our property was still in operation I felt that I did not want to be taken so far away where I would be out of touch with it, and found that it would be possible, could I secure employment with the Government, to remain in Vera Cruz. Having had some postal experience in the States, I was moved to apply to the postal agent at the Vera Cruz post office for employment, which I secured.

Mr. KEARFUL. How long did you remain in Vera Cruz?

Mr. AULT. Until the 23d day of November when the American troops were withdrawn, returning to the States on a transport with marines to Philadelphia.

Mr. KEARFUL. Were you able to get back to the plantation?

Mr. AULT. I was, in October.

Mr. KEARFUL. In what condition did you find it then?

Mr. AULT. Very desolate. A number of our cattle had been stolen, all the merchandise in the store had been appropriated, and clothing, furniture and household effects had to a great extent, in fact entirely, been removed with the exception of some pieces of

furniture. Beds had been taken, oxen, carts, farming utensils and things of that kind were all gone.

Mr. KEARFUL. Were you able to operate your property after that?

Mr. AULT. No, sir.

Mr. KEARFUL. For what reason?

Mr. AULT. By reason of not feeling that it was safe to be there and for the reason, as we learned there, that the Mexican civil authorities had intervened after the military authorities had first intervened, and assumed full charge of the property, and it was during their stay and their holding the possession that this property was destroyed or carried away.

Mr. KEARFUL. Did they make any effort to reimburse you for it or return the property in any way?

Mr. AULT. The Mexican caretaker went to the alcalde and wanted to turn the property over, said he had grown tired of it and was not receiving any emolument, and that his private interests required his attention in other lines, and that he did not feel able to continue. That is the statement that was made to me by the alcalde. I told him I had no instructions from our people to receive the property and in the condition that I found it I was not willing to do so. I spoke to him about certain articles and things that had disappeared, which he said were in that condition when he took charge on the 4th of 5th day of May, but I learned from other people there that the military authorities had come in on the 27th of April and had dismissed the employees whom I had authorized by legal documents appropriately stamped—powers of attorney, you might say—to remain there. They had been removed by the military authorities, and a local civil authority placed in charge with orders to report to the commander of the military down at Tierra Blanca, and about five days subsequently the civil authorities came in and ordered the military authority representatives to turn the property and keys over to them, at which time they annulled the document which had been made out by the man in charge of the rurales, placing their stamp and seal on the back of it. Photographic copies of the original document are in our possession and can be furnished if occasion requires.

Then the civil authorites remained at the property for some two days, during which time they busied themselves in ransacking the premises and removing such articles as I presume they desired to remove for their own homes, as they employed men to take them to the river and take them down to down-river points.

Mr. KEARFUL. Was the property in such condition that you could continue its operation?

Mr. AULT. No, sir.

Mr. KEARFUL. Did you make the effort to regain possession of the things that had been taken away?

Mr. AULT. We asked him if he knew the whereabouts of any of them and he said with the exception of a couple of yokes of oxen and carts that he had loaned to friends of his, and one of our boats that was being used by employees of his, and some farming implements that had also been loaned to other friends, and a typewriter that he had allowed to go out of his custody to a friend of his, that things were just the same as when he had received the place.

Mr. KEARFUL. Did you get back these articles that he mentioned?

Mr. AULT. No, sir. My stay at the property at that time was only about two days.

Mr. KEARFUL. What became of the property then? What did you do with it?

Mr. AULT. I just left it in his charge. I made no attempt to take it away. I took the proposition up with the American consul at Vera Cruz and asked his advice in the matter, and he agreed that there was not any occasion for us to try to reoccupy it, that he felt there was not anything to do to protect our interests any more than had been done in the past.

Mr. KEARFUL. What happened to the property after that?

Mr. AULT. I received a letter from a friend of mine in that locality, dated October 19, 1919, in which he informed me that immediate locality has been the hangout for a band of bandits for the last three years continuously, and previous to that it was not safe for anybody outside of the natives living there to pass through that locality; that the floors, doors, windows, and roofs of our buildings had been removed; that all the copper in the tanks and about the mill, the brass in the machinery, and that the agricultural implements and the cattle and the wire from the fences and everything that any Mexican might hope to possess, had long since been removed; that the pastures were grown up, that some cattle were running on it of the natives, but he understood there were none of our cattle remaining; that the cane fields were entirely lost and the place was being overrun in all directions by anybody or anything that happened to pass that way.

Mr. KEARFUL. Did you make any appeal to the American Government for redress for these injuries?

Mr. AULT. We made a claim, I believe, about 1916 and filed it with the State Department. We found in the fall of 1919 that it would be necessary to make out a more full and a more complete statement or claim.

Mr. KEARFUL. Do you mean that after three years you were notified that you would have to make a further showing?

Mr. AULT. Yes, sir. We then prepared a complete amended claim, which we empowered attorneys in Washington to prosecute for us.

Mr. KEARFUL. What satisfaction have you ever received in regard to the prosecution of your claim?

Mr. AULT. None whatsoever. Our attorneys informed us that they have hopes that there may be a settlement within the course of the next few months. They first said they understood that steps were being taken by Congress to make an appropriation to partially reimburse Mexican claimants in order that they might be allowed to go back and operate their properties as soon as it was safe for them to do so.

Mr. KEARFUL. The American Congress or the Mexican Congress?

Mr. AULT. The American Congress, yes.

Mr. KEARFUL. Do you know of any such bill ever having been introduced in Congress?

Mr. AULT. I took up the matter with our Congressman and he said it was news to him. He did not even know of any such matter being under consideration.

Mr. KEARFUL. Did you make any inquiries as to the prospect of such a bill being passed?

Mr. AULT. I did.

Mr. KEARFUL. What did you learn?

Mr. AULT. He said he did not think there was any hope until the Mexican question was finally settled.

Mr. KEARFUL. What hopes did he hold out to you about the prospects of the Mexican question being finally settled?

Mr. AULT. I do not recall that he stated in any particular. My recollection is that he agreed that the proper manner to handle it would be to have a board appointed to go over the claims and decide on a just amount, and that some arrangement, either international or otherwise, be made whereby the claimants could be paid such damages as were decided to be fair and equitable, in order that they might return to the country and with their money bring about a new era of prosperity, once safety of life and property was guaranteed.

Mr. KEARFUL. Was it the idea that some arrangement would be made for the investigation of claims and payment of those claims by the Mexican Government or by this Government?

Mr. AULT. By this Government; that there was not any hope of the Mexican Government ever taking any step along that line, as it has long since acknowledged to be bankrupt.

Mr. KEARFUL. Was the proposition that you would have to wait for adjustment of your claim until the whole Mexican problem should be settled in some way?

Mr. AULT. Yes, sir. He felt that there was no hope in the present American administration taking any action whatsoever looking to a settlement of the Mexican condition.

Mr. KEARFUL. Did you make any inquiry to ascertain whether or not that is the general feeling among American Congressmen?

Mr. AULT. No, sir; I have not any acquaintance with any others than our own representatives.

Mr. KEARFUL. Did he undertake to state the feeling among Congressmen as to what the sentiment was?

Mr. AULT. No, sir; I can not recall that he made any statement along that line.

Mr. KEARFUL. You have lived in Mexico a long time and have substantial interests there. What do you understand to be the trouble with Mexico?

Mr. AULT. I consider that the basic trouble with Mexico was brought about by American interference.

Mr. KEARFUL. To what interference do you refer?

Mr. AULT. The policy of dictating to the Mexican Government what they should and should not do, beginning at the close of the Taft administration and very considerably enlarged upon by the Wilson administration.

Mr. KEARFUL. To what do you refer when you say "telling the Mexicans what they should and should not do"?

Mr. AULT. By the frequent exchange—no, I will not say exchange of notes, because many times the Mexicans did not reply to notes that were addressed to them from the White House in Washington. I say the White House. I have reason to believe that the State Department had very little to do with it, the matter having been largely taken over by the Chief Executive himself, in that he opposed the candidacy of certain persons; in the case of Mr. Huerta that he seemed to be very bitterly opposed to him being the representative official of the Mexican Government.

I have talked with many Mexicans on the subject during the time Huerta was in power, and I feel that it was generally believed that had Huerta even been allowed to carry out his own policy unhampered by the limitations that were placed upon him by the American Government, and had received no encouragement from the United States, that he would have been able to pacify Mexico; but when the attitude of the American Government was not neutral, but aggressively for his removal, they were in a position to and did bring about conditions that no man could have combated and put down the civil strife and banditry that was rapidly enveloping the country.

Mr. KEARFUL. To what aggressive action do you refer for the removal of Huerta?

Mr. AULT. Their embarrassing him by refusing him the privilege of purchasing arms and ammunition in the United States for his forces, and then by what I consider the Tampico frame-up of the early days of April, 1914, and their intervention at Vera Cruz with some one of three or four excuses that were given to the public at various times.

Mr. KEARFUL. What do you think was the real reason for seizing Vera Cruz?

Mr. AULT. I never could conceive that there was any.

Mr. KEARFUL. There was motive for it. What do you conceive to have been the motive for seizing Vera Cruz—the real motive?

Mr. AULT. I have understood that the real motive was to prevent the shipment of arms on the German steamer *Ypiranga* from being unloaded in Vera Cruz and transported to Mexico City.

Mr. KEARFUL. I think the motive may be judged from the result. What was the main effect of the seizure of Vera Cruz upon Huerta's administration?

Mr. AULT. Handicapping it from a military standpoint, cutting off the revenues from that port which was the principal port of entry in Mexico; to belittle his administration.

Mr. KEARFUL. Huerta was soon after that forced out, was he not?

Mr. AULT. I believe in July of that year. He was, I think, induced to resign on the purported pledge of the American Government that a neutral successor would be appointed or chosen that would receive the support of the American Government, but which subsequently was not done.

Mr. KEARFUL. You are referring now to what happened at the Niagara conference?

Mr. AULT. Yes, sir.

Mr. KEARFUL. Your idea is that having been induced to resign on that pledge, that he then lost prestige with his own people?

Mr. AULT. Yes, sir.

Mr. KEARFUL. And it was necessary then for him to go?

Mr. AULT. He had no chance to recover the respect of the Mexican people, because they considered that he had probably very good and just reasons for wishing for the welfare of Mexico through a neutral representative.

Mr. KEARFUL. What do you mean by a neutral representative?

Mr. AULT. One that had not taken part in the administration under Diaz or under Madero and had not been a participant in either the Carranza or Villa factions or Zapata, which were then the dominant revolutionary factions of the country.

Mr. KEARFUL. What conditions do you understand to exist under the rule of Carranza that are necessary to be removed in order to stabilize Mexico?

Mr. AULT. I feel that the Carranza government has very conclusively proven that they were unable to pacify the country when they have declared a suspension of guaranties and placed the country under military law; when they made the state government and laws subordinate to executive orders of the president himself; when all public utilities are under government control; when the moratorium law is in effect and the federal constitution only partially operative; when the customs and internal revenue and a number of tax laws have been arbitrarily fixed to furnish funds to carry on the alleged government; when they have defaulted in the payment of interest and meeting the maturity of their internal and foreign indebtedness; when they have absolute control of the banks, finance, exchange, coinage, and issues of paper money, and when these conditions have brought about the stoppage or natural influx of foreign capital and credit, as well as support, by reason of the nationalization of oil wells, and laws prohibiting the purchase of property by any but actual citizens, and the protection of those who did have property in the country.

Mr. KEARFUL. What do you mean by moratorium law?

Mr. AULT. That is a law making it impossible for obligations to be pushed to a forced closure, such as mortgages and other obligations of individuals or firms.

Mr. KEARFUL. You say the government has control of the banks. What, if you know, has happened to the banks under that control?

Mr. AULT. They were just ordered to turn everything over to the federal government and were put out of business and banking institutions.

Mr. KEARFUL. The metallic reserves were taken over, were they not, and appropriated?

Mr. AULT. Yes, sir.

Mr. KEARFUL. Have you an opinion that you would care to express as to what ought to be done to put Mexico right?

Mr. AULT. I feel that if the present American administration bas really the interests of Mexico at heart and are still determined in upholding Carranza as the head of that country, that they would compel him or oblige him to reinstate the constitution of a decade ago, repeal the consistory laws, guarantee the safety of life and property and the payment of indebtedness and indemnities. They would also have to make overtures for foreign capital and others, and assist to teach the people to direct their energies along right lines toward the uplift and advancement of the masses rather than the classes; that they would have to eliminate special privileges and the rule of might making right. They must equalize taxes to encourage development and realize the necessity of the people migrating to foreign lands to earn a livelihood, and if it is not their intention to give the present Mexican administration their support, I do not see that there is any hope of being able to establish in Mexico by Mexicans a government that would be capable of bringing about the peace conditions that existed for some 30 years prior to 1910.

Mr. KEARFUL. Suppose that this Government makes Carranza the proposition that you have outlined and he should be willing to undertake it, do you think it would be possible for him to carry it out?

Mr. AULT. For Carranza to carry it out?

Mr. KEARFUL. Yes.

Mr. AULT. No, I do not think so. I do not have sufficient confidence in his ability as a statesman and a man of such resources.

Mr. KEARFUL. Suppose that he should be either unable or unwilling to carry out such a proposition, what then would you advise should be done?

Mr. AULT. I feel that in view of the policy of the Mexican Government to pacify the country and protect the people and their interests, that the United States should enforce and make operative for the protection of the universally recognized Monroe doctrine to prevent the intervention in Mexican affairs of foreign powers, whom I have every reason to believe will insist that the interests of their people in Mexico be guaranteed, protected, safeguarded, and claims settled; and if the United States is to keep them from doing it, that they must take some definite action and assume absolute control of the Mexican Government, either peaceably through a protectorate for a period of years, or by armed aggession if necessary, with the penalty previously stated to the Mexicans that it would be under the penalty of the loss of their national entity; that they should establish peace and safety, assume all self-indebtedness, investigate and allow and pay all bona fide damages and claims arising from the revolutionary period, and issue 30 to 50 year bonds to make immediate settlement therefor, thereby enabling claimants to resume their operations forthwith, and this at the same time would guarantee the prosperity and development of the country and the peace and contentment of its inhabitants, and that they should effect the passage and enforcement of the basic and modern laws of all civilized nations which would guarantee the enjoyment by all of peace, liberty, and the pursuit of happiness.

Mr. KEARFUL. Is that the sort of solution your Congressman referred to when he expressed the belief that there could be no settlement of your claim until the Mexican problem was settled?

Mr. AULT. I think what he probably referred to was that with the present American administration there was no hope of them ever taking any step or any stand on the Mexican situation.

Mr. KEARFUL. Did he anticipate that there would be a change shortly in the American Government that would be an improvement?

Mr. AULT. I do not think he made any statement to that effect.

Mr. KEARFUL. Is there anything further that you desire to state to the committee in this connection?

Mr. AULT. I would like to state that I differ with a great many with reference to the opposition that might be expected from the Mexican populace in the event that the "Colossus of the North" (the editorially popular term applied to the United States) should at some time decide to energetically suppress the Mexican disorders by armed intervention. My opinion is that while there would be stern opposition on the part of the Government and certain foreign factions, it would be carried out as a guerrila warfare and with the methods employed in the Philippines; but that the masses termed by President Wilson as the "submerged 80 per cent." would scarcely take any part except as they might be compelled to by the authorities. For despite whatever feeling they might have toward the American Government for its bunglesome interference in their internal affairs,

the greater portion with the exception of the mass of mountain Indians have had ample opportunity to satisfy themselves that the American people individually and collectively are worthy of their continued respect and admiration, as it was largely due to the American industry, development, and standards that they have seen their country rise to a point of prominence in world affairs, while they themselves have directly or indirectly profited in prosperity, usefulness and ambition, and that "mañana" is not the day to hope to do what through indolence is not done to-day. But rather that "mañana" is another day for other things. I am sure they have the kindliest of feeling for us, and will welcome the day when they can see peace and quiet for the everlasting future, and say "mañana" is a new day, with new conditions, new hopes and guarantees. And I am certain that a war would be of but short duration. I am not a militarist, but I believe the cancerous sore needs a sharp knife in a steady, kindly hand.

Mr. KEARFUL. If that is all, the committee are very much obliged to you.

(Witness excused.)

(Thereupon, at 11.50 o'clock a. m., the hearing was closed.)

FRIDAY, APRIL 16, 1920.

UNITED STATES SENATE
SUBCOMMITTEE ON FOREIGN RELATIONS,
Washington, D. C.

Testimony taken at Washington, D. C., April 16, 1920, by Francis J. Kearful, Esq., in pursuance of an order of the Subcommittee of the Committee on Foreign Relations of the Senate.

TESTIMONY OF HENRY LANE WILSON.

(The witness was sworn by Mr. Kearful.)

Mr. KEARFUL. Please state your full name?

Mr. WILSON. Henry Lane Wilson.

Mr. KEARFUL. What is your present post-office address?

Mr. WILSON. 2712 North Meridian Street, Indianapolis, Ind.

Mr. KEARFUL. What is your profession?

Mr. WILSON. Lawyer, I suppose, although I do not practice.

Mr. KEARFUL. You have been in the Diplomatic Service?

Mr. WILSON. Seventeen years.

Mr. KEARFUL. What has been your experience in the diplomatic service?

Mr. Wilson. I was appointed minister to Chile in 1897 by President McKinley; minister to Greece and Belgium in 1905 by President Roosevelt; and ambassador to Turkey and Mexico in 1909 by President Taft.

Mr. KEARFUL. Has your diplomatic service been continuous from the time of your appointment as minister to Chile in 1897?

Mr. WILSON. Until December, 1913, under President Wilson.

Mr. KEARFUL. What was the period of your service as ambassador to Mexico?

Mr. WILSON. I was appointed in November, 1909, and my term extended from that time until November, 1913.

Mr. KEARFUL. How long were you minister to Chile?

Mr. WILSON. Eight years; five in Belgium and four in Mexico. My diplomatic service, I believe, is the longest continuous service as chief of a mission in the history of this Government.

Mr. KEARFUL. When was it that President Diaz abdicated and left Mexico?

Mr. WILSON. In June, 1911, as I remember.

Mr. KEARFUL. You had then been ambassador to Mexico for about a year and a half? Is that correct?

Mr. WILSON. Yes.

Mr. KEARFUL. Will you please describe for the benefit of the committee the conditions of business and the situation as to law and order under President Diaz?

Mr. WILSON. When I arrived in Mexico, and for probably a year thereafter, the government was in full control of the situation in Mexico in the remotest parts, and life was as safe upon a Mexican highway as upon one of the great thoroughfares of New York City. The Government's finances were in a highly flourishing condition, with one hundred millions in the treasury. Immigration was increasing rapidly, especially from the United States, and American capital during that year was seeking investment in Mexico to a greater extent than ever before. Everything indicated a highly prosperous future for Mexico.

Mr. KEARFUL. What were the inducements for the investment of capital in Mexico?

Mr. WILSON. American capital as it went with Mexico took the form of investment in mines, in farms, in public utilities, and in oil.

Mr. KEARFUL. What, if any, special inducements were offered by the Government for the investment of capital?

Mr. WILSON. Land was purchased at extremely low valuations, a policy that was encouraged by the Government for the purpose of enlarging the taxable resources of the country. The Government pursued the same policy with reference to investments in the oil country and in mines and public utilities, it being the well settled principle of the Diaz Government that the investment of foreign capital in Mexico led constantly to the creation of taxable resources.

Mr. KEARFUL. And how was that policy realized?

Mr. WILSON. It was realized very successfully.

Mr. KEARFUL. You spoke of land being sold at low valuation. Was that exclusively to Americans, or was it open to anyone who wanted to purchase?

Mr. WILSON. Oh, it was open to all the world.

Mr. KEARFUL. Under general law?

Mr. WILSON. Yes.

Mr. KEARFUL. What have you observed to be the effect upon the development of Mexico of the operation of American capital there?

Mr. WILSON. Practically all of the material development of Mexico is due to American enterprise, initiative, and capital. I perhaps put that a little strongly. I perhaps should say the preponderating development, because it is always necessary to take into consideration the British, French, and Spanish investments.

Mr. KEARFUL. You think that the development of Mexico up to the time of the downfall of Porfirio Diaz was due to foreign capital and enterprise, of which the American preponderated?

Mr. WILSON. Yes.

Mr. KEARFUL. What do you believe would have been the condition of Mexico without the operation of foreign capital and enterprise?

Mr. WILSON. She would have remained practically an uncivilized State, as she was during the period extending from the revolution against Spain down to the advent of Porfirio Diaz.

Mr. KEARFUL. At the time of the downfall of Porfirio Diaz, how many Americans, if you know, were operating in Mexico?

Mr. WILSON. Seventy-five thousand. This figure I reached by careful estimate by the embassy and after correspondence with all the consulates.

Mr. KEARFUL. In your capacity as ambassador, did you come into close contact with many of these Americans?

Mr. WILSON. Oh, yes; a very considerable number. The American Embassy in Mexico City was really a workshop. The demands for advice and assistance were constant, beginning at 9 o'clock in the morning and extending very frequently if not generally until 1 or 2 o'clock at night. During the troubled period—which describes pretty nearly the entire period of my service in Mexico—we did in the embassy 33 per cent of the correspondence of the Department of State here in Washington. This, added to the circumstance that there were always anywhere from 50 to a half dozen people in the embassy asking for interviews, made the business of the embassy tremendously large.

Mr. KEARFUL. What can you say in reference to the charge that has been circulated industriously in this country that the Americans operating in Mexico were a class of speculators engaged in plundering the Mexican people?

Mr. WILSON. I regard it as a very malicious and wicked falsehood.

Mr. KEARFUL. What was the character of the Americans generally operating there?

Mr. WILSON. Very high. I have had occasion to come in contact with them as much perhaps as anyone, perhaps more than anyone, and I regard the standard of Americanism in Mexico as very high. I have never known, in any part of the world, such conspicuous examples of real Americanism and courage, and the exercise of all those qualities that we call peculiarly American, as I found among the 75,000 people of American origin in Mexico.

Mr. KEARFUL. What class of people were they, in reference to their occupations?

Mr. WILSON. They were in all occupations. There were about 2,000 in the railways; there were probably 5,000 farmers; there were probably 5,000 engaged in mining; and probably as many as 8,000 engaged in educational work and residing in the country for reasons of health, diversion, or investigation.

Mr. KEARFUL. How were the professions represented by Americans?

Mr. WILSON. There were very many American doctors in the country, a great many American teachers, a reasonable number of lawyers——

Mr. KEARFUL. Engineers?

Mr. WILSON. Yes; a very large number of engineers, a great many dentists, some very excellent ministers and pastors.

Mr. KEARFUL. Was there any large number of the class that is found in the large cities of this country belonging to the lower order of society?

Mr. WILSON. None. This element was almost nonexistent.

Mr. KEARFUL. It has also been charged against Americans operating in Mexico that through fraud and bribery they obtained special concessions from the Mexican authorities which enabled them to exploit the country to their own advantage over the Mexican people. Is there any truth in that?

Mr. WILSON. No. No case of that kind ever came under my observation while I was in charge of the embassy.

Mr. KEARFUL. What can you say as to the nature of the concessions, if any, for the development of new enterprises?

Mr. WILSON. All that I am familiar with were granted for fair consideration and obtained honestly. During the entire four years

I was in charge of the American Embassy in Mexico City no American representing vested interests in Mexico ever asked any aid from the embassy except in the matter of physical protection. There were instances, of course, where I was called upon to represent some important interests before the Mexican Government, but that was almost without exception under instructions from the Department of State.

Mr. KEARFUL. The concessions that were granted were by a department of the Government under a general law, were they not?

Mr. WILSON. Yes.

Mr. KEARFUL. And the terms of the concession required the concessionnaire to expend certain sums of money toward development?

Mr. WILSON. Yes.

Mr. KEARFUL. And for the performance of which he was required to give bond?

Mr. WILSON. Yes.

Mr. KEARFUL. And as an inducement, he was allowed to import the materials necessary for his operations free of duty?

Mr. WILSON. Free of duty; yes.

Mr. KEARFUL. And in some cases for a limited period the products would be exempt from taxation?

Mr. WILSON. Yes; that is a correct statement of the general Mexican policy with reference to concessions. It was a very excellent policy in Mexico. It could not be applied with equal benefit in this country, but in Mexico it worked very admirably.

Mr. KEARFUL. You are acquainted with the policy in this country of municipalities granting street railroad and gas and power franchises?

Mr. WILSON. Yes.

Mr. KEARFUL. And exempting the grantees from taxation and giving them special privileges for the purpose of inducing them to invest their capital?

Mr. WILSON. It is the same thing, only we call them privileges and in Mexico they call them concessions.

Mr. KEARFUL. We call them franchises here. You are also familiar with the policy of the American Congress in making large land grants for the construction of railroads, and guaranteeing the indebtedness of certain of the railroads?

Mr. WILSON. Yes. The difference is that the Mexican concessions are usually granted to foreigners. Our concessions, so called, if you can call them that, are never granted to foreigners.

Mr. KEARFUL. It was necessary to grant them to foreigners in Mexico because they furnished the only available capital?

Mr. WILSON. It was necessary in the case of Mexico, because not only was the foreigner the only source from which the capital could be procured, but the Mexican who had wealth would not invest his money in that way.

Mr. KEARFUL. Can you give an estimate of the amount of American money that was invested in Mexico at the close of the rule of Porfirio Diaz?

Mr. WILSON. My estimate while in charge of the embassy was that there was a billion two hundred million dollars of American capital invested in Mexico.

Mr. KEARFUL. Can you give an estimate of the amount of other foreign capital invested in Mexico?

Mr. WILSON. My estimate of the combined investments of all the other countries amounted to about the same as the American investment. In other words, the American investment was equal to that of all other countries combined.

Mr. KEARFUL. Can you give a statement of the other foreign populations in Mexico? You stated that there were about 75,000 Americans.

Mr. WILSON. The next in order numerically were the Spanish. I believe the Spanish population of Mexico was nearly as large as the American.

Mr. KEARFUL. How about the other nationalities?

Mr. WILSON. The French population was very considerable, the German population was very large, and the Italian population was considerable.

Mr. KEARFUL. And the British?

Mr. WILSON. My impression is that there were about 8,000 British in Mexico, nearly all of whom were in Mexico City.

Mr. KEARFUL. What was the American population of Mexico City at that time?

Mr. WILSON. About 10,000.

Mr. KEARFUL. How were the railways of Mexico owned and managed at that time?

Mr. WILSON. I think perhaps it would be better to state the thing in a different way.

Mr. KEARFUL. State it in your own way.

Mr. WILSON. Originally, the railways of Mexico were owned entirely by foreign investors, made up from American and European sources. Under Mr. Limantour, when he was minister of finance, the Mexican Government adopted a policy of securing control of these different systems. This policy finally resulted in the union of the Mexican Central with the Mexican National Railways, which union carried with it all the branch lines and dependencies, concentrating practically everything under government control except the line from Mexico City to Vera Cruz, which remained the property of British investors, and independent. This consolidation of the railway system was brought about by the very simple process of a continuous guarantee of the interest on the bonds of the railways by the Mexican Government. The Mexican Government guaranteed a rate of interest of 4 per cent to the bondholders in return for the privilege of voting their stock, but the Mexican Government put practically no money into the railways of Mexico. The money came from the United States and Europe. I do not know whether I have made that clear or not.

Mr. KEARFUL. I think so. I understand that the Government control of the railways was effected by means of the guarantee by the Government of the railroad bonds at a certain rate of interest, in consideration of which the control of the stock was turned over to the Mexican Government.

Mr. WILSON. Yes. It is a very great mistake to suppose that the Mexican Government ever owned any part of the railways of Mexico.

Mr. KEARFUL. What class of people managed the railways of Mexico?

Mr. WILSON. The general management was in the hands of Americans, and in addition to this general management there were

about 2,000 American employees in active railway service. There was considerable hostility against these American railway employees, which usually cropped out in some drastic regulations by the Government which affected American employees only. During the time of Mr. Madero there was a very concerted effort made to dislodge the American employees, and I remonstrated with the president, and he promised that the regulations would not be put into effect; but they were put into effect, and this apparent act of bad faith led to some very unpleasant passages between the president and myself. I made an effort to protect these men, most of whom had lived in Mexico for a great many years and raised their families there. They were finally all driven off the railways and not even furnished railway transportation to the United States. President Taft interested himself in their behalf, and obtained employment for a large number of them on the American railways.

Mr. KEARFUL. Are you prepared to state the causes of the downfall of Profirio Diaz?

Mr. WILSON. Yes; I think so.

Diaz had two great domestic policies. The first was the development of the material resources of the country. That part of his policy he carried out with marvelous success. He invited foreign capital into Mexico, and along with the investment of capital came large foreign immigration, usually of younger men full of enthusiasm, initiative, and organizing genius. With the aid of these foreign elements which he invited into Mexico, and with the aid of the capital which they represented, Diaz developed Mexico in material ways. He covered the country with a network of railways, developed her agricultural, mining, and commercial resources, and over all of his work of his creation he maintained a system of law and order unsurpassed in any country in the world.

The second branch of his policy was the awakening of the national consciousness and morale. This policy he did not successfully carry out because of the undermining influences of advancing years. He said to me upon one occasion: "I hoped during my time to develop Mexico materially and spiritually. I have developed her materially, but I must leave the task of her spiritual development by evolution to my successors."

During the last 10 years of the Diaz régime the Government was maintained by the legend which Diaz had created, but had fallen off materially in vigor and efficiency. During the last 10 years the cabinet was made up very largely of extremely old men, some of them over 80 and none of them younger than 60. These men naturally had passed their years of active usefulness, and they were, moreover, totally out of touch with such currents of public opinion as existed in Mexico. During these last 10 years Diaz grew infirm and lost some of the quick penetration of public men and watchful care over public interests, and the evils resulting from the President's notable decline especially in the last five years, were accentuated by the circumstance that nearly all of his advisers were in the same class with him. These conditions led to the causes which brought on the revolution.

The actual causes were, first, the government of the country by a close circle of so-called Cientificos, together with the probability that this type of government would be continued under the generally accepted and selected successor of Diaz, Ramon Corral. The Cien-

tificos were really a very excellent body of men in so far as they had any real corporate existence, and if their subordinates had exercised equal intelligence and probity in the management of public affairs the consequences which followed might have been avoided. Ramon Corral, Limantour, and Oligario Molino directed the affairs of the country. I believe all of them were honest men, but there were a large number of men serving under them who were not honset.

That is the first cause. Second was the race question. Every Indian in Mexico who is in touch with the traditions of his race believes and hopes that eventually the white race will be expelled from Mexico and a new empire of the Montezumas set up in the palace of Chapultepec. He carries this belief into all his transactions. To it may be attributed in a very large measure the excessive barbarities which have been committed by the Indian races during this revolution.

Mr. KEARFUL. Is that your conception of the present Carranza doctrine of "Mexico for the Mexicans"?

Mr. WILSON. That is what it amounts to, although Carranza himself is a white man. "Mexico for the Mexicans" under the rule of democratic institutions means Mexico for the Indians, because if the majority rules the Indian will rule in Mexico.

Mr. KEARFUL. And "the property of the foreigner for the natives"?

Mr. WILSON. Yes; and, of course, you understand that that means not only an Indian rule in Mexico, but it means the rule of a population 80 per cent of which is unable to read or write.

The third cause was hatred of the foreigner. You must distinguish between the race hatred and hatred of the foreigner, because hatred of the foreigner was shared equally by the whites and the Indians, and the word "foreigner" there applies to the newcomers. From the race standpoint it applies equally to the Spaniards who came in with Hernando Cortez.

The invitation of the Diaz government brought into Mexico a vast army of foreigners, most of them from the United States. These foreigners converted Mexico from a desert into a paradise. They reaped generous profits from the situation. They were a thrifty lot. They accumulated fortunes as a result of industry and perseverance and ingenuity, and they immediately became the objects of envy and suspicion and dislike on the part of the Mexicans who had not availed themselves of the opportunities that lay all about them and were quite content to let the riches of the soil slumber on without interruption. Practically all of the railways belonged to foreigners; practically all the mines. Practically all of the banks and all of the factories were owned by the French. A very considerable part of the soil of Mexico, probably over a third, was in the hands of foreign-born elements, and practically all the public utilities were in the hands of Americans or British. Naturally, this foreign ownership excited hostility, which was not lessened by the circumstance that these interests, or whatever they may have been, had been honestly acquired.

The foregoing constitute the causes of the revolution against Diaz. They would not ordinarily constitute cause for revolution. We have endured much more in this country, for instance; but they did constitute the causes for the revolution in this instance, and no other causes can be shown by anyone competent to discuss the history of the revolution.

Mr. KEARFUL. You are, of course, acquainted with the principal business street of Mexico City, Avenida San Francisco?

Mr. WILSON. Yes.

Mr. KEARFUL. Have you observed the nature of the businesses along that avenue, as to whether they were in the hands of foreigners or Mexicans?

Mr. WILSON. They were almost wholly foreign owned. The merchandizing business of Mexico City is almost wholly foreign. I do not suppose it is necessary to indicate the branches in which they are engaged. It is of no importance, I imagine, here; but the most interesting and best improved part of Mexico City is what they call the Colonias, which have been built very largely by the foreigners.

Mr. KEARFUL. Will you proceed to describe the beginning and the progress of the Madero revolution which resulted in the downfall of Porfirio Diaz?

Mr. WILSON. Yes. When Madero first attracted my attention he was engaged in the business of making incendiary speeches, usually of very little intellectual merit, before audiences in remote parts of Mexico. These meetings were usually interrupted by the soldiers, and generally Madero was put in jail, his release following some days afterwards. He never appealed to popular sympathy in Mexico. He was a practically unknown person in public affairs who appeared at the psychological moment.

He was regarded by those who knew him, and especially by his own family, as a man of unsound mind and of dangerous tendencies. He was insignificant in appearance, halting and spasmodic in physical characteristics, stammering in speech, and unable to state any circumstance or opinion lucidly and clearly.

He was a man of absolute personal honesty, of excellent morals, and I believe of sincere patriotism, but easily misled and easily made the victim of more audacious and clever intelligences.

Madero in no sense overthrew the government of Diaz. The government of Diaz collapsed by reason of the desertion of friends, and a tide of anarchy which broke out and surged all about the capital city. Madero rode into power over the ruins of the Diaz government.

In the month of June Madero entered Mexico City as a private citizen, after Diaz had resigned the presidency and left the country.

I do not know, but I think if you are afforded an opportunity to consult the records which we have here, but which I prefer to not place in the hands of the committee unless they are demanded, you will find that on the very day of his entrance into Mexico City I sent a dispatch to our Department of State predicting the continuance of the revolution and the probable final overthrow of Madero.

My reasons for making this prediction were, first, the natural tendency of the Mexican people to anarchy and revolution, a tendency now given full range; second, the utter inadequacy of the announced Madero platform, policy, and personnel in dealing with the situation thus created.

This prediction was amply fulfilled, because the revolution never ceased. The revolution begun against Diaz continued without any interruption whatever through the time of Madero, and in the midst of all the terrors of this revolution, which swept from all over Mexico right up to the gates of the capital city, Madero was elected to the presidency by a total vote of 19,989 in a population of 15,000,000; Reyes, the only other candidate for the presidency, being prevented

by violence from prosecuting his campaign, the violence being organized and directed by Gustavo Madero.

Mr. KEARFUL. The brother of the President?

Mr. WILSON. The brother of the president. The Reyes meetings were interrupted and dispersed. His meetings were interrupted and he was driven from the platform and organized crowds of lower classes asaulted him with rocks, etc. The same methods are being employed in Mexico City to-day by Carranza against Obregon. This is not relevant to this part of the testimony, but it is a circumstance that it might be well to note.

Madero entered into the government undoubtedly with patriotic resolutions and with good intentions, but his cabinet was composed of radicals on the one hand and conservatives on the other, and the resolution of one day was revoked upon the next. Whatever resolution was taken was hysterical and spasmodic, advancing and retreating in accordance with the preponderance of this or that element in the cabinet.

All of this was due to the character of the president, who was one day the friend of the rich and the next day the friend of the poor, and he vacillated between the rich and the poor until there were neither rich nor poor for him. He was finally left absolutely alone, with no support except the public office holders and his family, 100 of whom were stated to be holding public office.

During this period the anti-Americanism in Mexico first became general. It had existed hitherto under all governments to a certain extent. It was noticeable in the last stages of the Diaz régime, when Rodriguez, a Mexican, was hung, or boiled or something, by a mob in Texas.

Mr. KEARFUL. Lynched.

Mr. WILSON. There are lots of ways of lynching. I think he was boiled. It resulted in a widespread protest in Mexico. In the City of Mexico mobs invaded the streets and burned the American flag, assaulting Americans everywhere, and in a number of cities of the Mexican Republic Americans were obliged to defend themselves in their homes.

Mr. KEARFUL. Were there exaggerated accounts of this treatment of Rodriguez by way of pretext for the outbreak of anti-American expressions?

Mr. WILSON. My opinion was at the time that these anti-American outbreaks had been encouraged secretly by the Diaz people for the purpose of distracting public attention from the revolutionary tendencies which existed at that time in Mexico.

Mr. KEARFUL. There was an effort to unite the Mexican natives through their sentiment against the "Colossus of the North"?

Mr. WILSON. Yes. That was my theory about it, borne out by some evidence which I had, although it must always be remembered that Diaz and his government were not anti-American, but, on the contrary, very pro-American.

Mr. KEARFUL. You spoke of Madero having been considered as of unsound mind. Did you personally see any evidences of that?

Mr. WILSON. Yes.

Mr. KEARFUL. Will you please state them?

Mr. WILSON. I have known such qualities to be possessed by other men who have escaped the charge of insanity, but in my own esti-

mate the existence of these qualities indicates at least incipient lunacy.

Madero was incoherent and illogical in speech, physically in a state of continual contortion, unable to elucidate clearly any opinion which he entertained, easily impressed by fakers and international confidence men. In the beginning he believed that the Mexican people should be governed by kindness and love, which, in my judgment, showed a deficient mental grasp of the situation. He believed in the spectral appearance of the spirits of deceased people.

Mr. KEARFUL. Did you have any personal manifestations of this tendency to consult the spirits and to see visions?

Mr. WILSON. Yes. Upon one occasion he said to me, "George Washington is sitting right there beside you, listening to every word that you say." That is one personal experience, but there were innumerable others with other people.

It has been shown also that in public affairs he instructed his ambassador in Washington to deliberately misrepresent the situation which existed in Mexico, and also that he endeavored at the same time to discredit me with my own government for reporting to Washington the facts as I found them in Mexico. I regard this as evidence that his mind was rapidly yielding to the strain of executive responsibility.

In actual conclusions Ambassador Calero in Washington was in full accord with me in Mexico as to what was happening in Mexico.

Mr. KEARFUL. What evidence have you that Ambassador Claero was instructed to misrepresent the conditions in Mexico?

Mr. WILSON. He quoted his instructions in the Mexican Senate, and stated at the same time that he had resigned because he could not take the position of further misrepresenting the actual situation to the American Government.

Mr. KEARFUL. What if any changes occurred with respect to conditions of security of life and property and the transaction of business, with the advent of Madero?

Mr. WILSON. During the entire period of Madero's administration the disorders and anarchy increased both in number and in extent, and during the entire time these disorders and this anarchy were accompanied by a steadily falling barometer of public opinion.

The character of the war, of the disorders, was barbarous in the extreme. Whole cities were destroyed, and their populations, men, women and children put to the sword. Trains were derailed and their passengers massacred to a man. Men were mutiliated and women were violated under circumstances and in ways for which there is no adequate description in the English language.

These disorders extended all the way from Guatemala to the Rio Grande, and camp fires of the revolutionists could always be seen at night from the front veranda of the embassy in Mexico City.

Naturally there were at certain periods crises, or attempts to overthrow the government, always growing more marked in force, and indicating also the increasing weakness of the government in dealing with them.

There was hardly a week passed that did not witness a turmoil or panic in Mexico City, and as for the interior, the disorder was universal.

My telegrams to the Department of State at that time indicate a general anarchy throughout Mexico during the entire time of Madero's administration.

Mr. KEARFUL. Toward the close of the Madero administration what was the sentiment among the thinking people of Mexico, both Mexicans and foreigners, with reference to whether Madero was a success or not?

Mr. WILSON. Of course the sentiment of the foreigners and what you might call the intellectual class of Mexico was that the government of Madero could not endure, because Madero possessed complete lack of knowledge of the character of the people he was attempting to govern. He did not understand their psychology any more than President Wilson understood their psychology, and he endeavored in the first days of his administration to govern according to the precepts of the Gospel; but before he had been in power very long he found out that these Christian methods, while excellent in principle, could not be put into practice in Mexico. He wasted one-half of the time he was in power in finding this out, and the remaining half represented his reversal to the Diaz type of government. During this period the government of Madero was an exact reproduction of the government of Diaz, with this modification, that it lacked the courage and practical common sense and the logical procedure which characterized the government of Diaz.

During the last days of the Madero régime his government was more despotic than the government of Diaz had ever been. In other words, it became the despotism of a weak man, whereas the despotism of Diaz, if it can be called a despotism, was that of a strong man.

In the end, the government of Madero was absolutely unable to carry out its program. It failed in every particular of its political platform.

The prominent features of Madero's political platform were free education, free lands, free elections, free press, and free speech.

Not a dollar was voted by the Mexican congress for additional educational purposes. Not an acre of land was distributed to the Mexican peon. The Government interfered in every election from the Rio Grande to Guatemala.

Mr. KEARFUL. What about the freedom of the press?

Mr. WILSON. In the metropolitan city of Mexico the Government purchased two of the great newspapers, suppressed two, and the editors of three were in jail at the time Madero was overthrown.

In the matter of free speech, no man's house was his castle, and through the activities of the secret society organized by Gustavo Madero called the "Porra," an atmosphere of suspicion and dread was created which rested over the entire country.

Then came the revolution against Madero.

Mr. KEARFUL. What was the Porra and what were its operations?

Mr. WILSON. What its principles were I never was able to discover, but its active practice was to discourage any anti-Madero expressions by physical repression. In other words, they would attack a man not in favor on the street with a club and pound his head off, and then disappear, having left a note of warning.

Mr. KEARFUL. Was the Porra composed of the rabble of the community?

Mr. WILSON. Oh, no; it was composed of hired bullies and cutthroats, hired especially for that purpose, who created an absolute reign of terror in Mexico City.

Mr. KEARFUL. Will you proceed now to describe the revolution against Madero, and his overthrow?

Mr. WILSON. How much detail do you want me to use in describing that?

Mr. KEARFUL. Just as much as you think is necessary to give a picture of the situation.

Mr. WILSON. I have the story here in every detail, but it would be a tremendous task to repeat all of that story at this time, and I doubt whether it would be of any great benefit. I think perhaps I may be able to outline it in such a way as may make it possible to handle it within reasonable limits.

Mr. KEARFUL. If you will proceed to state the outstanding facts, any additional points which may be thought desirable can be brought out.

Mr. WILSON. On the night of the 8th of February Felix Diaz and Gen. Reyes, who were under arrest, imprisoned in the military penitentiary in Mexico City, were released by revolting soldiers of one of the crack regiments of the Mexican army. At the same time the cadets stationed at Tlalpam rose in rebellion and marched to the city, where they joined forces with the revolting regulars.

This force was then divided into two divisions, one under Gen. Reyes and one under Gen. Felix Diaz. The force under Gen. Reyes was ordered to attack the Government palace, and in the engagement which followed Gen. Reyes was killed and the attacking forces were beaten off.

The force led by Felix Diaz was successful, and after about an hour of bombardment they captured the Ciudadela, which is situated almost in the center of the city, and which contained at that time all the Government arms and ammunition, or practically all.

From this point Diaz steadily advanced his lines, gaining every day upon the Madero forces.

In the struggle which followed about a third of the city was badly disfigured and 8,000 people were killed.

Without going into unnecessary details I may say that by virtue of the situation which was created by the revolutionary outbreaks the American Embassy became the center of all the noncombatant activities during the Decena Tragica—the Tragic Ten Days.

Mr. KEARFUL. What was the nature of the responsibilities that were put upon you?

Mr. WILSON. Most of the diplomatic establishments were in the line of fire. The American Embassy was just on the edge of the firing line.

During the bombardment which ensued the Cuban minister was driven out of his legation, and our embassy automobiles rescued the Portuguese minister from his legation. The American consulate was shot to pieces. The French chargé d'affaires and the British minister were so surrounded that they could not escape, except at certain intervals, from their houses.

Immediately with the breaking out of hostilities we organized in the embassy an automobile service. With this automobile service we brought 2,600 Americans from the firing line, and we housed and fed them in the vicinity of the embassy for ten days.

We also maintained telegraph communication, a bank, post office and a newspaper, all of which things were at that time nonexistent elsewhere in Mexico City.

Naturally, with these instrumentalities for service, the embassy became a center of all the activities, and the entire diplomatic corps remained there for the purposes of guidance and advice. I am telling this story in order that what follows later may be understood.

To pass over the details about the procurement of an armistice and the procurement of a general agreement to distribute bread and milk to the poorer classes who were starving, and many other matters of that kind, which resulted from the work of the embassy, I come to the seventh day when, as a result of a discussion in the embassy, the diplomatic corps decided that the representatives of the four nations having the great colonies, the United States, Great Britain, France and Spain, should go to President Madero and endeavor to exert their influence for the procurement of some change in the abominable situation which existed.

We carried out the resolution of the diplomatic corps under circumstances of a good deal of danger, but finally reached the president, and he informed us, during the interview, at which Gen. Huerta was present, that on the following day he expected Gen. Blanquet to arrive, and that with his arrival he expected to put down the revolution.

We were skeptical both as to Blanquet's attitude and the suppression of the revolution, but as no other course was available we accepted his explanations.

Mr. KEARFUL. You mentioned Gen. Huerta. What was his position?

Mr. WILSON. He was general in chief of Madero's army.

Mr. KEARFUL. What was the opinion of the members of the diplomatic corps as to the prospect of a successful suppression of the revolution at that time?

Mr. WILSON. I will come to that just a little bit later.

Mr. KEARFUL. Very well.

Mr. WILSON. On the next day Gen. Blanquet arrived on the outskirts of the city, but halted his troops for a considerable period; then dispatched a detachment to the palace, replacing the guard in charge of the palace with the new soldiers of his own command, thus overthrowing the government of Madero. Immediately after this occurred, the guns of Blanquet were turned toward the palace at Chapultepec, indicating that he was in sympathy with Felix Diaz and not with Madero. Gen. Blanquet, therefore, was the actual overthrower of Madero, not Huerta. Huerta accepted the situation created by Blanquet and took advantage of it.

Immediately after ascertaining this attitude of Blanquet I called the diplomatic corps together for consultation with reference to the situation.

At that time the military attaché of the American Embassy, then captain, now Col. Burnside, stationed in this city, reported to me that the revolution could not be suppressed, and that any further fighting would simply involve the sacrifice of human life without accomplishing any good. I should like to have that report incorporated as an exhibit.

(The document referred to is as follows:)

AMERICAN EMBASSY,
OFFICE OF THE MILITARY ATTACHÉ,
Mexico, June 5, 1913.

Hon. HENRY LANE WILSON,
American Ambassador, American Embassy, Mexico, D. F.

DEAR MR. AMBASSADOR: Replying to your letter of June 2, 1913, the following is submitted:

Some months previous to the outbreak of revolutionary troubles in Mexico City, I had formed the opinion, and so reported in official dispatches, that it was only a question of time as to how long the Federal army would as a whole remain loyal to the administration of President Madero. Through the promotion of revolutionary leaders of the Madero revolution over the officers of the regular army, a resentful feeling had been created in the minds of many officers of the regular forces through the belief that the army was being needlessly sacrificed for the support of visionary and impracticable ideas, and that there was little chance for appreciation or reward of faithful service under the existing administration. However, signs of the discipline that had been developed in the regular army during the administration of President Porfirio Diaz continued to prevail, but in view of the repeated circumstances which tended to discredit the regular army, it was my belief that it was only a question of time when patience would be exhausted and the regular force would give its support to a change of administration, believing, outside of possible personal advantage, this to be the only means of avoiding the complete demoralization of Mexico.

I was absent from the City of Mexico when the outbreak of February 9 occurred, but upon returning at 10 a. m. on the morning of February 11 it was learned that previous opinions as to the doubtful loyalty of the regular army had been confirmed by the fact that numerous organizations in the Federal District had already revolted and joined the revolutionists. During the remainder of this day, and until about noon of February 12, I spent most of the time in the vicinity of the Alameda. I arrived at this location about the time that the loyal troops made their first effort to advance on the Ciudadela. The Alameda and the side streets in its vicinity were used as a base of operations, and while here I had an opportunity to observe the manner in which the first attempts were being made to advance on the Ciudadela. This consisted in sending comparatively small detachments up the streets leading from the Alameda and its vicinity toward the Ciudadela. These detachments attempted to advance without concerted action, and in every case they were met by a fairly well regulated machine-gun and artillery fire from the vicinity of the Ciudadela and driven back demoralized.

On subsequent days similar advances were attempted on the Ciudadela from other directions, and again simultaneous advances were attempted from several directions at the same time. Fresh troops arrived in Mexico City from the country. The field artillery arriving took up positions from which it could be expected to do little damage to the Ciudadela on account of the high buildings surrounding this place. In addition, this field artillery had only such ammunition as had been brought with it—shrapnel—and which was suitable only for use against troops in extended order. The supply of ammunition in the hands of the loyal troops was very limited and no more available, since the reserve supply of Mexico was in possession of the rebels in the Ciudadela.

All of the attempts to advance on the Ciudadela from February 11 to February 16 resulted unfavorably for the Federals, and generally resulted in their falling back to positions more distant from the Ciudadela. The revolutionists became more certain of their strength and occasionally sent out exploring parties to some distance from the Ciudadela. These exploring parties were generally successful in obtaining the information they desired, but afterwards withdrew to their former posts in the vicinity of the Ciudadela, as the plans of the revolutionists were apparently to keep their men together and under the immediate control of the leaders.

On February 16 I visited the Ciudadela and found the revolutionists well supplied with food, arms and ammunition, and feeling confident of success. On the same date General Huerta personally stated to me that in case the Ciudadela was ever captured, the fighting which had previously taken place would be as nothing compared to that which would accompany the fall of the Ciudadela.

I do not now recall the exact date on which I stated to you that the Government would be unable to take the Ciudadela, but such was my opinion at all times after the evening of February 13. Subsequent events only strengthened this opinion and made me feel more certain that it was correct.

Sincerely,

W. W. BURNSIDE,
Captain United States Infantry, Military Attache.

Mr. WILSON. The Diplomatic Corps agreed that Blanquet had come to the assistance of Felix Diaz and not Madero; that the chiefs of the Mexican Army were deserting Madero and that the revolution could not be put down. So we then determined to advise Madero, not officially but unofficially, that the wise course for him was to resign and turn his powers over to the Congress.

In order to make the procedure unofficial we selected the Spanish minister, Mr. Cologan, for the mission, and the next day he went to see the president and to convey our unofficial opinion.

On entering the palace he was met by the Mexican Senate, who had been to Madero for the purpose of giving him precisely the same advice which we were giving him, but having knowledge of what their intention was Madero refused to see them, and they departed without accomplishing their purpose. Madero saw Mr. Cologan, but assumed a hostile attitude toward our envoy and toward our advice, and immediately sent a telegram to Washington instructing the Mexican Embassy to say to our Government that I was controlling and directing the attitude of the Diplomatic Corps, and that I would probably try to land troops at Vera Cruz. This telegram he afterward withdrew with an apology to me and with an expression—of doubtful sincerity—of admiration and respect.

The next day—I do not want to take the responsibility of saying precisely the day or hour, but as nearly as I can remember, the next day—the Mexican supreme court went to Madero to make a similar request, and they were very badly received. On the same day—I am not sure of the chronology; it is all in the dispatches, however—the army sent two colonels, Col. Riverol and Col. Izquierdo, with four privates to Madero, stating that this revolution had now gone on for 10 days, and that 8,000 of their brethren had been slain without accomplishing any good, and that they besought him to make peace and turn his powers over to the Congress. His reply to this was to take a revolver from his pocket and shoot both of these colonels and two, if not three, of the privates in rapid succession. He then escaped from the audience chamber where this occurred, and in the corridors of the palace was captured by Gen. Blanquet and placed in the palace prison.

Six hours after the overthrow of Madero, and after he had been incarcerated in jail, I determined that a very great responsibility rested upon my shoulders. The diplomatic corps had accepted my leadership, not only in a titular way but actually, and the foreign colonies, as you perhaps remember, were practically doing the same thing. This bombardment had continued for eight days. Eight thousand soldiers and noncombatants lay dead in the streets, spreading pestilence everywhere. Thousands of people were hemmed up in houses, from which they could not escape, starving. Little children were dying for want of milk. I had 2,600 people dependent upon me for their daily bread and their protection. The bombardment had continued already for eight days, and there was a prospect of its continuing indefinitely. Our lights had been cut off, our water had been cut off, one end of the embassy had been badly shot in. With this dreadful situation confronting me, there was the further one that the Government was in jail.

I therefore determined on my own responsibility to take the step which I subsequently took. I sent for these rival generals—Diaz, Blanquet, and Huerta—to come to the American embassy six hours

after the overthrow of Madero, under the protection of the American flag, to discuss methods for bringing about peace. These generals came to the embassy one hour after the receipt of the request. They remained in the embassy four hours, during which time a vast crowd surrounded the building, anxiously waiting for the decision. There were three actual breaks, but by persuasion and by threat they were finally brought to agree, and they signed an agreement and a proclamation turning over their powers to Congress. This was deposited in the embassy safe; the news was given out from the embassy veranda to the assembled crowds; and that night a crowd estimated to have been over 50,000 filled the streets of Mexico, giving thanks to the American Government for having made peace in Mexico.

Mr. KEARFUL. Did you act with the advice and cooperation of the other members of the diplomatic corps?

Mr. WILSON. No; but they approved of it very heartily afterwards. There was no time for consultation. One could not get them out of their houses at times, you know. There were times when you could get them easily, and other times when they could not be gotten at all. This was a situation that required immediate action, and I realized that the entire responsibility would ultimately rest upon me anyhow, and so I just acted.

Mr. KEARFUL. What reason have you to believe that your action was approved by the members of the diplomatic corps?

Mr. WILSON. They all called at the embassy afterwards to express their approval of what had been done. My four chief colleagues, those who represented the Governments having large colonies in Mexico City, sent letters to me, which I should like to have inserted in the record.

Mr. KEARFUL. They will be inserted at this point.

(The letters referred too are as follows:)

BRITISH LEGATION,
Mexico, February 22, 1913.

MY DEAR MR. WILSON: I wish to express to you my most cordial thanks for the aid rendered to British subjects during the recent disturbances by your excellency, as well as by the members of your embassy and their gallant assistants of the American colony.

The British legation was difficult of access owing to its exposed position and its remoteness from the principal residential quarter, and the help afforded by the United States embassy and those who worked with it was therefore of special value.

I remain, dear Mr. Wilson,

Yours, very sincerely,

FRANCIS STRONGE.

KAISERLICH DEUTSCHE GESANDTSCHAFT,
Mexico, March 8, 1913.

DEAR MR. AMBASSADOR: It is with profound satisfaction that I read in this morning's paper the praises duly bestowed on you by the State Department. As an eyewitness of last February's events, I wish to congratulate you upon the official recognition of your merits. May I add a word for my part? That is to say that I want to thank you most heartily for your excellent advice and practical help proffered this legation through your kindness and readiness during a rather trying situation. I was so delighted when reading the morning paper that I wanted to get up to congratulate you in person, but the doctor won't have it as this intestinal hemorrhage has repeated itself last Wednesday.

Believe me, dear Mr. Ambassador,

Yours very sincerely and devotedly,

VON HINTZE.

LEGATION OF FRANCE,
Mexico, March 11, 1913.

MR. AMBASSADOR: At the moment of terminating my duties as chargé d'affaires, following the return to Mexico of the minister of France, I make it my duty to express to your excellency the profound gratitude for the very cordial consideration you have been pleased to extend to me, in the course of the two months I have had charge of the legation of France and notably during the tragic days of the revolution of last February.

I shall always remember all the personal attentions you have been pleased to show me and I congratulate myself that my duties, at that difficult time, brought me into intimate relations with the very eminent dean of the diplomatic corps.

Be pleased to accept, Mr. Ambassador, the assurances of my very high consideration and devoted sentiments.

VTOR. AYGUESPARSU.

His Excellency, Mr. LANE WILSON,
Ambassador of the United States of America.

LEGATION OF SPAIN,
Mexico, March 12, 1913.

His Excellency Mr. HENRY LANE WILSON,
Ambassador of the United States.

MY DEAR AMBASSADOR: Because of my interminable occupations I have not complied with my duty to give you my most sincere thanks for the visit which, in your name, Mr. O'Shaughnessy made me, to show me the telegram which you sent to the Secretary of State and his favorable reply, apropos of the one I received from the Spaniards residing in Piedras Negras, informing me they had asked protection of the American consul in the distressing circumstances occasioned by the threats and demands of the rebels.

I avail myself of this occasion to say to you I can never forget the daily and constant communication maintained during the tragic days, gratefully remembering the always efficacious assistance and cooperation which I found in you, and being at the same time an intimate witness of your valuable efforts to meet the problems and responsibilities of those distressful moments, and at the same time promote the pacification of this country, which was of so much interest to us mutually for every reason, and because of the preeminent importance of our respective colonies.

With all consideration, I repeat myself, your very attentive, obedient servant and friend,

B. J. DE CÓLOGAN.

PORTUGUESE LEGATION,
Mexico, May 16, 1913.

EXCELLENCY: His excellency the minister for foreign affairs, Dr. Antonio Macieira, to whom I communicated the help and good offices tendered by your excellency to the Portuguese Legation on the 15th of February, during the bombardment within the City of Mexico, in putting at my disposition the means to depart with Madame d'Arenas de Lima from such a dangerous position as that occupied by the Legation of Portugal on that horrible occasion, has instructed me to give myself the honor of thanking your excellency in the name of the Government of Portugal for the very obliging and delicate action of your excellency as well as to Mr. Montgomery Schuyler, at that time first secretary of the embassy, who in a very amiable and careful manner contributed to the prompt carrying out of the action ordered by your excellency, when our remaining at the Portuguese Legation had become absolutely insupportable because of the lack of food during several days, and because bullets broke all the windows, disfiguring the escutcheon of the Arms of Portugal. A grenade of shrapnel even exploded in the interior of my apartments at the time when Gen. Angeles ordered the shooting of inoffensive passers-by against the wall of the Hotel Imperial vis-a-vis the Portuguese Legation.

It is with the greatest satisfaction, Mr. Ambassador, that I carry out the orders of his excellency, the minister for foreign affairs, to thank your excellency, begging to be permitted at the same time to add to the thanks of the Government of the Republic also the expressions of my most sincere personal attachment, and to renew to your excellency the assurances of my most high consideration.

L. D'ARENAS DE LIMA.

Mr. KEARFUL. What was the feeling of the American colony in Mexico?

Mr. WILSON. Immediately after the peace was made the American colony met in public meeting and passed resolutions of a very complimentary character approving my course, and also deciding to send a committee to Washington to have the true facts put before the President.

Mr. KEARFUL. Have you a copy of those resolutions?

Mr. WILSON. Yes. I should like to have them inserted in the record.

Mr. KEARFUL. They will be inserted at this point.

Mr. WILSON. I will insert the telegrams and the resolutions and the memorial to the President.

(The matter above referred to is as follows:)

RESOLUTIONS OF MASS MEETING OF AMERICAN COLONY PASSED ON FEBRUARY 28, 1913.

Whereas during the 10 days from February 9 to 18 this city was the theater of a bitter strife between contending forces, the lives and property of Americans and other foreigners, as well as of Mexican residents, were gravely imperiled by shot and shell, several Americans being killed and wounded. Under the existing conditions Americans naturally looked to their national representative for aid and protection, and they were not disappointed. Our ambassador, the Hon. Henry Lane Wilson, caused headquarters for the colony to be established at the American Embassy, and in concert with his staff of faithful assistants was untiring in his devotion to the best interests of not only his own countrymen but of the many foreigners of other nations who came to the embassy for aid and comfort. In recognition of those efforts, which undoubtedly saved the lives of many defenseless Americans: Be it

Resolved, That the American Colony recognizes the fact that to the American ambassador, Hon. Henry Lane Wilson, it owes a debt of gratitude, the magnitude of which can not be expressed in words, but which will be retained as a cherished memory of the noble and patriotic services rendered under most trying conditions, which stamp him as an American of whom his countrymen may well feel proud, and to whom the American colony extends this humble token of its appreciation; and be it further

Resolved, That a copy of these resolutions be engrossed and presented to Hon. Henry Lane Wilson, ambassador of the United States, and that a copy also be sent to the State Department at Washington.

[Telegram.]

MEXICO, *March 4, 1913.*

The PRESIDENT,
Washington, D. C.:

The undersigned committee representing the American Colony of the City of Mexico and virtually all Americans throughout this Republic urgently request Your Excellency to retain the Hon. Henry Lane Wilson in his present post as ambassador to Mexico for the following reasons:

The situation here resulting from the sudden and violent overthrow of the Madero government continues to be exceedingly critical. The invaluable services rendered by Ambassador Wilson to all foreigners during the recent crisis by aiding them in the preservation of their lives and properties and the important personal service which he rendered Gens. Huerta and Diaz after the fall of Madero, place him in a position to contribute powerfully to the prompt and proper working out of the present situation in a manner satisfactory to all interests and especially useful to the present needs and to the future welfare of American interests in this country. It is a matter of common knowledge that after Madero's fall Huerta and Diaz were not in accord and a conflict between them threatened, which, had it occurred, would have been most disastrous. It was through the personal mediation of Ambassador Wilson that their differences were adjusted and harmony between them established. In consequence of this service he gained and continues to have the implicit confidence of both parties and is daily, at their solicitation, rendering them useful aid looking to the immediate pacification of the country and the prompt reestablishment of a permanent Government.

Ambassador Wilson has been in Mexico since before the inception of the Madero revolution of 1910 and has served our nation and our nationals here with ability and success. In view of the foregoing facts we unhesitatingly but respectfully submit the opinion that Ambassador Wilson is in a position to render a service to Mexico and all foreign interests which a new man, however competent, could hardly be expected to accomplish.

The gravity of the present situation from the standpoint of the future of American interests in Mexico can not be overstated. It is not too much to say that under the complicated and delicate conditions which obtain here, the announcement of a change in our diplomatic representation would be viewed by all elements of this community, both Mexican and foreign, with serious apprehension and alarm.

A committee representing this colony desires to call on you at an early date and with your permission will lay before you at greater length the facts in connection with this situation and our reasons for making this request.

(Confidential.)

C. H. M. y Agramonte, president American Colony; G. W. Cook, chairman committee; E. N. Brown, George J. McCarty, W. F. Layer, J. N. Galbraith, C. F. de Ganahl, Burton W. Wilson, J. E. Long, T. J. Ryder, H. Walker, L. R. Wilfley, Paul Hudson, Fred Tackaberry.

CASE SUBMITTED.

MEXICO, D. F., *April 30, 1913.*

Hon. HENRY LANE WILSON,
American Ambassador, Mexico, D. F.

DEAR SIR: At a recent meeting of the executive committee of the Society of the American Colony of Mexico City, I was directed to inform your excellency of certain steps which have been taken by the Americans residing in this city and throughout the Republic, looking to your retention at your present post of ambassador to Mexico.

Prior to the presidential election in the United States, the Americans domiciled in Mexico generally entertained the hope that your excellency might be retained in your present position, even though the political complexion of the administration in Washington should be changed.

After the revolt which resulted in the overthrow of the Madero government, our nationals here became convinced that it was not only desirable but essential, to the interests of our Nation and our people in Mexico, and to the conservation of existing cordial international relations, that no change be made in the diplomatic representation of our government to this country.

Acting upon this conviction the American citizens here resolved to take action with view to the accomplishment of this end.

The first step taken was to send a cablegram to President Wilson, on the 5th of March, apprising him of the conditions obtaining here, with the suggestion that your excellency be retained here, together with our reasons therefor. This cable was signed by a committee of the leading American citizens in this city, as will be shown by the copy which is transmitted herewith.

Thereafter it was deemed advisable that a committee be sent to Washington to call upon the President and the Secretary of State with view to laying before them more fully than could be done by cable, the facts in regard to this situation. This committee proceeded to Washington, called upon the President and the Secretary of State, and explained to them fully the conditions prevailing in this country at the present time, and suggested that in view of your excellency's long experience in the diplomatic service, your ample knowledge of the Mexican situation as a result of your three years' service in this country, and especially in view of your knowledge of the conditions arising out of the overthrow of the Madero government, no change be made at this post at the present time.

At the request of the President and of the Secretary of State, the committee filed a memorandum with these gentlemen covering the salient points brought out in the interviews of the committee with them, a copy of which is transmitted herewith.

Trusting that the action taken by your nationals in the Republic will meet with your approval and assuring your excellency of my high respect and esteem, I am,

Very sincerely, yours,

GEORGE W. COOK,
Chairman of the Executive Committee.

MEMORANDUM OF ARGUMENT.

Before the Hon. William J. Bryan, Secretary of State, presented April 2, 1913, by a delegation sent by the American citizens of the city of Mexico to request of the Washington Government the retention of the Hon. Henry Lane Wilson, as American ambassador to Mexico. This memorandum was afterward left with the President. The chairman of the delegation addressed Mr. Secretary Bryan, as follows:

"Mr. Secretary, the delegation which has the honor to address you for the purpose of requesting the retention of the Hon. Henry Lane Wilson in the post which he now occupies as American ambassador to Mexico, is composed of professional and business men who have been sent here for this specific purpose by the American citizens of the City of Mexico, as per our credentials which have already been laid before you. The mere fact that these gentlemen have been willing to undertake a journey of over 3,000 miles, occupying seven days and seven nights, and have sacrificed their business interests and time to undertake this mission, is a substantial evidence of the sincerity of purpose and depth of conviction which has induced them to come on this errand.

"If we request at your hands the retention of Ambassador Wilson, notwithstanding the recent change in the political administration at Washington, we realize that we must present to you sufficient and convincing reasons for our request, and must explain to you why we believe that no other American, be he ever so able and patriotic, can hope to exercise the same beneficent influence in connection with the existing critical state of affairs in Mexico, as can our present ambassador, Mr. Wilson. That sufficient and convincing reasons exist, no American citizen who passed through the horrors of the recent bombardment and who was cognizant of the events which were transpiring and the frightful possibilities of their tragic issue, will deny.

"For the nine days prior to the last day of the bombardment the ambassador dedicated and limited his activities to efforts to ameliorate the horrible conditions prevailing in the Mexican capital; to rescuing Americans and other foreigners whose homes were within the zone of the heaviest firing; to providing succor and refuge for such American citizens as found themselves in want of food or shelter, owing to the sudden and unexpected outbreak of hostilities; to organizing a guard to patrol the district inhabited by Americans, and to be ready to offer assistance and protection in case of attack; to providing a suitable hospital with the requisite medical and nursing facilities for any who might be wounded; to establishing banking facilities in the embassy for such Americans as might find themselves in need of funds; to organizing a corps of intrepid messengers for the carrying of cablegrams and letters from the embassy to the cable and post-offices in the heart of the city, which service was open to all Americans and foreigners; and for the transmission of messages from the diplomatic corps to the Mexican Government authorities and the leaders of the two hostile capsp; to allaying the fears and anxieties of his countrymen and giving them wise counsel as they gathered in large numbers day after day at the embassy; and the keeping in constant touch and communication with the other members of the diplomatic corps in the Mexican capital, who naturally looked to him as their dean for leadership.

"The last day of the 'bloody 10 days,' as the period of the bombardment is now designated by the Mexicans, was the critical day which saw the arrest and imprisonment of President Madero and his cabinet, an event which created a situation giving rise to intense anxiety and well grounded fear for its results. The Mexican nation suddenly found itself practically without a government. A part of the Federal army under the control of Gen. Huerta was in possession of the palace and the greater part of the Mexican capital. Another part of the Federal army, headed by Gen. Felix Diaz, was still in possession of the arsenal, with its guns and large reserve stores of ammunition. The residents of Mexico with direst forebodings breathlessly awaited the outcome. Would Gen. Huerta and Gen. Diaz come to a clash, continue their bombardment and fight out the battle to its bitter end, thus accentuating the dangers and prolonging the horrible situation already existing in the capital? Or could these two contending generals, up to this time embroiled in a fierce and bloody fight, be induced to come together to compose their differences and to arrive at an agreement which would put an end to the wretched spectacle of a battle in the heart of a capital city, begun without notice to noncombatants and continued without giving them a definite opportunity to withdraw from the city to points of safety? Conditions in the city were becoming unbearable. The dead were unburied, and in some instances were burned in the streets. Provisions had soared skyward in price, and in many places could not be obtained at any price. Milk for the children, medical attention for the sick, religious consolation for the dying, all were difficult to be obtained. The city was absolutely without police protection; water had been cut off in certain parts of the city; the sewers were blocked for lack of flushing; the streets at night were dark, owing to the cutting and destruction of the electric wires; the working men were out of

employment and had not been paid; hunger riots were in prospect; looting had already begun; and in the absence of police protection the uprising of the mob with all its attendant horrors seemed inevitable.

"The cry on all sides among foreigners and Mexicans alike was, what can be done to save the situation? It was at this juncture that our American ambassador rose nobly to the demands of the occasion, demonstrated his great efficiency and ability and brought the two contending generals together in a conference at the American Embassy, the place designated by them both as the only place in which they were willing to meet for conference. This conference lasted for several hours, and at various critical points in the discussion it seemed inevitable that it was destined to break up without reaching the agreement so necessary for putting an end to a situation replete with horrors. It is a fact of common knowledge that the skillful mediation of our ambassador during these long hours of conference when everything hung in the balance, and the personal confidence which he inspired in both the opposing generals, finally brought about the agreement between them which was then and there reduced to writing, read before witnesses summoned for that purpose, signed by Gens. Huerta and Diaz and delivered to the ambassador for safe keeping.

"This consummation so devoutly wished for by all the inhabitants of Mexico constituted a diplomatic triumph of the first order for our ambassador, not only by reason of the immediate results obtained, which were the cessation of the combat, the immediate renewal of the policing and municipal service of the city, the giving of an opportunity to the inhabitants who had left the city to return thereto and take up their peaceful occupations, the opening up of ways and means to obtain food for the suffering people, the opportunity for the burial of the dead which had accumulated in such numbers as to threaten a pestilence, and the alleviation of all the horrors resultant upon the long continued hostilities, but over and above all, because the effective mediation of our ambassador, and the confidence which he inspired in Gens. Huerta and Diaz during the conduct of these negotiations, place him in a unique position in connection with the solution of all these difficulties and enable him, more than any other man possibly could, to exercise a strong moral influence upon all the parties to this agreement to carry it out in all its expressed and implied terms.

"If we are right in our deduction as above expressed, the prestige which our ambassador in Mexico now enjoys with the parties in actual power and his personal acceptability to them and influence upon them render him indispensable to the satisfactory solution of the Mexican situation and the maintenance of peace so long as the present critical conditions in Mexico prevail.

"It is a well-known fact in connection with the Mexican character that it is extremely slow to give its confidence to an individual, but that once an individual has obtained that confidence, it is given to him in full measure, and carries with it a power to exercise influence which can not be transferred to a third party and is more potent in its effect than any authority or power which may be behind the personality. In other words, the personality and the personal equation are of the greatest importance in dealing successfully with the Mexican people.

"The fact that Mr. Wilson has for over three years discharged the duties of American ambassador in Mexico gives him an experience that is invaluable under the existing circumstances, and which entirely differentiates him from any new man, however able, who might succeed him at the present time. The great value of this experience is too patent to require further comment.

"We pass with a word the facts of the ambassador's long experience of over 16 years in the American Diplomatic Service; his recognized ability and his fidelity and assiduity in the discharge of his duties, amply attested by his dispatches to the State Department; his character as a cultivated gentleman of broad sympathies; and his accessibility to all his countrymen; the refined and elevating atmosphere of the embassy in Mexico; and the charming tact and social accomplishments of Mrs. Wilson.

"The facts above set forth and our deductions from them constitute the basis of our sincere and earnest belief that the retention of Mr. Henry Lane Wilson as American ambassador in Mexico, pending a satisfactory solution of the Mexican situation, will prove a most important factor not only in the protection of the lives and property of Americans and other foreigners in Mexico, but also in the continuance of the friendly international relations now existing between the two countries and the avoidance of any sudden and unfortunate event which might cause those relations to be strained or even ruptured, a contingency which would involve both countries in difficulties too painful to contemplate.

"Since our arrival in Washington our attention has been called to certain charges against Ambassador Wilson published in the public press. In Exhibit G, attached to this memorandum, we set forth these charges and our replies thereto.

"Mr. Secretary, in conclusion, permit us to say that as American citizens resident in the Republic of Mexico we highly appreciate the hospitality and good will of the Mexican people toward our fellow countrymen and ourselves personally, and recognize to the fullest extent the impropriety of our making any comment upon Mexican politics; and should anything we have said to you herein be susceptible of a construction contrary to such a view of the proprieties of the cases, we expressly disclaim any intention to that end.

"Permit us to convey to you our thanks for your kind reception and attentive hearing."

The facts in connection with the rebellion of February, 1913, which resulted in the overthrown of the government of President Madero by Gen. Felix Diaz are now historical, and are set forth in Exhibit A hereto attached.

The conduct of the American ambassador, the Hon. Henry Lane Wilson, throughout the period of these revolutionary troubles was such as to win for him the highest praise not only from the Americans in Mexico, but also from the nationals of other foreign countries resident in Mexico and the Mexicans themselves.

The universal appreciation of the undoubted fact that Ambassador Wilson, by his skillful and efficient handling of a most difficult situation, had been instrumental in bringing about a termination of the bombardment in the City of Mexico, thereby saving life and avoiding a continuation of the destruction of property, resulted in a call, issued by the president of the American colony, for a mass meeting of American citizens in Mexico. This mass meeting was the largest and most enthusiastic of any similar meeting ever held by Americans in Mexico, and after many eulogies upon the conduct of affairs by the ambassador during the bloody 10 days of the bombardment, appropriate and laudatory resolutions were unanimously passed, as set forth in Exhibit B hereto attached.

In harmony with the same spirit which led to the call for the mass meeting, another call was issued to over 50 of the leading American citizens in Mexico City asking them to meet for a conference with a view to determining what action should be taken by them for the purpose of conserving the interests of the Americans in Mexico and the mutual welfare of that good feeling between both peoples (Americans and Mexicans). See Exhibit C hereto attached.

In pursuance to this call, some 50 American citizens met for conference, and after a prolonged discussion it was the unanimous opinion of this conference that it would be "highly conducive to the interests of Americans in Mexico and to the continuance of the extremely cordial relations now existing between the American and Mexican nations if the Hon. Henry Lane Wilson were to be continued in the position of American ambassador near the Mexican Government, which position he has filled with such marked efficiency and with such great honor to his country." This opinion was embodied in a resolution which was unanimously adopted. See Exhibit D hereto attached.

For the purpose of giving effect to the wishes of this conference, an executive committee of 18 was appointed with power and with instructions to proceed in such manner as it might deem best to accomplish the object desired. See names of committee in Exhibit E, hereto attached.

This executive committee at once prepared and sent the President of the United States a cablegram setting forth the views and wishes of the American citizens in Mexico in regard to the retention of the present ambassador, and likewise named a special delegation to proceed to Washington and lay before President Wilson and Secretary of State Bryan the view of the American citizens in Mexico on this subject, and their reasons therefor. The names of the delegation which came to Washington are set forth in Exhibit F, hereto attached.

Respectfully submitted.

GEORGE W. COOK, *Chairman.*

Mr. WILSON. Also, all the ministers of Mexico City, Protestant and Catholic, and the British Colony, passed a resolution of thanks, and asked to have a copy of it sent to the President, and the Y. M. C. A. I should like to have those inserted.

Mr. KEARFUL. They will be inserted.

(The matter above referred to is as follows:)

MEXICO, *February 21, 1913.*

His Excellency HENRY LANE WILSON,
United States Ambassador, Mexico:

The undersigned, members of the British Colony in Mexico, beg to express their appreciation for the able manner in which Mr. Wilson, United States ambassador, handled the delicate situation created by the recent disturbances in the City of Mexico, and to thank him most sincerely for the help afforded to all foreigners by the embassy, without distinction of nationality, and more especially to all Britishers:

A. W. Donly, J. S. Campbell, Robert A. H. Watson, O. R. Shapp, W. S. Crombie, C. N. Mowag, H. Hensy, S. W. Goddard, R. P. Easton, Harwood H. Simpson, A. H. Hewet, Mr. Turner, C. B. Knocker, W. Hogg, A. J. Stuart, B. Voupy, Syd. J. Smith, A. Chermside, C. H. Lloyd, F. Woodcock, D. Bankhart, D. Muirhead, P. C. Proveny, R. Rymer, H. J. Alexander, W. H. Gleadell, R. V. Gray, Hubert Earle, L. M. B. Bullock, Jas. F. Macnabb, Sebbon D. Baker, W. Chas. Price, F. W. Green, Arthur Williams, Jas. McKinlay, W. S. Brooks, E. G. Aily, Harmer C. Sandifer, E. Wankeger, O. H. Harrison, J. W. S. Turner.

LETTER FROM AMERICAN CLERGYMEN OF MEXICO CITY.

MEXICO CITY, *March 15, 1913.*

Hon. HENRY LANE WILSON,
United States Ambassador, Mexico City.

DEAR SIR: At a meeting of American clergymen of the City of Mexico, held this day, our attention was called by different members of the body to articles recently appearing in certain American newspapers, which very seriously and unjustly reflected upon your character and official conduct during the trying and tragic ordeal through which we all passed in the month of February.

Therefore we, the undersigned, desire to express our surprise and indignation at the tenor of such unjustifiable attacks, since it was known to us that you put forth extraordinary efforts to save the lives of the late unfortunate president and vice president of this Republic; that you offered your own home as a place of refuge to several branches of their respective families; that within four hours after the fall of the Madero government you summoned to the embassy Gens. Huerta and Diaz, chiefs of the forces contending in the city, and succeeded in bringing them to an agreement which produced an immediate cessation of hostilities and the speedy restoration of guarantees of life and property in the city; that during the combat you used your best influences to secure the establishment of a neutral zone and the cessation of hostilities within the city limits; that you, with the aid of the diplomatic corps, secured an armistice of 12 hours; and furthermore, that you established within the embassy a bureau for the assistance of refugees, an automobile service for the removal of noncombatants from the most dangerous sections of the city, branches of the cable and post office, a temporary bank, an emergency hospital, a bureau of supplies for your own country people, which good offices greatly alleviated the sufferings not only of Americans, but many other foreigners, and not a few Mexicans; and that in all this humanitarian and Christ-like work you were patiently and efficiently aided by Mrs. Wilson.

We are also aware that your conduct in all these matters has won for you the general and high appreciation of the American colony at large, to which we particularly desire to hereby add our expression of sincere gratitude and highest esteem.

We are sending copies of this letter to the President of the United States, the Sun Bureau, Hearst papers, the Associated Press, and the Mexican Herald.

Faithfully, yours,

John W. Butler, district superintendent Methodist Episcopal Church; R. C. Elliot, presiding elder Methodist Episcopal Church South; R. A. Carhart, missionary, Methodist Episcopal Church; Geo. H. Brewer, superintendent Baptist Mission; Rev. John A. Reis, pastor San Lorenzo Catholic Church; J. P. Hauser, district superintendent Methodist Episcopal Church; Sidney M. Conger, pastor Union Evangelistic Church, member of the Presbytery of Otsego; Rev. Edmund A. Neville, M. A. (Oxon), rector Christ Church; Rev. F. E. McGuire, pastor Trinity Methodist Episcopal Church.

Resolution adopted by the board of directors of the Young Men's Christian Association of the City of Mexico, at their regular meeting on Thursday, April 10, and recorded in their minutes.

Whereas it is the sense of this meeting that the attitude of the Hon. Henry Lane Wilson, ambassador of the United States to this Republic of Mexico, always consistently maintained and especially during the recent period of keen and critical tension in this city, has been wise, patriotic and unselfish and has been such in our judgment as to belie certain uncharitable and unfair attacks of which he has been, and is being, made the victim, be it unanimously

Resolved, That the members of this board cordially sympathize with the ambassador in the premises and that an expression of their renewed confidence be extended to him.

Resolved, also, That copies of this resolution be sent to His Excellency, the President of the United States, to Hon. Henry Lane Wilson and to the press.

Thomas Philips, president; Guillermo B. Puga, vice president; Luis Alvares Leon, Sec. de actas; S. W. Rider, J. E. Dennison, R. M. Raymond, W. A. Price treasurer; P. H. L. King, R. Williamson, W. W. Blake, Dr. Antonio Orozco, G. J. Babcock, general secretary; A. Aldasoro.

Mr. KEARFUL. Was there any dissenting voice from any quarter?

Mr. WILSON. None; absolutely none.

Mr. KEARFUL. What then occurred with reference to the organization of the Government?

Mr. WILSON. Immediately after the general agreement between Diaz and Huerta—which was approved by Blanquet, or otherwise it could not have been successful—a formal procedure was taken to carry out the agreement which had been reached in the embassy, which was to seat Huerta in the presidency with a Felix Diaz cabinet.

Mr. KEARFUL. What were the provisions of the Mexican constitution as to the procedure?

Mr. WILSON. The Mexican constitution provides that in the event of the death of the President or his inability to discharge the duties of the office, or his resignation, the minister of foreign affairs shall assume the office, and that in the event of his death, inability, or resignation the minister of gobernacion shall fill the office. In this instance Lascurain was minister of foreign affairs, and, as Madero resigned the presidency in writing and his resignation was submitted to Congress, which accepted it, Lascurain became, by the operation of the Mexican constitution, President. He assumed the office of President, going through the formula usual upon such occasions, and then appointed Huerta his minister of gobernacion. Then he resigned, and Huerta came into the presidency through the regular operation of the Mexican constitution, and later his elevation to the presidential chair was approved by the unanimous vote of Congress, without a dissenting voice.

Mr. KEARFUL. You spoke of the resignation of the President. Did you intend to include also theVice President?

Mr. WILSON. Yes; both of them resigned.

Mr. KEARFUL. At the time that Huerta became President in the manner you have described, where were Madero and Pino Suarez, the President and Vice President?

Mr. WILSON. In prison.

Mr. KEARFUL. They were alive at that time?

Mr. WILSON. Oh, yes; they were alive. They were alive four or five days afterwards. I may say here that when Madero was first incarcerated in prison I immediately sent a card through one of the embassy messengers, Harry Berliner, to Huerta, in which I urged

him to do everything that was necessary to protect the lives of Madero and Suarez. This request I made repeatedly, once under instructions from Washington, but much oftener on my motion.

Mr. KEARFUL. What assurances did you have that they would receive protection?

Mr. WILSON. Absolute. After one of these visits to Huerta I returned to the embassy with the German minister. Upon my arrival there Mrs. Madero, who was in the embassy with her brother, asked me to send a telegram to Washington requesting the good offices of the American Government in saving the life of Madero. Although I believed this telegram to be addressed to me and not to the American Government, I did forward it to Washington. At the same time Mrs. Madero asked our good offices in obtaining the transfer of the ex-President from the palace prison to some prison where he would have more comfortable quarters. I had already remonstrated against the treatment accorded him in keeping him imprisoned in this small cell. We had just seen Gen. Huerta and had urged upon him with insistence, and he had given us a positive guaranty that the life of Madero would be protected—that is, his personal guaranty—at the same time saying to us that there were men about him who wanted the life of Madero from motives of revenge, these men and their families having suffered at the hands of the Madero family during Madero's presidency. He said, however, that he had no grievance whatever against Madero, that he never received anything but kindness at his hands, and that his great problem was to get him out of the country and get him out of the situation entirely.

He then showed us telegrams which had been exchanged between members of the Madero family and Gen. Velasco, I think at Orizaba—it was one of those places between Mexico City and Vera Cruz—urging this general to rise when a train which Huerta had agreed to give the entire Madero family and Madero himself for the purpose of leaving Mexico, should pass through. This train was actually lighted and standing at the station with the Madero family in it awaiting the arrival of the president, when they discovered these telegrams. Then the whole thing was revoked.

Mr. KEARFUL. The telegrams showed that there was projected uprising to rescue Madero?

Mr. WILSON. Yes; to liberate him on the line through which the train was to pass. Is that made clear by what I have said?

Mr. KEARFUL. Yes, sir.

Mr. WILSON. Then Huerta said: "What can I do with him? He is loco"—meaning, he is crazy—"and he is under the control of other dangerous persons." When we went back to him, at the request of Mrs. Madero, he gladly accepted our recommendation to remove Madero to the military prison, and on that night he was taken out of prison along with Pino Suarez, the vice president, and while the automobile was en route to the military prison it was attacked, whether by friends or enemies of Madero I have never been able to establish; but, in the skirmish which resulted, the officer in charge of Madero shot him and Pino Suarez, the vice president.

LETTER FROM ADMIRAL VON HINTZE, GERMAN MINISTER TO CHINA, TO MR. HENRY LANE WILSON.

[PEKING, CHINA], *January 8, 1916.*

MY DEAR MR. AMBASSADOR: By a lucky chance, your letter dated from the 8th of November dropped on my desk. I was rather surprised, as generally "my friend the enemy" is trying his very best to get hold of my correspondence, and succeeds extremely well. I wonder whether he simply enjoys reading letters meant for me or whether he answers them as well. It's a strange world nowadays, and though, as you know, not in the slightest sentimental, I can not help sometimes sighing a little bit when thinking of my English friends of former days. Do they condemn such questionable proceedings as some of their countrymen are indulging in—as undoubtedly they would have done in former days—or do they yell with the mob? Well, well, I shall stop asking questions and take to sighing again; it helps digestion. We have had a jolly good time in Mexico, my dear Mr. Ambassador, and you are mistaken in recommending me to walk the more prosaic, if less exciting, paths of diplomacy. Diplomacy, that dear old lady, does but little appeal to me, and I dare say, confidentially, I take her for as old and mossy as Methusala's donkey. We have outgrown the old-fashioned diplomacy of the teacup and the petticoat and the back stairs, and I fervently hope we shall tread upon another sort of international intercourse whose principle may be "straightforward, plain, and live and let live." I plunged here into another revolution and enjoy it. One day they will cut my throat—the enemy is deadly set against me—and I hope I shall bear it with the accustomed satirical grin. Now, then, here too they are out to chase a president. I try to help him as best I can, which is not much, but very little less and sometimes more than the honorable colleagues can or will do. I remember the time of poor Madero, an idealist reformer and a courageous man. I remember very well Thursday, the 19th of February, 1913, when early in the morning I called on you and found you and Mrs. Wilson, after a short dialogue, enthusiastic over the necessity of saving the life of unfortunate Madero. We went together to the palace and saw Gen. Huerta, and we got from him his word of honor as a caballero and a soldier to protect the life of his abated opponent. We got some more promises. Do you remember that I told you when we reached your embassy: "In future days you will realize that by to-day's action you have added a laurel wreath to the crown of the United States"? You have, and I am sure you and every American is proud of it. My warmest and kindest regards to Mrs. Wilson. How good and sweet and calm she was in all those exciting days.

Believe me, my dear Mr. Ambassador,

Yours, very sincerely,

VON HINTZE.

(Thereupon, at 12.20 o'clock p. m., a recess was taken until 2 o'clock p. m.)

AFTER RECESS.

Mr. KEARFUL. What were the relations between President Madero and Francisco Villa?

Mr. WILSON. Of the exact character of the relations I have no definite knowledge, but they were friendly. After Madero had been installed in power, and at the time Orozco arose against him in rebellion on the northern border, after the battle of Escalon, which resulted in the retreat of Orozco, who believed that he was defeated, and the retreat of the other side, believing that they were defeated, and the suicide of Sallas, the federal general, Madero, dispatched Huerta to take command of the forces in the north, and when Huerta proceeded north his army was joined by Villa who had been a notorious bandit up to that time, but who had received a commission either as colonel or general in the Mexican army from Madero.

Immediately after identifying himself with the army of Huerta, Villa separated from the command with his forces, and began plundering estates and mines wherever he could reach them. Most of those mines and estates in the northern part of Mexico are American, and my attention, of course, was immediately called to what was being

done by urgent messages from consuls and from individuals. I took up the matter with Madero who expressed grave doubts as to the reliability of my information, stating that Villa was a patriot and that these stories were invented.

I made a second investigation upon this suggestion, and confirmed entirely the opinion I had received in the first instance. When I laid this before the president, he again expressed doubt, and I intimated to him that he was assuming a very serious responsibility, because, if our American people in northern Mexico found it impossible to obtain protection from the Mexican Government, they would resort to their own Government, and I would be obliged to recommend favorable consideration of their petition for protection from our own Government, at the same time insisting again that Villa should be arrested and tried by a court-martial

The president was greatly perturbed by my attitude in the matter, but finally said he would have him tried by court-martial, and instructions were sent at once to Huerta. Huerta presided over the court-martial which tried Villa, and found him guilty and sentenced him to be shot at daybreak. Madero then interfered and commuted his sentence to imprisonment in the military penitentiary of Mexico City, and he was sent there, and remained there for a year, and escaping just prior to the overthrow of Madero, in point of fact, was in rebellion against Madero when Madero was overthrown, and then immediately changed the character of his revolt to one of protest against Huerta. That is the story.

Mr. KEARFUL. What was the character of your relations with Madero, as to their being satisfactory or otherwise, when you were under the necessity of making representations to him?

Mr. WILSON. When the Madero administration came into power my attitude toward the administration was as it should have been, entirely sympathetic and friendly, and during the time Mr. Calero was in charge of the foreign office I gave very frequent evidences of my sympathy and desires of assisting the Government to meet the difficult problems with which it had to contend. For instance, I think I had a very great deal of influence in securing the legislation necessary to bring about a change in our neutrality laws, which had hampered our Government for some time in discharging its obligations toward the Mexican Government through the protection of the border. I exchanged quite a voluminous correspondence with Members of the Senate and with the Department of State, and I think I had quite a considerable influence in bringing about the necessary change in our neutrality laws which enabled the President to prevent the organization of an armed rebellion on our border against Madero.

Mr. KEARFUL. His action was very favorable to the Madero Government?

Mr. WILSON. Yes. In addition to that I assisted very materially in obtaining the transfer of troops over American soil, a privilege which I disapproved of but which I thought was necessary to save the Madero Government, as, if they had been obliged to move solely on the soil of Mexico, railway transportation could not have been obtained. Mr. Calero and Mr. Lascurain, who were ministers of foreign affairs during the time of Madero, know that my attitude was friendly and that I desired to assist them always; the record shows that and their letters to me show that.

Mr. KEARFUL. Did you ever take any action, in your official capacity or otherwise, to hamper the government of Madero in any way?

Mr. WILSON. Never. During the latter stage of the Madero government I became very much dissatisfied with the attitude of the administration with reference to the interests of Americans in Mexico and with reference to the protection of American rights, and I was obliged to take a very firm and very positive attitude.

Mr. KEARFUL. What were the facts that justified that attitude on your part?

Mr. WILSON. The enormous destruction of American property throughout the confines of the Republic, and the very great destruction of American life in every part of the Republic. The incident which brought about the direct coolness between the Madero administration and the embassy came from the discharge of the American railway employees by the Madero Government. In that matter the administration of Madero acted in distinctly bad faith with me, as I had a direct promise that the language regulations which were injurious to the American railway employees would not be enforced. This was a fact that was fully known to the railway employees and to the National Railway Association in the United States, which afterwards passed resolutions of a very complimentary character approving what I had done for the railway employees in Mexico. I asked to have a copy of these regulations inserted here.

Whereas the Hon. Henry Lane Wilson, ambassador of the United States to Mexico, has, since his incumbency of that office, shown splendid ability and great patriotism in his work in behalf of citizens of the United States, many of whom are conductors, and has in all proper ways possible given his earnest and efficient help to them, with the result that the citizens of the United States now residing in that country are receiving that consideration and protection which they should have: Therefore be it

Resolved, That the American conductors of Mexico and of the Thirty-third Grand Division of the Order of Railway Conductors do hereby thank the Hon. Henry Lane Wilson for his prompt and able labors in their behalf; and be it further

Resolved, That a copy of these resolutions be forwarded to the President of the United States, Hon. W. H. Taft; the Secretary of State, Hon. Philander C. Knox; and to the United States ambassador to Mexico, Hon. Henry Lane Wilson.

A. B. GARRETSON,
President Order of Railway Conductors.

W. J. MAXWELL,
Grand Secretary and Treasurer Order of Railway Conductors.

ORDER OF RAILWAY CONDUCTORS,
MONTEREY DIVISION NO. 432,
Monterey, N. F. Mexico, April 30, 1911.

Meets every Saturday 3 p. m.

Hon. WILLIAM H. TAFT,
President United States, Washington, D. C.

Hon. PHILANDER C. KNOX,
Secretary of State, United States, Washington, D. C.

Hon. HENRY LANE WILSON,
Ambassador United States, Mexico, D. F.

GENTLEMEN: The following resolution from Guadalajara Division No. 540 of the Order of Railway Conductors is the reason for this communication to you jointly:

"Whereas it has been reported in the press of Mexico and the United States that the Hon. Henry Lane Wilson, ambassador of the United States to Mexico, contemplates resigning his position and leaving the Republic; and

"Whereas the Hon. Henry Lane Wilson has shown himself admirably fitted for the position he now holds, in that he has exerted every effort to protect the rights and property of American citizens residing in Mexico and has splendidly maintained the dignity of the United States, therefore be it,

"*Resolved, by Division 540, Order Railway Conductors*, That we most respectfully ask the Hon. Henry Lane Wilson to reconsider any intention of resigning the post of ambassador of the United States in Mexico, and that we earnestly urge the Hon. Philander C. Knox that every effort be used to retain Mr. Wilson in the position he now occupies."

A. W. EARNEST,
Secretary and Treasurer.

At a regular meeting of Monterey Division No. 432, Order Railway Conductors, the above resolution was unanimously approved and I was instructed to forward copies of this approval and indorsement to the honorable gentlemen to whom this communication is addressed.

Assuring you of our best wishes, I am,
Yours, truly,

C. P. BEZANSON,
Secretary-Treasurer Monterey Division No. 432.

Mr. KEARFUL. It is so ordered. What further attitude of Madero and his Government caused dissatisfaction in your mind?

Mr. WILSON. With reference to me?

Mr. KEARFUL. Yes.

Mr. WILSON. I do not know of anything.

Mr. KEARFUL. You stated that during the close of the period of Madero's government you were dissatisfied with the treatment that you received.

Mr. WILSON. The only things that caused dissatisfaction was the sharp character of the notes which I addressed the Government. Those were very sharp, but they were made necessary by the situation which existed.

Mr. KEARFUL. Were you satisfied with the action taken in response to your recommendations of various sorts?

Mr WILSON. No.

Mr. KEARFUL. What were some of the actions that illustrated the attitude of Madero and his government?

Mr. WILSON. Well, Americans were very frequently thrown into prison. I think during the time [of Madero] I was there, 175 Americans were thrown into prison, from motives of greed or revenge, and each case I made a very careful examination and was unable to find that there was any justification for their arrest and their imprisonment.

In consequence I asked insistently that they might be released on bond, and not be kept in prison during the long periods which exist between arrest and trial under the Mexican law. I was not very successful in making any impression or accomplishing any results in this direction, and the feeling that Americans were being unjustly imprisoned in filthy jails and kept there without any reason whatsoever naturally occasioned the vigor of statement contained in the notes which I addressed to the Mexican Government, and which on that account was not pleasing to the Government. Some of these notes were addressed under direct instructions from Washington, and some of them were addressed without instructions. The Washington Government, under President Taft, fully understood the situation in Mexico and was moving rapidly into direction of its solution by vigorous methods, but the brevity of the life of the administration of President Taft after the situation became really serious made it im-

possible for the President to carry out the intentions which he had with reference to the situation there.

Mr. KEARFUL. What was the feeling in Mexico among the thinking classes with reference to the death of Madero?

Mr. WILSON. The death of Madero made no impression whatsoever in Mexico. It was taken by Mexican public opinion as a necessary and usual consequence of an overthrow.

Mr. KEARFUL. You have spoken of Calero, who was the first minister of foreign relations under Madero, and later ambassador to Washington, and, after his resignation, senator in the Mexican Congress.

Mr. WILSON. Always a senator.

Mr. KEARFUL. And his name was Manuel Calero?

Mr. WILSON. Yes.

Mr. KEARFUL. He wrote a book?

Mr. WILSON. Yes; entitled, "The Mexican Policy of President Woodrow Wilson, as it appears to a Mexican," and on page 11 he says:

> The men who killed Madero did not assassinate any president, but a man who had ceased to be such. Assassinations of a political character are only a natural fruit of the turbulent Latin-American politics. As the governments of these countries subsist only on condition of not having active enemies, Latin-American presidents often resort to assassinations as a means to maintain peace and conserve their power. It would be easy to cite the names of actual presidents in Central and South American States who have used and are using homicide as a means of ridding themselves of their enemies. Mr. Carranza, the protégé of President Wilson, employs this means with astonishing frequency, in the guise of punishment for alleged treason, or of military necessity.

Mr. KEARFUL. Is that in accordance with your understanding of politics in Latin-American countries, including Mexico?

Mr. WILSON. With some modification. Mr. Calero's statement would not apply in the case of Chile, the Argentine, Brazil, Costa Rica, and possibly Salvador. In the case of Mexico, no man has ever been elected President since the revolution against Spain. Every President there has been shot in or shot out of power.. A revolution is an election.

As to the death of Madero, which has been a subject of a good deal of controversy, it was not, in my judgment, brought about by Huerta, but by two, and perhaps three, individuals closely connected with his official family. The names of these individuals I do not mention because my evidence is wholly circumstantial, and because I have no desire to involve these gentlemen on mere circumstantial suspicion. To my distinct knowledge, Huerta did not desire the death of Madero. I am further cognizant of the circumstance that he was deeply shocked and surprised by his death. The inside facts with regard to the death of Madero were put in my possession by Francisco de la Barra, former provisional President of Mexico and minister of foreign affairs under Diaz and Huerta.

Mr. KEARFUL. And ambassador to Washington?

Mr. WILSON. And ambassador to Washington, a very highly cultivated and very humane man, whose opinion I would accept upon almost any matter of fact. But whosoever is guilty of the death of Madero, that guilt extends only to responsibility for an homicide, and an homicide only, because at the time Madero was murdered or killed he was not President of Mexico, but simply a Mexican citizen. His death, therefore, however repugnant to all codes of civilization,

should have concerned us from a political standpoint no more than the death of any other Mexican citizen, especially at a time when we were overlooking the death by murder of hundreds of American citizens in Mexico.

Mr. KEARFUL. Mr. Calero gives his conception of the foundation of the Latin-American colonies on page 10 of his book, as follows, with reference to Huerta:

> The proceeding followed by Huerta was not of his invention; it is one which has prevailed in the countries that are found south of the Rio Grande and which is still applied and will continue to be applied for many long years in the greater part of them. The temperament, the economic factors, the political traditions, the want of preparation for self-government and, more than all, the decisive influence which is exercised by the mass of Indians, completely ignorant and illiterate, who form the overwhelming majority of the population—all this explains the difference in political methods between those countries and the more favored ones of this continent.

Further on he says:

> Was not the proceeding of Huerta the same as that which, a few days afterwards, was applied in Peru when a military chief headed an uprising of his soldiers and took possession of the person of President Billinghurst and imprisoned him in the penitentiary? The new Peruvian Government, born in this manner out of betrayal and of military revolt, has been nevertheless, recognized by all—including President Wilson.

Is that, in your judgment, a correct statement of the basis of Latin-American politics, and an accurate statement of what occurred in Peru?

Mr. WILSON. It is an accurate statement of what occurred in Peru, with the addition that the minister of war was murdered.

Mr. KEARFUL. Do you agree with Mr. Calero's conception of the basis of Latin-American politics?

Mr. WILSON. Yes; when it is applied to certain States, but the grading of Latin-American States is very different. Chile and the Argentines are very high types of the evolution of Latin-American popular government. This may also be said of Brazil, of Costa Rica, and very largely of Salvador. Wherever the Indian element predominates, as it does in nearly all of the Latin-American States, the tendency to anarchy and revolution is very marked. In strict justice, it is always necessary to accept certain States rather than to include them in a general and sweeping statement. In the case of Mexico, Mr. Calero's description is accurate. In no other place else in the world has there been more turbulence and more violent overturnings of government. Every man who obtained power obtained it by violence and finished his career in exile, by the dagger, or in the dungeon. This has been true from the time of the revolution against Spain passing down through a motley crew of vulgar tyrants, including Santa Ana and the presidents who have ruled since Diaz was overthrown.

Mr. KEARFUL. What action was taken by you to cooperate with Huerta?

Mr. WILSON. You will have to make that question a little clearer.

Mr. KEARFUL. Looking toward the recognition of Huerta as the head of a de facto government with which you would have to deal?

Mr. WILSON. With reference to his recognition?

Mr. KEARFUL. Yes.

Mr. WILSON. I might state, in order to make this point clear, that I never had any acquaintance with Huerta, and never had seen him

until I met him in the presence of the president during the Decena Tragica, and I had never known Felix Diaz or Gen. Blanquet, or seen him prior to the Decena Tragica. During the bombardment of the city, through the medium of messengers, I made an attempt twice to see Huerta for the purpose of getting the benefit of his influence with the president to abate the horrible situation which existed in the city, but, as a matter of fact, I never saw him and never was able to discuss the matter with him at all. After Madero was overthrown and Huerta assumed office, I think 14 days were left to the Republican administration of President Taft. I think I am right.

Mr. KEARFUL. From the 18th of February to the 4th of March?

Mr. WILSON. Yes. The disposition of the Washington administration under President Taft and Secretary Knox was to accept my recommendations upon all questions. In other words, they followed the embassy. As soon as Huerta had come into power and assumed the presidency, in accordance with the formula of the Mexican constitution, I recommended a reasonable delay in his recognition, for specific reasons. At that time there had been before the chancelleries of the United States and Mexico for years five or six questions which we were endeavoring to have settled, but with very little success. All of our representations with reference to the justice of the claims were interpreted by the Mexican Government as attempts to infringe on their sovereignty which, of course, is a very easy method of escaping responsibility. This was true of the administration of Gen. Diaz as well as of the administration of Madero.

These five questions related, first, to the Chamizal question, which concerned the title to a large part of the city of El Paso, which had been thrown on to the American side by a change in the bed of the Rio Grande River.

Another was the Colorado River question, a question which related to the right of Americans to protect themselves from the Mexican side against inundations, a very important question, as you perhaps know, affecting all the people, all through that section. A third was the Tlahualilo cotton estates question wherein an American corporation operating the largest cotton estate in the world had been deprived illegally of its water rights.

The fourth was the question of damages growing out of the revolution, for which the Mexican Government was responsible under a strict interpretation of international law.

The fifth was the question of damages growing out of the revolution for which the Mexican Government was not responsible under a strict interpretation of international law, but which had the character of claims usually settled upon the ground of international amity.

I suggested to the Government at Washington that I thought it would be convenient to withhold recognition, although assuming it would be eventually accorded, until I could get these five questions settled to the satisfaction of our Government. I got a settlement in principle of the Tlahualilo case, the Chamizal case, the Colorado River case, the question of damages growing out of the revolution for which the Government of Mexico was responsible under a strict interpretation of international law, but I failed in the fifth, which was the question of damages which are usually settled upon the

ground of international amity. These were to be adjudicated through an international court to be created by the joint action of the United States and Mexico, and perhaps other States. The Mexican Government was very reluctant to agree to this, although I was joined in the demand by the representatives of all the powers accredited to Mexico.

Mr. KEARFUL. You mean the Huerta government?

Mr. WILSON. Yes, the Huerta government. I was joined in this request by representatives of all the powers. The lack of disposition on the part of the Huerta government to accord this demand grew primarily out of the circumstance that it would have had to accord the same privileges to Mexican citizens, and it was thought the Government would be swamped. Later on they began to believe that they would get more lenient treatment from the incoming Wilson administration than they had received from the old one.

Mr. KEARFUL. You mean the Wilson administration, as compared with the Taft administration?

Mr. WILSON. Yes; and therefore they did not move as rapidly on that question as they might have done, had they known what was coming. I may say here that the Department of State, under Mr. Knox, recognized—and that recognition is of record—the legal character of the installation of the Huerta government. That is of record in the confidential dispatches of the Department of State. Beyond this circumstance, Mr. Knox said to me in a personal conversation that if all these questions had been settled, if the program which I had myself made the basis for recognition had been carried out, he would have recommended the recognition of Huerta to President Taft even as late as 10 o'clock on the morning of March 4.

Further than that, Mr. Taft has stated, in an address before the National Bar Association, I think, that a great blunder had been committed when the recognition of Huerta was not accorded, and there is not the slightest doubt in the world that the Taft administration would have recognized Huerta. It had already recognized the legality of the installation of his government, and by logical sequence it would have been obliged to eventually accord recognition.

That was the situation when Mr. Wilson's administration came into power.

Mr. KEARFUL. You say you were successful in obtaining agreement upon four of the principal points. You mean that there was a tentative agreement which never resulted in a treaty?

Mr. WILSON. An agreement in principle. The details were never worked out, but they agreed without exception that the principles upon which we had based our contention were right.

Mr. KEARFUL. But that agreement was not made effective?

Mr. WILSON. It was in the Tlahualilo case, I think. Of course, when the Wilson administration came in it immediately assumed the position that everything that had been done by the prior administration was wicked, and as this attitude involved the settlement of these questions, the excellent results which had been achieved were lost. The different positions which had been secured by diplomatic action should have been rigidly maintained by the incoming Wilson administration, but I believe our entire position was abandoned until Mr. Lansing reversed the position which had been taken by Mr. Bryan and assumed, I believe, with some vigor the position that this matter was res adjudicata.

Mr. KEARFUL. What, if any, steps did you take to strengthen Huerta's power in order to assist him in pacifying the country?

Mr. WILSON. It seemed to me that aside from any doubts I might have had, or any one else might have had, as to the character of Huerta, that the maintenance of his position as chief executive of the nation was absolutely essential to the peace of the country. My view was that if his government fell chaos would result, and I accordingly, on my own initiative, not under instructions of the Department of State, by telegrams to our consuls, endeavored to secure acquiescence in the change of government, simply by unofficial advice through the consuls in different parts of Mexico. These facts were all reported to Washington, and afterwards approved fully by the Taft administration, which considered them as humanitarian transactions, and in the interests of peace.

Mr. KEARFUL. What was actually done with reference to recognition of President Huerta on your part and by the American Government?

Mr. WILSON. During Mr. Taft's administration nothing but de facto recognition existed. He was there, and that made de facto recognition essential.

Mr. KEARFUL. You were authorized to deal with him as the de facto head of the government?

Mr. WILSON. I was not instructed to deal with him either in a de facto or de jure character, but simply instructed, and that instruction went on after Mr. Bryan took charge of foreign affairs.

Mr. KEARFUL. That appears in the documents of the State Department?

Mr. WILSON. Oh, yes; I was instructed every day, almost every hour, to demand protection for American citizens and Americans' interest from a government which the Wilson administration refused to recognize. Of course, the whole policy of the administration with reference to Mexico was founded upon the President's announcement of doctrine that "governments founded upon violence would not be recognized." Having announced that doctrine, to maintain consistency, it was necessary for the administration to attempt the overthrow of Huerta, and following the principle enjoined by this doctrine they were led deeper and deeper into the mire, and in the end became responsible for the chaos which existed in Mexico.

Mr. KEARFUL. What was the action of the other principal governments of the world with reference to the recognition of Huerta?

Mr. WILSON. They all recognized the government of Huerta, with the exception of Brazil and Chile. These Governments withheld their recognition out of deference to me, as I so requested them, and not to take precedence of us. At that time I thought our Government would follow the example of European powers. Great Britain, France, Germany, and all of the States of Europe recognized the government of Huerta. Our Government and the two Governments named were the only exceptions. Further than that, I ought to say that the diplomatic corps in Mexico City held a meeting, without my knowledge—that is to say, they advised me they were going to meet, and invited me to be present. I refused on the ground that I had not the confidence of my own Government. And at this meeting they took up the matter of the international court, and approved my position, but they went further and drew up identic telegrams to be sent to their different Governments, urging them to

instruct their representatives in Washington to say to our Government either to recognize Huerta or come down and make that peace which they refused to allow Huerta to make. This correspondence was, of course, couched in diplomatic language.

Mr. KEARFUL. You were not in Mexico City at the time they did that, were you?

Mr. WILSON. No; I was not in Mexico City. I was in Vera Cruz.

Mr. KEARFUL. What was the occasion of your going to Vera Cruz?

Mr. WILSON. The celebration of the Fourth of July in Mexico is always a very important event, and all of the diplomatic corps are invited, and the President and his cabinet. The celebration continues the entire day and evening. I usually upon those occasions, as ambassador, represented the colony and the President represented Mexico, and complimentary speeches were exchanged about our countries. Mr. Bryan seemed concerned about this situation and thought that my joining in this ceremony would be equivalent to a recognition of Huerta and he sent me down to Vera Cruz to celebrate the Fourth of July on a battleship. During my absence the celebration went on just the same, and at the same time the diplomatic corps held this meeting and determined on the course of sending identic dispatches to their Governments.

At that time President Wilson had in Mexico a confidential representative by the name of William Bayard Hale, who was conducting some sort of a detective work there. I do not know the exact character of it. At any rate, when I reported to Washington the meeting of the diplomatic corps and the action that had been taken by it, the Washington Government immediately telegraphed, as I have been told by members of the American colony—I do not know this—to William Bayard Hale to investigate the facts, and he reported to Washington, as I have been told by members of the American colony who have talked with him, that the meeting of the diplomatic corps and its action on this occasion had been instigated by me.

Mr. KEARFUL. Was that the truth?

Mr. WILSON. It was absolutely untrue. Not only was it untrue, but the action taken was very distasteful to me as it was done without my knowledge. I was in favor of recognition, but I did not approve the action of the diplomatic corps in a matter as vital as that, and which concerned me so closely, without advising me of it. Mr. William Bayard Hale reported as I have been told that I had instigated this thing. I do not make this as an absolute statement. As the result of this telegram to the Government at Washington, the President called me north, as the telegram said, "for consultation with reference to the Mexican situation."

Mr. KEARFUL. Let us go back a little. What was the disposition of President Huerta with reference to furnishing protection to foreigners and their lives and property and maintaining order?

Mr. WILSON. Excellent.

Mr. KEARFUL. What success did he have in that line?

Mr. WILSON. I have no complaint to make of the action of the Huerta Government while I was there. The action of the government, in response to remonstrances or complaints of any kind, was instantaneous, energetic, and even better than that of the Diaz government.

Mr. KEARFUL. What was the feeling——

Mr. WILSON. The attitude of Huerta toward the United States was very friendly. He was very pro-American at the beginning. At the beginning of his presidency he made a very special effort to indicate his friendly attitude toward the Government of the United States. He was a disciple of the Diaz school and believed in Diaz methods, in addition to this, he had a very strong personal feeling and affection toward the United States, and if he had been left in power Mexico, during the late war in Europe, would have been a source of help to this country rather than a continuous menace and annoyance.

Mr. KEARFUL. What was the feeling in Mexico among the substantial farmers and thinking Mexicans in reference to the methods used by Huerta as to whether those methods were the correct ones or not, and whether he was likely to be successful?

Mr. WILSON. Of course, I left Mexico before Huerta's downfall. While I was there I think the general feeling was one of confidence. At any rate, his elevation to power was absolutely acceptable to the great mass of the Mexican people, and was received with general approval everywhere because, having had weakness they wanted strength.

Mr. KEARFUL. When did Huerta's attitude toward the American Government change?

Mr. WILSON. It changed after it became evident to him that he would not receive recognition, and especially after Mr. John Lind had been sent to Mexico.

Mr. KEARFUL. What cooperation did you receive from the American Government, if any, while you were attempting to perform your functions as ambassador, during Huerta's time?

Mr. WILSON. From the Washington Government?

Mr. KEARFUL. Yes.

Mr. WILSON. None whatever.

Mr. KEARFUL. What instances of failure to cooperate do you recall?

Mr. WILSON. Well, primarily there was the question of recognition, in which there was an absolute failure. After that there was the absolute refusal to give me any instructions of any kind of a political character. In addition to this, my position as ambassador, and my prestige there were lessened by the apparent indifference, or sympathy of the Department of State with the press reports with reference to its supposed hostile attitude toward me. As these reports were weakening my prestige and, in consequence, my ability to serve American interests in Mexico, I finally protested very energetically to Mr. Bryan relative to the position of the Department of State. I received no answer to my protest for about 10 days. I then tendered my resignation for the third time, and in very emphatic terms. This brought about a reply from Mr. Bryan of a very satisfactory character, in which he expressed regret and said he had been absent. He then gave out a statement to the press, rebuking it for its publication of embarrassing reports, which was very gratifying to me.

Mr. KEARFUL. I want to call your attention to a statement made in the book written by Samuel Guy Inman, entitled, "Intervention in Mexico," on page 134, as follows:

In February, 1913, Felix Diaz and Bernardo Reyes broke jail in Mexico City, where they had been imprisoned as leaders of a revolution against Madero and placed themselves at the head of the rebel forces representing the old Diaz group. Huerta was

intrusted with the command of the Madero troops. In order to stop the fighting, which continued for 10 days, a conference was held in the American embassy with the American ambassador present, and Huerta agreed to turn traitor to Madero who was made prisoner and who was afterwards shot. For his part in this diabolical affair Henry Lane Wilson was recalled, and the United States did not appoint until 1918 a Mexican ambassador, the efficient Mr. Fletcher, who is still at his post.

Mr. Inman was the first witness called by the committee, but he was unable to give any facts for the language quoted, or to refer to any information that he had received from any source to justify it, but he said he would stand by the statement made in his book. Is there any truth whatever in the statement that you were implicated in the treason of Huerta against Madero or in the imprisonment or death of Madero, or that you were recalled for any part in this diabolical affair?

Mr. WILSON. There is absolutely no truth in any of those statements. I will state very briefly the facts. In the first place, I want to call attention to a very mischievous error in the statement of Mr. Inman, and that is that a meeting was held at the embassy, to which Huerta was invited and at which he promised to turn traitor to Madero. No such meeting was ever held in the embassy. The only meeting that was held in the embassy was held after the overthrow of Madero, not before. The relations of Huerta with Madero were never discussed by me with any living human being outside of the diplomatic corps.

Mr. KEARFUL. The meeting that was held there, as I understand it, was for the purpose of effecting an arrangement between the opposing forces of Huerta and Blanquet on the one side, and Diaz and Gen. Mondragon on the other?

Mr. WILSON. Yes, sir.

Mr. KEARFUL. After the overthrow of Madero?

Mr. WILSON. Yes; it was inevitable after the overthrow of Madero, and it really became absolutely necessary for some one to do something to stop the terrible carnage that was going on in the streets of the city. All of my actions at this time and at this crisis were purely humanitarian in purpose. They have been so regarded by all Americans resident in Mexico at that time.

Mr. KEARFUL. Has your attention been called to other publications of a similar character?

Mr. WILSON. There was something else in your question which I have lost count of now.

Mr. KEARFUL. That Madero was made prisoner and afterwards shot in consequence of this arrangement that was made at the American Embassy?

Mr. WILSON. Yes; of course, that is a most infamous falsehood. There is no other way to characterize it. Such an action as that is utterly foreign to my character and the general opinion of my character held by others. I can only say here that at this time that charge is disproved by the records of the Department of State, with which I was in constant communication by telegraph and which received reports of everything as they occurred from day to day. These reports finally united in a harmonious conclusion. It is disproved again by the testimony of over a thousand witnesses, all Americans or English. It is disproved by the unanimous reports of the American colony which met in a public meeting and dispatched a committee to Washington for the purpose of laying a memorial

before the President. It is disproved by the unanimous testimony of all the American clergymen, Roman Catholic and Protestant, in Mexico City. It is disproved by the resolutions of the Y. M. C. A. organization, by the testimony of the Spanish and German ministers. It is disapproved by these sworn affidavits of the embassy staff, all of whom were fully cognizant of each step taken.

I would like to have all of this data that I have referred to inserted in the record.

Mr. KEARFUL. It has already been inserted.

We, the undersigned members of the staff of the embassy of the United States of America at Mexico City, do hereby certify that one of our number was constantly on duty, both night and day, at the embassy during the bombardment within the city, which lasted from February 9 to February 18, 1913, and also thereafter until the fall of President Madero's administration and the establishment of the present provisional government; that one of our number was present at all interviews between the ambassador and messengers from President Madero and later, at interviews between him and Gen. Huerta and Felix Diaz; that all correspondence and notes of every kind were either dictated directly to one of us, or when dictated to volunteer clerks, passed under our observation; that there was never the slightest indication of any understanding between Ambassador Wilson and Gens, Huerta and Felix Diaz, excepting in regard to matters pertinent to the safety of the Americans and other foreign colonies within the City of Mexico; and that Ambassador Wilson's energies were directed throughout the bombardment to the saving of human life, to the bringing about of a cessation of hostilities, and after the fall of President Madero, to the restoration of order and peace within the City of Mexico and throughout the Republic.

We would also add that we have knowledge of the active efforts of the ambassador to render aid to various members of the Madero family, and especially to the deceased ex-president.

We voluntarily make this statement in view o fthe unjust attacks upon Ambassador Wilson by certain American newspapers and by some Mexicans of the late administration, whose characters in this Republic are not above reproach.

HENRY F. TENNANT,
Second Secretary of Embassy.
W. A. BURNSIDE,
Military Attache.
LOUIS D'ANTIN,
First Clerk of Embassy.
CHARLES B. PARKER,
Second Clerk of Embassy.

EMBASSY OF THE UNITED STATES OF AMERICA,
Mexico City, April 14, 1913.

I, Nelson O'Shaughnessy, secretary of the embassy of the United States at Mexico City, Mexico, do hereby certify that the signatures of Henry F. Tennant, Louis d'Antin, Charles B. Parker, and W. A. Burnside, above annexed, are their true and genuine signatures, made and acknowledged in my presence, and that the said Henry F. Tennant, Louis d'Antin, Charles B. Parker, and W. A. Burnside, are known to me to be the persons they claim to be.

In witness whereof I have hereunto set my hand and affixed the seal of the embassy of the United States at Mexico City, the day and year next above written, and of the independence of the United States the one hundred and thirty-seventh.

NELSON O'SHAUGHNESSY,
Secretary of the Embassy of the United States, Mexico City.

Mr. WILSON. It is disproved by letters from members of Madero's family in my possession, and which are among my papers. The whole story was an invention of an offended newspaper correspondent. It never had the slightest basis in fact. On the contrary, there was all the evidence in the world for those who wanted evidence that every effort that any human being could make in the premises had been made to save the life of this unfortunate demented man.

Mr. KEARFUL. Who was the newspaper correspondent to whom you refer?

Mr. WILSON. The inventor of the story was an American newspaper correspondent by the name of Murray.

Mr. KEARFUL. Robert H. Murray?

Mr. WILSON. I think those are his initials. He published articles in Harper's Weekly attacking me, under the head of "The Two Wilsons," and the entire paper was given up to these articles for four weeks. Immediately after they had published the last article, the magazine suspended.

Having no recourse, then, Murray being an utterly worthless man with no moral or financial standing, I brought suit against Norman Hapgood, the editor, in the District of Columbia, and finally obtained a judgment by confession. I took similar steps with reference to three or four other papers and magazines, in each case receiving a disavowal and apology. This was the only case in which I went to court.

Mr. KEARFUL. Did John Lind ever make any similar statements of that kind?

Mr. WILSON. Yes; but disavowed it. When brought face to face with the necessity of meeting the charge in court, he disavowed it. It is simply the loose talk of people who very largely were actuated by political considerations, but entirely overlooked the circumstances that in making charges of that kind they were not only assuming a certain risk themselves, but they were doing a great injustice to another.

Mr. KEARFUL. How do you account for the state of mind of this newspaper correspondent?

Mr. WILSON. He was a man of enormous vanity, and I put him out of the embassy. One thing brought on another.

Mr. KEARFUL. What was the occasion of your ejecting him from the embassy?

Mr. WILSON. He was guilty of frightening the ladies of the American colony by spreading the report, upon a night when there was an uprising and firing, that the American Embassy had been attac ked. He seemed to do this with mischievous and malicious intent, and it brought on a very hysterical condition among the ladies of the American colony. For this performance I ordered him out of the embassy, and he left with the statenent that he would get even.

Mr. KEARFUL. What was the feeling of the Americans in Mexico City at that time with reference to this gentleman?

Mr. WILSON. One of entire disapproval. I do not think there was a dissenting voice in Mexico City among the Americans with reference to the embassy and the way in which I had discharged its obligations and met its responsibilities, except this one man who invented this story. I do not think there was another one.

Mr. KEARFUL. I was there at the time, and I can answer for the truth of that myself. Was it a fact that this gentleman was socially ostracised by the American colony in Mexico City at that time?

Mr. WILSON. I believe so.

Mr. KEARFUL. Did you take any steps to assist him, notwithstanding the treatment that you had received in that situation?

Mr. WILSON. Yes.

Mr. KEARFUL. What was that?

Mr. WILSON. I am rather disinclined to give this man so much importance. He is having rather more than I want him to have.

Mr. KEARFUL. It is important because he has addressed himself to the committee, which you perhaps do not know.

Mr. WILSON. Well, I may say that as a result of friendly correspondence and the friendly offices of Mr. Whifan, an Associated Press correspondent, I endeavored to remove the prejudice against him in the American colony, and while he apparently accepted my attitude with a great deal of gratitude, he nevertheless secretly crossed over to Havana and wrote this story, dispatching it by telegram to the New York World, and then afterwards denied that he had sent it.

Mr. KEARFUL. Have you any reason to believe that he received cooperation in his efforts in attacking your character in the department at Washington.

Mr. WILSON. I am unable to understand where he could get the materials, unless he got them from the Department of State, and my belief in that is the more confirmed by the confidential files which I have here. These are mutilated to correspond precisely with the articles in Harpers Weekly. This volume was sent to me by Secretary Bryan. I do not believe he knows anything about it, but he sent it to me.

Mr. KEARFUL. Just explain what that volume is.

Mr. WILSON. This volume is a confidential print of the dispatches of the Department of State.

Mr. KEARFUL. Relating to Mexico?

Mr. WILSON. Relating to Mexico; yes. It includes all of my dispatches and all of my telegrams, and all of the department's to me.

Mr. KEARFUL. It is marked "Confidential?"

Mr. WILSON. It is marked "Confidential," and therefore I am now retaining it in my possession. Of course, it is a difficult matter to carry this matter into testimony, but you can see here, if you take the trouble to compare it with a perfectly unmutilated copy, that out of this copy has been cut precisely the same things that were used in this paper.

Mr. KEARFUL. By Robert H. Murray?

Mr. WILSON. By Robert H. Murray, which was distorted, in some cases transposed, and in all cases misinterpreted.

Mr. KEARFUL. Garbled.

Mr. WILSON. Garbled for the purpose of giving a false impression. This was so manifest that no paper in the United States would touch it. It never was copied into a single paper. Here are the mutilations in the secret documents of the Department of State, cut out, almost clear through, transposed, and put before the printer in that way.

Mr. KEARFUL. How did you happen to get possession of that confidential book?

Mr. WILSON. Mr. Jenkinson, who was one of the very useful clerks in the Department of State, and who went up and down between Washington and Mexico several times, obtained them for me in a perfectly regular way. I was very anxious to have these volumes in addition to the regular ones in the Embassy at Mexico City, because I wanted an accurate history of the entire transaction for any possible future contingencies. These volumes were very voluminous, very interesting historically, and very valuable from a personal standpoint. After some difficulty Mr. Jenkins obtained an order from Mr. Bryan for these two volumes and brought them to me.

Afterwards, on going into the volumes and trying to account for the absence of some of my dispatches, I found these mutilated dispatches. I did not know at the time what those meant, but after these quotations came out in print, I found they corresponded precisely with the mutilations. Of course, you understand that the record department of the Department of State is a holy of holies, with no one except those in charge ever being permitted to touch any volume. I never placed my hand on a volume in that department as long as I was in the service of the Government of the United States.

Mr. KEARFUL. Through what process do you imagine a newspaper correspondent could gain such access to these documents, to be able to clip them?

Mr. WILSON. I do not know.

Mr. KEARFUL. Would he not have to have an order from the Secretary of State himself?

Mr. WILSON. During the time of the gentleman—I can not recall his name—who was for many years in charge of the records there he would not have accepted an order from the Secretary of State to touch these documents. He considered himself directly responsible to the President for the safekeeping of these records and for their absolute secrecy.

Mr. KEARFUL. You think that nothing less than an order from President Wilson would have enabled Mr. Murray to get at these documents?

Mr. WILSON. Anybody might have secured them, but not during the last administration, during this. Of course, you know that Mr. Bryan ran the Department of State like the back kitchen of a restaurant.

Mr. KEARFUL. While you were ambassador to Mexico, after the accession of Mr. Bryan to the office of Secretary of State, did you have any instances of incompetency or inattention to business?

Mr. WILSON. There was not very much else.

Mr. KEARFUL. Did you receive telegrams uncoded, undated, and improperly addressed.

Mr. WILSON. Yes. This proceeded to such an extent that I finally declined to accept them as official, notifying Mr. Bryan that telegrams must be coded, must be properly addressed, must be sent from the Department of State before I could accept them as official.

Mr. KEARFUL. Do you remember the instructions that you received in regard to asking Mexico to join in the recognition of the Republic of China?

Mr. WILSON. Yes; Mr. Bryan instructed me to ask the Government of Mexico, which he had not recognized, to join with the United States in the recognition of the new Republic of China, and he also instructed me to extend an invitation upon several occasions to the Government of Mexico to associate itself with the United States in conferences.

Mr. KEARFUL. To join in a universal peace movement?

Mr. WILSON. Yes; in a universal peace movement.

Mr. KEARFUL. It was the government of Huerta?

Mr. WILSON. Yes; the government of Huerta.

Mr. KEARFUL. Were there occasions when secret, special representatives were sent by the State Department or by the President to Mexico, without your knowledge?

Mr. WILSON. Of course if it was without my knowledge I would not know it now.

Mr. KEARFUL. Without notice to you at the time?

Mr. WILSON. Yes; two were sent while I was still in Mexico, one Mr. William Bayard Hale, who was sent there by the President, so far as I could ascertain and evidently to make a report to the President. The other person was Mr. del Valle, of California, who was sent there by Mr. Bryan to watch Mr. William Bayard Hale. I assumed that Mr. Bryan wanted to get his own views of the Mexican situation through other channels than those furnished by Mr. William Bayard Hale, for whom he had very little respect. This sentiment was fully reciprocated by Mr. Hale. Mr. William Bayard Hale, I imagine—although he has since fallen out with the President—sent a report which entirely suited the President. Mr. del Valle's report evidently did not please the President. He sent a report which was not at all satisfactory, in which he described the Madero administration as it actually was, and the Huerta administration as it was, and the conduct of the embassy as it had been. I did not understand that Mr. del Valle's purpose was to state the exact truth, and therefore I treated him with some lack of consideration which, however, did not affect his attitude, as I heard his report read myself in the Department of State. I was not intended to hear it, but I heard it.

Mr. KEARFUL. Were the missions of these gentlemen generally known in Mexico?

Mr. WILSON. Yes; and especially that of Mr. William Bayard Hale, who had conferences with the Government officials down there.

Mr. KEARFUL. What effect did these conferences have on your prestige as ambassador?

Mr. WILSON. Nothing could have been worse.

Mr. KEARFUL. Did it tend to discredit you with the Mexicans?

Mr. WILSON. Yes.

Mr. KEARFUL. Did you make any protest to the State Department in regard to it?

Mr. WILSON. Yes, to the Department of State and to the President.

Mr. KEARFUL. With what result?

Mr. WILSON. None.

Mr. KEARFUL. You got no response?

Mr. WILSON. In a letter to the President I expressed some views of the character of William Bayard Hale, and I think the President afterwards shared the same views which I expressed at that time, I mean, after we got into the war with Germany. Do you want this letter in the record?

Mr. KEARFUL. Just as you like.

Mr. WILSON. Do you want me to read it?

Mr. KEARFUL. Yes, if you like.

Mr. WILSON (reading):

MEXICO, *July 1, 1913.*

DEAR MR. PRESIDENT: I send you herewith, for your private and confidential information, a copy of an interview had with Dr. William Bayard Hale by the political secretary to Gen. Diaz, who is also an American and correspondent of the New York Sun.

This report was furnished to me by Gen. Diaz, who informed me at the same time that he had received other reports of a similar character and that both he and the Government had taken note of Dr. Hale's antagonistic attitude toward me and toward the present Government from the very moment of his arrival, and before he had any opportunity to make proper investigation.

He had his report ready the moment he got to Mexico. He did not have to wait until he got to Mexico City.

I have assumed that Dr. Hale has no official mission in Mexico and that he is not charged with the making of any report to you concerning conditions in Mexico, but in the event that information should be offered you from this source I deem it my duty, as your personal representative here, to say to you that this person is by temperament and habit entirely unfit to form a just and clear idea of the situation here. His mind appears to me, from the conversations which I have had with him, to be unevenly balanced, and the questions which he asks relative to events which have occurred here indicate a complete failure to grasp the underlying causes of the unrest in Mexico and absolute ignorance, or rather, misinformation as to the true history and chronology lying behind the scenes of the Mexican drama.

I know there is a disposition at this time in the United States to make of Madero a martyr to democratic ideals. Whatever may have been the history of his taking off, and I am not prepared to accept without reserve the opinion that the Government was privy therto, the fact remains that the Madero family despoiled and corrupted every avenue of government and business in Mexico; that they talked glibly of liberty and human rights but gave none to the people; that they robbed the Government; seized without process of law the property of foreigners and Mexicans; debauched, silenced, and censored the press; established secret political societies which maintained a reign of terror; and made illegal arrests without warrant of law. All of the true and secret history of their brief rule in Mexico and prior thereto is known to no one but me. Others may have it in part but I have it all, and eventually I shall place it before the world together with clear demonstrations not only of the anti-American policy of these people but of their deliberate and almost organized efforts to attack almost every American interest in the country by legal conspiracies in collusion with the courts, and of the absolute inability of this embassy to secure the punishment of the murderers of Americans or of those who have deprived them of their property by violence or by stealth.

I feel, my dear Mr. President, that whatever may be your final attitude toward this Mexican administration, and it has its bad points as well as its good points, that it is my duty to you to see that you are in no wise misled either by the reports of sentimental idealists or by those who are endeavoring to bring about conditions which will force intervention, as to the real character of the Madero administration.

I do not expect to be in charge of this post very long. I have served my Government in the Diplomatic Service honorably and usefully for 17 years. I had the absolute confidence of Presidents McKinley, Roosevelt, and Taft, and the last named has placed in my hands a letter relative to my work at this post up to and including the last day of his administration, which would appear to justify my hope of receiving your confidence during such period as I may have the honor to serve under you. Beyond having the truth made known I care nothing. I beg to remain, my dear Mr. President,

Very sincerely, yours,

HENRY LANE WILSON.

The PRESIDENT OF THE UNITED STATES.

Mr. KEARFUL. What response did you get to that letter?

Mr. WILSON. None. I did not expect any.

Mr. KEARFUL. Why not?

Mr. WILSON. I had not been able to get anything from the Secretary of State, and there was no reason to suppose that I would get it out of the President, but I intended to make a record. I intended that it should never be said that I had not advised everybody connected with the Wilson administration.

Mr. KEARFUL. You spoke of your being called to Washington, following a report made by Dr. William Bayard Hale in reference to your having instigated the action of the Diplomatic Corps.

Mr. WILSON. Yes.

Mr. KEARFUL. What occurred then?

Mr. WILSON. Immediately after Mr. William Bayard Hale sent his report, I received a telegram from Secretary Bryan instructing me to come to Washington, "for a consultation relative to the

Mexican situation." That is the exact language of the telegram. I had assumed for some time that I would be relieved in Mexico, and expected it, and wanted it, but I doubted whether the administration would assume the responsibility of removing me or accepting my resignation at that very critical period. This seemed incredible, so when I had this telegram from the Secretary of State, I departed on the same day, leaving all my household goods and everything intact in Mexico City, supposing that I would at least have the privilege of returning to Mexico and arranging my affairs. When I arrived in the United States I was met by quite a lot of enterprising newspaper men, and I gave some very strong interviews as to conditions prevailing in Mexico at that time, trying to make it clear to the American people that Huerta was restoring peace in Mexico. I did that deliberately because it seemed to me that if public opinion were guided right in this country, the administration would go right. I recounted the circumstances that at that time Huerta had restored peace in every part of Mexico, and such peace as had never existed in the time of Madero; in every part of Mexico except in a small district in the State of Sonora where Carranza had gone as a fugitive. I gave these facts to the press. In conversations with members of the press I was asked a lot of questions which I did not answer, with reference to Bryan and the President. These questions suggested some things, which afterwards appeared as having been answered by me. They had transferred the questions around into answers.

As a matter of fact, I did not criticize either the President or the Secretary of State, and the New York Times correspondent or reporter who was present afterwards made a statement to that newspaper that I had been completely misrepresented in that instance. I suppose this circumstance had some influence upon the administration.

When I arrived in Washington Mr. Bryan told me that the President was very anxious to see me, and asked me to prepare a memorandum of the Mexican situation, a request which seemed to me rather peculiar, as all of the facts were in the records of the Department of State. However, I went to the Department of State and inquired from some of the employees there how much information the President had obtained through the records of the Department of State. I asked this simply to be guided in the formation of my memoranda. I was told that he had never read anything but the last volume of the confidential reports of 1913, and that therefore his knowledge of the Mexican situation was entirely confined to the events which occurred at the time of the overthrow of Madero. All of the events leading up to that of over two years, he knew nothing about.

Mr. KEARFUL. Did you prepare a memorandum as requested?

Mr. WILSON. Yes, I prepared a memorandum. I do not think it was a peculiarly happy memorandum, but it was sufficient for the occasion. The really important features about it were the recommendations made at the conclusion, and those I will ask to have inserted in the record.

(Recommendations concerning Mexico submitted by Ambassador Wilson to the President, in August, 1913, and afterwards to the Committee on Foreign Affairs of the Senate. Placed by Senate in Congressional Record:)

RECOGNITION.

Recognition under the present circumstances, can not be made with the same effect and same results as immediately after the assumption of power by the new administration. It would be misconstrued, now, as a yielding to pressure and force and would result in the loss of great prestige.

If recognition is accorded, it should be done in the following way:

First. By a preamble recognizing the remarkable and unprecedented situation in Mexico, the desire of the United States to contribute to the restoration of order in a neighbor and friendly state, and the necessity, on account of the important matters daily pending between the two Governments, to establish full official relations with all of the benefits and obligations resulting therefrom.

Second. No recognition should be accorded unless the important international questions like the Chamizal, the Colorado River, and the specific claims falling under a clear rule of international law, shall be immediately closed, upon the basis presented by the Government of the United States and agreed to by the Government of Mexico in correspondence with the ambassador and verbally.

Third. Recognition should not be accorded unless an international claims commission, having jurisdiction over all kinds and classes of claims arising out of the revolutionary movements during the last three years, shall be admitted in principle by the Mexican Government.

Fourth. Recognition should not be accorded unless ample guarantee for the holding of a constitutional presidential election, during the month of October, shall be given; and this should involve the removal of the present minister of Gobernacion who is a pure creature of Huerta and the substitution, therefor, of a Mexican of force and power, say Calero, who is thoroughly committed to the principle of constitutional government.

Fifth. Recognition should not be accorded unless the Federal Government is able to furnish evidence of its ability to restore peace and order to the twenty-sixth parallel.

Sixth. Recognition should not be accorded unless an arrangement can be made whereby, the American Government, in cooperation with the Mexican Government, will be able to cross the border and aid the Federal authorities in the restoration of order down to the twenty-sixth parallel, always giving ample stipulation for the retirement of our troops, whenever order and peace have been established, in the judgment of the American and Mexican commissioners duly appointed.

Recognition accorded in this manner will restore our lost prestige, impress foreign and native opinion in Mexico, and undoubtedly restore peace and avoid further bloodshed.

INTERVENTION.

If recognition is not accorded in some form or other our duty as a civilized nation, pledged to the world to preserve the peace and order in this hemisphere, points directly to immediate and effective intervention.

This should be done in the following way:

First. By discreetly removing the already decimated and ruined American population of Mexico.

Second. By the transfer of the charge of our diplomatic and consular establishments to the representatives of other powers.

Third. By the massing of our fleet in overwhelming proportions, aided by effective marine reserves at every Mexican port on the Atlantic and Pacific.

Fourth. By the massing of our Army, fully equipped for invasion at every strategic point lying on the border States, and calling out the reserves in all the border States

Fifth. By the appointment of commissioners, one of whom should be the ambassador, another the general in chief of the Army, another the ranking officer of the investing fleet, and another a member of the Foreign Affairs Committee of the Senate. The duty of this commission would be to seek by a preliminary action, a reconciliation of all the contending forces in Mexico, with the understanding that their duty should be urgent, expeditious and not detained by any dilatory methods and with a further understanding that they should follow in the path of invasion, reestablishing the rule of law and dispensing justice and order in the name of the United States.

An invasion should be accompanied by a public statement that our purpose is not one of aggression, but that we are acting in the discharge of a duty to humanity and civilization and that when once constitutional methods and practices are reestablished and a firm government installed our troops will retire to the United States

Mr. WILSON. These recommendations were made to the President, and were afterwards made to the Committee on Foreign Relations of the Senate. I am quite sure I am not exaggerating when I say that they were very favorably received by the Committee on Foreign Relations of the Senate.

Mr. KEARFUL. You judge that from expressions of members of the committee?

Mr. WILSON. From their expressions and their attitude and from what members of the committee told me. This testimony, however, was interrupted by the President, who said to Senator Bacon and Mr. Flood, who was at that time chairman of the House Committee on Foreign Relations, that he did not care for "any further exploitation of my views." I consider this testimony which I am giving now as a resumption of the testimony which I gave about five years ago to the Senate Committee on Foreign Relations, which was interrupted by the President.

Mr. KEARFUL. Were you called before the committee to testify?

Mr. WILSON. Yes.

Mr. KEARFUL. You were called by the committee?

Mr. WILSON. I was called before the committee, and received permission from the Department of State to testify. That is the case. Senator Bacon, who was at that time chairman of the committee, obtained the permission; Mr. Bryan furnished Senator Bacon all of the records, and I was allowed to produce in the testimony before the Committee on Foreign Relations all of the documents emanating from the embassy but none emanating from the Department of State.

Mr. KEARFUL. You say that the President interrupted that testimony by making the request of the chairman that he did not desire that you should testify further?

Mr. WILSON. Yes; he used the phrase that he did not care for any further exploitation of my views.

Mr. KEARFUL. But his order, if you may call it such, was obeyed by the committee?

Mr. WILSON. Yes; quite so. Obeyed is the word.

Mr. KEARFUL. The testimony that you gave at that time, as far as you went, was not published?

Mr. WILSON. Oh, no; it was not intended to be published. It was entirely confidential to the Committee on Foreign Relations of the Senate.

Mr. KEARFUL. What was the political construction of the committee at that time?

Mr. WILSON. Democratic.

Mr. KEARFUL. You know, at least by reputation, Mr. Venustiano Carranza, the President of Mexico?

Mr. WILSON. I do not know him personally at all.

Mr. KEARFUL. You know him by reputation?

Mr. WILSON. He was not a person prominent in public life when I was in Mexico. He was a Senator, but one of those inconspicuous Senators, whom among a large number are passed by without notice. I do not know him.

Mr. KEARFUL. Mr. Calero in his book before mentioned, says on page 68, of Carranza:

Carranza, the nominal chief, has the record of an obscure and servile politician of the dictatorship of Porfirio Diaz. He, who had arrived at old age without revealing any aptitude as a statesman, notwithstanding the opportunities which he had had, appeared the least able to place himself at the front of a country so difficult to govern as Mexico.

Is that a fair statement in regard to Carranza?

Mr. WILSON. I think so.

Mr. KEARFUL. Had he ever distinguished himself as a member of the Diaz government?

Mr. WILSON. No. You may infer that from the circumstance that I never even heard of him, and it was my business to know everybody in Mexico who had any measure of prominence.

Mr. KEARFUL. When did you first hear of him?

Mr. WILSON. I first heard of him after he was appointed governor of Coahuila by the Madero administration, and later on, during the Madero administration, a number of the State governments got into financial difficulties and were unable to meet their obligations. To meet this situation the Federal Government made loans to these States to finance them through the difficult periods. Among other States, the State of Coahuila, of which Carranza was governor, was extended financial aid. Later on, in the settlement of these transactions, or the attempt to settle them, there was a very decided difference of opinion between the Maderos and Carranza, culminating finally in a demand from the Madero government that Carranza should make a clear and explicit statement of the disposition of these funds that had been placed in his hands. Mr. Ernesto Madero, minister of hacienda (the treasury), and the President himself told me of the difficulties existing between Carranza and the Government, and indicated that they intended to take some very energetic action. While this was pending the Madero government fell, and at that time Carranza was not a Maderista; he belonged to an association of northern governors who were preparing a secession movement against Madero. Immediately, however, with the downfall of Madero, he, like Villa and a lot of those men, became a Maderista.

Mr. KEARFUL. That was at the time of the revolution that he became a Maderista?

Mr. WILSON. Yes. After Huerta became installed in power, the rapidity of the submission to his government throughout Mexico was astonishing. All over Mexico in every direction men who had been in constant rebellion ever since early in 1910 were submitting to Huerta daily and every hour. Carranza was in the State of Chihuahua, and, as I understand—I do not say this positively because I do not know it—but, as was generally said at the time, he was quite willing to submit to Huerta if his official transactions were not investigated, and our consul—I think it was Mr. Holland, but I am not sure——

Mr. KEARFUL. That is at Saltillo——

Mr. WILSON. Initiated telegraphic correspondence with me at the request of Carranza for the purpose of extracting some sort of attitude out of the Huerta government of a friendly character that would enable him to submit with good grace to the Huerta government.

Mr. KEARFUL. To enable Carranza to submit?

Mr. WILSON. Yes; and as I was very busy trying to accomplish a state of things exactly in line with what he wanted, I readily lent

myself to the attempt and went to Mondragon, secretary of war for Huerta, and showed him these telegrams, urging him not to dispatch any more troops into Coahuila, but to await the development of the situation, and to give this man a chance to save his face and to make an arrangement. They quite agreed with me, apparently, but I think only apparently. I think they started a troop movement. I communicated the replies to the consul, the consul communicated them to Carranza, and Carranza made his reply. I went again, but finally found that I could not trust either side; that I was just simply exerting myself, getting red in the face, and accomplishing nothing at all, so I dropped the matter, and in the meantime Huerta did invade the State of Coahuila and drove Carranza out. He became a fugitive and finally took refuge in the State of Sonora with Obregon, who is fighting him at this moment with the power of the State of Sonora. At that time he did not have 500 troops altogether and was not an object of any consideration either to Villa or Zapata or Huerta, or anybody who was in power in Mexico.

Just at this moment our Government began to express an interest in the Mexican situation and announced the peculiar doctrine, that "Governments founded upon violence would not be recognized." This was contrary to all the precedence of this Government from its foundation. Our Government began inquiring actively into the situation, through consuls, through private agents of all sorts in Mexico, and finally the elements which had submitted and were apparently thoroughly subdued and prepared to return to peaceful activities, began to look up and pay attention and say, "Here is the Government of the United States interested in having Huerta overthrown." The consequence was that thousands and thousands of men began to leave their peaceful pursuits and go back into the business of revolutionizing Mexico.

Our Government then enlarged its activities by sending John Lind down to Mexico as an unofficial representative, and by dispatching envoys to represent us in a movement against a friendly Government, and then lifted the embargo on arms and ammunition and permitting them to go across the border, to be used for the purpose of murder. By natural sequence, it became finally involved in the seizure of the port of Vera Cruz and the landing of troops for the real purpose of overthrowing the government of Huerta. The landing of troops there had no purpose in the world except to overthrow Huerta.

Mr. KEARFUL. You think, then, this flag incident was merely a pretext?

Mr. WILSON. Absolutely so. The purpose was to seize the customhouse with its revenues. They had already destroyed his credit, through our diplomatic establishment in Europe, so that he could not get any money and was obliged to dispatch his troops to the north and fight Villa and Carranza without arms and without ammunition. Thousands of men went into the engagement without any ammunition, because of the circumstance that Huerta could not make supply purchases.

This incident, followed by the Tampico incident, and then by the massacre of Santa Ysabel, and the invasion of American soil at Columbus and other points, followed eventually by the dispatch of the so-called punitive expedition. This expedition invaded Mexico for

the purpose of punishing Villa and never caught him, but was finally attacked by the army of Carranza——

Mr. KEARFUL. With American guns and ammunition?

Mr. WILSON. With American arms and ammunition, in which attacks altogether something like 30 American soldiers were killed, at Carrazal, Parral, and other places. This situation became so tense and these abuses became so gross, and these barbarities so repugnant to civilized concepts, that the Secretary of State, Mr. Lansing, who was endeavoring to carry out the policy of the administration as best he could, was finally obliged to write an indictment of the Mexican Government which was rather inconsistent with the policy which the administration had pursued and is pursuing.

Mr. KEARFUL. You refer to the note of June 20, 1916?

Mr. WILSON. Yes. During this time or, rather, during the troubled period, 665 Americans have been murdered on Mexican soil and on the border, without a single Mexican ever having been brought to justice. If there is any Mexican who has been brought to justice, I have been unable to ascertain the fact.

During this time it has cost this Government very close to half a billion dollars to carry out this particular policy; that is to say, to prevent the Carranza government from being overturned by movements from our borders. You possibly know there is about a million of the best Mexicans in the United States to-day. These would cross the border any day if the bars were let down.

About 300,000 Mexicans have been killed and about 100,000 more have died from pestilence and starvation; the $100,000,000 which Diaz left in the treasury has disappeared, and in its place there is a deficit of something like $350,000,000; 3,600 churches have been desecrated—I am giving these statistics from memory; I have them all in my papers—1,500 clergymen have been expelled from the country; 364 religious institutions; that is to say, nunneries and places where women are——

Mr. KEARFUL. Parochial schools?

Mr. WILSON. Have been desecrated under circumstances that are not fit for print. At the present moment we have 80,000 troops on the border—I am using the figures of perhaps a month ago, but these are estimates of people in military circles—which are costing the people of the United States $100,000,000 a year.

This border force is maintained not for the purpose of protecting American citizens in Mexico or for the purpose of influencing conditions there. Their presence on the border may be of some incidental importance, but their presence is really made necessary by the policy of the present administration, which is bound to maintain Carranza in power, to prevent invasions of Mexico, and thus maintain the legend that there is peace and order across the border. Any failure of the administration to protect the Carranza administration or any hostile act by this Government which would bring about the downfall of Carranza would be equivalent to a confession by the Wilson administration that its whole policy toward Mexico is a mistake.

My statistics on the matter of the number of Americans killed in Mexico have been made up from three sources. One is the Government's reports, one is my own record made while in charge of the embassy in Mexico—that is to say, I made the record up to that time—and the third is private letters and newspaper telegraphic reports.

For instance, a month ago the number of Americans who had been murdered in Mexico was 653. To-day it is 665.

Mr. KEARFUL. There is another passage in Mr. Calero's book that I want to read to you. He says, on page 34, in reference to Carranza:

He had passed 25 years of his life serving with humility the man whom to-day he calls with disdain "the tyrant of Mexico," Porfirio Diaz. Carranza was a senator under the government of Diaz and never did anything else in the senate except to approve, without the slightest protest, the recommendations of that tyrant whom to-day he denies. In the two years in which he was the governor of the State of Coahuila, Carranza promoted nothing which would reveal him as the reformer which he now pretends to be, nor did he do anything for the political, moral, or economic advancement of the people.

Not only this, but Carranza, enemy of progressive innovations, was the only governor who opposed having schools established in the State under the auspices of the Federal Government when President Madero, in execution of a law initiated in the time of Diaz, was trying to diffuse elementary instruction in a country in which 85 per cent of the population does not know how to read or write.

This is the true Carranza, the man who, together with Villa, received the aid of the United States in seizing the Government of Mexico.

Do you think Mr. Calero is a man who could be regarded as an authority to speak upon that subject?

Mr. WILSON. Absolutely.

Mr. KEARFUL. Do you believe this statement is correct?

Mr. WILSON. It is. I have a very high opinion of Mr. Calero, both of his moral character and his intellectual attainments.

Mr. KEARFUL. Mr. Calero is one of the Mexican exiles to whom you referred?

Mr. WILSON. Yes.

Mr. KEARFUL. Is it not such men as Calero and the other Mexicans who are unable to live in their own country that it is necessary to depend upon for government in Mexico?

Mr. WILSON. Yes. Mr. Calero belongs to the whites. He has no Indian blood. He is of pure Spanish blood, and there is a vast number of Mexicans of that class in the United States now; and also of the industrial class, who are spreading all over the western part of the United States at this particular moment, seeking simply to live. They want to get on in the world, and they have crossed the border and have come clear up as far north as Kansas City, and they are invading the hotel service and the public automobile service and everything of that sort, thousands of them, and I must say that they work very faithfully and render good service.

Mr. KEARFUL. Mr. Calero also speaks of the agrarian problem, so-called, in Mexico, and the revolutionary pretext of dividing up the lands for the peons. He says on page 81:

As experience has amply demonstrated, it will serve for nothing to divide up the land among the Indians, for the latter, for want of resources and because of their ignoance, are not capable of keeping it. Nor is it possible to establish a country of small rproprietors wherein there are no institutions of rural credit or ways of communication or the other elements and facilities which exist in countries where agrarian property is subdivided among numerous cultivators.

To accompalish the realization of all this, which is the labor of years, a constitutional government is required, which will subject its proceedings to the laws, and which will enjoy a firm credit; that is to say, a government precisely different from that of from which Carranza is the head.

Do you agree with that statement in regard to that feature?

Mr. WILSON. Yes.

Mr. KEARFUL. You say you sent in your resignation more than once.

Mr. WILSON. Yes.

Mr. KEARFUL. Apart from the formal resignation that would naturally be submitted at the time of the change of administration, what were the reasons that actuated you in desiring to resign?

Mr. WILSON. Well, I had been carrying a very heavy burden of responsibility there, a responsibility that had almost broken me down, with a friendly administration in Washington. It seemed to me that it would be very difficult and very harmful to American interests for me to attempt to carry on the representation of the American Government, with an administration in Washington that had no confidence in me. I therefore dispatched a letter to the President, which he received a few days after his inaugural, through a very intimate Democratic friend, very high in the counsels of the party, in which I tendered my resignation, after explaining the very difficult situation which existed, and the necessity for selecting as my successor a man with the qualities that were exactly needed for that delicate task, I offered to come to Washington and assist him for a reasonable period in adjusting the situation. This was read to him, or he read it, I am not sure which. I think it was read to him, and then destroyed in his presence. However, I have no copy of it.

Again I tendered my formal resignation, which is quite enough, if anybody wanted to act on it. The other two were not necessary.

Then, when the Department of State permitted these stories about the attitude of the administration toward me to be circulated day after day, without any denial, and I called upon Mr. Bryan for a denial, and that denial was not accorded, I again resigned in language that was very forceful. That resignation was not accepted. Finally my resignation was accepted by the President actually because of absolute disagreement as to the recognition of the government of Huerta, after I had placed before him a memorandum covering the situation, and the recommendations by which recognition should be carried out had been handed to him.

After my resignation was accepted, when the terms in which the President made the announcement to the press were read to me, I dissented very strongly from it, and said to Mr. Bryan that I had been 17 years in the Diplomatic Service of the United States; that I had rendered faithful and honorable service during the terms of three Presidents, in addition to Mr. Wilson; and that I thought it would not lower the dignity of the administration at all to say so; that with that statement I would be entirely satisfied and would leave the service in a spirit of perfect content. Mr. Bryan seemed to be very anxious to do this—and I must say he was always extremely kind. He seemed very anxious to do it, and he took the statement over to the President, who replied that he "had an open mind"—I am using his exact words, because you have heard them since—he had an open mind with reference to my record, but that he had not had time to investigate and did not know, and he was therefore not prepared to make a statement of that kind. "Well," I said, "Mr. Secretary, Mr. Roosevelt and Mr. McKinley have both given utterance to very emphatic expressions about my record, which have been published and which are matters of record, and Mr. Taft has just placed in my hands one of the handsomest testimonials any public officer ever had, which I intend to give to the press when I leave this room, and I see no reason why the President of the United

States should not give me the simple recognition of the value of the services which I have performed under his three predecessors." He said, "I have given you my final answer, Mr. Ambassador. I am sorry nothing can be done." I said, "Very good."

That was in August, and my resignation did not take effect until the month of November following. I then remained in Washington for something like a month, helping with the difficult situation in Mexico in the Department of State, and to a very considerable extent directing the action of our representatives in Mexico, under the supervision, of course, of Mr. Bryan. While I was engaged there in this business for the department, at its request, and also because I felt deeply concerned about the fate of a great many of our Americans in Mexico, the newspapers published a dispatch or news telegram from London, in which it was said that the British Government had been induced to recognize Huerta's government because of the circumstance that the American ambassador had delivered a speech to Huerta which amounted to recognition. This was published in the papers, and Mr. Bryan and the President, when seen by the press representatives, expressed great gratification that the British Government had made a statement which was equivalent to impeaching the correct procedure of their own representative.

I immediately turned my attention to this matter, and I found this circumstance: First, that the British Government well knows that no diplomatic officer can ever recognize a chief executive in any country. I do not know whether Mr. Bryan knew it or not, but, as a matter of fact, every diplomat knows it.

Mr. KEARFUL. Every diplomat knows it?

Mr. WILSON. Every diplomat knows it. Second, that the British Government never expresses its views through the press. It expresses itself in Parliament always. It has a different system. It does not have to go to the press.

Armed with this understanding, I gave an interview to the press—which I wrote, not entirely without feeling, because I was indignant—in which I said that I doubted very much whether the British Government ever made any such statement through its authorized representatives; that it was impossible for me to conceive of the British Government ever making such a statement, well acquainted as I was with its methods of procedure and with the methods of British public men; and that I felt I was called upon to tell the real circumstances, these were that the brief remarks made to Huerta by me on behalf of the Diplomatic Corps were written by the British minister and the Spanish minister, and I had nothing to do with it. I declined to draw the paper because I was conscious of a delicate situation, so I simply followed instructions and delivered the words as prepared by the Diplomatic Corps.

Mr. KEARFUL. And you did that because you were the dean of the corps?

Mr. WILSON. Yes; I did that because I was dean of the corps. I gave this explanatory statement out to the press of the country, and it created quite a lot of newspaper comment. The President was reported by the press to be very angry about it, and was studying what he would do about it—what kind of punishment could be inflicted. He had not gotten his war powers then.

Their agents rushed about and tried to find out whether the British Government had made this statement, but no one could be found. They tried to get hold of the British ambassador, who was up somewhere in the North, near Mansfield, Conn., I think, but they could not find him quickly, and they were so anxious to get this note out that they did not wait. So they wrote a note to the British Government, and gave it to the press, reprimanding me for undiplomatic remarks about Great Britain and another to the British Government.

Mr. KEARFUL. Apologizing to Great Britain?

Mr. WILSON. Apologizing to Great Britain. This was immediately published in Great Britain, and the British foreign office announced, through the New York Times, that they did not know what the American Government was apologizing for; then when their attention was called to the exact words used, they said there was nothing irregular or undiplomatic in the statements made. So our Government was placed in the attitude of apologizing for an utterance of its representative, provoked by its own utterances, and which were declared by the Government about which they had been made as being of no importance whatever.

After that I tendered my resignation again, and insisted upon being immediately relieved, but it was not acted on, and I remained in the service until the month of November.

Mr. KEARFUL. Did you go back to Mexico to wind up your affairs?

Mr. WILSON. No; Mr. Bryan asked me not to go back. Of course, I understood the reason.

Mr. KEARFUL. Do you know the name of your successor as ambassador to Mexico?

Mr. WILSON. Henry P. Fletcher.

Mr. KEARFUL. Mr. Fletcher, for whom Mr. Inman vouches as efficient, was called before the Rules Committee of the House on July 22, 1919, to testify about Mexico, and he testified, among other things, that "the Carranza government controls all of Mexico;" that the Carranza government is "fulfilling its mission as a government toward the people of Mexico." Asked as to the general attitude of the Mexican people toward the Government and people of the United States, he answered: "They have committed as a government no act that I know of that would be considered inimical." Asked as to the situation between the two governments, he answered: "I think it has improved in the last three years."

Subsequently, as shown by the testimony of the witness Oliver, Mr. Fletcher prevented the shipment of arms and ammunition to the Carranza government, after a permit had been issued by the State Department, at that time ridiculing the ability of the Carranza forces to protect the population from the rebels, and stating that the munitions were apt to be used against Americans.

Later, in December, as shown by the ad iterim report of the chairman of this committee, Mr. Fletcher was in sympathy with and approved the resolution introduced in the Senate by the chairman of this committee on December 2, requesting the President to withdraw recognition from Carranza, which resolution, as shown by the same report, was very strongly disapproved by the President, on the ground that the Congress had no constitutional function to act upon it, shortly after which Mr. Fletcher resigned.

Mr. WILSON. No; he had resigned long before that.

Mr. KEARFUL. Shortly after that, or some time after that, he left the office of ambassador.

Mr. WILSON. Yes; that is a correct statement. He had resigned a long time before.

Mr. KEARFUL. The committee was desirous of procuring the testimony of Mr. Fletcher with reference to what his attitude really was, and what his experience in Mexico actually had been, but our information is that he has gone to Europe. Do you know what the ground of his resignation was?

Mr. WILSON. Fairly well. I assume that Mr. Fletcher's statements while he was on the witness stand were made vary largely in a spirit of deference to the administration. I assume that he took the position that while he was in the service it was necessary for him to state the matters the way the administration wanted them stated. I do not intend by this to endeavor to describe Mr. Fletcher's opinions or character or morals. That is not my intention at all. I assume that his purpose was to maintain loyalty and consistency, even at the expense of veracity. Nor do I mean to say that he was not veracious. I am simply trying to analyze the situation, because, as a matter of fact, when he resigned his resignation was an indictment of the administration for its lack of policy and for the failure of power which this lack of policy had brought about, in procuring satisfactory results for American interests. The latter was couched in diplomatic language, and was courteous, but it left no room for doubt as to its meaning. I see no reason for criticism of Mr. Fletcher; his position was difficult.

Mr. KEARFUL. You know of Mr. George A. Chamberlain, who was consul general at Mexico City after you left there, and during the Carranza régime?

Mr. WILSON. No.

Mr. KEARFUL. Do you know why he resigned?

Mr. WILSON. Only from his own statements in the papers.

Mr. KEARFUL. What was the reason for his resignation, as thus stated?

Mr. WILSON. Absolute disapproval of the administration's attitude in Mexican affairs. He has written a number of articles in the magazines here.

Mr. KEARFUL. Do you know John Bassett Moore, who was counsel of the State Department under Secretary Bryan?

Mr. WILSON. Very well.

Mr. KEARFUL. Do you know why he resigned?

Mr. WILSON. I do not know. I was told at the time that he resigned very largely because of dissatisfaction with the administration's attitude in Mexican affairs. I was told this in the Department of State.

Mr. KEARFUL. Was that a matter of common knowledge in the department?

Mr. WILSON. It was at that time.

(Whereupon the further examination of the witness was adjourned until Saturday, April 17, 1920, at 10 o'clock a. m.)

SATURDAY, APRIL 17, 1920.

UNITED STATES SENATE,
SUBCOMMITTEE ON FOREIGN RELATIONS,
Washington, D. C.

Testimony taken at Washington, D. C., April 17, 1920, by Francis J. Kearful, Esq., in pursuance of an order of the subcommittee of the Committee on Foreign Relations of the Senate.

TESTIMONY OF MR. HENRY LANE WILSON—Resumed.

Mr. KEARFUL. Mr. Wilson, you stated that in 1910 there were about 75,000 Americans operating in Mexico and about 10,000 in Mexico City. What information have you as to those Americans in Mexico since that time?

Mr. WILSON. During the time I was in charge of the embassy, especially during the latter stages of the Madero administration and markedly so during the latter stages of the Huerta administration when it became evident that recognition was not to be accorded to Huerta, the American emigration was very heavy from every part of Mexico to the United States. In the City of Mexico probably 50 per cent of the Americans, apprehensive of the results which might follow the failure of the Washington administration to recognize the government of Huerta, left for the United States either to await the final outcome or remain permanently.

Correspondence with the consulates throughout Mexico and advices brought from other sources indicated to me that at the time I left Mexico about 20,000 Americans had left. Information which has come into my possession from various sources since my departure and during the disturbed conditions preceding and following the Presidency of Carranza is that from 25,000 to 30,000 Americans have left Mexico and are now in this country. This would make a total of about 55,000 Americans who have returned to the United States. Whether there has been any counterflow or not I am unable to say. At the same time my estimate of the number of Mexicans who have left Mexico on account of the disturbed conditions and who are now living in the United States awaiting the restoration of normal conditions amounts to about 1,000,000 people. These emigrants, or rather fugitives, come from the landowning intellectual middle classes in Mexico to a very large extent, but there is also a very large percentage from the laboring class in Mexico, who find it impossible to continue peaceful pursuits during the present régime there.

Mr. KEARFUL. Do you know what the attitude of this Government has been with respect to the Americans living and having business in Mexico remaining there?

Mr. WILSON. During the administration of Huerta the Americans were ordered out of Mexico by the Department of State and I believe by proclamation, but I am not sure.

Mr. KEARFUL. Did you ever have occasion to ascertain by conversation with Secretary Bryan or President Wilson what their attitude was in regard to the Americans in Mexico?

Mr. WILSON. I believe you will have to put that question some other way. I know pretty well what their policy toward Mexico was, but their attitude toward Americans was another thing.

Mr. KEARFUL. Apart from the various orders that were given for Americans to leave Mexico, what was the attitude, if you know, in regard to the Americans there?

Mr. WILSON. Personally, neither the President nor Mr. Bryan expressed to me any opinion upon the subject of the Americans in Mexico. From various sources, from Americans who had had interviews with Mr. Bryan and the President and from the position taken by the President and Mr. Bryan in receiving the American delegation representing the American colony, it appeared to be quite evident that any testimony from American sources was regarded with suspicion, and that persons who were interested in Mexico were regarded as prejudiced witnesses.

Mr. KEARFUL. I understand that your principal concern was with reference to the life and interests of American citizens in Mexico. Was not that matter discussed between you and the President when you saw him here on returning from Mexico?

Mr. WILSON. I had only one interview with the President, which covered not to exceed two hours of time. Prior to that interview I went to the Department of State and inquired from some of the subordinates what papers and documents the President had called for, for the purpose of informing himself on the Mexican question. I was told by subordinates that he had only called for the last confidential report—that is to say, for the report made from the embassy covering the revolution against Madero—and that he had not asked to be furnished with any of the preceding reports. I made this inquiry for the purpose of being able to discuss with the President the situation in an intelligent way.

Mr. KEARFUL. In your conversation with the President did he express any concern for the lives or properties or interests of Americans in Mexico?

Mr. WILSON. No. The entire conversation was confined to the question of the recognition of Huerta.

Mr. KEARFUL. With respect to Americans who had established themselves in business and in homes in Mexico, what was the effect upon them of their being told to leave that country?

Mr. WILSON. Thousands of them have been absolutely ruined. Perhaps I would better say that in the interview with the President he maintained a very reserved attitude with reference to the situation in Mexico and that by the very force of the circumstances I was compelled to do most of the talking. The basis of my representations to the President was the recognition of Huerta and I submitted to him a memorandum which is elsewhere inserted, outlining precisely how recognition ought to be accorded and what reserves ought to be insisted upon. I also recommended that in the event that recognition was not accorded that, in compliance with what would

be our apparent duty in the situation which would result, intervention would probably become necessary and I indicated how that intervention could be carried into effect.

Mr. KEARFUL. Did the President seem to be impressed with your recommendations?

Mr. WILSON. No. His only comment was that Huerta would not carry them out. At the time he made this statement I had the verbal assurances of Huerta that he would expect, in the event of the firm installation of his government, to have the moral assistance and advice of the Government of the United States in procuring by evolutionary practice the gradual establishment of real democratic methods in the government of Mexico.

Mr. KEARFUL. Was there any notice given to American citizens to leave Mexico during the administration of President Taft?

Mr. WILSON. None. During the administration of President Madero conditions in Mexico became, especially toward the last, practically intolerable in certain parts of Mexico. It was very difficult to secure protection for Americans in these districts. I therefore recommended to the Department of State that consuls within these especially dangerous zones be instructed through the embassy to advise—not order, but to advise—Americans to change their residences to urban centers where protection could be accorded. But no Americans were ever ordered out of Mexico during the Taft administration. On the border some of the consuls probably ordered Americans to go into the United States as that was the safest and easiest place of procuring safety.

Mr. KEARFUL. These advices related only to certain restricted and dangerous districts?

Mr. WILSON. Yes; and they are defined in the statement which was issued.

Mr. KEARFUL. Those were districts in which there were revolutionary or bandit activities?

Mr. WILSON. Yes; and there was no protection at all. Those localities were named.

Mr. KEARFUL. Do you know what became of the Maderos and the property of the Madero family under the rule of Carranza?

Mr. WILSON. For a long time the Maderos were not permitted to enter Mexico and their estates were seized by the Carranza government. Whether that condition still exists or not I am unable to say.

Mr. KEARFUL. Did Carranza start his revolution as a Maderista and as a protest against the assassination of Madero?

Mr. WILSON. Yes.

Mr. KEARFUL. Do you think that that was the real motive or merely an obstensible one?

Mr. WILSON. That was the popular and sentimental slogan suited to the situation.

Mr. KEARFUL. How do you account for the state of mind of President Wilson in adopting and following out the policy that he has adopted and followed in reference to Mexico and the American citizens in Mexico?

Mr. WILSON. It is of course impossible for me to fathom the President's mind or to analyze accurately the motives which impelled him to the adoption of the peculiar policy or lack of policy which has been pursued with reference to Mexico during the last seven years.

From close observation and study of the President's character in connection with other policies of the administration, I am inclined to think that his policy toward Mexico was the result of a mental obsession that all knowledge and all power rest in the Executive. It is impossible to believe that the motives of the President were not good, but as to the inspiration of these motives I think we may obtain a fairly clear idea from his course at other critical periods in the history of the last seven years.

I believe the President came into office obsessed with the idea that he held a mandate from the American people not only to reverse all the policies of his predecessors, but with the determination to enlarge and perhaps exaggerate the power of the Executive beyond all precedent in our history. To this idea he has risen mentally, but certain weaknesses in his character have usually brought about inconsistent and hesitating performance. To illustrate, one of the first acts of President Wilson after assuming office was to destroy what is generally known as the Six-Powers Agreement which had been constituted by the great powers of Europe in conjunction with the United States not only for the purpose of the development and evolution of China, but likewise for the purpose of holding Japan in check.

The result of the President's precipitate action was that all semblance of European and American control over Asiatic conditions was sacrificed, and the great prestige and influence which this Government demanded and obtained under the administration of the Department of State by Mr. John Hay was lost. Following the collapse of the six-power agreement Japan asserted a practical sovereignty over China. With the outbreak of the European war she advanced her position and became practically the overlord of all far eastern countries. Here at this point was recorded the direct result of the precipitate and unwise action of President Wilson in foreign affairs. He was immediately brought face to face with the unfortunate results which were made quite evident in the Lansing-Ishii treaty, by which the Government of the United States recognized the predominance and overlordship of Japan in the Far East, a predominance and overlordship which had been brought about very largely by the weakness of this administration and by its precipitate action. The Lansing-Ishii treaty affords a very fair illustration of the logical but unpleasant consequences of precipitate haste in adventurous diplomacy too often expressed in grandiloquent phraseology.

The evil results of this hasty step did not, unfortunately, end there, for when President Wilson engaged in the discussions of the peace conference at Paris he was again confronted with the fruits of his unfortunate diplomacy in the form of demands made by Japan before the conference, accompanied by subtle threats, that actual lordship over the Peninsula of Shantung should be accorded to her, and the peace conference, which at that moment was beset by the urgent demands of Italy, along with other vexatious problems, rather than add to its difficulties, admitted the claims of Japan, which are in direct contravention with the principles enunciated by the President in his Mount Vernon speech.

In other words, in the announcement and definition of a foreign policy which the President seems to consider his special province, we have precipitate announcement of doctrine, but there is usually

absolute failure of performance, because between announcement and conclusion, the fruit of unwisdom is borne.

The same quality of mind is illustrated in the discussion of article 10 of the peace treaty. Article 10 is an important article in the treaty, but there are other articles which are fully as important and vital. However, the President wrote article 10, and that was his sole contribution to the treaty of peace. Confronted with the American opposition to article 10, which had been precipitately and adventurously injected into the treaty by the President himself, the President shows a preference to sacrifice the interests of the bleeding world rather than sacrifice his pride of authorship and opinion. Therefore, the treaty falls because article 10 is modified and changed contrary to his wishes.

The attitude of the President in Mexican affairs has been, from the origin of the difficulties there, that he understood the situation and that no one else did. To this mental obsession he has clung in spite of an absolute collapse of his policy and of widespread and disastrous consequences, and in my opinion he will continue to maintain the attitude which he has assumed, as I am informed he has written the plank on Mexico for the Democratic national convention, in which it is declared that a state of peace reigns in Mexico and that his policy has been vindicated.

Mr. KEARFUL. What is your present information in regard to the state of peace that reigns in Sonora, perhaps the largest State of the Republic of Mexico?

Mr. WILSON. My information is that the State of Sonora and the State of Sinaloa are both in revolution against the central government. I have heard that there were other States, but I have no positive information about that. The population of the States of Sonora and Sinaloa is made up very largely of white Mexicans who emigrated 50 or 75 years ago from Texas. It is quite distinct from the other border population.

Mr. KEARFUL. Sonora is the State in which Carranza's revolution was started, with the assistance of Gen. Alvaro Obregon, is it not?

Mr. WILSON. No; hardly that. The revolution of Carranza started in the State of Coahuila, but he was driven out of Coahuila by Huerta and became a fugitive. He finally went to Hermosillo, in the State of Sonora, and was received and protected by Obregon. At that time he had no soldiers at all, but was an absolute fugitive from the Federal Government.

Mr. KEARFUL. What I meant was that his first successes began under protection of Obregon?

Mr. WILSON. Yes.

Mr. KEARFUL. In order to illustrate what you have just been saying about President Wilson's strange misconception of Mexico, I refer to Mr. Calero's book again. On page 77 he said, quoting Mr. Wilson:

"My passion is for the submerged 85 per cent of the people of that Republic, who are now struggling toward liberty," said Mr. Wilson in May, 1914, referring to the revolution, whose most conspicuous figure was then Francisco Villa. (Interview in the Saturday Evening Post.)

Who composes that 85 per cent? Mr. Wilson himself undertakes to say: "The present revolution, like all preceding revolutions, is primarily a revolution by the peons, who want to regain their land;" and he adds that the revolution was "a fight for the land, just that and nothing more."

On page 68, Calero gives his conception of the motives of the revolution as follows:

No one could have confidence in the revolution, because in this there dominated that which dominates in all Latin-American revolutions: The personal ambition of one, or various men to possess themselves of the Government. Only Mr. Wilson, who appears ignorant of the psychology of this kind of revolts, could believe that it was the conscientious movement of a people struggling for liberty; but for those who are acquainted with that psychology, the confidence or want of confidence which the revolution inspired, was measured by the confidence or want of confidence which its leaders inspired.

Particularizing as to the acts of the revolutionists at that time, he said on page 61:

The struggle between the Carranzistas and the Conventionists (of which latter group Villa was the head) assumed a character of terrible cruelty. Those combatants did not appear to fight against their enemies, but against the immense pacific population. Everyone, who may have followed the changes of this drama, knows the infinite number of attacks upon the honor of women, upon religion, upon property and upon life. A savage struggle in which the Yaquis, barbarous and sanguinary, who formed a part of the hosts of Carranza, the criminals, taken from all the prisons, the Mexican Indian, ignorant and avid for blood and rapine, who formed the bulk of the combatants, satisfied their instincts for bestial ferocity at the expense of fifteen millions of human beings.

Hunger and pestilence increased the ravages of war. The military chiefs made scandalous fortunes, and what they did not appropriate to themselves was sent to the United States to the voracious speculators, who were paid with the bread and tears of the Mexican people for the arms and ammunition which sustained that infernal conflict.

Read the reports of the Red Cross; examine the official data with which the Department of State is stuffed, and it will be seen that while thousands of women and children were dying for lack of food, cargoes of corn, beans, live stock, and all that could satisfy hunger, went out of the Mexican ports and of the frontier cities to be converted into rifles and cartridges, into instruments of destruction.

Which do you think is correct, President Wilson or Mr. Calero?

Mr. WILSON. Mr. Calero's is a very accurate description. It is practically and precisely, except as to the words, the position I have taken in numbers of addresses and numbers of magazine articles.

Mr. KEARFUL. How does this statement of Mr. Calero accord with the note that you mentioned yesterday that was sent by Secretary Lansing in June, 1916, to President Carranza?

Mr. WILSON. The conclusions are the same.

Mr. KEARFUL. Do you conceive that it is possible for the Democratic convention at San Francisco to adopt a plank approving and sustaining the policy of President Wilson under those conditions and upon those facts?

Mr. WILSON. It is hardly possible for me to analyze the Democratic convention or the attitude it may take upon any public question.

Mr. KEARFUL. Do you believe that any patriotic body of men could approve that policy in the light of those facts?

Mr. WILSON. A resolution approving the policy of the President toward Mexico in view of what has happened toward the Americans there would be equivalent to a resolution passed by any body of Americans in this country, after the blowing up of the *Lusitania*, indicating German sympathy. There is not a particle of difference except that the one thing occurred on land and the crimes and the tragedies were scatterred over a considerable period of time, and the other occurred on the sea and the tragedy occurred at once. There is no difference whatever. From my standpoint any man—assuming

that he is fairly well informed—who supports the Mexican policy of President Wilson is unpatriotic and un-American.

Mr. KEARFUL. You have come in contact with the Mexican people. Can you give a statement as to the character and potentialities of the Mexican people?

Mr. WILSON. Are you referring now to the so-called higher classes or lower classes?

Mr. KEARFUL. My question is general and you may particularize as you please.

Mr. WILSON. Of course you must understand that 80 per cent of the population of Mexico is Indian and unable to read or write.

Mr. KEARFUL. That is the submerged 85 per cent?

Mr. WILSON. The submerged 80 or 85 per cent, that President Wilson refers to, is Indian and unable to read or write. That 80 per cent has widely different elements. The Indian of the north is a distinctly different person from the Indian of the south in habits, in blood, in traditions, in all that goes to make up a unit in the body politic.

The Indian of the north is a descendant of the Aztec. He is as a rule grossly ignorant, intemperate, uncleanly. Brigandage is his real occupation. His other pursuits are merely nominal.

The Indian of the south of Mexico is a descendant of the Maya race of Indians, sometimes called the white Indians, with admixture in some instances and in some localities with the Toltecs who preceded the Aztecs in the invasion of Mexico. The Mayas, the original Mexican race, who inhabit the States of Yucatan, Tabasco, Campeche, and Chiapas, are almost entirely of the pure Maya race, cleanly, industrious, handsome, and law abiding.

In the section immediately to the north of these States there is a mixture of the Maya and the Toltec which makes the prevailing type in the States of Vera Cruz, Puebla, Oaxaca, and Morelos. These are also industrious and orderly people. There never has been a marked tendency to anarchy and revolution among the Mexicans south of a line running through San Luis Potosi.

Mr. KEARFUL. That is about the center of Mexico?

Mr. WILSON. Yes; south of that line there would have been no revolution and no disturbances of any kind if the country had not been invaded by the revolutionary elements, upsetting order, bringing about confusion and plundering the people. Through all this section the government of Gen. Diaz was very popular and very strong. A very large part of it never accepted the government of Madero and a very considerable part of it has not accepted the government of Carranza. The great and prosperous State of Oaxaca, for instance, is now absolutely independent, and with it goes its dependent States of Tabasco and Campeche.

The southern Mexican Indian, who is a man who labors upon the soil, if treated firmly and kindly and justly, does well.

Mr. KEARFUL. Do you think he has potentialities of a good citizen?

Mr. WILSON. The southern Mexican; yes. They have no understanding whatever of finespun or altruistic political theories. They do understand justice when accompanied by firmness, but the word "justice" has no meaning to them unless it is reinforced by power and vigor of executive action. The Americans in Mexico were very successful in dealing with this class of Mexicans. They paid them

better and looked more closely after their physical welfare than the Mexican employers. The American always dealt firmly with them, understanding their character generally much better than the white Mexican employers.

With good government, civilized conditions, education, and the wise supervision of a semiautocratic government, these people can be gradually brought to a comprehension of the practices of real democracy; but they never can be brought to that state of mind or to the practice of democracy by revolution.

Mr. KEARFUL. What have you observed to be the effect socially, morally, and educationally upon the Mexican natives of the operation of American enterprises in Mexico?

Mr. WILSON. On the railways, which were wholly the creation of American enterprise and capital, a very distinct type of Mexican was evolved, fully equal in some branches of railway work to the American employees. They made good engineers, good trainmen, good switchmen or yardmen, but not good conductors. In the oil regions the results achieved through the employment of Mexican labor were and are, I believe, very satisfactory. I once visited the oil regions in the State of Tamaulipas, near Tampico, and made a very complete investigation of the conditions prevailing upon the properties of the Huasteco Oil Co., which is the mother property of the Mexican Petroleum Co.

Mr. KEARFUL. It was also the pioneer oil enterprise in Mexico?

Mr. WILSON. Yes; and I found there conditions prevailing under the administration of Mr. Doheny, who is president of the Mexican Petroleum Co., which were a great credit to the company—schools, hospitals, churches, good roads, all the usual arrangements pertaining to the good health and moral well being and happiness of the people. I was quite impressed with what had been done in this direction. I made inquiry at the time and was told that the conditions prevailing upon other oil properties, which had been largely modeled upon the Huasteco, were not in any instance very far behind conditions prevailing on the Huasteco Oil Co.'s property.

I have also, from time to time during my residence in Mexico, visited American sugar estates, cotton estates, coffee estates, rubber estates, and mines, and in every instance I have found working conditions better than those prevailing in similar properties owned by Mexicans, and invariably the wage scale was higher and workmen better contented and more industrious than in Mexican owned property.

The city of Tampico at that time was being transformed from an aggregation of adobe houses into a modern municipality, with all the conveniences of modern life. All this, or most of it, was being done through American initiative and by American capital.

Mr. KEARFUL. I had intended asking you about the character of Porfirio Diaz. Mr. William Jennings Bryan, in an issue of the Commoner, which he owns, on January 30, 1903, had this to say:

The third great man produced by the Mexican Republic is the present President. With the exception of one term, he has been President since 1876, during which time he has shown wonderful ability, and it is doubtful if there is in the world to-day a chief executive of greater capacity or devotion to his people. Certainly no people have made greater relative progress than the Mexican people have made under the administration of Porfirio Diaz. Education has been promoted, law and order estab-

lished, agriculture developed, commerce stimulated, and nearly every section of the country connected by railroad with the capital. While there are many able and strong men upon whom the mantle of President might worthily fall, he has been so remarkably successful and has such a hold upon all classes of the people that he will doubtless remain at the head of the Government as long as he lives. The people would hardly consent to his withdrawal, even if he desired to lay down the responsibilities of the position.

How does that statement compare with your observation of Diaz and his work?

Mr. WILSON. In so far as it relates to his work I agree entirely with Mr. Bryan's statement. As to his expressions relative to the firmness of the government of Diaz, I am inclined to think that Mr. Bryan does not understand Latin-American psychology, for in Latin-America it is "hallelujah" one day and anathema the next.

Mr. KEARFUL. Was Porfirio Diaz the character of man who will have to be relied upon to govern Mexico if it is to be governed by a Mexican?

Mr. WILSON. Yes; Mexico can not be governed in strict accordance with republican or democratic principles, because the people have not been educated to understand what those principles are. We ought to be satisfied to have Mexico preserve the form of republican government under an administration which will gradually, through the processes of evolution, bring about the practices of real democracy.

Mr. KEARFUL. You are familiar with the history of Mexico. Has there ever been any period in Mexican history in which there was law and order and protection to life and property except during the administration of Porfirio Diaz?

Mr. WILSON. None.

Mr. KEARFUL. Was Gen. Huerta the character of man that might have been relied upon to govern Mexico as it must be governed?

Mr. WILSON. Yes; I should have said in answering your previous question that under Huerta conditions were very rapidly moving in the direction of absolute peace and order.

Mr. KEARFUL. Was Huerta essentially the same character of man that Porfirio Diaz was?

Mr. WILSON. He had some of the characteristics of Diaz, but was not as high-grade man as Diaz. Diaz was not only a firm ruler; he was a statesman of vision and looked ahead into the future. Huerta was anxious to follow in the footsteps of Diaz, being in entire sympathy with the Diaz type of government, and also being in complete sympathy with the Diaz foreign policy of maintaining absolutely friendly relations with the Government of the United States. He lacked the moral poise of Diaz. He lacked the power of restraint. He was somewhat hasty in his decisions and with a tendency, which he constantly held in check, to extreme action. It is to be noted that during the time of Huerta Americans were everywhere protected in Mexico—that is to say, until the last.

Mr. KEARFUL. Until the occupation of Vera Cruz?

Mr. WILSON. Yes; until the occupation of Vera Cruz—and that during his administration only two Mexicans were killed outside of legal procedure.

Mr. KEARFUL. Is that an unusual thing in Mexico?

Mr. WILSON. Very. One of the persons executed by order of Huerta was one of his own relatives who had brutally murdered a

soldier. The other one was a member of Congress who endeavored to incite a revolt in Congress against the President.

Mr. KEARFUL. Did you ever have any conversations with President Huerta in regard to the American policy and his own attitude towards the United States?

Mr. WILSON. Many.

Mr. KEARFUL. Are you at liberty to give the committee the benefit of those interviews?

Mr. WILSON. Of course, these all related to the pressing urgency of the situation in Mexico and also as to the probable attitude of the Government at Washington.

In the beginning of those discussions Huerta was pliable, diplomatic, gracious, and ready to concede practically anything demanded. After the final interview which I had with him on this subject, his attitude changed completely, and whereas prior to that time there had been an excess of willingness to grant everything I demanded officially, after this interview there was a complete change of front, and the deliberate policy seems to have been adopted of illustrating, through their treatment of me, their resentment of the attitude of the administration at Washington.

From the time of this interview, a memorandum of which, made at the time, I will ask to have inserted in the record, I was given very scant courtesy by the Mexican foreign office.

MEMORANDUM OF THE AMBASSADOR'S INTERVIEW WITH PRESIDENT HUERTA.

MEXICO, *May 7, 1913.*

I saw the President to-day at his request. He said that he had been wanting to have a consultation with me for some time relative to the delayed recognition of this Government by the Government of the United States. I said to him that, believing that the interests of our own country as well as those of Mexico were involved in the early recognition of the latter by the former, I had made repeated representations to Washington urging the resumption of full and cordial officials relations, but that neither the Department of State nor the President had given expression to any views on the question, and that I was without any guidance as to the views entertained at Washington except those furnished by conjecture. I said to him that possibly immediate recognition might be brought about by the immediate and unreserved settlement of all the great questions pending bewteen the two Governments at the present time, and which had formed the basis of my letter of February 24, 1913, to him. I said to him that I could only conjecture that this might be the reason for withholding recognition, and that, on the other hand, the Government might, in deference to a certain section of public opinion, be delaying its action so as to follow other nations in making official recognition; and that, also, the question probably might be influenced by the complete reestablishment of peace throughout the country.

The President then asked me if he might talk to me unreservedly as a friend of Mexico and a personal friend of his. I said that he might, but that he must understand that I could have no secrets from my Government concerning political matters. He then went on to say, speaking with much earnestness, eloquence, and some bitterness, that the Mexican nation was solvent and independent, and that this administration, which, though not elected, had been as legally constituted as any government could possibly be, had entered upon the task of reestablishing peace with a bankrupt treasury left by the Madero administration, which had plundered the nation, and with no army; that by a careful administration and skillful direction of public funds a new army had been built up and equipped and was about to take the field for active operations against the rebels. This recruiting he said was now going on at the rate of 800 soldiers a day; that peace was being rapidly established throughout the Republic except in certain districts on or near the border and in the State of Morelos. All other outbreaks, he said, were purely brigandage; and that by the end of June he expected to have practical peace reestablished throughout the Republic. He stated that the loan which the Government had been negotiating for some time was about to be closed, and that the Governments of Germany, France, and Italy were about to follow England and Spain in recognizing this Republic.

In view of all of these facts, the President said he felt that the attitude of the Government of the United States in refusing to accord recognition to this administration was unwise, unfriendly, and that, in the event that this Government should fail to sustain itself the opinion of the world was certain to place the responsibility upon the administration at Washington for whatever disasters might follow. He said, in view of this situation, that this Government did not feel that it would be justified, in view of the hostile public opinion and in view of the undignified position in which it would be placed by so doing, in concluding the questions at present pending between the two Governments. That is to say, the Chamizal, the Colorado River case, the special-claims cases, and the general claims cases. He added that the Washington Government's view in these cases, together with the Tlahualilo case, which had been entirely concluded, had been accepted in principle by this Government, and that whenever the Government of the United States would place this Government in the position of settling the questions as matters between two friendly and sovereign, if not two equally powerful countries, their prompt solution could be expected, but not before.

He added some words of appreciation of the personal services which I had rendered to the country and said that my attitude was fully understood and that all classes here were profoundly grateful for what I had done, and that in the event of my departure expression of public approval of a most unique and unprecedented character would be paid me.

A little bit later, when there were anti-American outbreaks in Mexico City, evidently inspired by the Government, I sent a very sharp note to the minister of foreign affairs, in which I demanded immediate action by the Government for the procurement of absolute cessation of these attacks. This note was couched in very vigorous language and was very strongly resented by the Huerta administration. From that time on the embassy was absolutely isolated, and I found myself without the confidence of the Government I was representing or any influence with the Government to which I was accredited.

This unfortunate situation continued until my departure; and whereas it will be seen in the memorandum attached that it was the intention of the Mexican Government to accord me unusual and unique expressions of appreciation on the occasion of my departure, in recognition of the work which I had done in bringing about peace, as a matter of fact when I left Mexico City the usual courtesies accorded by the Mexican Government to departing diplomatic representatives were not given me. On the other hand, when Mrs. Wilson left, the courtesies were extremely marked, showing that they intended in this way to mark their disapproval of the attitude of the Washington Government.

Mr. KEARFUL. But, nevertheless, to show their personal appreciation?

Mr. WILSON. Yes. The attitude of the people at that time, as long as I remained in Mexico, and of the Government, aside from this evident purpose to express their resentment at the attitude of the Washington Government, was one of deep gratitude and kindness.

The memorandum of this last interview with Huerta is very interesting, in that it reveals something of his character. There had been a very persistent effort made in the United States to produce the impression that Huerta was an ignorant, rough, and intemperate soldier. On the contrary, he was a highly educated man, and possessed wonderful gifts of eloquence and oratory, was persuasive, diplomatic, and courteous. He was provincial in dress and in knowledge of social conventions, but not otherwise.

Mr. KEARFUL. Do you know of the existence now of any able and strong man in Mexico upon whom the mantle of President might

worthily fall—such a man as Porfirio Diaz as he was described by Mr. Bryan in 1903?

Mr. WILSON. No. If there are any Mexicans approximating to the character of Diaz, they are in this country or in Europe.

Mr. KEARFUL. It was testified here by a prominent Mexican that approximately 80 per cent of the intelligent class of Mexicans were exiled from Mexico and unable to return there. What is your opinion about the prospect of establishing a government in Mexico without the assistance of this intelligent class of Mexicans now exiled from Mexico?

Mr. WILSON. It is an impossibility.

Mr. KEARFUL. Have you opinions that you can give for the benefit of the committee in regard to what should be done to establish peace and stable government in Mexico?

Mr. WILSON. At the present time Mexico is burned out. All of the intelligence and most of the patriotism of the country are in exile. Nothing can be done in the direction of setting up a different government in Mexico so long as the Washington administration maintains a force on the border for the purpose of maintaining the present Carranza government. An illustration of the extremes to which our Executive goes in maintaining the Carranza administration probably will be furnished to-day or to-morrow in the granting of permission to Carranza to pass troops over American soil for the purpose of fighting the Obregon forces in the State of Sonora. I shall be very much surprised if this permission is not granted, and yet it constitutes an act of absolute interference in the political affairs of Mexico, granted at the request of an administration that has taken an attitude of deep hostility toward the Government of the United States, and which has instituted intrigue after intrigue against the Government of the United States, and has apparently with deliberation refused to give protection to American citizens in Mexico.

All of the natural leaders of a new movement in Mexico are in the United States or Europe. It would be extremely difficult, except under the direction of the Government of the United States and with its cooperation, to bring these people together under any definite leadership. It may perhaps be done and probably will be done if the next President of the United States is prepared to carry out the declarations of the platform upon which Mr. Wilson was first elected.

To cure the situation in Mexico to-day there are only three remedies which can be employed:

First, abandonment of the country officially and the recall of the American population, with the consequent relapse of the country into barbarism.

Second, the installation there by this Government of a government friendly to this, and willing to work in harmony with it; the firm establishment and maintenance of this government by the financial and moral assistance of the Government of the United States, enabling it to restore peace and order and meet its international obligations.

Third, intervention by the armed forces of the United States down to the twenty-second parallel, which covers the area within which most of the revolutions originate, and which is the most sparsely inhabited part of Mexico; the establishment and recognition of an independent republic within this territory, its stability to be maintained by the protection and financial and moral aid of this Govern-

ment, and the inducement of immigration from all countries. This would constitute a buffer State, and therefore the destinies of Mexico would be controlled by the peaceful population south of San Luis Potosi and the Mexican question would cease to have any importance, or at least not more importance than the affairs of any other Latin-American question.

I do not recommend any one of these three courses.

Mr. KEARFUL. Have you any objection to stating which one of them you prefer?

Mr. WILSON. I think it would be rather difficult to say that. Of course, one prefers to see Mexico restored to peaceful conditions and the practice of law and order with her territories intact if that can be accomplished through the method which I have suggested under No. 2. I very much doubt whether that plan can be successfully carried out, and I am coming reluctantly to the conclusion that in the ultimate analysis we shall be forced to recognize and to assume the duty of putting Mexico in order by some method closely connected with the third recommendation. Of course we can not continue in the business of talking about making the world a decent place to live in with our own back yard in a filthy condition. If we are to engage in the business of evangelizing the world, we must begin our moral and altruistic program within what really might be called our own household.

Mr. KEARFUL. Do you think we owe any duty to anybody, and if so, whom, to step in and set Mexico right?

Mr. WILSON. I should say that the immediate proximity of a great civilized power to a nation of anarchistic tendencies, where law and order do not prevail, furnishes in itself abundant reasons for such action on the part of the great power as will produce peaceful conditions within the borders of its weaker neighbor. In this case there is the additional reason that our Government is in a very large measure responsible for the conditions which prevail in Mexico, as we dispossessed a legally constituted government for the sole reason that we did not like it, and after a long period of chaos set up there a pure military autocracy which never has had any semblance of authority from the Mexican people, which never has had control over more than one-half of the territories of Mexico—a government weak where it should be strong and strong where it should be conciliatory; a government which has involved Mexico in a mountain of debt, which has utterly destroyed the works created by years of diligent statesmanship under Diaz, and which were in part maintained by Madero, and which to-day represents, not a nation, but an aggregation of feudal brigands.

Mr. KEARFUL. You think that the anarchistic condition of Mexico, lying at our back door, constitutes a menace to us, and that we therefore owe a duty to ourselves to correct that condition for our protection?

Mr. WILSON. The Mexican question has ceased to be a border question. It has become a national question. During the recent European war the Mexican Government had in its employ a number of German officers, usually estimated at something like 110, training the Mexican army for assault on our borders in conjunction with Japan. It therefore becomes evident that we are always open to attack from the south. The ocean is our protection on the Atlantic

and the Pacific, and we have a peaceful neighbor to the north, but from the south we are always open to attack, and, while I am entirely sure that the advances of the Carranza government to Japan at this time were not even considered, the fact that such offers were made ought to constitute a warning to the American people.

Mr. KEARFUL. You think, in the second place, that because we interposed to overthrow the government of Huerta and impose upon Mexico the government of Carranza we owe a duty to the Mexican people?

Mr. WILSON. Yes.

Mr. KEARFUL. Not to go over again the duties that this Government may owe to its citizens living and having interests in Mexico, do you believe that this Government, by reason of the peculiarities of the situation, owes any duty to other countries whose nationals are affected by the Mexican situation?

Mr. WILSON. Oh, yes. We have directly assumed that obligation by refusing to recognize the government of Huerta, which was recognized by all European Governments. By insisting upon our own policy contrary to the views of all European Governments we have made ourselves responsible for what followed, and now we are in the situation that these same Governments have refused to recognize the government of Carranza, maintaining their perfectly legal position which they took in the time of Huerta.

Mr. KEARFUL. Do you know whether or not there was any agreement entered into by this Government with the European Governments interested in Mexico to the effect that if we should be allowed a free hand in Mexico we would be responsible to them for the consequences?

Mr. WILSON. Only as I have read it in the newspapers. I have seen references to it, but I know nothing about that.

Mr. KEARFUL. I believe that is all I care to ask that I have any notes upon, Mr. Wilson. Is there anything further that has not been covered that you would like to say?

Mr. WILSON. I rather think not. Of course, I could talk to you some days here, but I do not know that I would add anything if I did. I believe there is nothing else.

Mr. KEARFUL. The committee is very much obliged to you.

(Thereupon, at 12.15 o'clock p. m., the subcommittee adjourned until Monday, April 19, 1920, at 10 o'clock a. m.)

TUESDAY, APRIL 27, 1920.

UNITED STATES SENATE,
SUBCOMMITTEE ON FOREIGN RELATIONS,
Washington, D. C.

The following testimony was taken at Washington, D. C., April 27, 1920, by Francis J. Kearful, Esq., in pursuance of an order of the subcommittee of the Committee of Foreign Relations of the Senate:

TESTIMONY OF JOHN LIND.

(The witness was sworn by Mr. Kearful.)

Mr. KEARFUL. Please state your full name.

Mr. LIND. John Lind.

Mr. KEARFUL. What is your present address?

Mr. LIND. Minneapolis, Minn.

Mr. KEARFUL. What is your profession?

Mr. LIND. Lawyer.

Mr. KEARFUL. You are a native-born American citizen?

Mr. LIND. No; I am not. I was born in Sweden, but I have lived in the United States over 50 years.

Mr. KEARFUL. You are a naturalized citizen?

Mr. LIND. I became naturalized by reason of my father's naturalization.

Mr. KEARFUL. While you were a minor?

Mr. LIND. Yes; I was a child when my parents came here.

Mr. KEARFUL. You were subpœnaed to give the committee the benefit of your views in regard to conditions in Mexico, based upon your knowledge and experience. The members of the committee, being otherwise engaged, have authorized me to proceed with the examination.

What has been your opportunity to observe conditions in Mexico?

Mr. LIND. Since I left Mexico in the early spring of 1914 I have had no opportunity; I have not been there, and I have had no correspondence. For a long time I received the Mexico City papers. Later I asked that they be sent direct to our university. During the war I read the Mexican papers pretty carefully, but had absolutely no correspondence either with Americans or Mexicans since 1915. So my knowledge of Mexican conditions, if I have any at all, is simply based on the impressions that I have received from the press, Mexican and American.

Mr. KEARFUL. When did you first go to Mexico?

Mr. LIND. In July, 1913.

Mr. KEARFUL. Did you have any knowledge of conditions in Mexico before you went there?

Mr. LIND. Only the general knowledge that an American would have who has been in public life to some extent, as I had, and general reading. I had never been in Mexico prior to that time.

Mr. KEARFUL. Had you made any special investigation of Mexican conditions before you went?

Mr. LIND. I had not.

Mr. KEARFUL. Briefly, what was your mission to Mexico?

Mr. LIND. That is best explained by the President's communication to Congress, to which I will call your attention.

Mr. KEARFUL. Do you have the particular portion to which you wish to refer?

Mr. LIND. The letter which I carried. It is given in full.

Mr. KEARFUL. This is an address by President Wilson to Congress, delivered August 27, 1913, in which he sets out a letter of instructions that was given to you?

Mr. LIND. Yes. If I may interrupt at this point to explain, I had no knowledge previous to the receipt of a telegram from Mexico that the President or the administration had any step of this character in view. I think it has been stated at the hearing or somewhere that I was a candidate for office. I never held an appointive office in my life. The President had had the kindness to offer me an appointive office without my solicitation previous to this, which I declined. The telegram simply requested me to come to Washington immediately. I was busy in court at the time and had to ask the postponement of the trip for a few days, and then I came on. The first I knew about what the President had in view was when I reached Washington. Then this memorandum to which I have called attention was given to me and its purpose explained in a general way. It was regarded as a mere temporary employment. I expected, and I think that was the thought of all concerned, that I would return in the course of two or three weeks, so I did not leave with any preparation to remain any length of time.

Mr. KEARFUL. Briefly stated, did you understand your mission to Mexico to be the elimination of President Huerta from the Presidency of Mexico?

Mr. LIND. Not at all, except as suggested in the memorandum. That was all the guide and all the instructions that I had.

Mr. KEARFUL. You accepted the mission?

Mr. LIND. I did.

Mr. KEARFUL. If it was not to eliminate President Huerta, what did you understand it to be?

Mr. LIND. I had no other view of the purpose of my mission than as explained in the memorandum.

Mr. KEARFUL. In carrying out your mission to Mexico you did present to President Huerta, on behalf of President Wilson, a proposition that he should remove himself from the position that he occupied, did you not?

Mr. LIND. I prefer not to give any version of my own of what I presented. I presented the paper which you have before you and which the President charged me to communicate. I did not present it to Mr. Huerta in person. I presented it to his then secretary of state, as he was called, Mr. Calero, although later I had interviews with Huerta.

Mr. KEARFUL. You went to Mexico accepting the mission set forth in your instructions, expecting to accomplish it and return in two or three weeks?

Mr. LIND. I had no expectation in regard to the accomplishment. I did not know and I do not know that any one knew what action would result from the mission, but I expected, as I said, to return in two or three weeks.

Mr. KEARFUL. Was the letter of instructions that you carried delivered to you before you left?

Mr. LIND. Yes, sir.

Mr. KEARFUL. Or was it sent to you?

Mr. LIND. It was delivered to me; handed to me by the President.

Mr. KEARFUL. Did you have any conversation with Mr. Bryan or President Wilson before you left, as to the object of your mission?

Mr. LIND. Yes; I had.

Mr. KEARFUL. I will ask you whether or not it was the purport of that object that Huerta must go?

Mr. LIND. I will answer that question by saying that I do not recall any conversation with either of them that was not exactly in line with the plan outlined in my memorandum, but I would not feel justified in assuming to disclose, if I remembered, or give any version of conversations that I had with either of them, because they were and are confidential so far as I am concerned.

Mr. KEARFUL. Do you have now plainly in mind a conception of the object of your mission to Mexico?

Mr. LIND. The object of my mission to Mexico was to bring about, as I understood it, an adjustment between the contending parties. You will note there is a suggestion that Huerta agree to an armistice. The rebels, as they were then called, were in arms in the northern part of the country, and that was the prime object, to induce them, if possible, to adjust their affairs so that the country might have peace and a government so constituted that it could receive the recognition of our Government.

Mr. KEARFUL. Did that adjustment involve the elimination of Huerta from the position which he assumed and held as President of Mexico?

Mr. LIND. I did not so understand. The object was to have an election at the earliest possible date and in the meantime an armistice and an adjustment of their contentions until an election could be held.

Mr. KEARFUL. At which election Huerta would not stand as a candidate?

Mr. LIND. He would not stand as a candidate. You know there was an agreement negotiated by the ambassador by which Huerta had pledged himself not to be a candidate at the election to be held after the coup d'etat.

Mr. KEARFUL. After the organization of the government under the agreement made between Huerta and Felix Diaz?

Mr. LIND. Yes.

Mr. KEARFUL. Was there any proposition or arrangement for Huerta to remain as president of Mexico until the election could be held, under your instructions?

Mr. LIND. No; but I do not recall that that question was ever raised or mooted.

Mr. KEARFUL. How did Huerta receive the proposition?

Mr. LIND. This best is explained by Gamboa's answer, which is annexed to the document which you have there He refused absolutely the armistice.

Mr KEARFUL. He refused all the propositions presented, did he not?

Mr. LIND. Yes.

Mr. KEARFUL. Did either he or Gen. Huerta ever indicate that any of the propositions were satisfactory to them apart from their written communication?

Mr. LIND. They made several communications later, all of which I transmitted to the department, and I made some—that is, I answered some of their communications on my own initiative in some instances, that is where I felt that my understanding of the attitude of that department was clear, but usually under instructions.

Mr. KEARFUL. Do you remember making the proposition that if Huerta would agree to hold elections within the territory controlled by him at which he would not stand as a candidate, that the man elected would be recognized by this country and that the then de facto government would be aided in getting financial assistance?

Mr. LIND. I submitted a suggestion that embraced some of the features to which you refer, but I would not undertake, after the lapse of nearly seven years, to discuss it in detail. I think that has been published. It is a matter of common knowledge and public property.

Mr. KEARFUL. Do you remember submitting this proposition to the Huerta government in a note dated August 25, 1913:

"The President authorizes me to submit to the consideration of the de facto Government of Mexico the following propositions:

1. That the elections convoked for October 26, 1913, be carried into effect in accordance with the constitution and laws of Mexico.

2. That President Huerta, in the manner indicated in the beginning by the President (Mr. Wilson) give the assurance referred to in paragraph C of the first instructions (that is, that Huerta should not be a candidate).

The President further authorizes me to say that if the government de facto acts immediately and in conformity with the indications mentioned, then the President will assure the American bankers and their associates that the Government of the United States would view with pleasure the contracting of an immediate loan in sufficient amount to cover the necessities of the moment of the de facto Government of Mexico.

The hope is sincerely entertained that the Government of your excellency will consider it in keeping with the best and highest interests of Mexico to accept immediately these propositions, which are submitted with the same spirit and the same objects as the first ones, but in this more restricted form, with the object that the Government of Mexico may act with regard to them, without the necessity of the cooperation or aid in the present circumstances of any factor foreign to the situation.

Do you remember presenting that?

Mr. LIND. I do.

Mr. KEARFUL. Do you have in mind now what was meant by the expression "without the necessity of the cooperation or aid in the present circumstances of any factor foreign to the situation?"

Mr. LIND. Yes. You will observe by Gamboa's answer to the President's memorandum that I carried down and delivered to the Mexican Government that the memorandum contained the armistice suggestion which that referred to, and Gamboa took the position that it was absolutely contrary to the policy of the Huerta Government, and that he would not in any circumstances either consent

to or consider any armistice proposition with the Carranza forces; that they were rebels, and would only be treated as such.

Mr. KEARFUL. The meaning, then, would be that the action proposed should be taken by the Huerta Government without consulting the rebels of the north?

Mr. LIND. Yes.

Mr. KEARFUL. By Carranza and Villa?

Mr. LIND. Yes.

Mr. KEARFUL. In other words, that it would relate only to the territory under his control?

Mr. LIND. The territory which he controlled, yes. The sole object of my efforts and of my trip, as I understood it, was to secure peace under a constitutional, orderly form of government.

Mr. KEARFUL. You conceived that it was essential to that, did you not, that Huerta should eliminate himself at the earliest moment, in accordance with the constitutional forms?

Mr. LIND. No; but that there should be an election at which, under his own contract with Diaz, he should not be a candidate; that there should be a free and fair election without being embarrassed by his own candidacy, which of course would in itself, in view of the contract that he had entered into with Diaz and the others, prevent an adjustment.

Mr. KEARFUL. How did you expect that there would be a free and fair election in the territory controlled by Huerta?

Mr. LIND. Well, those were the assurances that the Huerta government put forward right along, that there would be a free and fair election.

Mr. KEARFUL. Did you or did President Wilson understand that it was possible to hold a free and fair election under the supervision of Huerta and his government?

Mr. LIND. I do not know what the President understood. I had misgivings, but for the time being I assumed that they probably meant to carry out what they professed.

Mr. KEARFUL. You know that subsequently an election was held?

Mr. LIND. Yes.

Mr. KEARFUL. In the territory controlled by Huerta?

Mr. LIND. Yes.

Mr. KEARFUL. Do you know the result of that election?

Mr. LIND. There was not any result

Mr. KEARFUL. As I remember it, Huerta announced that he would not be a candidate.

Mr. LIND. Yes.

Mr. KEARFUL. But, nevertheless, the returns overwhelmingly elected Huerta, so far as any returns were published. Is not that correct?

Mr. LIND. I do not recall whether any returns were published, but I remember Consul Canada and myself took a walk around Vera Cruz on the day of the election. It is seven years ago and my memory is not very accurate, but it is my best recollection that at one poll which we visited, and I think that is the only one we found, over at the Diligencia, at that restaurant, there was one of Huerta's officials with a cigar box in which he was collecting ballots, and either while we were there or previously, he had put in a bunch of 150 or 200 ballots, and so far as we could discover those were the

only ballots cast in that precinct and possibly in Vera Cruz. Consul Canada's recollection is probably more accurate than mine, but, of course, the election was the merest farce.

Mr. KEARFUL. The ballot boxes were open boxes, were they, as you remember it?

Mr. LIND. I think so, and there were put in, either while we were there or there were already in the open box, a bundle about 4 or 5 inches thick, as I recall, of ballots tied together.

Mr. KEARFUL. Were there present at this election any of the ordinary things occurring at an election in this country?

Mr. LIND. No; and in no other country?

Mr. KEARFUL. There was no line of voters waiting to vote?

Mr. LIND. No. There was no voter in sight.

Mr. KEARFUL. There was no secrecy of voting?

Mr. LIND. No. I say there was not a voter in sight while we were there, and we sat down on the porch and had a cigar and watched it for a while, and then left. It was a ridiculous farce. You were in Mexico at the time.

Mr. KEARFUL. I was in Mexico City and noticed the same thing occurring there.

Mr. LIND. As I recall it, Gamboa came out ostensibly as a candidate of the administration. He was the nominee of the Catholic party and expected the support of that party, but a few days before election it was given out that Huerta and Blanquet would be candidates. I do not know whether it was published in the papers or not.

Mr. KEARFUL. You did not understand that it was given out by Huerta and Blanquet that they would be candidates?

Mr. LIND. Yes—well, I can not say, but that was the understanding.

Mr. KEARFUL. You remember, do you not, that after it was determined that Huerta and Blanquet had been overwhelmingly elected according to the returns as President and Vice President, that Huerta declared that the election was null because he was not constitutionally eligible for election and that therefore there having been no election, he would retain the provisional presidency?

Mr. LIND. I recall faintly that the election was declared null and void, but what the reasons assigned were I do not recall.

Mr. KEARFUL. You understood that, it having been declared null and void, Huerta would, of course, retain his position?

Mr. LIND. Well, he did. He was there and he continued.

Mr. KEARFUL. What was your understanding of the precautions that would be taken to have a real free and fair election as you proposed? Was it understood that the American forces or American officials would supervise the election?

Mr. LIND. Not at all. There was not a suggestion of that. The understanding was that it would be a free and fair and open election in harmony with Mexican law, and held and conducted by Mexican officials. The report was current that the Madero election had been a very fair and free election for Mexico, and the general assumption was, so far as I was concerned, that it would be conducted in the same manner and by the properly constituted authorities, the same as the previous presidential election had been conducted.

Mr. KEARFUL. Did you understand that the previous presidential election had been any different from the customary method of conducting elections in Mexico?

Mr. LIND. Yes; I did, not that it would in any measure compare with our elections, because even in that election, if I recall it, a very small proportion of the legal voters of Mexico actually appeared at the polls and voted. Nevertheless I understood in a general way that the election was fairly conducted.

Mr. KEARFUL. Do you know whether or not the election of Madero was conducted in any different manner from the one you have described at Vera Cruz?

Mr. LIND. I do not, except, as I say, that my information was that it was.

Mr. KEARFUL. Do you remember where you got the information?

Mr. LIND. In various ways.

Mr. KEARFUL. Or was that just a general impression which you got from newspaper reporters?

Mr. LIND. No; it was from Americans that I talked with and Mexicans. I remained at Mexico City some weeks after my arrival in Mexico and then went to Vera Cruz, where I stayed with Consul Canada. I venture to say that 90 per cent of the Americans and perhaps 90 per cent of the foreigners called on me there in Mexico City or Vera Cruz—that is, during my stay. Of course I made diligent inquiry in regard to conditions past and present, and a great many Mexicans called on me that I conferred with and questioned.

Mr. KEARFUL. Mr. Henry Lane Wilson, American Ambassador to Mexico, was in Mexico at the time of the holding of the Madero election, and he tesified in regard to it some days ago. Have you read his testimony?

Mr. LIND. I have not. I have read no reports of any of the testimony taken before this committee.

Mr. KEARFUL. You did not go to Mexico with the idea of making an investigation for the purpose of basing action upon the result of the investigation, but went there to take definite action?

Mr. LIND. I went there under the circumstances and with the object that I have called to your attention, but after I was there I devoted my time to inquiry and investigation of the actual situation, political and economical.

Mr. KEARFUL. Do you know William Bayard Hale?

Mr. LIND. Yes.

Mr. KEARFUL. Did you meet him in Vera Cruz upon your arrival in Mexico?

Mr. LIND. I think not, but I am not sure. Mr. Canada will remember. My impression is that I did not meet him until I reached Mexico City.

Mr. CANADA. He was there when you arrived at Vera Cruz?

Mr. LIND. Was he at Vera Cruz?

Mr. CANADA. Yes.

Mr. LIND. Then I was mistaken.

Mr. KEARFUL. Do you remember conferring with him on board ship and going with him to Mexico City in company with Consul Canada?

Mr. LIND. Yes. I had forgotten that he met me at Vera Cruz, but of course Consul Canada's memory is correct. The individual

that I remember most distinctly in connection with the trip from Vera Cruz to Mexico City was Consul Canada, because he guided me and virtually took charge.

Mr. KEARFUL. Were you advised of the mission of William Bayard Hale to Mexico at that time?

Mr. LIND. I was not. I never heard anything about Mr. Hale until my arrival in Mexico, but he explained to me that he had been down there to investigate the situation.

Mr. KEARFUL. Did he offer you any advice in regard to it?

Mr. LIND. He advised me, as I recall, to be very careful. He was exceedingly nervous, under very high nervous tension, so much so that I urged very strongly upon him, and I think I conveyed the view to others, that it would be well for him to return to the United States as quickly as he could. There had been a murder a few days previously. (Addressing Consul Canada) What is the name of that senator who was assassinated?

Mr. CANADA. Whose tongue they cut out?

Mr. LIND. Yes.

Mr. CANADA. I do not remember that senator's name.

Mr. LIND. I can not recall. Perhaps, Judge Kearful, you remember the senator who was assassinated.

Mr. KEARFUL. In Mexico City?

Mr. LIND. Yes.

Mr. KEARFUL. Dominquez?

Mr. LIND. Yes; and there was one other. That seemed to have affected Mr. Hale very seriously. He was very much worked up about the situation.

Mr. KEARFUL. Did you consult with the ministers of other foreign governments in Mexico?

Mr. LIND. Oh, yes. I did not solicit any consultation, but they called on me and I called on them and we discussed the situation very generally.

Mr. KEARFUL. With what ministers did you have the most conferences?

Mr. LIND. With the English minister, the Scotchman who carried the parrot on his shoulder, and who, by the way, was a very wise canny old Scotchman. I became very fond of him and I do not hesitate to say that I profited very much by information that he gave me in regard to the situaion. Then later I got in touch with the German minister and found him the best informed of any man in Mexico.

Mr. KEARFUL. That was Von Hintze?

Mr. LIND. Yes. He had the situation down to at, as we say. He had an accurate estimate of the revolutionary forces and their capacity, and he also had a very accurate conception of the Huertista forces and their weakness. He was the one foreigner in Mexico who was convinced that Huerta could not win or maintain himself.

But I will say this for Von Hintze—he never made a suggestion or assumed directly or indirectly to influence my views, but in a confidential way he talked very freely about the actual situation, and he possessed the information.

Mr. KEARFUL. Did the views which you finally adopted coincide with his in regard to the weakness of Huerta and the strength of the revolutionists?

Mr. LIND. When I met him I already had come to that conclusion in my own mind, but he confirmed it.

Mr. KEARFUL. That conclusion was opposed to the opinions of most of the Americans in Mexico, was it not?

Mr. LIND. Most of the Americans in Mexico City thought that Huerta ought to be recognized, and when they expressed that opinion to me I would ask this question: "In the event of Huerta being recognized, how long do you suppose he will be able to maintain himself or how long will the country have peace?" They all shook their heads. I do not recall exactly, but I think I put the same question to you when I met you the first time. No American in Mexico ventured to predict that there would be peace for a period longer than 18 months or a couple of years at the best.

Mr. KEARFUL. What was their opinion as to what should be done to put Mexico on a basis of permanent peace?

Mr. LIND. They differed. Of course those who had oil interests and who had the misfortune to buy those tropical plantations that were exploited and stock sold in the north, all wanted intervention. They wanted Uncle Sam, as they usually put it, to come down and clean up Mexico and protect them and their purchases or concessions that they had obtained. The mining interests, to the extent that I came in contact with them—of course I did not come in contact with the mining interests of the far north to any great extent, but the mining interests through Guadalajara and south of Torreon did not urge intervention like some ot the others did.

Mr. KEARFUL. Upon what facts, briefly stated, did you arrive at the views which you say you entertained before you spoke to Von Hintze?

Mr. LIND. I devoted a good deal of time to the study of the land situation and the grievances of the peons, and those who sympathized with them urged and I became thoroughly satisfied in my own mind that the trouble in Mexico was primarily economic and social; that the attitude of many of the Americans that it was simply a political controversy between rival aspirants for power, as they put it in Mexico, was only partially true.

There is no question that the rivalry between ambitious politicians is the cause of a great deal of trouble in the Latin countries and in Mexico, but back of it all were the economic and social conditions which make it impossible for any permanent adjustment, any tolerable adjustment, until those conditions are corrected. That is the conclusion that I came to.

Now, for instance, I went with Admiral Fletcher, who was at Vera Cruz, and we took a trip to a hacienda owned by a man by the name of Emery, a former Minnesotan, from 86 to 100 miles south of Vera Cruz. He had—I say he, I do not know that, but some one had bought one of those old feudal estates that they have in Mexico and sold stock and organized a company, and Mr. Emery, who at one time was a member of the board of regents of our university in Minnesota, was in charge as manager of that estate or hacienda. We spent a couple of days there, Admiral Fletcher and myself, and the observations I made convinced me beyond peradventure that it was impossible to look for peace or orderly social conditions in Mexico until the evils that I saw on that trip were removed. Here was a very large tract of land operated as a sugar estate, and I presume that it was as

humanely operated as any estate of that character in Mexico. I do not wish to insinuate that Mr. Emery was not a kindly, honorable, and humane man. Still he had in his employ and under his management some 150 to 200 enganchados—what do you call them?

Mr. KEARFUL. Contract laborers?

Mr. LIND. They were contract laborers who were virtually prisoners and had been sent there by the Government. Admiral Fletcher and I saw this remarkable situation in the twentieth century of men being scattered through the corn fields in little groups of 8 or 10, accompanied by a driver, a Cacique, an Indian from the coast, a great big, burly fellow, with a couple of revolvers strapped to a belt and a blacksnake that would measure 8 or 10 feet, right after the group that were digging, and then at the farther end of the row a man with a sawed-off shotgun. These men were put out in the morning, worked under these overseers in that manner, and locked up at night in a large shed with shelves to sleep on. Each had a blanket. They were slaves to all intents and purposes. Both Admiral Fletcher and I marveled that such conditions could exist, but they did exist.

Unfortunately I came to the conclusion that it is not practicable to operate those estates by Americans without such labor conditions, or labor conditions that are almost as bad, so I regard it as a very great misfortune to our Nation and to our people that they have become involved in those tropical estates.

Mining can be carried on and is carried on in a very different way, and commercial enterprises, of course, can be carried on, but the tropical farming is a very unfortunate undertaking for Americans and only begets strife and ill-feeling and revolutions, in my judgment.

By the way, in this connection it may be interesting to relate this. On the second morning of our stay at this hacienda I was on the porch of the living house, which is located in the river bottom, and I saw some sugar fields on the other side of the river which we had not visited. I asked Mr. Emery whether they belonged to his estate. Yes; he said they did. I said, "How are they operated?" He said, "That is a very peculiar situation. You will notice in the hills beyond there is quite a collection of huts. That is an ancient Indian village which was never conquered by the Spaniards." This was in the State of Oaxaca. "The Oaxacans are living there like their fathers did before them hundreds and hundreds of years ago." I said, "Do they work?" "Yes," he said; "they are splendid workmen." He had told me previously that it was impossible to conduct a sugar estate except by the employment of this contract labor, or rather forced labor. It is not contract labor in the sense that we understand the term.

Mr. KEARFUL. Convict labor, is it not?

Mr. LIND. Yes; convict labor—conscripted labor rather than convict labor. I said, "How do they work?" He said, "They live under their old village régime. They elect a foreman and he goes out to take contracts. I make contracts with him to keep so many acres of sugar cane in order and to harvest and ship it to the mill." I asked whether those contracts were carried out, and he said, "Invariably."

So that under a proper Mexican land system, work could be done without resorting to the methods that have been invoked.

Mr. KEARFUL. That was in the State of Oaxaca?

Mr. LIND. Yes.

Mr. KEARFUL. Do you remember whether it was near a village called Tierra Blanca?

Mr. LIND. It is below Tierra Blanca.

Mr. KEARFUL. Did you visit any other hacienda at that time or any other time while you were there?

Mr. LIND. Yes; I saw them. I spent more time on that one than I did on any other. There is a hacienda up there some place—I do not know the name of it—that was operated by an American Jew, as I recall. That is on the line of the railway toward Mexico City. He had a better system. He was not an employer of conscript labor. He had contracted with the villagers to produce cane there for him, and he collected the cane and paid them so much, and appeared to be getting along fairly well; but that is an exception.

Mr. KEARFUL. Mr. William Jennings Bryan, who was Secretary of State during the time you mention, made quite an extended visit to Mexico, and when he returned he wrote about it, and his experiences in Mexico were published in The Commoner, owned and published by him at Lincoln, Nebr. This was published on January 30, 1903. He had this to say as an illustration of what Americans were doing on the plantation in that region.

West of the village of Tierra Blanca, just across the Amapa River, in the State of Oaxaca, we visited a rubber-tree plantation. It was projected by Alfred Bishop Mason, a Chicago business man, but the work of development has fallen to his nephews, Raymond Willis and James Trowbridge, the former a graduate of the Boston Polytechnic and the latter of Yale. These young men began about three years ago the clearing of about 400 acres of tropical forest, so dense that it was difficult to secure any accurate idea of the lay of the land.

They now have about 300,000 rubber trees growing, the oldest 2½ years old. It will be four or five years before the plantation begins to yield a return, but there is at this time every promise of success. If the experiment realizes the hopes of the young men they will deserve the reward that they will secure, for they will not only make a fortune out of mother earth, but they will show others what can be accomplished in the development of this industry and thus become public benefactors. This well illustrates the difference between wealth created by the establishment of some new industry and wealth absorbed by trading or speculation.

For two years Willis and Trowbridge lived in a hut that thatched with palm leaves, but last spring they began the erection of a commodious stone house, with wide and airy porches, and to this newly completed residence the former has recently brought his bride, a Wellesley graduate, to preside over this new center of American civilization.

In connection with that I want to ask whether you think the precepts and example of American enterprise in Mexico had anything to do with removing or alleviating the conditions of the laborers which you mentioned?

Mr. LIND. I would answer that by saying the example and precept of Americans in the South had, in my judgment, no beneficial influence—speaking generally. There were undoubtedly exceptions.

If I may offer this suggestion in respect of the article just read, unfortunately the rosy expectations outlined were not realized. The labor plantations were a failure and have been. I do not think any of them have been profitable.

The greatest help to the Mexicans, in my judgment, has been from the contact with American conditions in the United States. At Vera Cruz there were upward of 300 men employed in the terminal yards. The shop and railroad work was carried on under the auspices of one corporation. They were all Mexicans. An American by the

name of Elliott was superintendent of the yard. Through him and by experiences sometimes and through Consul Canada and by my own inquiries and efforts, I came in touch with a great many of the men employed in that yard. Many of them speak English fluently. They were good Mexicans, intelligent men. All the work was done by Mexicans. Many of them had been in Texas and in the United States. I quizzed them very closely and very carefully about their impressions, what they had gained and what they thought about the future and what they should do. They said that the treatment that they got in Texas sometimes was very humiliating to them, and that they were called "niggers" and "greasers," but nevertheless they got good pay. One of the men in particular I remember said, "I was able to live in my own house and to send my children to school, and I had enough money to marry my wife so we could live decently." He said, "Ever since I returned from the United States I have had good employment and had good wages."

I think that more has been gained to Mexico by the workmen—I mean, so far as the masses are concerned—inspiring them with ideals for better things and creating larger wants and a larger horizon by being employed in the United States and returning to Mexico.

Mr. KEARFUL. A large number of witnesses have testified before the committee, men who have been engaged in enterprises in Mexico for many years, and their testimony has been unanimous to the effect that the result of American enterprise in Mexico has educated and lifted the Mexican laborers to a higher plane and that their ability as mechanics and superior workmen has been brought about through their employment in the enterprises in Mexico. Not one of them has testified or intimated that many thousands of Mexicans who have thus been benefited gained their education in the United States. How do you account for that?

Mr. LIND. I can not account for it. If you understood me to convey the idea that the Mexicans had not benefited by American activity in Mexico, I did not succeed in making myself understood. I said that in my judgment the benefits had not occurred on the plantations, but on the railroads and in the mines. There can be no question about it. For instance, this is true to-day, that the Mexican railroads on the whole are very efficiently operated, even now, as I understand it, under very troubled conditions and are operated wholly by Mexicans.

For instance, the general superintendent under Mr. Brown, Mr. Clark; I spent a great deal of time with Mr. Clark, and he was very enthusiastic about Mexican laborers. He had devoted years to training them, and he told me, and it is a notorious fact, that American railroad men who went to Mexico to take positions originally—I mean the workmen, the brakemen and employees, and I am not referring to those who went down to take official or office positions—were a very indifferent class. Many of them had been blacklisted in the United States and were drunken and unreliable. They said they were a hard lot to get along with; but he was hopeful from the start that he would be able to educate the Mexicans to do this work. He was very proud of the success, and he had certainly been successful. He said that their repair shops and car-construction shops were as efficiently managed and the work as carefully done as could be done

by any class of people. I noticed that in the yards at Vera Cruz. They were wonderfully efficient and they were all Mexicans.

Mr. KEARFUL. They were educated in Mexico, were they not?

Mr. LIND. They were educated on the Mexican railroads.

Mr. KEARFUL. In Mexico?

Mr. LIND. In Mexico, not wholly, but largely. The same is true of mining. The American mining enterprise in Mexico has undoubtedly helped very largely in developing not only industrial improvement but social betterment among Mexicans.

What I meant to convey by what I said was that the field of American enterprise in Mexico—and I think the same would be true of any tropical country—is less desirable in attempting to carry on tropical plantations. Financially they have been a failure, and socially and economically they have not been a success in my judgment. There may be exceptions, of course.

Mr. KEARFUL. You have not read the testimony of the men who have been engaged in those enterprises as given before the committee?

Mr. LIND. I have not. I have not read any of the testimony.

Mr. KEARFUL. You thought that the conditions which you saw in this plantation of Mr. Emery were such that something should be done to remedy those conditions?

Mr. LIND. That is hardly the way I felt. I did not suggest any remedy, but I felt that there could never be peace in Mexico, there could never be progress, there could never be a step into the day of the twentieth century until conditions of that character were eliminated, however it might be accomplished.

Mr. KEARFUL. How did you think those conditions could be eliminated?

Mr. LIND. I thought then that the revolution, that movement which, as I said a moment ago, was essentially social and economic, would tend to eliminate those conditions, and I think it has.

Mr. KEARFUL. You thought that the success of the revolution of the north, under Carranza and Villa, would result in eliminating those conditions?

Mr. LIND. In betterment—not in eliminating. It would take decades and generations to eliminate the conditions of poverty and ignorance of the population that has been deprived of the land and deprived of education, and everything else that tends to human development.

Mr. KEARFUL. Was it the basis of your view that the Mexican people of the north had advanced much further in the way of civilized progress than those of the south?

Mr. LIND. No. I am of the opinion, and always have been, that the Mexicans of the south—I am speaking now of the peon population, the Indian peon—are more capable, brighter people than the people of the north, but they are less efficient by reason of the larger contact of the Mexicans of the north with the American people across the border. They have gained some of the efficiency that we possess, so that when it came to fighting, the northern troops and the northern leadership would be more efficient than that of the south.

Mr. KEARFUL. Was it your opinion that the rehabilitation of Mexico depended upon the domination of Mexico by the northern Mexicans?

Mr. LIND. Well, in a measure. I felt that the northern Mexicans would dominate politically, and I felt also and feel now that their ideas on the whole are more progressive, more in line with modern ideals, than those of the people of the south. They have had a wider horizon and many of them are much better schooled and educated.

Mr. KEARFUL. Where did you get your information that the Mexican railroads are now efficiently operated?

Mr. LIND. Efficiently, of course, is a relative term. Compared to one of our lines I would not say efficiently, but the fact that they are operated at all, considering that they have had no rolling stock and no locomotives from the outside ever since we entered the war or at any time since I was in Mexico, and that they have had two or three years previously the destruction of railway property and pulling up the track and burning the bridges, I say it is almost phenomenal that they are operated at all.

Mr. KEARFUL. Did you meet Mr. E. N. Brown, president of the International Railways?

Mr. LIND. I did.

Mr. KEARFUL. Do you think he is a reliable man?

Mr. LIND. I certainly do.

Mr. KEARFUL. Would you depend upon statements of fact that he would make?

Mr. LIND. I would, particularly relating to the railroads. Certainly I would, and any other statement of fact. He and I probably differ very materially in regard to certain questions of policy, but he is a man of broad experience and unquestioned reliability. My judgment is that he and Mr. Clark differed very serioulsy on questions of policy.

Mr. KEARFUL. You would not for a moment question statements of fact in regard to railroad conditions in Mexico made by Mr. Brown under oath, would you?

Mr. LIND. Why, certainly not.

Mr. KEARFUL. Mr. Brown testified about the efficiency of the railroads in Mexico and if you are interested in getting the truth about whether the railroads are efficiently operated, I would advise you to read his testimony

Mr. LIND. If you will hand it to me I will be glad to read it, but I explained to you that when I used the word "efficiency" I did not mean in the sense that we use the word with reference to American railroads. I meant efficiently operated in that peculiar situation where they have had no rolling stock and no motive power for some 10 years and still succeeded in patching up the old stuff and repairing the roadways and building bridges so they could operate at all, and they are operating because I get the papers that have been coming regularly. They are operating the line from the border to Mexico City.

Mr. KEARFUL. Do you know whether or not the Mexican Government has operated all of the proceeds or receipts?

Mr. LIND. I know absolutely nothing about it.

Mr. KEARFUL. Do you know whether it has accounted to the owners of the railroads for any of the receipts or paid any interest on its obligations?

Mr. LIND. I do not know anything about it, but my general understanding is that those things remain in statu quo and that there have been no payments That I get from financial publications.

Mr. KEARFUL. Do you know that a very large percentage, perhaps 90 per cent of all of the freight trains operating in Mexico are owned by private parties, mostly American operators?

Mr. LIND. I do not know anything about it.

Mr. KEARFUL. And that they are maintained and equipped by private capital?

Mr. LIND. I do not know anything about it. My comment on the railroad situation was rather directed to the point of calling attention to the fact that the Mexican people in the course of a generation have become able and efficient in operating railroads and such instrumentalities as they have—not with reference to the efficiency of the railroads as railroads.

Mr. KEARFUL. And the efficiency which you mention was acquired, was it not, under American operation and American instruction over a long period of years under Mr. E. M. Brown and Mr. Clark?

Mr. LIND. In part. If you will pardon me, I wish to make a little statement at this point so as to make clear what I sought to convey.

When I became satisfied after reaching Mexico that I would have to remain some little time, my first solicitude was to arrive at a clear judgment in my own mind with regard to the Mexican peons, whether there was any hope that they would, with proper opportunities and in a proper environment, make progress and become efficient, valuable human beings in the sense of general efficiency and citizenship. There were a great many American missionaries in Mexico, people who called themselves missionaries, but they devoted most of their time to the establishment and maintenance of schools and churches. The Presbyterian Church of the South was very active; the Methodist Church was active. There is a man by the name of Vanderbilt, I think, in charge of the Presbyterian work, a very intelligent man. I had many interviews with him. Nearly all of these missionaries called on me, I think all of them. A man by the name of Wallace and his wife were much interested in the work and I had repeated conferences with them.

When these Americans engaged in work of that character, educational work, called on me, I would invariably, with reference to the work in the South, ask whether or not they had had experience in the education of negroes in the South. Many of them had, and I would ask this question: "Has it been your observation, as it has been mine, that a negro child will be very alert and quick to learn until they reach a certain age, 12 to 15 years, when they seem to reach the limit of their mental development, in a measure?" They invariably said that that had been their observation. I would ask, "What has been your experience with these peons?" I would ask, "Do they seem to have a cut-off in their mental growth and development?" They invariably answered, "No." That while many of them were slower than American children would be in their development, they all seemed to progress and develop as long as they continued in school.

So I became satisfied in my own mind that potentially the Mexican peon and the Mexican people have a great future if they have the opportunity of education and development that a people needs to make the most of its capacities.

Mr. KEARFUL. Do you conclude that those opportunities would be afforded for educational work by the churches that you have mentioned?

Mr. LIND. They had done great work.

Mr. KEARFUL. Did you have any conferences with officials of the Catholic Church in Mexico?

Mr. LIND. Yes, many.

Mr. KEARFUL. What was your opinion in regard to the effect of the operations of the Catholic Church upon the natives of the country?

Mr. LIND. The policy of that church has not been to foster popular education of the masses; I mean in the same sense. I will not say that, either, but I am not assuming to say what its policy has been, but it has not been done that is all there is to it. Outside of the towns there was not a schoolhouse to be found in Mexico at that time. There are some, now, a great many, as I understand it.

Mr. KEARFUL. Do you think the education has increased and more schools been established under the Carranza Government than had existed before?

Mr. LIND. Yes, sir.

Mr. KEARFUL. Where did you get that information?

Mr. LIND. The official reports have been sent to me of the department of education, and I know that in 1915 the Carranza Government sent a great many teachers, Mexican young women and young men, to be trained in the normal schools in some of the New England States. I met the superintendent of public education, a very intelligent man. I met him in Washington three or four years ago and had a long talk with him and he explained what had been done. There has been a great deal of work done along those lines, as I understand it.

Mr. KEARFUL. Did he say anything to you about the large number of schools, that had been in operation up to the time of the success of the Carranza revolution, having been suspended?

Mr. LIND. No.

Mr. KEARFUL. Did he explain to you anything about the fact that a large number of those schools had been closed on account of inability or disinclination to pay the teachers?

Mr. LIND. No.

Mr. KEARFUL. You do not know anything about the fact, if it is a fact, that a large number of schools formerly in operation in Mexico City have been closed?

Mr. LIND. I do not know anything about the situation in Mexico City.

Mr. KEARFUL. Except as was told you by this official of the Carranza Government?

Mr. LIND. Yes; and what I have seen in reports and publications from time to time.

Mr. KEARFUL. But you have not seen any of the testimony that has been given here on that subject?

Mr. LIND. No; and I have not been in Mexico, as I told you, since my return.

Mr. KEARFUL. Did you think that the operations of the Catholic Church in Mexico were for the good or to the injury of the Mexican people?

Mr. LIND. That is a controversial question that I think would be very unfair and very unprofitable to discuss.

Mr. KEARFUL. I am asking only for what your opinion was.

Mr. LIND. I may not agree with some of the policies of the Catholic Church or any other church, but for me to undertake to condemn its work in toto would be an absurdity that no sane man, no level-headed man could be guilty of.

Mr. KEARFUL. Was it one of the bases of your matured views that one of the difficulties in Mexico was the operations of the Catholic Church?

Mr. LIND. No, sir. I have said and have felt that a state church in politics is a misfortune to any country. I have always felt that way and feel that way now, and I think, when those were the conditions in Mexico, that Mexico was no exception.

Mr. KEARFUL. You did not find those conditions existent when you were there, did you?

Mr. LIND. What conditions?

Mr. KEARFUL. This interference in politics on the part of the church?

Mr. LIND. I do not know, but they had a Catholic party, a church party, and always have had, as I understand it.

Mr. KEARFUL. Do you remember the so-called laws of reform instituted by Bonita Juarez following the constitution of 1857?

Mr. LIND. Yes.

Mr. KEARFUL. Is it not your understanding that ever since that time the church has had no influence in state affairs?

Mr. LIND. Theoretically, no.

Mr. KEARFUL. Was not the church property all taken away by the Government and held as Government property?

Mr. LIND. I could not discuss those questions with any degree of accuracy.

Mr. KEARFUL. Were you of the opinion, at the time you formulated your views, that it was necessary to do something to eliminate the influence of the Catholic Church in Mexico?

Mr. LIND. No, sir.

Mr. KEARFUL. Did you learn anything about the operations of the revolutionists of the north in reference to the persecution of priests and nuns and the descration of churches?

Mr. LIND. Only what I have seen reported, and I have also seen claims and since my return I have talked with men, both Americans and Mexicans, in regard to those reports and have been told that they were some of them false and very many greatly exaggerated. That some things occurred there is no doubt. I never heard of orderly warfare anywhere. I think Mexican outrages rather paled into insignificance compared with what has transpired in the highly civilized countries of Europe since that time.

Mr. KEARFUL. Did you ever express an opinion that the Catholic Church was responsible for the bad conditions in Mexico?

Mr. LIND. No, sir.

Mr. KEARFUL. You never expressed that opinion to Nelson O'Shaughnessy?

Mr. LIND. No, sir.

Mr. KEARFUL. Or to Mr. Bernard Frisbie?

Mr. LIND. Who is he? I do not remember.

Mr. KEARFUL. You do not recall expressing such an opinion to Mr. O'Shaughnessy and Mr. Frisbie on board a Ward Line steamer?

Mr. LIND. I certainly have not. I might have said that it was very unfortunate that the Catholic Church, with its hold on the people and its power, has not devoted more efforts to education of the masses of the Mexican people. That I may have said, and I say that now.

Mr. KEARFUL. Where did you get that information that the Catholic Church has not performed its proper functions in regard to the matters?

Mr. LIND. I did not say it had not performed its proper functions. Whether an institution had performed its proper functions depends upon the time, place, and the circumstances. But I say now that I think it very unfortunate that a larger effort by those in position to exercise power has not been made to establish and maintain popular education. For instance, I do not agree with the opposition in the United States to our public school system and our public schools. I have never concealed that fact.

Mr. KEARFUL. Did Secretary of State Bryan ever suggest to you that the Catholic Church was responsible for the conditions in Mexico?

Mr. LIND. No, sir.

Mr. KEARFUL. Did he ever express himself to you on that subject?

Mr. LIND. Not that I recall.

Mr. KEARFUL. Do you remember having a conversation with Nelson O'Shaughnessy in Mexico City in which he stated that it had been reported that a number of priests had been killed; and did you at that conversation express your satisfaction that such had been the case?

Mr. LIND. No, sir. If any statement of that character has been made it is absolutely and unqualifiedly false.

Mr. KEARFUL. Did you get your information in regard to the operations of the Catholic Church from the Protestant missionaries in Mexico?

Mr. LIND. I can not say that I got it from any particular source. It was my aim and effort to study the activities of all the institutions, all instrumentalities that operated among the Mexican people. I sought to obtain information from all sources.

Mr. KEARFUL. After you returned from Mexico, you delivered some lectures which were subsequently embodied in a booklet published by The Bellman, Minneapolis, Minn., entitled "The Mexican People, by John Lind, formerly personal representative of President Wilson in Mexico." Does that booklet embody your views about Mexico?

Mr. LIND. You premised by saying that I delivered some lectures. I did not deliver any lectures. I received an invitation from the Traffic Club of Chicago shortly after my return, a very urgent invitation to be their guest and speak on the Mexican situation. I accepted and delivered an address. I have not delivered it anywhere else. Mr. Edgar, of the Northwestern Miller, who was impressed with the situation, heard of the address; it had been commented on to him;

and he called on me and asked to see it, and I gave him the manuscript to read. Afterwards he asked to publish it. I said, "Go ahead." Unfortunately, he did not state in The Bellman that it was delivered as an address on the occasion that I referred to. He published it rather as an original article. Of course, it was not prepared with the care that I would exercise in writing an article for publication. You can see by the latter part of it that it is not constructed as one would prepare an article for publication. But I did deliver that speech as printed by him.

Mr. KEARFUL. When did you prepare that address?

Mr. LIND. A couple of days before it was delivered.

Mr. KEARFUL. The booklet does not show when it was delivered.

Mr. LIND. It was in the latter part of 1914—probably in October or November of 1914.

Mr. KEARFUL. I notice, on page 10 of the booklet, this statement:

> Northern Mexico was settled by killing and driving out the Indians who originally roved over the country much in the same manner as our West was settled.

Do you believe that to be a correct statement?

Mr. LIND. I think the settlement of Chihuahua and northern Mexico was accomplished very much like the settlement of Arizona, and the territory in our country north from the line. As I read Mexican history, they had Indian fights the same as we had in early days, though not to the same extent that we had.

Mr. KEARFUL. Have you traveled over Chihuahua and Sonora?

Mr. LIND. No; I have not.

Mr. KEARFUL. You have observed the conditions there with reference to the Indian settlements which are still there by way of contrast with the Indian settlements in the northern part of Mexico?

Mr. LIND. You must bear in mind that the Indian population in those parts is very different from the Indian population that we had on our side of the line. Many of the Indians of Sonora, as well as the Indians south of a line drawn roughly from Tampico to Mazatlan were settled, industrial, agricultural people, with developed industries and a settled social and economic development. They were not blanket Indians, like many of the Indians toward the border and north of the border.

Mr. KEARFUL. Do you think that the present Indian population of Chihuahua and Sonora are similar to the blanket Indians that you are familiar with in Minnesota and other parts of the West of the United States?

Mr. LIND. I could not answer that question by "yes" or "no." There is no peculiar feature about the Indian population from the northern part of our State and the Indian as far south as I have been in Mexico. There is a general similarity in physiognomy and appearance. In fact, I have seen peons walking around the plaza at Vera Cruz of an evening who to me looked very much like the Chippewas that I am familiar with in the northern part of the State so far as facial appearance was concerned, but the differences are cultural rather than physical.

Mr. KEARFUL. From whom do you understand that the Indians received their cultural development? Was it not from the Spanish priests and friars that settled among them?

Mr. LIND. That is probably true in the northern part so far as there is any cultural development. In the south, if Spanish writers and historians are to be believed, the cultural stage of the Mexican people was very nearly as high at the time of the conquest as it is to-day—I mean, the purely Mexican people, the indigenous race.

Mr. KEARFUL. Where did you get that information?

Mr. LIND. I got it from Solis, the royal historian of the Indies, as the Americas were called in those days, under Charles II. He wrote along about 1665, within a century of the conquest, and his language is very specific and very interestingly complete in describing the institutions, the courts, the schools, the general development of the Indians among the Aztecs.

Mr. KEARFUL. You refer to some of those things in this booklet. Have you, since the publication of this booklet, read a pamphlet issued by Rev. Francis C. Kelly, entitled "A Book of Red and Yellow," in which he refers to the statements made by you?

Mr. LIND. Yes; but I do not care to discuss the book or pamphlet. I do not want any controversy with any Jesuit or anyone else.

Mr. KEARFUL. He points out in that book that the statements which you made were taken from the works of historians which had been subsequently shown to be imaginary. Have you since investigated to ascertain whether he is correct in that criticism?

Mr. LIND. I think the histories that I consulted are as reliable as any there are. The historical résumé that I have in that address I quoted almost literally from Solis, the Spanish historian, and I shall be very glad to get the volume and call your attention to it. Prescott and all the writers and the investigations published by the Smithsonian Institution and our department of ethnology all concur that the Mexicans had reached a high stage of civilization. For instance, their astronomical computations previous to the conquest were more accurate than any made in Europe up to that time. In view of the fact that you brought this out, I shall ask leave to bring in that volume if you desire to call me after luncheon.

Mr. KEARFUL. Very well.

On page 12 of your booklet I find this statement

> The better circumstanced of the northern Mexicans invariably learn English and educate their children in the United States. It is these facts that make them rebels against the conditions of the south and of the old Mexico.

Mr. LIND. I think that is true.

Mr. KEARFUL. And elaborating that somewhat on page 25 I find the following statement

> The people of the north know us. They like us as well as any foreign people can like another. They are willing to be spoiled by contact with us—yes, they are willing to trade with us and to deal with us. They are trying to keep step with the march of our people politically. They are going to dominate the future of Mexico. They have the physical power, they have the brains, they have the energy.

Is that a correct statement according to your understanding?

Mr. LIND. Yes.

Mr. KEARFUL. As contrasted with the Mexicans of the south?

Mr. LIND. Well, they are more efficient, they are more determined; there is no question about that; but in point of potential brain power capacity, I really think that the Mexican people of the south, particularly the Oaxacans, are the superior people of Mexico. I am speaking now of the indigenous element as a whole.

Mr. KEARFUL. You recall that two of the greatest men outstanding in Mexico history, Benito Juarez and Porfirio Diaz, came from the State of Oaxaca?

Mr. LIND. Yes. That is not the only reason, but I have seen a great many of the Oaxacans and talked with them. For instance, Luis Cabrera, whom I know very well, is only part of Indian blood, but he is a remarkable man intellectually.

Mr. KEARFUL. Do you think that he likes the American people, and wants the American people in Mexico and wants them to trade with Mexico?

Mr. LIND. Not as interventionists or conquerors, he does not. As business men he certainly does, in my judgment.

Mr. KEARFUL. Have you ever talked to him about his feelings in regard to Americans operating in Mexico?

Mr. LIND. I have.

Mr. KEARFUL. What was his expression of sentiment in regard to Americans operating in Mexico?

Mr. LIND. I never heard him express himself adversely at all, but, like all Mexicans, he undoubtedly feels that any foreigner operating in Mexico should conform to Mexican laws and help bear the burdens of taxation and the maintenance of their institutions.

Mr. KEARFUL. It has been testified here by more than one apparently credible witness that Luis Cabrera stated upon several occasions that the Americans had been exploiting the Mexicans long enough, and that they ought to be driven out of the country and their property taken from them. Did he ever express any such sentiments to you?

Mr. LIND. Not at all; not at all. We discussed the oil situation on several occasions, and I never heard him express a sentiment that was not entirely cordial to enterprise, and welcomed investment and development, but he always insisted that foreigners operating in Mexico should not seek to avoid taxes and the performance of their duties the same as was required of Mexican citizens.

Now, speaking about the oil situation——

Mr. KEARFUL. Just a moment; I want to ask you a question right there. Did he take the position that it was the custom of Americans to avoid their obligations in regard to paying taxes and other requirements of the laws of Mexico?

Mr. LIND. No; but to protest and object to any regulation, and to appeal to the Government and to the State Department. I have heard him object to that.

Mr. KEARFUL. Were you in sympathy with that expression of sentiment on his part?

Mr. LIND. I think that when the citizens of any country go into a foreign country, whether for trade, commerce, or industrial development, it is incumbent upon them to observe the laws of that country, and to carry the burdens that are properly imposed for the maintenance of Government, the same as the citizens of that country; not to call upon his Government, the Government of his former allegiance, frivolously for the purpose of annoying or protesting against action that does not do violence to our accepted notions of right and wrong.

Mr. KEARFUL. Did you understand that Americans operating in Mexico had been in the habit of making frivolous protests to their own Government in regard to the way they were treated?

Mr. LIND. When you say, "Americans," that is broad. I have heard complaints that individual Americans caused the Government and the authorities a great deal of embarrassment and annoyance by objections to reasonable things, and complaints to their own Government. It caused friction and bad feeling.

The oil situation is very peculiar. We have exactly the same situation in our State of Minnesota. I am referring to the psychology of it, not for the purpose of either condemning one side or upholding the other; but here the Steel Corporation owns nearly all the iron mines in our State—that is, it has leases on them—and that is the bulk of the iron ore in the United States. They pay taxes, and they pay very large taxes in the aggregate, but there is constant agitation in our State for higher taxes. Our people say, "Why, the Steel Corporation is taking away the iron ore, of which we only have one crop; when it is gone, that is the last of it; and they are leaving us an unsightly, ugly hole in the ground, and why should they not contribute liberally toward the support of our schools and to create a permanent fund?"

Now, I am not saying that that attitude on the part of our people is always reasonable—not by any means—and, mind you, the Steel Corporation is composed of Americans, our own citizens, and still there is that prejudice. Now, I imagine that the Mexicans feel the same way: "Here, the foreigners are taking the oil out of our soil, and they are leaving us the surface destroyed, black holes in the ground, and if we do not get a revenue for the support of our schools and for our development, where are we?"

I am not either commending or condemning; I am just speaking of the natural pyschology of the situation, that it is only human nature that the Mexicans should seek to exact some revenue and taxes, just the same as our people endeavor to do, and that the oil corporations should seek to evade or reduce the taxes just as much as is possible, the same as they do in our State.

There is the situation.

Mr. KEARFUL. Do you believe that the oil companies operating in Mexico have sought to evade taxes?

Mr. LIND. Yes; because they have come to me and solicited my cooperation. When I say "evade," I do not mean to evade all the taxes, but to escape the additional taxes that were required. When I was in Mexico, that is a matter that they took up with me frequently.

Mr. KEARFUL. Do you know the extent of the taxation and whether it amounted to confiscation?

Mr. LIND. Well, I guess there have been no confiscatory taxes. Whether the taxes exacted have been excessive or not, I do not know, and express no judgment. I am just speaking of the psychology of the situation. That is one that inevitably, so long as human nature remains where it is, will cause contention and differences of opinion.

Mr. KEARFUL. Are you familiar with article 27 of the new constitution of 1917 in reference to the nationalization of the subsoil?

Mr. LIND. Yes; I am.

Mr. KEARFUL. Do you think that the oil companies have any just ground of complaint on that score?

Mr. LIND. It depends on how it is administered and how you look at it. In Mexico, the same as with us, originally, the State owned all the minerals. You know, the Government of the United States owned all of the minerals, I think, until in the forties Congress released

the minerals. We have recently resumed the oil and coal and minerals of that character in the public lands. The State in Mexico owned the oil until some time during Diaz's administration, when Lord Cowdray discovered oil. Then they secured an act of the Mexican Congress relinquishing the State's claim to the oil and real property. Of course, Lord Cowdray and his organization in Mexico, under Diaz, were in position to virtually dictate, and they did dictate to the Mexican Government what they wanted, and they got what they wanted.

For instance, I am very sure that I sent to the State Department a photographic copy of the stock ledger of the Aguila Oil Co. when it was organized. I think the capitalization was some 1,300,000 pesos. Cowdray and his associates had the bulk of it, but the Mexican secretary of state, the Mexican secretary of the treasury, and Diaz's son had, I think, 400,000 pesos of the stock of the Mexican Aguila Oil Co.

Mr. KEARFUL. What do you mean when you say that the oil belonged to the State up to the time of Diaz? Do you mean that where private property had been granted, nevertheless the oil was reserved to the State as its property?

Mr. LIND. Yes; just the same as other minerals. You know, on any land in Mexico, privately owned, anyone can go and condemn—denounce, as they call it—minerals rights. I am correct in that, am I not?

Mr. KEARFUL. I am asking you for your information.

Mr. LIND. My understanding is that in Mexico to-day, and it always has been the law in Mexico, the owner of real property does not own the minerals, that they are subject to denunciation by anyone who discovered them. Denunciation is what they call the process, as I recall. That was true of oil until Cowdray secured that amendment of the law. Now, as I understand the constitutional provision to which you refer simply reinstates the old law with this provision, that it shall not apply to land acquired by foreigners during the period that the law was in operation, or to lands where oil had been developed. That is my understanding, but that may be imperfect in detail.

Mr. KEARFUL. Where did you get your information that the law of Mexico was that the oil below the surface belonging to private owners belonged to the Government?

Mr. LIND. Why, that is the Latin law; that is the Code Napoleon; and then I have often seen the act quoted by which the Government relinquished it.

Mr. KEARFUL. Did you ever hear of a distinction being made between oil and coal on the one part and metalliferous minerals on the other, as to the reservation of rights to the Government?

Mr. LIND. Under operation of that law relinquishing——

Mr. KEARFUL. I mean, prior to that law, did it ever come to your attention that the reservations that were made in the grants of the original titles were purely of certain specified metalliferous minerals and that nothing but those specified were reserved? Was that ever brought to your attention?

Mr. LIND. No.

(Thereupon, at 12.20 o'clock p. m., a recess was taken until 5 o'clock p. m.)

AFTER RECESS.

The hearing was resumed at 5 o'clock p. m. on Tuesday, April 27, 1920, pursuant to the recess taken at 12.20 o'clock p. m. to-day.

TESTIMONY OF JOHN LIND—Resumed.

Mr. KEARFUL. Did you wish to say something before I resume questioning you?

Mr. LIND. The volume of history that I referred to this morning was "Historia de la Conquista de Mejico, by Don Antonio de Solis," printed in Paris in 1844. I call your attention to Chapter XVI. The first two or three pages of this chapter call attention to the land system, the system of taxation that prevails in the Mexican Empire under the Montezumas; the different ministers; their sessions from time to time resolving questions of peace and war; the organization of the nobility and the army; the organization of the courts; the administration of justice appealed from the inferior courts to the higher courts.

Then it takes up the system of education that prevailed, three classes of schools, public schools for the common people, where they were taught to read the characters and hieroglyphics which constituted their writing, and were taught manners and politeness, and others were taught trades, and the children of the nobility were fitted for public office and for the army, and some women for vestal virgins, and so on.

I should be very glad if you would let your translator——

Mr. KEARFUL. Is that book in Spanish?

Mr. LIND. It is in Spanish; yes.

Mr. KEARFUL. Did you read it in the original?

Mr. LIND. Yes; certainly.

Mr. KEARFUL. Did you take the material that you used from the original Spanish?

Mr. LIND. I did.

Mr. KEARFUL. Translate it? Did you translate it yourself?

Mr. LIND. Yes; I can translate this freely, offhand, only it takes time.

Mr. KEARFUL. Did you know any Spanish when you went to Mexico?

Mr. LIND. Very little. I had read some Italian and of course had Latin at school, but the Spanish that I got—and it is only speaking broadly, a reading knowledge of Spanish—I acquired in Mexico, and I have kept up my reading since.

Mr. KEARFUL. Mr. Emery, about whom you testified, as having a plantation that you visited, was a witness here and he told about the trip that you made and said that you were not able to converse with the natives, but that you had to have an interpreter.

Mr. LIND. That is true. Later, if a person spoke Spanish to me slowly I could follow him or her and very many Mexicans can understand English if it is spoken slowly and distinctly; but now I can not carry on and would not attempt to carry on a conversation, though I can get along traveling and, as I say, read readily. Of course in reading, particularly old literature like this, there are idiomatic

phrases that I sometimes have to reflect on and perhaps consult the dictionary.

Mr. KEARFUL. In your booklet before referred to, you say in one place that you mingled with the people a great deal?

Mr. LIND. I did.

Mr. KEARFUL. You do not mean that you conversed with the natives in their own language?

Mr. LIND. In a way I did, and still you could not call it conversation. Now that you have asked me that question, I wish to say that I used to take walks around Vera Cruz every afternoon about this time of day. You know how the little houses in the outskirts are located. Everybody knew me. I am well marked to start with, and my mission had been discussed in the press, and the men and the women and the children would come up and look at me and bow. I would step into the houses, up in the direction of Los Cocos and all around. They would come very politely and usually the women of the cabin would ask me if I would like coffee, and I always responded that it would be very agreeable to have a cup of coffee, and talked a little, but not what you could call conversation.

I used to play with the children a good deal and I pitched pennies with the boys sometimes. I just wanted to see how the people lived and be on relations of sufficient intimacy so that they would not run at the sight of me.

The consul, Mr. Canada, was my eyes and ears, too, in many instances. We occasionally walked out together and met the people.

Mr. KEARFUL. Did you find that your mission caused some hostility among the people of Mexico?

Mr. LIND. Yes, and no. Among the official class, the Huertistas class, which is the only official class of course that I met there, was undoubtedly a feeling of hostility; but I must say that even those who are deemed the most hostile politically always treated me with courtesy. I never had more kindly or more pleasant treatment than I received at the hands of many Mexicans. There were very few exceptions.

The common people, for some reason or other that I can not comprehend, simply went out of their way to make it pleasant for me. For instance, if you will pardon me—it is illustrative of the character and attitude of the people—they would grab my hand and sometimes kiss it. That is what I take to be the old sympathizers of Madero, the liberal element would do that.

As Consul Canada remembers, Huerta sent down spies, as we called them. Whether they were sent down to spy on me or to guard me against any accident or any incident that might cause friction, I can not say; but those men, when I went about town, usually followed me or very often followed me, 40 or 50 rods back, and when we got out a ways I would pull out my handkerchief and wave to them and they would come up, and sometimes we had a glass of beer or a cigar.

Mr. KEARFUL. Your mingling with the people that you mention in your book was confined to the suburbs of Vera Cruz?

Mr. LIND. Of course I met a great many in Mexico City. Thousands called on me in the aggregate, and those were passed through Vera Cruz. There was not a day, I venture to say, during the month

that I remained at Vera Cruz that I did not have from 15 to 25 or 50 callers. May I ask Consul Canada how my estimate is on that?

Consul CANADA. There were several every day, Gov. Lind, while you were there, that would come to the office. I could not say how many.

Mr. LIND. No; neither can I, but a great many.

Mr. KEARFUL. On page 25 of your booklet is this statement:

You have heard a great deal about the hostility of the Mexicans against everything American. I found no such hostility, except among the class who supported Huerta. They hated us. What there is left of them hate us now. They do not hate us as individuals. They hate and dread the influence of our institutions. They say contact with the United States, and even with individual Americans, spoils the peons—

Mr. LIND. That is true.

Mr. KEARFUL (reading):

and makes rebels of them. Their eyes turn to Europe for trade, for finance, and for all intercourse.

Do you know whether or not the class of people of whom you were speaking there were the same class that supported Porfirio Diaz?

Mr. LIND. I can not say how their earlier alignments existed.

Mr. KEARFUL. You are not able to say that that same condition existed in the time of Porfirio Diaz?

Mr. LIND. No; I say I can not speak of that time. I was not in Mexico then.

Mr. KEARFUL. Did you observe that Huerta failed in any respect in his duties and in the protection of American property rights and personal rights?

Mr. LIND. Oh, outside of the City of Mexico there was no safety for property or property rights or individuals in Mexico, generally speaking.

Mr. KEARFUL. You were not outside of Mexico City except to go to Vera Cruz and this one hacienda, were you?

Mr. LIND. Oh, yes. I was around on the railroad, but I got my reports every day, scores of letters; for instance, delegations came to me from all directions, and the Americans, of course, suffered and were leaving, a great many of them.

Mr. KEARFUL. You also say on page 25 of the booklet:

The elimination of Huerta was demanded by the interests of the Mexican people.

How did you ascertain that?

Mr. LIND. The whole attitude of the Huertista government, as I judged of the situation, was one of force and repression, and I felt confident then, as I do now and as I expressed myself this morning, that the new ideas of the twentieth century had reached Mexico. The people had begun to see, or at least to feel, the injustice that had prevailed; the conditions under which they had lived. They looked for better things, such as they had seen across the line in the United States. There was a sort of French revolution brewing.

Mr. KEARFUL. You mean the ideals that were represented by the revolutionists of the north headed by Villa and Carranza?

Mr. LIND. Well, the revolutionary movement in general, north and south. It was very strong in Mexico City; it was very strong all over, and very active in the north.

Mr. KEARFUL. Witnesses before the committee have testified with practical unanimity that within the territory controlled by Huerta life and property were secure. Are you prepared to say that they are incorrect?

Mr. LIND. If you limit it to the City of Mexico and the portion of the territory toward the Gulf, that is probably true; but within 25 miles of Mexico City, in the whole State of Morelos and in Oaxaca, neither life nor property were safe, nor when you got up to Torreon or half way to Torreon. It is the same condition of affairs there, and in the great region between Tampico, Mexico, and the Huastica region. We had a great deal of trouble, as Consul Canada will remember, with respect to the condition of affairs in the Texas land and mining district.

Mr. KEARFUL. The testimony I referred to covers the States of Yucatan, Campeche, Chiapas, Oaxaca, Vera Cruz, and all of the States up to the northern territory which has been overrun by the revolutionists. Were you in any of those States?

Mr. LIND. Certainly I was.

Mr. KEARFUL. You were?

Mr. LIND. I was, and all I can say is that my views differ from the testimony you state. I will not undertake to argue it. For instance, you spoke about Yucatan. Yucatan was in trouble all the time. Huerta had sent down there some of his troops to capture volunteers for his army—that is the way they got volunteers for Huerta's army, by capturing them—and the little gunboats that they had would bring them up to Vera Cruz and there they would come in strings. I have counted, from Consul Canada's window, I think with him at my side, a string of volunteers for Huerta's army who were walking in line, with a long rope or cable with loops in it, and a loop thrown around the neck of each one in a row, about 2 feet apart. That is the way they were marched through the city.

Mr. KEARFUL. Who were those people?

Mr. LIND. They were volunteers for Huerta's army to fight the rebels of the north.

Mr. KEARFUL. Where and how did he get them?

Mr. LIND. He got them by capturing them.

Mr. KEARFUL. Where did you get your information in regard to them? Who told you that?

Mr. LIND. It is common knowledge. I saw them landed and the papers were full of it. My attention, I think, was first called to it by Consul Canada, who said, "Governor, come here." He was standing at the window. "Come here and see some of the volunteers for the Mexican army." There was a string of these fellows with this rope around their necks, as I have described.

Mr. KEARFUL. Consul Canada told you that they were volunteers that Huerta had taken from peaceful pursuits? Is that your information?

Mr. LIND. I will not say to what extent of detail he went into, but he called my attention to them, and then I made further inquiry and verified it, of course.

Mr. KEARFUL. Did you know of any instance where Huerta failed to protect the lives and property of Americans in any part of the territory that was not controlled by the revolutionists of the north?

Mr. LIND. Yes.

Mr. KEARFUL. What instances?

Mr. LIND. In Oaxaca, toward the Isthmus, near Cuernavaca. They were streaming through Mexico to Vera Cruz every day.

Mr. KEARFUL. I think the committee would like to have specific instances, because we never heard of that before.

Mr. LIND. This was six or seven years ago, and I can not give you names or the dates. These things are reported pretty fully in my official reports. I kept no record except the reports that I made to the department from day to day.

Mr. KEARFUL. Did you come to the conclusion upon the information that you obtained that the salvation of Mexico depended upon the success of the revolutionary movement instituted by Carranza?

Mr. LIND. No. I came to the conclusion that the only salvation of Mexico depended upon a new régime, in which some of the existing abuses would be eradicated, in which the people would be afforded an opportunity to attend schools, and in which some of the blessings that other peoples enjoyed would be given them to enjoy. I did not feel that Carranza or any individual or any group of individuals could bring a millenium in Mexico, nor do I feel now that any man or set of men can restore—they can not restore any good conditions because the conditions have always been bad, but I do not feel now that any individual or any set of men can give the Mexican people ideal conditions, ideal government, or absolute peace and plenty as the people might enjoy in a country as rich as that. It will take decades and generations for the people to develop into self-governing, intelligent citizens.

Mr. KEARFUL. But in the existing condition as you found it, did you believe that that movement of Carranza was the first step toward that result?

Mr. LIND. I did, and I do now.

Mr. KEARFUL. Was it your belief that if that revolutionary movement failed, that intervention by this country in Mexico would be inevitable?

Mr. LIND. I think I had that fear, but my conviction was that if that revolutionary movement failed it would be followed by another until the conditions that inevitably caused revolutions were cured or removed at least in part.

Mr. KEARFUL. Have you not often expressed it as your firm conviction and have you not stated it to me that it was Carranza or intervention?

Mr. LIND. I think I have—I think I have—not Carranza as an individual, but he——

Mr. KEARFUL. As typifying a cause?

Mr. LIND. As typifying a cause, the movement.

Mr. KEARFUL. In reference to the proposition of recognizing Carranza as the head of the de facto government of Mexico, did you not take the position that unless Carranza were recognized intervention would be inevitable?

Mr. LIND. I think so. I was anxious to see Carranza recognized as soon as there was tolerable peace in Mexico, as there was at the time he was recognized, for two reasons: I felt that that was the only hope in the situation at that time, and I felt also that in view of the European war, which had begun, and in which I felt certain we would

be involved sooner or later—and I expected it about as early as it came—that it was an impending absolute national necessity that we should have our flank at peace or as nearly at peace as possible.

Mr. KEARFUL. Were those the views of the President?

Mr. LIND. I do not know.

Mr. KEARFUL. Upon the basis of Carranza or intervention, if Carranza were now thrown out by the counter revolution would you believe that intervention is the only solution?

Mr. LIND. No. Whatever happens in Mexico—I am no prophet and I am not sufficiently informed to discuss the present situation intelligently. In regard to the reports that I see in the papers, I can not help being reminded of what Mark Twain said when his attention was called to the fact that he was reported dead. He said that the report of his death was very much exaggerated. That is what I think of these reports. Still, one can not say what may happen in Mexico, but whatever happens I should look upon intervention as a most unfortunate step for the United States as well as for the Mexican people.

Mr. KEARFUL. I can say personally that I very heartily agree with you on that point. I wish to ask this question: Your faith in Carranza and the other leaders of his revolution was founded, was it not, upon his acts and the acts of his leaders in the progress of the victorious march through Mexico and on to Mexico City?

Mr. LIND. I wish you would divide that question. You assume that I had faith in Villa.

Mr. KEARFUL. No, I said Carranza.

Mr. LIND. I never had any faith in Villa as a possibility even for any executive or administrative position. Villa is essentially an intelligent savage. That is the best and the worst you can say of him. Carranza as I knew him by reputation and as a result of much inquiry at that time, and as better acquaintance since has confirmed me, I regard him as a very able, and, I think, patriotic man. He is strong-minded, opinionated, and, as I said in one of my dispatches, pig-headed.

Mr. KEARFUL. Villa was Carranza's principal general in the beginning of the operations in the north, was he not?

Mr. LIND. I do not know. I do not think there were any principal generals. I think they all fought together by common consent.

Mr. KEARFUL. I mean the main successes in the early stages of the revolution were gained by Villa, were they not?

Mr. LIND. I think many of the military successes were.

Mr. KEARFUL. Did you not regard the turning point of the revolution to be the taking of Torreon by Villa?

Mr. LIND. Well, I think so. I think that is what virtually was the beginning of the end.

Mr. KEARFUL. I will return to the previous question. Was your faith in the revolutionary movement headed by Carranza founded upon the action of the army as it marched through Mexico and in its triumphal entry into Mexico City?

Mr. LIND. My faith in the revolutionary movement was founded upon the economic and social necessity for the revolutionary movement. The movements of the army were only evidence of that necessity for a change in Mexico.

Mr. KEARFUL. In the fall of 1914 when you wrote the address which is published in the booklet referred previously, Mexico City had then been in the hands of the constitutionalists for several months. Carranza entered Mexico City early in August, 1914. Previously other important towns had been taken. On page 22 of the booklet you make this statement:

Mexico has not enjoyed more than eight years of real self-government in the whole life of the nation. But here also the indications are promising.

Mr. LIND. Yes.

Mr. KEARFUL (reading): "The discipline and restraint shown by the victorious constitutional armies and their chiefs were most creditable and encouraging."

Were you present in any of the cities that were taken by the victorious constitutional army?

Mr. LIND. No, I was not.

Mr. KEARFUL. You had no opportunity personally to observe their actions so as to judge whether they exercised discipline and restraint and whether that was creditable and encouraging?

Mr. LIND. No, but I still would use that same language when you reflect on what occurred by people very much more cultured and disciplined, as we supposed, in the late European war. You must bear in mind that in the Mexican armies perhaps 90 per cent of the soldiers are utterly illiterate and without any civilizing antecedents or discipline. When they enter victoriously into a city the size of Mexico City or any of the other large cities in the Mexican nation, one would naturally expect very great and very flagrant excesses and outrages. I have no doubt that there were excesses.

Mr. KEARFUL. Would you expect that those excesses would be committed by the leaders of the army as an example to the men?

Mr. LIND. No; we would not expect it, and still those things happened in the war, if the reports that we had from the occupation of Belgium and northern France are to be believed.

Mr. KEARFUL. Do you know Manuel Calero, who was foreign minister under Madero and afterwards ambassador?

Mr. LIND. I only know of him. I never met him, but I am familiar with his name.

Mr. KEARFUL. Do you know his reputation as a Mexican of standing or not?

Mr. LIND. I do not recall very distinctly, but I have no recollection that I heard him spoken of as a vicious man.

Mr. KEARFUL. He was one of the ardent supporters of Madero and is now exiled from the country.

Mr. LIND. I recall him. He passed through Vera Cruz and was conducted to Vera Cruz. I recall him now. No; I never heard him spoken of except highly.

Mr. KEARFUL. Did you ever read a book written by him in 1916 entitled "The Mexican policy of President Woodrow Wilson as it appears to a Mexican?"

Mr. LIND. I have not read it.

Mr. KEARFUL. In that book he refers to what occurred in Mexico City at the time of the entry of the victorious constitutionalist's army there.

Mr. LIND. But he was not there. He was not an eyewitness.

Mr. KEARFUL. On page 31 of that book he said:

What happened then is something that the American Government has not dared to publish. The few honorable constitutionalists shudder to recall it. The Department of State has in its archives the official information of the outrages committed by the so-called constitutionalists in the great capital of Mexico. Never had the city suffered such indignities, not even in the blackest days of our revolutionary life. Even the diplomatic representatives of the foreign Governments were robbed by the Carranza "generals" and by the mob of ravenous politicians that followed. Even the Brazilian minister, official representative of the United States, was robbed.

Again, on page 78, speaking of the same subject, Mr. Calero says:

The revolutionists entered a place, and the inhabitants, terrorized, shut themselves up in their houses, concealed their wives and their daughters to save them from the lust of those ferocious beasts, and concealed their properties to save them from pillage. In the great cities there were customarily acclamations and friendly receptions for the victors, inspired more by fear of being considered unfriendly than by a legitimate enthusiasm, but nowhere was seen the popular effort to draw from that triumph any advantages for the effectiveness of the public liberties. Martial law was the form in which the revolutionary authority was exercised. The military tribunal, without law, and arbitrary, substituted the civil tribunal; the military commander took the place of the municipal council; the military governor that of the civil governor of the State, and the "first chief" substituted the president of the Republic, the Congress, and the Federal courts of justice.

On page 62 he gives an account of what occurred after the break between Villa and Carranza, as follows:

Those combatants did not appear to fight against their enemies, but against the immense pacific population. Everyone who may have followed the changes of this drama knows the infinite number of attacks upon the honor of women, upon religion, upon property, and upon life. A savage struggle in which the Yaquis, barbarous and sanguinary, who formed a part of the hosts of Carranza, the criminals, taken from all the prisons, the Mexican Indian, ignorant and avid for blood and rapine, who formed the bulk of the combatants, satisfied their instincts of bestial ferocity at the expense of 15,000,000 of human beings.

Hunger and pestilence increased the ravages of war. The military chiefs made scandalous fortunes, and what they did not appropriate to themselves was sent to the United States to the voracious speculators, who were paid with the bread and tears of the Mexican people for the arms and ammunition which sustained that infernal conflict.

Read the reports of the Red Cross; examine the official data with which the Department of State is stuffed, and it will be seen that while thousands of women and children were dying for lack of food, cargoes of corn, beans, of live stock, and all that could satisfy hunger went out of the Mexican ports and of the frontier cities to be converted into rifles and cartridges, into instruments of destruction.

Did you ever hear any of those accounts?

Mr. LIND. There are undoubtedly instances or occurrences that justify an indictment; not such as that. I think that is a very extreme, partisan statement even of the excesses that are always incident to the advance of a victorious army of that character.

Mr. KEARFUL. You can not say that of your own personal knowledge?

Mr. LIND. No; and neither could he, because he was not there any more than I was.

Mr. KEARFUL. Witnesses who have heretofore testified before the committee were there and substantiated the statement. Are you prepared to say they are mistaken?

Mr. LIND. No, but I think many of them are prejudiced.

Mr. KEARFUL. Or that they have testified falsely?

Mr. LIND. I would not say that they have testified falsely, but the main difference was in the construction that they put upon the

incidents happening in times of stress. For instance, Mr. Murray, whom you know very well, who had been a reporter for the New York World in Mexico City for years and years, one of the most intelligent men that I have known in Mexico, told me some three or four years ago, when I met him here in the city of Washington, that what astounded him more than anything else was the discretion exercised by these victorious armies that occupied Mexico City from time to time. He said even Zapata and his followers did not cause the devastation nor the hardships that were anticipated. Everybody expected that if Zapata and his followers entered Mexico City the whole population would be robbed. He said there were instances of that character, but on the whole the entry and the occupation was much more orderly than he had ever anticipated. He spoke the same way about the entrance of the Constitutionalists.

Mr. KEARFUL. It is undoubtedly true that Zapata, when he entered Mexico City, surprised everybody and kept order, and undertook to and did return to the owners of property such articles as could be found that had been stolen from them by the forces of Carranza previous to his evacuation, but I was speaking of the Constitutionalist armies.

Mr. LIND. He was speaking of them also. He was an eyewitness to all occurrences, and he expressed great surprise that the excesses were not greater and worse than they were.

Mr. KEARFUL. Did you ever hear about the occupation of houses in Mexico City by Carranza's generals and the looting of those houses?

Mr. LIND. I heard about houses being commandeered for the use of the officers in the army.

Mr. KEARFUL. You understand, as a lawyer, that the word "commandeer" means to take property and pay for it, do you not?

Mr. LIND. Not at the time, not payment at the time. I never knew a government or an army to do that except, possibly, out in the field where generals sometimes have cash. But our Government, when it commandeered during the last war, took possession of such houses, and such ships, and such instrumentalities as it required, and has not paid for them to-day.

Mr. KEARFUL. Do you understand that was the process followed by Carranza and his generals in Mexico City and other places?

Mr. LIND. Not in the same orderly way, I do not imagine. You can not judge of the Mexicans by our standards and do them justice. You can not expect that they will carry on a Government or carry on activities of any kind in as orderly a way as we would and do. That is what I mean.

Mr. KEARFUL. What were the creditable and encouraging acts that you had in mind when you wrote the statement referred to?

Mr. LIND. I can not recall now just what I had in mind when I used that language, but the whole situation to me looked promising and it has continued to do so until this present unfortunate electioneering contest that is in progress.

Mr. KEARFUL. Do you mean that it was creditable and encouraging to you that they did not commit any greater excesses than were actually committed? You expected them to——

Mr. LIND (interrupting). No; I did not expect, but I feared that there would be greater excesses than any committed, and I often discussed that with Consul Canada. I will say here that is the fear

of the possibility of excesses from any of the armies, I counseled with the naval officers and the Army officers, not under instructions from Washington but on my own and their initiative, to take precautionary steps if anything should happen while I was there to prevent any serious conflagration.

Mr. KEARFUL. Did you ever hear about a Mexican historian named Francisco Bulnes?

Mr. LIND. I think not. I am not familiar with his writings anyway, whether I ever heard of him or not.

Mr. KEARFUL. He is quite a celebrated historian. He wrote several very illuminating books on Mexican history and his last book is entitled, "The Whole Truth about Mexico." On page 295 of that book he refers to the agrarian problem and the insincerity of the revolutionists in promising to the peons division of land. He said:

And the land holdings, the great land holdings, what of them? The greatest among them passed into the hands of the constitutionalists chiefs, to be enjoyed with the rights of absolute ownership. What had constituted the great offense against the poor had become the great plum of the conquest. All the personal property of the wealthy was appropriated by the constitutionalists. Handsome residences, automobiles, jewelry, furniture, money, clothes, everything possessed by the aristocrats, and even those who were not aristocrats, was taken by the revolutionists.

Do you think there is any truth in that statement?

Mr. LIND. I do not know.

Mr. KEARFUL. That statement was called to the attention of a Mexican who has testified before the committee, a man of very high standing in Mexico, who is exiled from that country.

Mr. LIND. Who was the man?

Mr. KEARFUL. He is now engaged in business in New York, and his name is Viecente Sanchez Gavito.

Mr. LIND. I do not know him.

Mr. KEARFUL. And he confirmed that, as well as the statements previously made from the book of Manuel Calero.

Mr. LIND. Did he give any incidents, dates, haciendas, or houses taken? Did he give any data or just mere denunciation?

Mr. KEARFUL. The date has been given by various individual witnesses from all parts of Mexico, who have testified before the committee.

Mr. LIND. Understand me; I can not either affirm or deny the truth of alleged indiscretions or trespasses committed by anyone in Mexico since the time I was there.

Mr. KEARFUL. This relates to the time of the march of the revolution, and what was done upon the taking of cities by the constitutionalists.

Mr. LIND. The language and tenor of the language indicates that it was written in a controversial, denunciatory spirit, to say the least, and while there may be some basis of truth for it, I would want to know the fact.

Mr. KEARFUL. As I said before, many witnesses from all parts of Mexico have testified in detail, giving dates, names of individual, description of property, etc., fully substantiating the general statement. Are you prepared to say that testimony is mistaken or false?

Mr. LIND. I am not saying that anyone's testimony that I have not heard and that purports to be about facts of which I have no knowledge is either true or false. I am not here to prosecute or persecute or defend anybody.

Mr. KEARFUL. This booklet of yours containing statements referred to was published in Minneapolis, as I remember, late in the year 1914 and at that time was quite widely distributed. I know I got a copy.

Mr. LIND. No, it was not widely distributed. It has never been distributed.

Mr. KEARFUL. You say it has never been distributed?

Mr. LIND. No, sir. Individuals have written to Mr. Edgar for copies. There were only 300 printed in all.

Mr. KEARFUL. For your information I will state that a telegram was sent to The Bellman at Minneapolis requesting two copies to be sent to a certain gentleman, and also that the bill be sent with them. The copies were immediately sent, together with a letter stating that there was no charge. This occurred within the last few days.

Mr. LIND. Mr. Edgar is a very prominent publisher and a friend of mine, a personal friend of mine. He printed this without my knowledge and without any request on my part that it be printed. He used the same type and print that was used in The Bellman, and struck off these copies, I think 300. He sent 50 or 75 or possibly more to my office and they are there yet in my office except occasionally people who have read The Bellman or heard about the address wrote to me and asked for a copy and I have sent it out. It has never been distributed and never circulated except as I have explained.

Mr. KEARFUL. The publication and distribution of this pamphlet was done at the expense of the gentleman you mentioned?

Mr. LIND. Wholly.

Mr. KEARFUL. What did you do while you were in Vera Cruz by way of aiding the revolutionists of the north to triumph over Huerta?

Mr. LIND. Not a thing, not a thing. I never corresponded with one. I refused to correspond with any except my official correspondence in regard to political matters.

Mr. KEARFUL. Did you have any correspondence with any representatives of Zapata in the city of Moreles?

Mr. LIND. No; except one rather ludicrous incident which annoyed me quite a little and I think Consul Canada more. That occurred a week or so before I left Vera Cruz.

A gentleman by the name of Hall, who had been at Cuernavaca for a good many years, a New England man originally, but a Mormon, who had gone to Cuernavaca from Utah, brought to me at Vera Cruz a letter from Consul General Shanklin, commending to me in very positive terms a Col. Martinez, who was very much interested in the Zapatista movement and purported to represent Zapata. I asked Mr. Hall about the matter. I said, "I can not see this man if he wants anything that I could not grant him or that would be embarrassing to our Government." He insisted that he was a very, very able man, and very discreet, and that he wanted help for the Zapatistas.

Then Mr. Hall told the most heartrending story about the condition of the poor Zapatistas in the neighborhood of Cuernavaca and west. He said they were starving, many of them had been wounded, they were actually rotting, as he put it. There was the most horrible condition that he had ever seen or that anyone had known, he said.

They had been at war with the Huerta soldiers and I guess with the Madero soldiers earlier for three or four years. They were a helpless, ignorant mass of people.

He told me the most heartrending story that I ever listened to about their condition and said this colonel was coming with a communication from Shanklin for their relief.

Mr. KEARFUL. This was Arnold Shanklin, the consul general at Mexico City?

Mr. LIND. Yes, in whom I had implicit confidence and had known and always have had. Whether the colonel came before I left Vera Cruz I do not recall now. May I ask Consul Canada? I think his recollection is more accurate.

Had he arrived at Vera Cruz before I left or did he arrive the same day?

Mr. CANADA. He arrived in the evening after you had gone on board ship.

Mr. LIND. And did I not come ashore?

Mr. CANADA. He got out there the next morning and saw you on the ship.

Mr. LIND. That was it. He said he brought a power of attorney from Zapata and showed it to me and I think I have it yet. I said, "What do you want?" He wanted help. I said, "What kind of help do you want?" He wanted $50,000. I said, "Sir, that is absurd. Mr. Hall told me about the deplorable condition of these people and if there is anything I can do, especially now since I am going to Washington, I shall call on the Red Cross authorities in Washington just the minute I reach the city, and if any relief can be given you in any way of medicine or supplies, bandages, or food, if it can be conveyed to you, I will do everything in my power."

He wanted money. I said, "It is absurd. If I had it at my disposal I would not give it to you and could not give it to you, and I am very sure that our Government would not pay out a penny. But as a matter of humanity and charity, if these supplies can be conveyed to the unfortunate Zapatistas, that will be done."

Mr. Hall came with me to Washington and then I turned him over to Senator Smoot. I called on Senator Smoot to find out whether Hall was a reputable, reliable man, because if I secured supplies and relief for him it was expected that he might be able to convey it to them. I went to see the Red Cross and got a promise of supplies and medicine and I was told that an order might be issued on one of the ship's commissaries for supplies if we could be satisfied that they would be conveyed to the poor people.

Then this man Col. Martinez commenced to cable for money. I simply cabled to him that it was absurd, and I either wrote or cabled to Consul Canada to get rid of him, and I guess he did and with some trouble, just how I do not recall. That is that incident.

Mr. KEARFUL. Of what was this Col. Martinez, a colonel—in whose army?

Mr. LIND. I do not know what he was colonel of.

Mr. KEARFUL. Was it not understood that he was a colonel in Huerta's army?

Mr. LIND. No; that was not my understanding. My understanding was, so far as I had any understanding or have any recollection, was that he was a lawyer in Mexico City, who had had some

matters for Zapata and had his confidence. Since then or shortly after this incident I came to the conclusion that he was a spy sent by Blanquet to Vera Cruz—I do not know what for, but for some purpose of his. That is simply a supposition on my part. I do not know.

Mr. KEARFUL. If he was an officer in Huerta's army you did not know it?

Mr. LIND. I did not know it.

Mr. KEARFUL. Do you remember that Arnold Shanklin sent to you a secret code to be used, in which this man Martinez was to be known as Brady, and Hall was to be known as Clark, and Shanklin was to be known as Paz, and Zapata as Dix, and yourself as Juarez?

Mr. LIND. Now that you speak of it, I think that there was a note of that character sent to me. I had forgotten all about it.

Mr. KEARFUL. What was your understanding for the necessity for that secrecy?

Mr. LIND. None of this occurred at my suggestion and with my knowledge, and I could not comprehend it, and of course when a man suggested money then I suspected at once that he was a fake, and I think I told Mr. Canada before I left that that fellow was a fake, but I would look into it and verify it further through Mr. Hall.

What deceived me was that Mr. Hall himself impressed me as a kind-hearted, honest man, and he is certainly a plausible man and I have no reason now to say that he was not all of that, but then Senator Smoot spoke highly of the man. But of course when I found that it was money that he wanted, that ended it.

Mr. KEARFUL. In a letter signed by Arnold Shanklin and sent to you inclosing this code key——

Mr. LIND (interrupting). Let me correct that. I have no memory now whether any code was suggested by Mr. Shanklin, whether that was his suggestion or Hall's suggestion, or what source it came, but your speaking about it reminds me that there was something of that character.

Mr. KEARFUL. Do you remember receiving a letter from Arnold Shanklin inclosing this code or key to the code, and containing this statement:

> From most reliable sources I learn that the Zapatistas have taken other principal places in the south, and that they are attacking Cuernavaca almost daily. One day last week they came so close to Cuernavaca and in such numbers that the Federals had to use rapid firing guns and cannon. I might have put it better by saying that they were close enough for the Federals to use to advantage such means of defense.

Mr. LIND. I have no recollection of that letter, not the slightest. I doubt very much whether it came to me. But the coming of this man, whatever may have been the object of Hall's coming, never had any military significance from my standpoint. The only thought that I had in my mind, aside from the desire to alleviate the terrible human suffering that he detailed, was that if we could get in touch with some of those rude warring elements in that section in this manner, perhaps, when the time came it might be possible for our Government to exercise a persuasive influence for peace and reconciliation with the rest of the Mexican people. That did run through my mind, and was a consideration on my part, I think, in addition to the response to the humanitarian call.

Mr. KEARFUL. Perhaps this may refresh your recollection——

Mr. LIND (interrupting). Pardon me for asking the question, but have you anything that I wrote? I think I wrote Shanklin a note in regard to the matter.

Mr. KEARFUL. I have not any communication from you to Shanklin, but I was going to call your attention to another paragraph in Shanklin's letter to you.

Referring to the person who delivered the letter he said:

Further he will bring to you a piece of paper on which I have written the figures 1, 2, 3, 4, and the letters A, B, C, D, the letters being under the figures. I have torn the paper across so that the tear is across the figure 2 and the letter C.

Mr. LIND. I never saw that letter.

Mr. KEARFUL. He says further:

I send herewith the other part of that paper.

Mr. LIND. I never saw that letter. If that letter was written for me, it must have arrived at Vera Cruz after I left. I never saw that. My memory is pretty distinct. If I had ever seen that communication I would recall it.

Mr. KEARFUL. Further he said:

I also inclose a new code prepared by Hall. As it gives a new code name for each, Hall and Zapata, we will hereafter use the names for them as they appear on this new code.

Mr. LIND. That indicates that my recollection is correct. I never saw that letter, and it never came to my knowledge or reached me, but when you spoke about code, I know there was a suggestion from some source about the use of code words.

Mr. KEARFUL. He speaks here of a new code, as if there had been a code in use before.

Mr. LIND. A code had been suggested, and I told you a moment ago, but that communication I never saw.

Mr. KEARFUL. To refresh your recollection in that respect, I will ask if you remember a letter signed by you, directed to Consul Canada, in which you said:

I hand you herewith——

Mr. LIND. May I see it or are you reading the whole of it?

Mr. KEARFUL. I am reading this part of it.

Mr. LIND. I would like to see the whole of it.

Mr. KEARFUL (reading):

I give you herewith the key, of which I have duplicates. In any communications with Mr. Shanklin or myself, use the code words indicated. Mr. S. Brady will——

Mr. LIND. Which was the code name for Col. Martinez——

will leave on the train to-night. He must be received at the consulate as a fugitive if he desires, and it is my wish that he be provided accommodations on one of the warships at the earliest moment so as to relieve the consulate. He desires to go to the United States. If he is short of funds the consul may advance him $150 gold and charge to my account. It is very important that he be kept safely as he would undoubtedly be executed if caught. His identification is given in the letter from Mr. Shanklin, which I have herewith. Also he will present the other half of the slip attached to the key.

Does that indicate to you that the letter previously called to your attention had been received by you?

Mr. LIND. As I said before, I have no recollection of that, but I do recollect—may I see the balance of that letter—I do recollect some

thing about code words suggested by Shanklin. [After examining letter:] That is not what you read before.

Mr. KEARFUL. "I give you herewith the key"?

This is a letter or purports to be a copy of a letter signed by you.

Mr. LIND. But you read us some letter of mine something besides this, did you not?

Mr. KEARFUL. No, sir.

Mr. LIND. I think there is no question but that I wrote a letter like this to Mr. Canada. As I said, the whole thing came up in a hurry and I was leaving. This letter reads:

The Mr. Hall referred to in the key is a Mormon elder, who called on me a week or 10 days ago, and is a thoroughly trustworthy man. I expect that Brady will arrive to-night. If not, these directions will suffice.

Then I add here:

Generally, during my absence or until you hear from me to the contrary, I would suggest the following:

That Consul Canada forward to the State Department, under his signature, such information from time to time as to him seems proper. Any confidential matter that he thinks might be handled through me to better advantage than to go on the files of the State Department he can forward in code to me addressed in care of the Department of State. I will then have the message decoded for my use. This is merely by way of suggestion, as I know Mr. Canada's good judgment will dictate the proper action to be taken in all cases.

Mr. KEARFUL. Governor, you have a distinct recollection, have you, that your own dealings with Hall and Martinez were in reference to supplying food and provisions for suffering Zapatistas?

Mr. LIND. No. I did not know what they wanted. I wanted to learn what they had to suggest. I was willing, the men having come so highly recommended or vouched for rather by Shanklin, and I wanted to find out. You see, when I wrote this I had not seen the man, I had not been in touch with him, and when I did learn what his mission was, that was the end of it.

Mr. KEARFUL. Did you have any dealings with this gentleman looking to assistance for the Zapatistas to enter Mexico City and overthrow Huerta?

Mr. LIND. No, sir; never.

Mr. KEARFUL. I will call your attention to what purports to be a copy of a telegram sent by you to the State Department on April 6, 1914.

Mr. LIND. I will not discuss any telegram that I may have sent to the State Department. The original of every telegram that I sent to the State Department is undoubtedly there, and I will join with you in calling for any telegrams or communications of mine that you may wish to see.

Mr. KEARFUL. That is very good of you, and we will take advantage of that. But I wish to call your attention to this, in order to refresh your recollection, if possible, in regard to the dealings you had with Arnold Shanklin and Hall and Martinez.

Since cabling last night I have received additional information and feel absolutely certain in my own mind that it is vital to the situation in the South and to the pacification of that section that the gentleman now in the consulate be taken care of. I earnestly urge that it be done and that specific directions be given for the admiral in the premises. The people represented by this man are giving full protection to all foreigners.

There is a fight on at Tampico. An attack in force was made last night. Mr. Hall, whom I mentioned in my last night's telegram and who came down from Mexico City yesterday, reports a regular reign of terror.

Does that bring to your mind any other relationship than that of supplying the Zapatistas with provisions?

Mr. LIND. There was no other, and no other in view. I say there it is for the pacification. There were excesses reported from all sides, Tampico and elsewhere, and of course my hope, in so far as I I have reflected upon it, as I said a moment ago, was that if we could get in touch with the Zapatistas and possibly restrain or exercise an influence to restrain their excesses, it would be desirable.

Mr. KEARFUL. You regarded the exercise of something to restrain Huerta as being most desirable, did you not?

Mr. LIND. What do you mean?

Mr. KEARFUL. I mean to put Huerta out of the presidency of Mexico.

Mr. LIND. No, sir—oh, at that time I had become satisfied that it was only a matter of weeks, hardly months, that he would be eliminated, not that I was attempting to do anything to bring it about, but I knew it was inevitable and I did want to take any precautions that we could so that when the collapse came we could exercise some ameliorating influence. I felt that if we could get in touch with the Zapatistas along the lines that I indicated a month ago—and I think I discussed it with Consul Canada—it would be very desirable.

Mr. KEARFUL. You thought that Zapata and his forces would be the important factor in bringing about the downfall of Huerta?

Mr. LIND. Not at all. What I feared was that they would be a firebrand and perhaps when the thing broke indulge in excesses that would be savage and brutal. I confess that I was as much surprised as anyone when I heard about their comparatively peaceful entry into Mexico City. I apprehended more menace to life and property, and everything that calls for possession from the Zapatistas when the break came than from any other source, and it was with that in view that I had discussed the matter with our military attaché and with Consul Canada, and with naval officers, what we might and could do to protect Mexico City in that emergency.

Mr. KEARFUL. You were aware that Martinez was a colonel in Huerta's army, if he was?

Mr. LIND. I was not.

Mr. KEARFUL. In order to refresh your recollection on that point, I will refer to what purports to be a copy of a telegram sent by you to Secretary Bryan in explanation of the previous one to which I have just referred:

> The Mexican referred to in my recent letter and telegrams sought asylum in the consulate to-night. He did not come at my suggestion or with my knowledge. He is undoubtedly in imminent danger. Hall came with him. I am informed that he holds an honorary commission of colonel in the army but not under pay. Admiral Fletcher is of opinion that the facts do not justify asylum. What do you direct?

Does that refresh your recollection as to the point about him being a colonel in Huerta's army?

Mr. LIND. No; but I have no recollection that I ever looked upon him as—I knew nothing about the man. That evidently is a copy of a dispatch that I sent because it is my language, but that is absolutely all the recollection that I have. I had never heard of the man until the last day or two that I was in Vera Cruz, when this man Hall came to me and detailed the terrible situation of the Zapatistas.

Mr. KEARFUL. Who was Hall? What was his mission in Mexico?

Mr. LIND. I have not seen him since that period. My recollection is that he lived in Mexico a great many years. As I said, he was a Morman elder, and I think there was a Mormon settlement at Cuernavaca at one time, of which he was a member. Anyway, he kept a hotel that had been frequented by Americans and the Mexicans at Cuernavaca for a great many years. He was an honest-looking prepossessing, kindly old man and impressed me as very sincere and very desirous to help the poor Zapatistas.

Mr. KEARFUL. Did he present to you any credential from Secretary Bryan?

Mr. LIND. No.

Mr. KEARFUL. He did not claim to be a representative of the State Department?

Mr. LIND. Not at all. The only thing he presented to me was the letter from Shanklin, the letter of introduction. The contents of that letter I do not recall. Oh, no; he never purported to know or represent Mr. Bryan, and I do not recall that he ever spoke of Mr. Bryan as knowing him.

Mr. KEARFUL. Mr. George S. Carothers, whom you know, testified before the committee that this same man Hall claimed to be a representative of the State Department assigned to Zapata in the same manner that he, Carothers, was assigned to Villa and Silliman to Carranza. Do you know anything about that?

Mr. LIND. No; I am free to say that I take any statement that that gentleman makes with a grain of salt.

Mr. KEARFUL. You referred to Mr. Murray as having given you some facts about what has occurred in Mexico. Do you mean Robert H. Murray?

Mr. LIND. I do—no, not detailed facts, but I remember very distinctly asking him about what occurred and he expressed to me great surprise at the excesses and disturbances that were in existence.

Mr. KEARFUL. Do you remember that this same Robert H. Murray wrote a series of articles which were published in Harper's Weekly, in which he very bitterly attacked the character and official acts of Ambassador Henry Lane Wilson?

Mr. LIND. I never saw those articles. I saw one of them, I think, but I never read or saw them. You see, I was West at home when they were published. I heard about them later and tried to get a copy at one time, but did not succeed.

Mr. KEARFUL. In those articles Robert H. Murray charged Ambassador Wilson with having been in the conspiracy with Huerta to overthrow Madero and that the assassination of Madero was with his knowledge and approval. That was it in substance. Do you remember something about that?

Mr. LIND. No; I do not.

Mr. KEARFUL. Do you remember that immediately after the last installment of this article was printed, Harper's Weekly suspended and that Henry Lane Wilson brought suit for libel against Norman Hapgood?

Mr. LIND. I do not know anything about it. I did hear about that libel suit having been brought.

Mr. KEARFUL. Did you hear the result of it?

Mr. LIND. No; I did not.

Mr. KEARFUL. You never heard that Norman Hapgood confessed judgment?

Mr. LIND. No; I never heard it.

Mr. KEARFUL. Did you ever have occasion to make similar charges against Ambassador Wilson?

Mr. LIND. No, sir; I never did.

Mr. KEARFUL. You do have knowledge that you were reported in the newspapers to have made such charges against him?

Mr. LIND. No; not similar charges to that. I do not recall what the newspaper report was, but it was not such as you have read. But really, what has that to do with this inquiry, Mr. Kearful. I mean any possible controversy that may have existed between Mr. Wilson and myself? It is not my purpose to comment on anything that he has done, and newspaper reports of what I may have said about him or he may have said about me are really immaterial to this inquiry and I would very much prefer that you would not question me about those things.

Mr. KEARFUL. The charge against our ambassador to Mexico was that he was concerned in the overthrow of the existing Government and had knowledge and consented to the assassination of the president of the country, bears very strongly upon the attitude perhaps of the administration and strongly upon the position taken by the administration toward Ambassador Wilson and his reports of the situation, ultimately bearing upon the policy that was adopted and followed in Mexico.

Mr. LIND. I do not care to discuss Mr. Wilson or his official acts or to pass judgment upon anything that he may have said or done. I must respectfully decline.

Mr. KEARFUL. It was reported in the newspapers of Minneapolis, or a newspaper of Minneapolis, on November 21, 1915, that you had made a speech in which you were quoted as saying that "Madero was murdered by Huerta with the knowledge and consent of Henry Lane Wilson, the United States Ambassador." Do you remember that?

Mr. LIND. I told you I remembered that and that the report was inaccurate. I made no such statement. But I do not care to discuss that question, and out of justice to Mr. Wilson, who is not here, and myself, I must decline, because I do not think it pertinent to anything that the committee is investigating.

Mr. KEARFUL. Mr. Wilson testified before the committee that you were reported to have made such a statement and that you disavowed it, that you gave him a letter of disavowal under threat of a lawsuit.

Mr. LIND. No; I did not disavow the statement that I made, but I disavowed making a statement as reported. Really I do not see how that throws any light upon the subject, what Mr. Wilson may think of me or what views I may have of him or might have had in regard to him.

Mr. KEARFUL. Did you believe Henry Lane Wilson was in any way concerned with the plot to overthrow Madero or had any knowledge of or consented to his assassination?

Mr. LIND. I prefer not to discuss that.

Mr. KEARFUL. It has been reported that that was very firmly fixed as a fact in the mind of President Wilson, and if so it would be a very unfortunate thing, if not true, I therefore ask you whether you believed that report?

Mr. LIND. Would it not be better to ask the President as to his opinions than to try to get at his opinions by asking me?

Mr. KEARFUL. I am asking your opinion because——

Mr. LIND (interrupting). My opinion is utterly immaterial.

Mr. KEARFUL. You are a witness before the committee and President Wilson can not be summoned.

Mr. LIND. I shall decline to discuss Ambassador Wilson or his official acts. They are a matter of record in the State Department. They speak for themselves. I have never made a statement concerning Ambassador Wilson that was not based upon his own language and his own reports, and do not intend to.

Mr. KEARFUL. In the Minneapolis paper of March 10, 1916, you were reported to have declared that the Columbus raid by Villa was "undoubtedly inspired and financed by interests" in the United States. Did you make any such statement as that?

Mr. LIND. When was that statement?

Mr. KEARFUL. March 10, 1916.

Mr. LIND. I have no recollection of it. What paper does it purport to have appeared in?

Mr. KEARFUL. I have only a memorandum of the dispatch from Minneapolis, Minn.

Mr. LIND. I have no recollection of making any such statement.

Mr. KEARFUL. You remember the Columbus raid by Villa?

Mr. LIND. Oh, yes.

Mr. KEARFUL. You never did think, did you, that it was inspired and financed by interests in the United States?

Mr. LIND. Not the raid as such, but I do think that a great deal of activity hostile to the Mexican Government has been inspired and financed directly and indirectly from this side.

Mr. KEARFUL. The hostility toward the Mexican Government represented by Huerta was inspired also from this side, was it not?

Mr. LIND. Probably.

Mr. KEARFUL. It was assisted from this side, was it not?

Mr. LIND. Not that I have ever heard of.

Mr. KEARFUL. Was it not officially assisted from this side?

Mr. LIND. Not to my knowledge.

Mr. KEARFUL. Do you remember what is known as the Niagara conference?

Mr. LIND. I knew nothing about that conference.

Mr. KEARFUL. I simply call that to your memory as an historical event.

Mr. LIND. Yes, I remember it.

Mr. KEARFUL. Do you remember the incident of the ship known as the *Antilla*, which sailed from this country for Tampico with munitions of war for the constitutionalists at that time?

Mr. LIND. I do not. I never heard of it.

Mr. KEARFUL. Do you remember the circumstance that while the Niagara conference was in progress, which was a conference between representatives of Huerta and representatives of this Government, it was agreed by our administration that no arms or ammunition would be sent or allowed to be sent from this country to the enemies of Huerta while the negotiations were in progress? Do you remember that circumstance?

Mr. LIND. No, sir; I do not. I do not recall that I ever heard of it if it was a fact.

Mr. KEARFUL. Do you recall the fact that an embargo was placed upon the shipment of arms and ammunition to Mexico under authority of Congress?

Mr. LIND. There were embargoes placed, but when or for what length of time I have no recollection. I think the document to which I called your attention this morning indicates that the President proposed to take that action, but when that embargo was actually announced and whether or when it went into effect, or whether or when it was vacated, I have no knowledge.

Mr. KEARFUL. In the President's address to which you have just referred he said:

> I deem it my duty to exercise the authority conferred upon me by the law of March 14, 1912, to see to it that neither side to the struggle now going on in Mexico receive any assistance from this side of the border. I shall follow the best practices of nations in the matter of neutrality by forbidding the exportation of arms or munitions of war of any kind from the United States to any part of the Republic of Mexico, a policy suggested by several interesting precedents. * * * *

Do you know whether that declaration was scrupulously followed?

Mr. LIND. I do not. I have no knowledge of the embargo or of its execution.

Mr. KEARFUL. Did you personally give any assurance to the constitutionalists or advise them how to evade the embargo that was laid by the President?

Mr. LIND. I did not.

Mr. KEARFUL. Do you remember that this Niagara conference was after June, 1914?

Mr. LIND. About that time. I do not remember the date.

Mr. KEARFUL. Do you remember that in June, 1914, the New York Herald published a series of articles beginning with what was known as the Hopkins letters?

Mr. LIND. No; I do not.

Mr. KEARFUL. In the New York Herald of June 30, 1914, was published a facsimile letter addressed to Carranza by Mr. Hopkins, in which he makes this statement, his letter being dated May 8, 1914:

> Mr. Lind told me recently, and as he has subsequently intimated to Mr. Villareal, that in case it was found impracticable to permit the exportation of war material that you should arrange to export such as was needed from some port on the Gulf, preferably Mobile or Pensacola, in small vessels to Cuba, which upon their arrival at some port on that island might alter their course to the mouth of the Rio Bravo. I have discussed the matter with Mr. Santiago Winfield, who knows the country in that locality and who informs me that large schooners or steamers of moderate size can approach within half a mile of a place called "Barril," a few miles south of the mouth of the river, where the cargo could be easily landed in launches. Mr. Lind assured me very positively that there would be no interference whatsoever with shipments made in this way, and in case Tampico is not taken I respectfully invite your special attention to the matter.

Mr. LIND. I never had any such conversation with the gentleman. I wish to say further that the first days after my arrival in Washington on my return from Mexico Mr. Bryan cautioned me that I should have no intercourse with this gentleman, that he had been superseded as representing the constitutionalists' cause in the city of Washington, and stating that he had refused to have any intercourse with him and the department, and I scrupulously observed that suggestion.

Mr. KEARFUL. He had been superseded by Mr. Charles A. Douglas?

Mr. LIND. Yes, that is my understanding.

Mr. KEARFUL. Mr. Bryan was having intercourse with the representative of Carranza and expected you to do the same. Is that true?

Mr. LIND. No. He suggested to me that if I had any information that could be of service to Mr. Douglas, if I could make any suggestions to Mr. Douglas that would induce the Carrancistas element to participate in the conference, he would be glad if I would cooperate with Douglas in that behalf, and he fixed a time, as I recall it, for Mr. Douglas to call on me and I had several conferences with Mr. Douglas and we strove to induce all the constitutionalists, as they were represented here, to participate in that conference.

Mr. KEARFUL. But Mr. Hopkins's statement in the letter just referred to with reference to your suggestion and advice was absolutely untrue?

Mr. LIND. It is untrue.

Mr. KEARFUL. Do you know Mr. W. F. Buckley?

Mr. LIND. Your former partner in New Mexico?

Mr. KEARFUL. No. I was associated with him, but he was not my partner.

Mr. LIND. I think I met him once, possibly more times, but I have no distinct recollection of him. I recollect the name.

Mr. KEARFUL. He testified before the committee and related the incident of the boat *Antilla* that I referred to a moment ago. Do you remember meeting him here at the time of the Niagara conference?

Mr. LIND. I can not say.

Mr. KEARFUL. You were here at that time?

Mr. LIND. I was there at that time.

Mr. KEARFUL. In consultation with Mr. Douglas and Mr. Bryan?

Mr. LIND. Yes.

Mr. KEARFUL. He said on page 793 of his testimony:

Mr. Lind stated generally that while no more *Antilla* incidents would occur, the revoluntionaries had arranged to get all the arms and ammunition they wanted; that this would be accomplished by having ships take out their papers to Habana and then go to Tampico; and that the American Government had consented to the evasion. I immediately called on Mr. Bryan and asked him if this were true, and he stated that it was. Mr. Bryan stated that these ships would take out papers to Habana, and that the American Government would have no official knowledge that they were going to Tampico: that if, after they got out in the Gulf, they diverted their course, the American Government would have nothing to do with it, or, as Mr. Bryan insisted, the American Government would have no official knowledge.

Mr. LIND. Of course I can not say what Mr. Bryan said.

Mr. KEARFUL. Can you say about what you said?

Mr. LIND. I certainly never made any such suggestion myself. I recall that there was talk, whether by Mr. Buckley or some one else, and my attention about that time was called to a scheme of that character. I recall that.

Mr. KEARFUL. Do you know whether that scheme was carried out?

Mr. LIND. I do not.

Mr. KEARFUL. Mr. Buckley goes on further to testify as follows:

Mr. Lind's and Mr. Bryan's words were made good. On June 6 a million cartridges were shipped on the steamship *Sunshine* from Galveston to Tampico. Thereafter the schooners *Sunshine*, *Grampus*, and *Susan* made six trips from Galveston to Tampico, each time carrying shipments of war materials to the Carranza revolutionaries; all these boats, according to the speech of Representative Rogers, previously referred to, were consigned to Habana, but "by stress of weather they were blown to Tampico."

Mr. LIND. I have absolutely no knowledge of any of that.

Mr. KEARFUL. No knowledge of any of this matter?

Mr. LIND. No, sir; but I do not deny that I heard rumors, either about that time or afterwards, that some such scheme had been worked or planned by the constitutionalists.

Mr. KEARFUL. Do you know an attorney who formerly was located in Mexco City named Burton W. Wilson?

Mr. LIND. I know a Wilson, but I do not recall his initials. He is a gentleman who was pretty closely associated with that Jew banker, whose name I do not recall.

Mr. KEARFUL. Do you mean Emil Beck?

Mr. LIND. Yes.

Mr. KEARFUL. That is the same man. I did not know that Beck was a Jew, however.

Mr. LIND. That is the understanding that I had. It may be that I am mistaken.

Mr. KEARFUL. Do you remember meeting this lawyer, Burton Wilson, in Washington?

Mr. LIND. I remember meeting him, I think, in the Willard Hotel; but the time I can not fix.

Mr. KEARFUL. Was it about the time that the question of the recognition of Carranza was being agitated?

Mr. LIND. I should not be surprised.

Mr. KEARFUL. About the time that the Pan-American conference was sitting?

Mr. LIND. I can not say, but I recollect very distinctly meeting Mr. Wilson. I knew him rather pleasantly in Mexico—slightly, of course.

Mr. KEARFUL. Do you remember that there was a conference called by this Government in conjunction with six South American countries, called the A, B, C, and B, U, G, conference?

Mr. LIND. Certainly.

Mr. KEARFUL. That shortly following the close of that conference or at the close of that conference Carranza was recognized as de facto head of the Mexican Government?

Mr. LIND. I do not remember the date now, but I know that he was recognized subsequent to that time.

Mr. KEARFUL. You do remember having a conversation with Burton Wilson at the Willard Hotel about that time?

Mr. LIND. I remember meeting him. I do not remember the topic of our conversation. I remember very distinctly meeting Wilson because I was glad to see him.

Mr. KEARFUL. Did you meet Mr. Buckley at the same time that you met Mr. Wilson?

Mr. LIND. I can not say. I do not recall Mr. Buckley at all.

Mr. KEARFUL. He testified further——

Mr. LIND (interrupting). Who, Wilson or Buckley?

Mr. KEARFUL. Buckley, at page 812 of the printed hearings of the committee:

> In Washington, in a conversation that took place during the Pan American conference, when it was reported that the United States would not recognize Carranza, Mr. Lind exclaimed to the chairman of the International Committee of Mexico City——

That was Burton Wilson——

> My God, poor Mexico will fall back into the clutches of the Catholic Church.

Do you remember any such conversation?

Mr. LIND. No, sir.

Mr. KEARFUL. Did you give expression to any such sentiment?

Mr. LIND. No, sir.

Mr. KEARFUL. Did you ever give expression to any such sentiment?

Mr. LIND. No, sir.

Mr. KEARFUL. Were you ever at all apprehensive about the influence of the church upon Mexican affairs?

Mr. LIND. Only as I stated this morning. What poor Mexico needs is education, schools, and to the extent that the church in Mexico opposes public schools I think it is very unfortunate policy, and I think the same policy in the United States very unfortunate. I think it is the only salvation of our institutions and our Government, the maintenance and furtherance and the equipment of our public schools.

Mr. KEARFUL. Do you think that the influence of the Catholic Church in Mexico is such as to prevent the establishment of public schools?

Mr. LIND. As to that, I have no opinion as to the extent of its influence, but I think in so far as it can exercise any influence it is not in the direction of either establishing or sustaining public schools. To that extent I differ with the policy of the church, or any other church or any other institution.

Mr. KEARFUL. But you never made that statement?

Mr. LIND. I never made that statement.

Mr. KEARFUL. You did not?

Mr. LIND. I absolutely did not.

Mr. KEARFUL. Mr. Buckley further testified, on the same page:

In private conversation Mr. Lind attributed all the ills of Mexico to the influence of the Catholic Church and argued that this institution in Mexico must be destroyed.

Is there any truth in that?

Mr. LIND. No, sir; there is not. There is no truth in it.

Mr. KEARFUL. You never entertained such sentiments and never expressed them?

Mr. LIND. That the Catholic Church in Mexico or any other place should be destroyed? No; I never entertained any such sentiment and never expressed it.

Mr. KEARFUL. You never attributed the ills of Mexico to the influence of the Catholic Church?

Mr. LIND. No, sir. I have said, and I believe now, that if the church had been better disposed toward popular education, the education of the masses, it would have been better for Mexico and better for the church.

Mr. KEARFUL. Did you have any knowledge of the treatment accorded the priests and nuns and to church property by the victorious Constitutionalists armies?

Mr. LIND. No. I have seen reports in the papers, but I have no knowledge. I have seen the claims and the denials of both sides, but I have no information on which I can express any opinion.

Mr. KEARFUL. What was the date of your leaving Vera Cruz the last time?

Mr. LIND. I do not recall the date. It was about this time of the year.

Mr. CANADA. I think it was in May, but I am not sure.

Mr. LIND. It was a little later than this, I think about the 1st of May, but I am not prepared to say.

Mr. KEARFUL. You were not there at any time when refugee priests and nuns came through Vera Cruz?

Mr. LIND. I never saw them that I recall.

Mr. KEARFUL. You were there after the taking of Vera Cruz by our forces, were you not?

Mr. LIND. No, sir. That occurred very shortly after I arrived in Washington.

Mr. CANADA. They took Vera Cruz on the 21st day of April.

Mr. LIND. Then it was earlier than this that I left Vera Cruz. It must have been about the middle of April. I recall that the season was advanced about the same as it is now.

Mr. KEARFUL. What, if you know, was the reason for the President's order to take Vera Cruz?

Mr. LIND. I do not know the reason. I do not know that he issued any such order and I can not discuss that question.

Mr. KEARFUL. You were in Washington at the time, were you not?

Mr. LIND. Yes.

Mr. KEARFUL. You were called in consultation about it, were you not?

Mr. LIND. Not about the taking of Vera Cruz. I never had heard a suggestion made in regard to taking Vera Cruz until I read it in the press.

Mr. KEARFUL. Did you ever make a report to President Wilson to the effect that the inhabitants of Vera Cruz would welcome the landing of American forces for the purpose of ousting the usurper?

Mr. LIND. No, sir; I did not.

Mr. KEARFUL. Did you entertain that feeling or that sentiment?

Mr. LIND. I did not.

Mr. KEARFUL. You did not believe that the American forces would be welcomed by the Mexicans?

Mr. LIND. I never made any such report. That thing never occurred to me that I have any recollection of, but I do not propose to discuss what I may have reported to the State Department, for two reasons. My reports, so far as I am concerned, were confidential, and, in the second place, they were in writing and the reports speak for themselves. But I answered offhand and said that I have no recollection of ever making any such report to any one.

Mr. KEARFUL. Apart from your reports, did you believe that the Mexicans would welcome the taking of Vera Cruz?

Mr. LIND. I did not. I believed that all Mexicans saw the possibility of intervention, and they do now. If there is any feeling in Mexico against Americans, as it has been suggested here, of which I saw very little, except possibly individual instances, it is because the Mexican people live in the dread and fear of a possibility of intervention and absorbing of their country and blotting out their nationality.

Mr. KEARFUL. Did you regard the taking of Vera Cruz as intervention?

Mr. LIND. No, I do not.

Mr. KEARFUL. Why not, since it was the landing of American forces on Mexican soil?

Mr. LIND. How or why Vera Cruz came to be taken, whether there were orders to that effect or what the circumstances were, I do not know. I do know that it was reported and understood that Huerta's officials had insulted the American flag, and I do know that Huerta had refused to make amends. In that situation under the law of nations it was perfectly competent for our Government to take such action as it deemed commensurate with the indignity, the offense.

Mr. KEARFUL. The apology demanded was a salute to the American flag, was it not?

Mr. LIND. I do not recall what the apology was.

Mr. KEARFUL. You do not recall whether the taking of Vera Cruz resulted in a salute of the flag, do you?

Mr. LIND. I do not.

Mr. KEARFUL. It did operate as a very great factor in the elimination of Huerta, did it not?

Mr. LIND. I can not say. I was not there.

Mr. KEARFUL. Vera Cruz was one of the principal ports of Mexico?

Mr. LIND. Yes.

Mr. KEARFUL. The cut off of receipts from that port and the business flowing through that port would naturally have some effect on Huerta's ability to maintain himself, would it not?

Mr. LIND. Oh, undoubtedly.

Mr. KEARFUL. Do you think that that had anything to do with the decision to take Vera Cruz?

Mr. LIND. I do not.

Mr. KEARFUL. You were in Washington and in frequent consultation with Judge Douglas, the attorney for Carranza, for some time before the recognition of Carranza in October, 1915, were you not?

Mr. LIND. Yes. On several occasions I came down here.

Mr. KEARFUL. What was your interest in the matter of the recognition of Carranza at that time?

Mr. LIND. Not the slightest, except as I told you this monring. I was anxious that the Mexican situation should be settled, as a matter of personal pride for one thing; that is, I would like to see peace in Mexico. Then I was very anxious on account of the pendency of the European war to see that sore spot out of the way.

Mr. KEARFUL. Had your relations with President Wilson in reference to your mission to Mexico then terminated?

Mr. LIND. Oh, yes; it had terminated in June, 1914. I continued to stay at Mr. Bryan's request until, I think, about the 18th of June, and then I told him that I could not remain any longer or did not wish to; that I must get back home, and he said he would confer with the President, which he did, and reported to me in a day or two, I think the next day, that it would be all right.

Mr. KEARFUL. Were you employed by Carranza to assist in his recognition?

Mr. LIND. Never.

Mr. KEARFUL. Did you see Carranza after the termination of your relations with President Wilson?

Mr. LIND. I saw Carranza. Whether it was in the fall of 1914 or 1915 I do not remember—I think it was in the fall of 1915.

Mr. KEARFUL. Some time prior to the recognition of Carranza, was it not?

Mr. LIND. I think it was afterwards. It was after the recognition I am very sure.

It was late in the fall, and I can tell you the circumstances and how I came to see him.

Mr. KEARFUL. Very well, will you kindly do so?

Mr. LIND. What was the name of the first Mexican ambassador here?

Mr. KEARFUL. Arredondo?

Mr. LIND. Yes. I met Arredondo and rather liked him. I was up in the northern part of my State shooting with my son in the fall and got a long telegram forwarded to me out in the woods from Mr. Arredondo requesting me without fail to meet him at Piedras Negras on the border. I wired him that I could not come. Then he asked me as a personal favor to come and offered to pay my railroad fare and expenses. He sent a second telegram, so I went on and met him on the American side. He told me in the second telegram that Mr. Carranza was to be there and he was very anxious to meet me.

So I went down and Mr. Arredondo made arrangements for me to go across the river and see Carranza the next day, which I did.

On the way down I had read in the papers in the headlines that there had been trouble between Obregon and Carranza, that one had caused the arrest of the other, and I remember when I was ushered into the room where the two gentlemen were, they were standing at the table, I could not help laughing. I greeted them and asked them laughingly which one of them was under arrest, and they both laughed.

I had a long talk with Mr. Carranza on that occasion, the only time that I have seen him. What he was particularly anxious to see me about was to learn whether the American papers represented the real sentiment of the American people toward Mexico, whether it was true—I am trying to quote his language now—"Whether it was true that the people of the United States were as hostile in fact against Mexico and Mexican matters in general as the press would indicate." I assured them no, that "It is my judgment that on the part of the masses of the people of the United States there is nothing but the friendliest feeling, a feeling of a neighbor and a real disposition if they knew you to be of service to their Mexican neighbors." I deplored the matter of acquaintance and suggested that it would be well for the future of the two nations if there could be better acquaintance, better mingling of the people, business and professional men, international visits back and forth and exchanges of students.

Mr. KEARFUL. In your connection with the Mexican situation, did you ever have occassion to learn anything about the operations in Yucatan?

Mr. LIND. Very little.

Mr. KEARFUL. Did you become acquainted with an institution over there called the Reguladora?

Mr. LIND. No.

Mr. KEARFUL. Which was a company formed for the purpose of stabilizing by means of manipulating the market in sisal hemp, which is used by the farmers for binding twine?

Mr. LIND. I had never heard about it while I was in Mexico and knew absolutely nothing about it.

Mr. KEARFUL. Have you had any connection with that company?

Mr. LIND. Never in the slightest degree. My son, who lives in New York, through his acquaintance with a gentleman whose name

I can not recall, did some work for the gentleman in charge of the Reguladora business in New York, but I knew nothing about his undertaking that work until some two or three weeks after he had entered upon it. He collected statistics of consumption of binder twine and where it was manufactured and of the use of sisal in the United States.

Mr. KEARFUL. Do you know by whom he was employed?

Mr. LIND. He was employed by a doctor——

Mr. KEARFUL. Dr. Rendon?

Mr. LIND. Yes, Dr. Rendon of New York.

Mr. KEARFUL. When was this?

Mr. LIND. I can not give you the date now. It might have been in 1917.

Mr. KEARFUL. It was as late as that?

Mr. LIND. I think so, and possibly in 1916—1916 or 1917.

Mr. KEARFUL. It was while Gen. Salvador Alvarado was operating in Yucatan?

Mr. LIND. That I can not tell you. Dr. Rendon, in some connection, after he had collected statistics here, wanted him to go to the Philippines and make a careful report on the production of manila and fibers of that country, which he did.

Mr. KEARFUL. About the time of the period when you were here in Washington before the recognition of Carranza in 1915, a number of newspapers reported that you were here working for Carranza, and more or less broadly intimated that you were being paid by Carranza. You state you were never employed and never received any pay from him?

Mr. LIND. No, sir. Mr. Douglas asked me to join with him. But I did not think that I would under any circumstances feel justified in accepting a retainer, just the same as scores of people came to me who had claims against the Mexican Government. I refused in every instance to become identified with them.

Mr. KEARFUL. Mr. Douglas offered you a retainer and you refused him?

Mr. LIND. No; I can not say that he offered me a retainer, but he wanted me formally to assist them for compensation.

Mr. KEARFUL. You did assist him, but received no compensation?

Mr. LIND. I received no compensation. I assisted him. Later, in 1915 he paid my expenses on some trips when I came down, two or three times, just the same as Mr. Arredondo paid my expenses, or my railroad fare only on my trip to the border.

Mr. KEARFUL. It has also been stated by a member of the United States Senate that a copy of what purported to be a pay roll of the Mexican Embassy, at the time Arredondo was here, was shown to him which contained your name as being on the pay roll.

Mr. LIND. That was an error.

Mr. KEARFUL. If your name did appear on such a pay roll, it was improperly placed there? Is that true?

Mr. LIND. Except as I told you that Mr. Douglas paid my expenses.

Mr. KEARFUL. It may possibly have appeared in that connection?

Mr. LIND. In that connection. I can not say.

Mr. KEARFUL. You do not remember the amounts that you received?

Mr. LIND. No; I do not.

Mr. KEARFUL. I will ask you if you have any opinion which you care to express in reference to what the policy of this Government

ought to be or what ought to be done by this Government in reference to Mexico in the present situation?

Mr. LIND. I do not know what the present situation is. The only well-defined opinion I have is that it behooves us, a great powerful neighbor of a weak nation, to be patient and to not judge them by the same standards or measure that we judge England or France or Canada in regard to not complying with the conditions and demands of international intercourse. As I said, we ought to be patient and aid and assist them wherever we can and as much as possible.

Mr. KEARFUL. Do you think that policy of patience should extend to refraining from insistence upon the rights of Americans in Mexico for protection for their property and for their lives?

Mr. LIND. No; I do not; of course I do not; but I do not think that the best protection can be afforded by intervention nor by warlike action on our part at any time.

Mr. KEARFUL. Suppose that during a series of years—say, five years—acts of atrocity, murders, robbery, arson, persecution in every conceivable form, have gone on to the ruin of 30,000 or more of our citizens in Mexico; that protests have frequently been made in the strongest sort of language and have been disregarded time after time and those things are getting worse; what would you do eventually, and where would you do it?

Mr. LIND. I have not reflected on that. It is not for me——

Mr. KEARFUL. That is what the testimony shows.

Mr. LIND. I think that statement, Mr. Kearful, is exaggerated. While conditions are bad and while many individuals have suffered in life and property, much of that is owing to like conditions of crime and violence in our own country. You can not take up a paper without reading about criminality and bank robbers and hold-ups at night and in broad daylight. These unfortunate incidents are occurring more frequently the world over just at this time than they have within my memory.

Mr. KEARFUL. You do not ever read of those things occurring at the hands of generals in our Army or high officials of the Government, do you?

Mr. LIND. Oh, no; certainly I do not.

Mr. KEARFUL. How would you insist upon the protection of American rights in Mexico if your strongest representations were disregarded? What would you then do?

Mr. LIND. It is a very different problem to solve by any hard and fast rule or any theoretical course of conduct. We can defend the people along the border and in the seaport towns without any difficulty, but if the individual American is in the center of Mexico or in the middle of the continent, for us in every instance to send military protection for him and his property means the occupation of that country, and I think that the occupation of Mexico by American troops at this time or at any time, but more particularly at this time, would be as disastrous to us as it would to Mexico.

Mr. KEARFUL. This committee has been enjoined by resolution of the Senate unanimously adopted to investigate and recommend what should be done to avoid the recurrence of the outrages that have been committed in Mexico, and the testimony shows that these outrages have extended over a period of at least six years, and they have

grown; that Americans have no rights at all except what they pay for by way of graft, and that repeated representations by this Government have been entirely disregarded to such an extent that a representation was made now by an official in Mexico with levity. That is the testimony.

Mr. LIND. I believe that testimony is exaggerated. Conditions are bad, but I do not think that testimony is true.

Mr. KEARFUL. Assuming that the testimony is true——

Mr. LIND. That is a condition of affairs that I have not reflected on and would not assume to answer.

Mr. KEARFUL. If this Government is going to insist that the rights of its citizens in Mexico should receive protection and it can not get protection by diplomatic representation and repeatedly during a series of years those representations are disregarded, do you see anything to do but to resort to force?

Mr. LIND. There may come a time that that is inevitable, but I do not think we can afford to ignore the unfortunate situation that has confronted the Mexican people in the last 8 or 10 years that we have been discussing.

Mr. KEARFUL. What did you mean when you expressed the alternative that unless Carranza is recognized, intervention is inevitable?

Mr. LIND. I felt that there would be absolute chaos in Mexico, there would be no government, no authority, no organized form of society at all.

Mr. KEARFUL. Do you think there is now?

Mr. LIND. Yes; I do. It may be crude, it may be inefficient in places, but people are traveling back and forth.

Mr. KEARFUL. Do you know how they are traveling on the railways?

Mr. LIND. No; I have not been over the railways, but a friend of mine, an old neighbor of mine, went to Mexico City short time ago with his wife and wrote to his family. I saw the letters. He spoke of it as a very delightful journey. He stopped at Monterey and spent a couple of days there and then went on to Mexico City. Then they planned to go from Mexico City to Vera Cruz and back to New York by steamer.

Mr. KEARFUL. You have not heard any accounts about travel on any other lines except those from Laredo to Mexico and from Mexico City to Vera Cruz?

Mr. LIND. No; I have not. I have not interested myself at all in Mexican matters. All I know about the situation in Mexico is what is common knowledge and what appears in the papers and general conversations.

Mr. KEARFUL. I hope that the testimony that has been taken by this committee may become a matter of common knowledge, so that if there is any general idea that there is a real government in Mexico that is maintaining peaceful conditions, that idea will be corrected, and I hope you will read the testimony.

Mr. LIND. I shall be grateful to you for sending me a copy of it.

Mr. KEARFUL. Is there anything further that you would like to state to the committee?

Mr. LIND. I do not know of anything.

Mr. KEARFUL. The committee is obliged to you.

Mr. LIND. Thank you.

(Thereupon, at 7.30 o'clock p. m. the committee adjourned.)

MONDAY, MAY 10, 1920.

UNITED STATES SENATE,
SUBCOMMITTEE ON FOREIGN RELATIONS,
Washington, D. C.

The subcommittee met, pursuant to call, at 11 o'clock a. m., in room 128, Senate Office Building, Senator Albert B. Fall, presiding.

The CHAIRMAN. The committee will be in order.

TESTIMONY OF HON. FRANKLIN K. LANE.

(The witness was duly sworn by the chairman.)

The CHAIRMAN. Will you please give your full name to the reporter?

Mr. LANE. Franklin K. Lane.

The CHAIRMAN. Mr. Secretary, what official position with the United States Government have you held during the last few years until a recent date?

Mr. LANE. Recently, until the last couple of months, I was Secretary of the Interior.

The CHAIRMAN. As Secretary of the Interior have you been and are you now familiar with the laws of the United States relating to the public domain?

Mr. LANE. Yes, sir.

The CHAIRMAN. Have you had anything to do with shaping the policy of the United States with reference to its public domain during your incumbency of that office?

Mr. LANE. I have made recommendations to committees of Congress and to the President with respect to that policy.

The CHAIRMAN. Following your recommendations, has legislation been enacted along the lines suggested by you and along other lines?

Mr. LANE. There has been legislation along those lines.

The CHAIRMAN. Has your attention at any time been called to the testimony of Mr. John Lind, taken before this committee at a recent hearing?

Mr. LANE. I saw his testimony as stated in the papers.

The CHAIRMAN. In answer to questions Mr. Lind testified as follows, the question leading up to it being:

> Do you think that the oil companies have any just ground of complaint on that score?

That is, of the President's decrees with reference to the exploitation of oil lands in Mexico.

To which Mr. Lind answered:

In Mexico, the same as with us, originally the State owned all the minerals. You know, the Government of the United States owned all of the minerals, I think, until in the forties Congress released the minerals. We have recently—

That is, in the United States—

We have recently resumed the oil and coal and minerals of that character in the public lands. The State in Mexico owned the oil until some time during Diaz's administration, when Lord Cowdray discovered oil. Then they secured an act of the Mexican Congress relinquishing the State's claim to the oil and the real property.

The committee wants to direct your attention to Mr. Lind's statement, practically to the effect that the United States in resuming control or ownership of a claim of the oil in the public domain of this country was not only following the example of Mexico but was resuming the control of property which it had theretofore exercised control or ownership of, and apparently which it had not exercised such control of for some period of time. What has been the policy of the United States with reference to oil upon private lands in this country and oil upon public lands?

Mr. LANE. The policy of the United States with respect to oil upon private lands is that the oil goes with the surface. As to public lands, there has been no other policy until recently, when the Congress has seen fit to pass a law under which the Government will directly lease oil lands. It was only within the last month that that law has gone into effect, although it has been advocated for some seven or eight years.

The CHAIRMAN. The United States Government, to your knowledge, has not attempted by legislation, executive or administrative order, or action in any other way, to assume control as against the individual owners of the subsurface products of privately owned land?

Mr. LANE. Never.

Senator BRANDEGEE. Is that true also of the oil on the lands of the Five Civilized Tribes in Oklahoma?

Mr. LANE. Yes.

Senator BRANDEGEE. The same policy?

Mr. LANE. The same policy. The Indians own the oil. All that the Government does is make leases as trustee for the Indians.

The CHAIRMAN. Even upon the Indian lands, if the United States desired to acquire the subsurface product—that is, the oil—it could only do so as any other purchaser?

Mr. LANE. Precisely.

The CHAIRMAN. Then Mr. Lind's statement is not accurate with reference to the policy or the law, is it?

Mr. LANE. No; Mr. Lind evidently was mistaken.

The CHAIRMAN. So far as the laws of the United States are concerned or in so far as the policy is concerned?

Mr. LANE. Yes.

The CHAIRMAN. Are you familiar with the laws of Mexico and the old Spanish laws?

Mr. LANE. In a very rough and general way.

The CHAIRMAN. I understand that we have a witness here who is thoroughly familiar with that subject.

What, in your judgment, Mr. Secretary, would be the effect of allowing to go out to the public unchallenged a statement such as made by Mr. Lind, as to informing or misinforming the people of the United States concerning the oil question, as we generally understand it between this country and Mexico?

Mr. LANE. Oh, I think the people of the United States are so generally familiar with the law as to public lands and private lands that much attention would not be paid to it.

The CHAIRMAN. The people are not generally familiar with Mexican law, though, are they?

Mr. LANE. No, sir.

The CHAIRMAN. So that when he undertakes to say that the Mexican creeds or laws are along the lines of the laws and policy of the United States such a statement, if allowed to go unchallenged, would create a false impression, would it not?

Mr. LANE. That statement might have that effect in Mexico, but not in the United States.

The CHAIRMAN. Might it not affect the public sentiment in the United States, as to feelings with Mexico, by creating an erroneous impression with reference to law, practice, and procedure in Mexico?

Mr. LANE. Yes.

Senator BRANDEGEE. It would produce the impression, would it not, that if Mexico, by its decrees in relation to oil, was confiscating American rights that this Government would do the same?

Mr. LANE. Yes; it certainly would. I think this point ought to be clearly understood, Senator, that there never has been any protest made by anybody, so far as I ever heard, against Mexico or any other country following the policy that the United States is now pursuing, which is a policy of leasing its own national lands upon a royalty basis. There is an impression in the United States that the land held by American corporations has been obtained by grants similar to our large railroad grants in this country; that they have been given the lands by Mexico; whereas the fact is that Americans went to Mexico and bought their land from the private owners, and the title that they got carried with it the right to drill for oil. That is exactly as it has been and as it is in the United States.

Senator BRANDEGEE. You say there is a prevalent impression in this country that Americans got their oil rights in Mexico by a grant. The word ordinarily used instead of "grant" is "concession," is it not?

Mr. LANE. Yes; that is a word that has been misconstrued in this country.

Senator BRANDEGEE. Yes.

Mr. LANE. Because "concession," as we understand it, means something granted by the Government in the way of land, whereas the concessions that are made by the Mexican Government are simply an agreement that for a certain period those who introduced a new industry into Mexico would be relieved of taxation upon what they brought in or took out. That period, so far as we are concerned, long ago expired, and there was no land whatever obtained by concession or grant from the Mexican Government to the oil companies.

Senator BRANDEGEE. I have read quite a number of articles from time to time in magazines and newspapers to the general effect that those American citizens who went into the oil business in

Mexico had, by corruption or other improper means, secured from the Mexican Government concessions for these oil rights, which they claimed to own, and that, having secured them corruptly, they are now engaged in an attempt to make the United States Government guarantee them in the peaceful possession of corruptly obtained rights. Have you read articles to that effect?

Mr. LANE. I have.

Senator BRANDEGEE. So the situation is, as you describe it, that Americans engaged in the oil business in Mexico went there and bought their oil rights from individual proprietors, just as they have done in this country, and are simply demanding that their rights as Americans be protected against confiscation by the Mexican Government. That places a different face upon the question with reference to these attacks to which I have referred, it seems to me. Does it not to you?

Mr. LANE. It does. The Americans who have gone into Mexico and have been complained of as you describe have done just as they would have done if they had gone into California; just as if a Pennsylvania oil driller had gone into California and bought a ranch and drilled his well. Under the laws of Mexico he had precisely the same title to the petroleum that is discovered upon that land as he would have in California.

Senator BRANDEGEE. Possibly I was mistaken, but I understood you to say there had been no protest made on account of violations by the Government of Mexico of these American oil rights. Did you mean there had been no protest made by the owners of those rights to the department, or no protest made by the State Department to the Mexican Government? I do not know whether I understood you correctly or not, but you did say something about protests, and I would like to have that made clear?

Mr. LANE. The point I was making was this: That we ought to be consistent in the United States, and that we are thoroughly consistent. We have no objection whatever to a law being enacted in Mexico or any other country by which they would take the lands that are still in public ownership, held by the Government, and lease those upon terms to the citizens or to any others; that that is the policy adopted in the United States as to the lands that still remain in the hands of the Government. And there was no protest whatever on the part of the oil men of the United States against such a policy being adopted by Mexico or any other country, but there was a serious protest against a policy being adopted by which the American owners, who had gone to Mexico, under Mexican laws, and obtained property, for which they had paid cash, from the individuals who owned the land, to having that property taken from them.

You said something a moment or two ago as to certain propaganda being presented to the country on this matter, and one of your points was that it was given out to the public that Americans had gone down there and obtained concessions of land from the Government, and that it was the policy of the Mexican Government itself to resume possession. Now, the fact is that the law under which these lands were obtained—remember always that these lands were purchased from private individuals—was a law passed by Mexico before there had been any discovery of petroleum in Mexico, recognizing the general principle that these lands, such as coal and

asphalt and clay lands, were the exclusive property of their private owners. There was a more positive declaration in the Mexican law than there was at that time I believe in our own law that the petroleum lands were the exclusive property of the man who had the title.

Senator BRANDEGEE. My suggestion was also based to a certain extent upon what I had heard had been substantially the statements of Mr. Bryan, when he was Secretary of State, to American citizens who protested to the State Department against the lack of protection accorded to them and their property in Mexico, although it was stated that he had told parties making such protests that they had gone there voluntarily for the purpose of making money, had simply gone there to exploit the resources of Mexico, and as such were entitled to no protection by this Government; if they did not like the treatment, their business was to come back here.

I was trying to get at whether it was your notion that American citizens who went there and bought property, as you have described, as you have stated these oil men have done, from private people, and who are developing their own private property, were entitled to any protection from our Government?

Mr. LANE. Yes; they are entitled to protection; not only because of their own interests but because of our interests and the interests of the world in the development of those resources.

Senator BRANDEGEE. I do not know what line Senator Fall is going to inquire about, but this may be as good a place as any to ask this question:

What importance do you think the development of the Mexican oil fields has to this Government and to the necessities of our people? By that I mean the development of those oil fields by our citizens, and in our interests, rather than the development by some foreign interests.

Mr. LANE. Foreign interests other than Mexican, perhaps you mean?

Senator BRANDEGEE. Yes.

Mr. LANE. Of course, I would not contend for a moment that Mexico did not have the first claim on her own resources. She undoubtedly has, and there is no contention to the contrary so far as this Nation is concerned or our people; but we—who have gone in there and developed that property, discovered the oil there, found that Mexico had a resource of which she had no knowledge herself, and had invested our money in the development of that resource under the smile and approval of the Mexican Government—certainly will contend that she should allow that that product shall be used for the benefit of the United States, if that did not conflict with Mexican interests.

Now, we must have more oil in this country. Last year we produced 1,600,000 automobiles. We have got over 8,000,000 interior-combustion engines upon the lands of the United States. We have got to use oil in our merchant marine. What that demand will be two or three years hence is impossible to say, but an estimate has been made within the Shipping Board of a requirement of 100,000,000 barrels within four years. Our Navy has come to rely upon it. We are using 400,000,000 barrels a year in the United States; increasing rapidly. Last year we used between thirty and forty million

barrels more than we produced. All of which means there has got to be an increase in the supply. We do not know where that is coming from within this country, although it is regarded as so serious a matter that Congress has hastened legislation to meet our need. There is a great supply along the Caribbean Sea and the Gulf of Mexico. It is needed for the industries of this country. It is near to us. The geologists who have made a study of the maps of the world indicate there are two great bodies of oil; one near the eastern end of the Mediterranean, running from the Caucasus to the Persian Gulf and back to the Mediterranean; the other around the Caribbean Sea and the Gulf of Mexico.

If we are to have a supply of oil immediately, and we have a great need arising immediately, we must get our supply from either one of those two sources. One is at hand, and is one in which American capital is interested. The other is distant, and no American capital, except to a very small extent, is interested. So that, if we are in a petroleum period in our power history, it is essential to us that the flow of oil from Mexico and other countries to the United States shall continue, for the development of our foreign trade and building up of our merchant marine, the upbuilding of our Navy and the development of our industries.

Senator BRANDEGEE. When you say you recognize the right of the first claim by Mexico to her own resources, I do not suppose you mean they have a right to confiscate that American capital that has been invested down there in oil enterprises without compensation?

Mr. LANE. No; hardly.

Senator BRANDEGEE. You mean, of course, that they have that right as to what they own, their public lands?

Mr. LANE. Yes; but I was talking generally of the product. They have undoubtedly the right to that.

Senator BRANDEGEE. Oh, yes.

Mr. LANE. And they have the right, I think, to protect themselves in the matter of seeing that their industries would have a sufficient supply.

The CHAIRMAN. By an embargo, or otherwise, if their national interests demanded.

Mr. LANE. Certainly.

Senator BRANDEGEE. I have seen a statement in the last few weeks, and it has been referred to on the floor of the Senate, as having been made by, I think, some Member of the British House of Commons, stating if not boasting of the fact, in reference to the oil fields that some of their companies had acquired in Mesopotamia and Syria and around the Mediterranean, and stating that we would soon have to call upon them for an enormous quantity of oil, and stating practically that they controlled the oil supply.

Mr. LANE. I have seen that statement.

Senator BRANDEGEE. It made me apprehensive, and upon the floor of the Senate, Senators commented upon the fact. I think Senator Jones, of Washington, in relation to the merchant marine shipping bill, referred to it, calling the attention of the country to the danger of that situation, and unless we get our own supply from the Gulf of Mexico base.

Mr. LANE. Our people in the United States, who are the pioneers in the oil business, who know how to drill oil wells and handle such

property better than any other people alive—our people who are capable and who have the money are able and are willing to protect the United States in that respect. We can get the oil we need provided our people can be assured that in going to another country, where they acquire property under the laws of that country and in strict conformity with them, they will be protected. Protection of our rights is all we need. I do not know what statement you refer to, but I have seen various statements made by English authorities on that question of British control of the petroleum supply. I hope those statements are not true. I do not believe there is any reason why they should be true.

They have got possession pretty generally of the whole Persian field and the field extending from Persia to the Mediterranean, but there is a vast amount of territory that can be had to the south of the United States, upon terms perfectly fair to those people and agreeable to them, which will give us all the oil that we need, and we can get it if it is understood that the United States is sufficiently interested to see that no unfair thing is done to those people there, and that no unfair thing is done to us here.

Senator BRANDEGEE. I think the Democratic platform, either four or eight years ago, pledged the protection of the United States to its citizens and their property everywhere, and our platform did also.

Mr. LANE. No oil property has been actually taken from any American citizen that I know of, although efforts have been made in that direction, I believe.

Senator BRANDEGEE. I think the testimony before this committee shows that, whether property has been taken or not, the Government has forbidden those who have obtained the right to drill oil fields from drilling them.

Mr. LANE. That is true.

Senator BRANDEGEE. The use of the property, or the prevention of its proper use, is the equivalent to its confiscation.

Mr. LANE. Very true.

Senator BRANDEGEE. This has been more or less of a diversion. I think Senator Fall desired to examine on another branch.

The CHAIRMAN. No; I had concluded the examination. I have been very much interested in the examination as it proceeded.

You speak of the claims of Great Britain. This oil field, as far as it is developed around the Gulf and the Caribbean Sea, is known to extend to the Island of Trinidad, off the coast of Venezuela in South America, is it not?

Mr. LANE. Yes.

The CHAIRMAN. To whom does the island of Trinidad belong?

Mr. LANE. I understand it belongs to Great Britain.

The CHAIRMAN. Do you know whether any American can acquire oil lands or permits or drilling rights to develop oil in the Island of Trinidad under the British law?

Mr. LANE. I understand not, and I think it goes still further, that the general policy of Great Britain is that no foreigner shall be in possession or control of an oil property that is on their soil.

The CHAIRMAN. As far back as 1882, by order from the council or legislature, or executive order, the Standard Oil Co. of the United States was prohibited from going into India.

Mr. LANE. I am not familiar with that fact, but England undoubtedly has seen for some time that this is a new source of power, and has been forehanded and foresighted.

The CHAIRMAN. England has pursued a policy of encouraging her citizens in every way in the acquisition by such citizens of oil rights all over the world, has she not?

Mr. LANE. Undoubtedly. Of course, we have never recognized ourselves as promoters of commerce.

The CHAIRMAN. No. During this war, within the last few years, have the English gone further than they had before, to this extent: That the English Government itself has acquired a majority interest in a great oil development company or its subsidiaries?

Mr. LANE. I understand that is true. I made a report when I was Secretary of the Interior, which came eventually to the Senate, upon that question.

The CHAIRMAN. That policy is being developed through what is known as the Dutch Shell Co.?

Mr. LANE. Yes.

The CHAIRMAN. Do you know whether that company is interested in oil development in Mexico?

Mr. LANE. I understand it is.

The CHAIRMAN. Do you know whether it is interested in the field in Colombia?

Mr. LANE. I understand it is also there.

The CHAIRMAN. Do you know anything about the American syndicate, the Tropical Oil Co., and other American companies doing business in South or Latin America?

Mr. LANE. I understand there are two American companies in Colombia doing business of a very large character and having producing wells.

The CHAIRMAN. Do you know whether or not those companies which have acquired that interest have transferred the majority to the Dutch Shell and its subsidiary company?

Mr. LANE. I do not. I think that is not true.

The CHAIRMAN. I am afraid it is true, that a three-fourth interest in a large concession for a tract of oil land obtained by American companies has been transferred recently to the Dutch Shell syndicate.

Mr. LANE. That is a menace to the United States in that we must get an outside supply of oil, and if it continues something like what Senator Brandegee says may come true, that we may be compelled to buy from them.

The CHAIRMAN. And yet there is an enormous amount of ready capital in the United States which could be employed in the development of these American properties. Then there must be some reason to induce American companies to part with majority interests in their property to an English company.

Mr. LANE. I think, perhaps, I can say one of the reasons is the uncertainty as to the security—the sureness or safety of the investment in the other country.

The CHAIRMAN. Do you understand that the English in their developments entertain the same apprehension?

Mr. LANE. They evidently have not to the same extent.

Senator BRANDEGEE. You spoke about the number of barrels of oil. How many gallons are there in a barrel of oil?

Mr. LANE. Forty-two.

Senator BRANDEGEE. I ask permission to put in with my remarks an excerpt read by Senator Jones of Washington describing the statement of this Englishman as to this oil situation.

The CHAIRMAN. Certainly, that may go in.

(The exhibit referred to is as follows, being from the Congressional Record of April 28, 1920, pp. 6719, 6720:)

Mr. JONES of Washington. I have here a clipping from the Public Ledger of Philadelphia under date of April 9, dated at London, a special cable dispatch:

"Writing in the Times, Sir E. Mackay Edgar, in explaining Great Britain's control of the oil resources of the world, says that within a few years the United States will be paying British oil interests $1,000,000,000 annually for oil for the American Navy and for American home consumption.

"With the exception of Mexico and to a lesser extent of Central America, the outer world is securely barricaded against an American invasion in force, he said. There may be small, isolated sallies, but there can never by a massed attack. The British position is impregnable."

If our administrative officers, if our State Department, who should know more about this situation than we can know or than anyone else in the country can know, are satisfied that the only way we can protect our interests in the acquirement of oil concessions and in securing oil to meet our future needs, is through a corporation or company, as suggested by the Senator from California, it seems to me that it is the duty of those administrative officers to say so, and to recommend to Congress legislation along those lines. If they will come to Congress and do that, I, for one, will stand by them.

Mr. KING. Will the Senator permit an interruption right there?

Mr. JONES of Washington. Yes; although I had not expected to take so much time.

Mr. KING. I will wait until the Senator concludes the article and then I will propound the question.

Mr. JONES of Washington. It is rather lengthy, and the Senator can proceed.

Mr. KING. Very well. I have thought for some time, particularly in view of the information which the Senator from California [Mr. Phelan] furnished to the Senate several months ago, that it is the duty of the Navy Department of the Government to acquire oil lands for naval purposes and uses in remote parts of the earth where our fleet will be called, and I should be glad to see an appropriation made, to be placed in the hands of the President, for the purpose of acquiring oil lands in those countries to which our fleet may go and when oil might be needed for our Navy.

I should be very glad if the Committee on Naval Affairs would consider that question, or if some other committee of the Senate would take up the matter. If it is not done I shall offer an amendment to the pending bill or introduce an independent bill, so that the whole subject may be considered by the Senate.

Mr. JONES of Washington. I would welcome something along that line, but I want to emphasize the statement I made. I am not criticizing the administration or the department, but it seems to me that, they being more familiar with the details of the needs and the difficulties that they face, it is their duty to recommend to Congress what they think ought to be done. We can not know these facts and the details except as we get them in a general way. They run right up against them in the conduct of their affairs.

Just as the Senator from Utah [Mr. King] has said, the Secretary of the Navy and the officials of the Navy know exactly what are the needs of the Navy; they know the difficulties that they have in supplying those needs; they know the facts at the different points of the compass in the world that we do not know, and about the only way that we can get the information is that they call them to our attention and make recommendations to us, based upon their knowledge of the situation and the facts.

Reading further from this article:

"Sir Mackay declares that all known oil fields and all likely or probable oil fields outside the United States are in British hands or under British management or control or financed by British capital.

"'We shall have to wait a few years before the full advantages of the situation shall begin to be reaped,' he said, but that that harvest eventually will be a great one there can be no manner of doubt. To the tune of many millions of pounds a year America before very long will have to purchase from British companies and to pay for in dollar currency in progressively increasing proportion the oil she can not do without and is no longer able to furnish from her own store. I estimate that, if their present curve of consumption, especially of high-grade products, is maintained, Americans in 10 years will be under the necessity of importing 500,000,000 barrels of oil yearly at $2 a barrel, a very low figure, and that means an annual payment of $1,000,000,000 per annum, most, if not all, of which will find its way into British pockets. If there are pessimists left in the United Kingdom, I confidently invite them to put that in their pipes and smoke it.'"

And, Mr. President, in this connection I desire to suggest that now is the time for us to begin to lay our plans to meet any such situation as that. There are different ways by which we can meet it.

Mr. WATSON. Mr. President, does the Senator understand that the Mexican oil fields are in control of the British?

Mr. JONES of Washington. No; I do not understand that they are entirely so.

Mr. WATSON. The all-sweeping declaration the Senator has read would lead one to conclude that such was the case.

Mr. JONES of Washington. No; just preceding that statement—probably the Senator from Indiana did not notice it—I think he says that, outside of Mexico and one other field, the British practically control the oil of all the world.

However, what I want to suggest is this: This is the time for us to unshackle ourselves so that we can do whatever we think along different lines will be for the protection of our interests. We may in a few years be dependent upon the British Empire for oil, as Sir Mackay Edgar says; but, Mr. President, they are dependent upon us in this country for many things, and we ought to prepare ourselves so that we can use their needs to secure just treatment in the satisfaction of our needs. There ought to be some reciprocity in these matters to our advantage as well as to theirs. Concessions ought not to go always from this country to other people; and we are in a position, in my judgment, to insist that when we make concessions along certain lines, or when our needs must be supplied from other countries, that we shall also get concessions because of needs of theirs which we must meet.

There are treaties now that prevent us from doing what we ought to do for ourselves and for our own interests. Those treaties ought to be abrogated, so that we shall be in a position to look after our own interests. Our administrative officers—and I am not saying that they are not doing it—ought to see to it when advantages and concessions are secured by other countries, especially along commercial lines, that we also get concessions and advantages for our benefit.

Mr. PHELAN. Mr. President, will the Senator allow me to interrupt him?

The VICE PRESIDENT. Does the Senator from Washington yield to the Senator from California?

Mr. JONES of Washington. I yield.

Mr. PHELAN. The Senator has observed that the United States has been asked to take the mandate for Armenia?

Mr. JONES of Washington. I hope we shall not get the League of Nations up to-day.

Mr. PHELAN. I will spare the Senator, because I was about to observe that if we had a representative in that body we might make terms, but now——

Mr. JONES of Washington. We do not have to have such a representative. I can not yield to the Senator for that, because I do not want to go into its discussion. However, Mr. President, we have administrative representatives and diplomatic agents abroad who can look after the interests of this country, and it is not necessary to make the excuse that we need some representative on the council of the League of Nations to deal with mandatories or anything like that to look after the interests of this country, and the Senator from California knows that as well as I do.

"UNITED STATES GOVERNMENT ON QUI VIVE.

"That this view is not exaggerated is indicated by the fact that four departments of the American Government—War, Navy, State, and Commerce—have instructed their representatives throughout the world to watch all oil developments with the greatest care and report to Washington fully."

Mr. President, I am glad that that has been done. What use is being made of these reports? This is right in line with what I suggested awhile ago, that they get information which we can not get unless they give it to us. If there is information which they have secured or that they shall secure, that shows the need of action by Congress, it is their duty to come to Congress and tell us what they want and then ask us to enact the legislation.

Mr. SMOOT. We are locking the stable door after the horse is stolen.

Mr. JONES of Washington. The quotation continues:

"During the last leek several important conferences have taken place both in Paris and London, between American officials, when the oil situation was discussed because of the persistent reports that British interests are about to close big oil deals in Mexico and Peru with companies now operating there or owning concessions."

Mr. President, if there are companies and corporations, for instance, in Peru, that hold great oil concessions there, why is not our Government trying to get similar concession or to get an interest in them? If they need authority, if they need legislation that is important to enable them to do so, let them ask Congress and the authority will be granted.

"If this deal goes through, Britain's control of the oil resources of the world will be equal to a strangle hold.

"'Apart from Mexico,' Sir Mackey Edgar continues, 'it is almost a case of the British first and the rest of the world nowhere. I should say that two-thirds of the improved fields of Central and South America are in British hands. In Guatemala, Honduras, Nicaragua, Costa Rica, Panama, Colombia, Venezuela, and Ecuador a decisive and really overwhelming majority of the petroleum concessions are held by British subjects. They will be developed by British capital.'"

Why is it, Mr. President, that American citizens can not get oil concessions in South American countries? In my judgment, they can if our Government will take the proper steps, diplomatic and otherwise, with those countries. Quoting further:

"EXTENT OF BRITISH CONTROL.

"The Alves group, whose holdings encircle practically two-thirds of the Caribbean Sea, is wholly British, working under arrangements which insure that perpetual control of its undertakings shall remain in British hands. No American citizen and no American group has acquired or ever could acquire any such position in Central America as that which enterprise and personality have secured for Mr. Alves."

I believe, Mr. President, that we have men in this country who have just as fine personality and just as much enterprise as has any British subject or citizen, and, with the encouragement that our Government ought to give them, I believe we could accomplish just as much as the British citizens have accomplished.

"Or, take again that greatest of all oil organizations, the Shell group. It owns exclusive or controls interests in every important oil field in the world, including the United States, Russia, Mexico, the Dutch East Indies, Roumania, Egypt, Venezuela, Trinidad, India, Ceylon, the Malay States, North and South China, Siam, the Straits Settlements, and the Philippines."

It looks to me as though we ought to be able to have some little control at least over the Philippines and the interests of the United States there.

Mr. LANE. You will find in the New York World some extracts from those statements. One of them was from Walter Long, I think, and another by Jepson Smith.

Senator BRANDEGEE. Do you remember what proportion of the oil that is produced in the United States is produced in California?

Mr. LANE. Two or three years ago it was about one-third, about 100,000,000 barrels out of 300,000,000. I think there is a larger yield

now from Texas than from California. Probably California yields now about one-quarter.

Senator BRANDEGEE. Do you not think that, in view of what you have intimated as to the needs of our proposed merchant marine and of our naval vessels, both of which are governmental and both of which may involve the protection of this country and of its outlying possessions, the Government itself has an interest, irrespective of the commercial use of oil in this country, to at least, whether it promotes or not, protect private citizens who are trying to promote an adequate supply of oil to this country?

Mr. LANE. Undoubtedly so, Senator. I made specific recommendations upon that proposition in my last annual report, and in a report which I approved, which was sent to Congress over a year ago.

Senator BRANDEGEE. I am glad to refer to that. That is all I care to ask.

The CHAIRMAN. We thank you very much, Mr. Secretary.

STATEMENT OF FREDERICK R. KELLOGG.

(The witness was duly sworn by the chairman.)

The CHAIRMAN. Please state your full name.

Mr. KELLOGG. Frederick R. Kellogg.

The CHAIRMAN. What is your business?

Mr. KELLOGG. I am a lawyer, sir.

The CHAIRMAN. Where is your place of business?

Mr. KELLOGG. In New York City, at 52 Broadway.

The CHAIRMAN. In the practice of your profession have you had reason to investigate and to familiarize yourself with the laws of Mexico, with reference to mineral rights, lands, etc.

Mr. KELLOGG. I have, for the last 15 years.

The CHAIRMAN. Do you speak the Spanish language?

Mr. KELLOGG. I do.

The CHAIRMAN. Has your attention been called to the testimony of Mr. John Lind, to which reference has been made in the examination of Secretary Lane, such testimony having been given before this committee on a recent hearing?

Mr. KELLOGG. It has.

The CHAIRMAN. Have you read the statement of Mr. Lind?

Mr. KELLOGG. I have read several pages of Mr. Lind's testimony, which was directed specifically to the American oil companies and to the laws of Mexico with relation to petroleum.

The CHAIRMAN. In the statement made by Mr. Lind appears a comparison or attempted comparison between the laws of the United States and Mexico, and he uses this language:

> In Mexico, the same as with us, originally, the State owned all the minerals.

Is there any difference in the Mexican law and the Spanish laws between their method or treatment of minerals of different classes?

Mr. KELLOGG. Yes; there is and has been always since the early days after the discovery of this continent by Spain, and of the conquest of Mexico by Cortez.

The CHAIRMAN. What is that difference?

Mr. KELLOGG. They draw a distinction between metalliferous minerals on the one hand, and nonmetalliferous minerals on the other, and

that distinction has been very clearly applied in the early decrees, orders, and ordinances, commencing even before the discovery of this continent, but especially clear in the first law decreed by Philip II in 1559, and in the subsequent laws and edicts, which continued until 1793, which is the last I know of.

The CHAIRMAN. Have you prepared a memorandum or brief upon this subject which you are now referring to, with the authorities—you have referred to the edict of Philip the Second and the law of 1793—and the subsequent legislation of the Mexican Government along these lines?

Mr. KELLOGG. I have prepared a partially complete memorandum; but owing to the lateness of my information that I should be called here to-day I have not got it in such shape to be able to hand it to you now, but it can readily be completed if a few days' time can be allowed.

The CHAIRMAN. Would it suit you now to refer to that memorandum, or from your memory, to give the specific decrees and orders and laws?

Mr. KELLOGG. Whichever is most agreeable to you, Mr. Chairman.

The CHAIRMAN. I would like to have you do it now, in as short a way as possible, and take your time then in furnishing the committee with the memorandum or brief which you speak of, which will also be printed by the committee in your testimony.

Mr. KELLOGG. I should be very happy to do so, Mr. Chairman.

The first law to which I refer is that of Philip the Second, dated January 10, 1559, and the object of that law is set forth in the introduction to it—that is, as intending to refer to mines and the mineral deposits of gold, silver, quicksilver, and other metals. The word "metals" is specifically used. The law then proceeds to incorporate into the royal patrimony mines of the description just given, and which are included in the public lands or in private ownership.

It is a curious and interesting feature of that law that even the despotic monarch Philip the Second especially provided for full compensation in the case of any mine thus taken over into the royal patrimony which at the date of that edict had passed into private ownership.

The CHAIRMAN. May I not interrupt you right there to ask you if it is not true that in 1375 Spain had adopted a mineral law with reference to royal or Crown lands by which in each grant thereafter made there was reserved to the Crown the Crown minerals—that is, gold, silver, and quicksilver—and that that edict was for the purpose of assuring the property of the Crown in the particular minerals mentioned, known as metalliferous minerals, within the lands, the surface of which had been granted by the Crown theretofore to private individuals, the Crown being the source of title?

Mr. KELLOGG. It covers that situation, sir.

The CHAIRMAN. After the discovery of minerals in this country, when it was evident that there was a great treasure house here, the Spanish Crown having theretofore made grants in Spanish-America of lands to individuals in reward for services, etc., adopted this law of 1559, restricting the ownership of the minerals within those lands or at least establishing the policy of the Crown with reference to the metalliferous minerals; that is, that it shoudl not be understood

by this grant that metalliferous minerals were parted with by the Crown, but that they were retained by the Crown.

Mr. KELLOGG. I think your analysis is entirely correct, Mr. Chairman.

Perhaps it is not wholly out of place to compare the provision which I have just referred to as to compensation to individual owners, in this decree of 1559, with the absolutely confiscatory provisions of Mr. Carranza's convention of 1917.

The CHAIRMAN. I will be glad to have you do so.

Mr. KELLOGG. I have done it in that one sentence. There is no such provision in the constitution of 1917, and there was one 400 years before in the decree I have referred to.

Shall I proceed?

The CHAIRMAN. Continue in your own language.

Mr. KELLOGG. With reference to these various decrees?

The CHAIRMAN. Yes, sir.

Mr. KELLOGG. There were subsequent decrees and orders and edicts, which continued until 1793. I do not know of any after that time, although I believe there was one of comparative unimportance after the end of the century. All of these relate to the same general matter and, I take it, must be construed together; because, taken together, they show a complete policy of the Crown of Spain with reference to nonmetalliferous minerals and metalliferous minerals.

At the time of the early decrees hydrocarbons were not generally known or considered to be of commercial importance, but subsequently coal did become of importance, and prior to the independence of Mexico the question arose as to whether this hydrocarbon came within the purport and intent of the preceding decrees and ordinances. That doubt was resolved, as it seems to me, very clearly by, first, the decree or edict of 1789, from which a little quotation can properly be read, I think. That was the 26th of December, 1789. It commences by referring to the difficulties which were said to have occurred in the use of coal, and by a declaration that it is desired to remove these difficulties and simplify the subject, and then the following language is used:

> Coal not being a metal or semimetal, or any other of the things comprehended within the laws or ordinances which declare that mines are the property of the royal patrimony.

And then it goes on and makes provision for its free extraction and its free use, even for its exportation to any part of the world. These decrees in various places clearly recognized the point to which I have alluded, that such things as hydrocarbons are the property of the owner of the soil, whether that owner be a municipal council or private individual; and the same principle seems to govern the case of any other hydrocarbon, such as petroleum, which was not then enumerated specifically.

The CHAIRMAN. In reference to that law of 1789, under which difficulties had arisen, was it not your understanding that these questions which had arisen were along this line: That the law having provided, by order of the Crown, that upon public lands these minerals could be acquired, by location or denouncement, that it was found or thought there was no provision by which coal upon such public lands could be denounced or used, and the law of 1789

was passed, making the distinction between the law governing metalliferous minerals and the law governing the ownership of the soil, and establishing the principles not only that the subsoil products of subsoil property, the nonmetalliferous minerals, were the property of the owner of the soil, but also provided that even upon the Crown lands there should be a distinction as to the use of coal, that it must be obtained by direct grant instead of under the ordinary mineral law?

Mr. KELLOGG. I think that is correct. The law to which I have just referred, of 1789, shows the solicitude of the Crown to provide for the extraction and actual dedication to public use of coal that may be on anybody's ground, but wherever that thought is worked out and the plan of getting the coal out is provided for it is always accompanied by a provision recognizing the right of the owner, the private ownership.

The CHAIRMAN. The title?

Mr. KELLOGG. The title, and providing especially for full compensation for the coal thus extracted. It is in effect a provision for just compensation, as in all eminent domain statutes.

Shall I pass now to the law of 1792?

The CHAIRMAN. You may proceed in your own way.

Mr. KELLOGG. In 1792 there was another decree relating to this general subject, from which it appears clearly that doubt had arisen as to the interpretation or meaning or effect of the preceding laws, and the Crown legislated upon that subject again as follows:

> Despite any interpretation which might have been given or may be given to the laws and ordinances to the effect that every kind of mines, although not expressly named in those laws, belong to the Crown, mines of coal shall be of free availability as are by ancient custom mines of iron and other substances which are extracted from the bosom of the earth.

That is section 1. Section 2 of that law reads as follows:

> Nevertheless, the Crown shall preserve the supreme right of incorporating to itself such mine or mines as it may require or as may be convenient for the use of the royal navy, factories, machines, or other objects whatsoever and public service.

The next sentence seems to me to be of distinct importance.

> Such mines as may be found in unclaimed or public lands may be thus incorporated without recompense, but if they belong to local council, communities, or individual owners, there shall be paid to them their just value.

The obvious comment is that that establishes the clearest possible express recognition of the private ownership of that particular kind of mineral, to wit, coal, which was then the only important hydrocarbon, by either a public or private owner of the land, and an express provision for just compensation.

The CHAIRMAN. Just exactly as if the Crown needed the surface soil, it would have to compensate, but it could, under the power of the Crown, take the surface?

Mr. KELLOGG. Absolutely analogous. Clause 3 reads as follows:

> The direct owners who are the proprietors of the lands where mines of coal exist, whether they are councils, communities, or individuals, may discover them, work them, and enjoy them for themselves alone, or permit others to do so, or may rent them or sell them, as they see fit, without any license or formality other than that which may be required to enjoy, rent, or sell the land which contains them.

The comment being that that seems to emphasize the thought which I have just expressed, Mr. Chairman, that they treat a substance of that nature exactly as they treat the surface, in express language.

That is one of the latest, if not the latest, of the utterances of the Crown of Spain upon the subject, although I think there were decrees after the beginning of the century and before the independence of Mexico was established which related to it, but which certainly did not affect the principle which has been laid down.

The CHAIRMAN. That was embraced in the ordinances governing the sanitation and working of mines, and protection of miners, etc., but did not make a new distinction or undertake to set up a new title or a new claim to the nonmetalliferous minerals.

Mr. KELLOGG. My recollection is that your statement is entirely correct. And it will be observed that these later interpretative decrees, as I might call them, although they are of necessity also constructive decrees, are connected with and must be construed as fixing the meaning of all the preexisting laws upon the general subject, beginning with 1387 and continuing through the laws of 1559, the ordinances of 1783, and the other decrees above mentioned.

The CHAIRMAN. Those laws were by general decrees and executive orders continued in force after the Mexican revolution of 1821, as the laws of Mexico, and by the decrees of Bolivar and Pedro in 1826 the law as it was established in Mexico was made the law of the Republic of Colombia, of Venezuela, and Ecuador.

Mr. KELLOGG. Yes. I believe there was also a treaty between Mexico and Spain under which whatever rights the Crown had passed to the newly organized Republic of Mexico.

The CHAIRMAN. Exactly.

Mr. KELLOGG. But which did not purport, of course, to change the nature or extent of those rights.

Shall I proceed?

The CHAIRMAN. Proceed.

Mr. KELLOGG. After the establishment of the Government of the Mexican Republic, there appears to have been no Federal legislation relating to mining matters—that is, none which related to the title of these particular substances—until after the amendment of the Constitution of 1857. That amendment took place in the early eighties. I have forgotten the exact year, but I think it was 1883. The amendment expressly authorized the Federal Government to establish mining codes. Up to that time there had been no such express authority in the Constitution of 1857. Very shortly following the adoption of this constitutional amendment the first definite mining code of the Republic of Mexico was adopted. I think it is in the code of 1884. Shall I read that part into the record?

The CHAIRMAN. I will be glad to have it in the record.

Mr. KELLOGG. These are excerpts from the mining law of November 22, 1884, reading as follows:

ART. 6. Foreigners may acquire mining property on such terms and with such limitations as the laws of the Republic grant them the capacity to acquire, own, and transfer ordinary property. * * *

ART. 10. The following substances are the exclusive property of the owner of the land, who may therefore develop and enjoy them without the formality of denouncement or special adjudication.

Then follows Subsection IV. which reads as follows:

Salts found on the surface, fresh and salt water, whether surface or subterranean; petroleum and gaseous springs, or springs of warm or medicinal waters.

Mr. Lind, if I may comment on the part I have read of his testimony——

The CHAIRMAN. I will be very glad to have you do so.

Mr. KELLOGG. Mr. Lind referred specifically to this, and commented upon this law as follows:

The State in Mexico owned the oil until some time during Diaz's administration, when Lord Cowdray discovered oil. Then they secured an act of the Mexican Congress relinquishing the State claim to the oil and real property. Of course, Lord Cowdray and his organization in Mexico, under Diaz, were in position to virtually dictate, and they did dictate to the Mexican Government what they wanted, and they got what they wanted.

I was especially struck, Mr. Chairman, by that statement, because it was positive; it is not stated as being on information and belief, and it would give to anyone who reads it the impression that Mr. Lind was testifying from personal knowledge. Now, analyzing it for a moment, it is obvious that the pivotal part of that statement is that Lord Cowdray discovered oil in Mexico and then dictated the kind of law he wanted and got it passed. The fact is, to my personal knowledge, not information and belief, but my personal knowledge is, that Lord Cowdray never entered the oil field until at least 18 years after the passage of this law of 1884. That is, as far as Mexico is concerned. I do not know what he was doing in other parts of the world. There was no commercial exploitation or development of petroleum in Mexico existing at the time this law of 1884 was passed, and it was not until 16 years later, in 1900, that Mr. Doheny and Mr. Canfield first went to Mexico, first discovered what they thought was a commercial proposition in petroleum, and acquired their first interest there. And it was not until at least two and I think three years later that Lord Cowdray, being attracted by the results of Mr. Doheny's and Mr. Canfield's efforts, commenced for the very first time to take an interest in the petroleum proposition in Mexico. He got his first information on the matter from Mr. Doheny and Mr. Canfield; he got his first tools from Mr. Doheny and Mr. Canfield; and they endeavored to assist him as a friendly competitor will endeavor to assist another.

Mr. Doheny and Mr. Canfield never had turned their attention the least degree to Mexico until about 1900, so far as petroleum was concerned, although Mr. Doheny had been prospecting in the early stages of his career. Neither he or Mr. Canfield had the least thing to do, directly or indirectly, with the passage of the law of 1884, and they would not have gone into Mexico in 1900, as they have both frequently told me, except for their reliance on the assurance that the law gave them that the ownership of petroleum would follow the ownership of the land and they would be fully protected by the laws of Mexico in their intended development.

The CHAIRMAN. It is also a fact that in 1883, when that constitutional provision was adopted under which the legislation of 1884 was adopted, Diaz was not President of Mexico, but Gonzales was President of Mexico, is it not?

Mr. KELLOGG. Mr. Gonzales was president at that time. That statement is entirely correct, Mr. Chairman. Mr. Lind's testimony, therefore, on that point would seem to indicate that he has accepted, with

complete trust and confidence, the statements which are so frequently made by certain Carranza propagandists in this country on that subject; that he did not take the time or the trouble to even make a superficial examination as to the facts, for the merest superficial examination would show the facts; and he was willing to go before the American public, with his prestige and reputation, as the father of a statement which is so seriously wrong that it can not be allowed to pass without the most complete demonstration of its inaccuracy.

My attention is called to another development which bears upon the statement of Mr. Lind. He stated that Lord Cowdray wanted the law of 1884 passed, which I have shown to be a very serious error. As a matter of fact, Lord Cowdray in the year 1905 was sponsor for an attempt to have petroleum nationalized in Mexico, which, owing to Mr. Doheny's operations, he must have thought would be more beneficial to Lord Cowdray and his interests than the private ownership of petroleum which then prevailed.

This resulted in a special convocation of the members of the Academy of Jurisprudence in Mexico, which corresponds in a rough way to our American Bar Association here, and at that time was comprised of the leading members of the Mexican bar. The question presented to the academy by the person who represented the interest desiring nationalization of petroleum was as to whether the title to petroleum beneath the surface of privately owned lands then belonged or did not belong to the Mexican Government; and second, whether, if it did not belong to the Mexican Government, that government had the right to take it from the private owners of those lands. A notable discussion followed the announcement of these propositions. The matter was discussed under the leadership of the greatest Mexican lawyer of his time, Don Luis Mendez. The old and new laws were analyzed and traced back to the foundation of the Roman law, which preceded all these royal decrees, and the vote of the academy was unanimous, with the exception of the man who submitted the proposition, to the effect, first, that the Mexican Government did not own the petroleum beneath the surface of privately owned lands; and second, that it had no right whatsoever to take it away from the private owners of the surface.

Mr. Lind also stated in a rather casual way that:

> In Mexico, the same as with us originally, the State owned all the minerals.

Mr. Lind is in error in respect to that proposition, as to what we owned, and in Mexico an examination of prior jurisprudence will show he was equally inaccurate in regard to familiar stipulations in the law of that country. I quote from a further statement Mr. Lind made upon the same topic. Counsel asked him:

> What do you mean when you say that the oil belonged to the State up to the time of Diaz? Do you mean that where private property had been granted, nevertheless the oil was reserved to the State as its property?

Mr. Lind answered:

> Yes; just the same as other minerals. You know, on any land in Mexico, privately owned, anyone can go and condemn—denounce, as they call it—minerals rights. My understanding is that in Mexico to-day, and it always has been the law in Mexico, the owner of real property does not own the minerals.

From that very explicit statement of Mr. Lind's it will be apparent that he has perhaps not been informed about and certainly has given no attention to the well-established distinction in the former laws to

which I have already alluded between metalliferous minerals and nonmetalliferous minerals.

The CHAIRMAN. The Spanish word describing metal is "metales."

Mr. KELLOGG. "Metales"; that is correct.

The CHAIRMAN. And "minerals" is generally known as "minerales"?

Mr. KELLOGG. That is correct. Those two words have a perfectly clear distinction of meaning.

Continuing further with Mr. Lind's testimony, as to land ownership and the ownership of minerals, he says:

> That was true of oil until Cowdray secured that amendment of the law.

There is no foundation in legal history or in fact for either the conclusion of law which Mr. Lind draws or his statement as to Lord Cowdray's activities.

Continuing, he says:

> Now, as I understand the constitutional provision—

The witness, referring to the constitution of 1917—

> to which you refer simply reinstates the old law with this provision, that it shall not apply to land acquired by foreigners during the period that the law was in operation, or to lands where oil had been developed.

I am particularly anxious to have that quotation noted, Mr. Chairman, because it illustrates again the trust and confidence which Mr. Lind has evidently placed in the statements of others, without giving them his own personal investigation. He says that the constitution of 1917 contains the same provisions as the old law, except that it does not apply in its confiscatory provisions to land acquired by foreigners during the period that the law of 1884 was in operation. As a matter of fact, the constitution of 1917 entirely omits the provision which Mr. Lind is convinced that it contains, and it is owing to its omission that this strenuous conflict has existed for the last two years between the oil companies who did acquire lands under the statutes of 1884, 1892, and 1909, and the Government of Mexico, that has been continually seeking to take away from them the petroleum contained in those lands thus acquired and held; and acquired, I should have said, not from public ownership, but from private ownership, in every case, as far as our companies—and I mean the Mexican petroleum group—are concerned.

I am also well within the mark when I state that although I have not been counsel of all other oil companies in Mexico, that there never has been a concession granting oil lands in Mexico to any American company since the beginning of the development of the oil industry. There was a concession to the Lord Cowdray Co. of certain rights in respect to certain public lands. That has nothing whatever to do with the position of the American oil companies, and, as a matter of physical fact, I understand there never has been a barrel of oil developed from the lands covered by this concession, even by Lord Cowdray.

Another feature of Mr. Lind's statement to which I have alluded is that he states that the constitution of 1917 does not apply to lands where oil has been developed. Again he is absolutely mistaken, because there is no such provision in the constitution of 1917, and one of the great contentions of the American oil companies has been that such a provision, or one which would be somewhat broader in its

scope, should have been inserted into the body of Mexican jurisprudence.

He said, significantly, at the end of that statement:

> That is my understanding, but that may be imperfect in detail.

That is the only sentence of his statement which I find myself heartily and sincerely able to agree with.

The CHAIRMAN. Is it not rather important in foundation, than in detail?

Mr. KELLOGG. In every detail, commencing with the first word to the last word, in substance and detail as well.

Another very definite statement showing the source as well as the inaccuracy of Mr. Lind's information is contained in the following sentence. The question was asked of him:

> Where did you get your information that the law of Mexico was that the oil below the surface belonging to private owners belonged to the Government?
> Mr. LIND. Why, that is the Latin law.

In other words, Mr. Lind seeks to trace the subject juridically back to the days of the Roman law; but nothing was plainer under the Roman law than that the owner of the surface had everything up to the sky and down to the center of the earth, and the effect of the decree of Philip the Second, in 1559, was simply to take away rights which the Roman law gave to every surface owner—such rights as an absolute monarch desired to reserve for himself, and by reason of his absolutism was able to thus reserve—and even there he did it with the express reservation as to just compensation to any private individual who might be injured by the arbitrary act of the sovereign.

The CHAIRMAN. Reference is made in Mr. Lind's testimony to the Code Napoleon.

Mr. KELLOGG. My attention is just called to that. He says "That is the Code Napoleon." I suppose that might be interpreted as meaning that he takes the Code Napoleon as being in force in Mexico, and as being the last word in the Roman law. In the absence of definite knowledge as to what he really meant, the statement is difficult to criticize, but the Code Napoleon has never been in force in Mexico and it probably never will be.

I have taken the liberty, Mr. Chairman, of indulging in some comments upon Mr. Lind's statement, certainly not because of any desire to enter into a personal controversy with Mr. Lind, but because he has uttered statements which, if generally disseminated, will cause the most serious harm to those of us who for the last two years have been fighting day and night, not for the purpose of getting something from Mexico that we are not entitled to and ought not to have, but for the purpose of protecting the rights which, by the laws of Mexico and the Government of Mexico, we were invited to come in and acquire, and upon the faith of which invitations our companies have expended hundreds of millions of dollars since the beginning of the oil development in 1900.

Before passing to another subject, I would like to comment, while the point is in my mind, on one little matter which should not be lost sight of. I think that one of the statements which have been made was to the effect that Mexico had not yet taken any lands from any of the holders who acquired under these subsequent laws. They actually have deprived one company of the possession of one of its most

valuable allotments. That happens to be a company for which I occasionally act as counsel, so I am familiar with the facts. It was organized under the laws of Great Britain, but is controlled by a holding company, the majority of whose stock is held by Americans, so that aside from technicalities it is an American affair, very largely. They have also tried to take an extremely valuable slice, or slices, if I may use that term, from lands which are absolutely privately owned by various other American oil companies, in this particular: That within the last eight months Mr. Carranza's government has granted a number of concessions—and these are real concessions, in which the Carranza government, which has professed to abhor "concessions," purports to turn over titles which it purports to own to private individuals—to develop oil upon the beds of streams navigable and not navigable and located in the oil region.

Inasmuch as the law of Mexico to-day is that the private owner of the bank owns to the center of those streams (subject to the natural right of the water to flow over those beds and subject to an easement which the law of Mexico created many years ago granting landing privileges to those who navigate those waters), with those exceptions, the land underneath those streams and rivers are just as much privately owned by these companies as the lands in the uplands are privately owned by them; and it follows that these drilling concessions actually have taken from the owners of those lands a physical part of the bed thus owned.

The CHAIRMAN. And without compensation?

Mr. KELLOGG. Without any form or pretense, sir, of compensation. Under these concessions thus granted wells are to-day being drilled, or they were before the present revolution assumed form; several wells, one in particular between the two banks of the Panuco River, in what is called the Panuco oil district, and another well, or wells—I am not sure how many there are—just a little above or below the first well, which is already quite well along in its development.

No attention has been paid in any publication or public statement I have read to this very menacing and entirely unwarranted confiscatory act, but it is purely an arbitrary act, as confiscatory in its effect, and perhaps even more so, as results will show, and in its injury and damage to Americans owning land, as it would be if some part of the uplands themselves had been thus granted to favorites of the existing government.

The law of 1884, which has been read into the record, continued in force and without change until June 4, 1892, at which date a revised mining code appears containing these provisions:

ART. 4. The owner of the land—

Meaning the surface of the land—

may freely work without a special franchise in any case whatsoever the following mineral substances: Mineral fuels, oils, and mineral waters.

ART. 5. All mining property legally acquired and such as hereafter may be acquired in pursuance of this law shall be irrevocable and perpetual, so long as the federal property tax be paid in pursuance of the provisions of the law creating the said tax.

That law was revised in 1909 by the mining code of November 25 of that year, which contains the following express provision on that subject:

ART. 2. The following substances are the exclusive property of the owner of the soil:

I. Ore bodies or deposits of mineral fuels, of whatever form or variety.
II. Ore bodies or deposits of bituminous substances.

That is the last of the mining codes, and of the provisions of law which purport to regulate title to petroleum or hydrocarbon rights, until the constitution of 1917 was adopted, and the series of Carranza decrees which began in 1918 was promulgated.

One point of special importance, it seems to me, should be noted as to all of these three mining codes which have been quoted. None of them purport to make any grant by the nation of something that was not hitherto the right and property of the individual owner. They declare expressly that the situation is thus and so, and do not purport to change it. They are, therefore, in every way corroborative of the conclusions which I have expressed as to the preexisting laws, and are conclusive interpretations of those laws which were in force up to the time of the first of these codes in 1884, in which petroleum rights were expressly declared to be the property of the owner of the surface; and the same is true in the subsequently enacted codes.

The CHAIRMAN. And are simply declaratory of the old Spanish law dating back to the decree of 1559?

Mr. KELLOGG. That is precisely the point which I should like to emphasize, and which I am very glad you have emphasized.

One further remark in conclusion is as to the inconceivable moral and juridical injury which will exist if foreigners who, in the best of good faith, have gone into that country in reliance upon those specific and express statements in the law, and who have invested several hundred millions of dollars in such reliance, shall be deprived of their property thus acquired by them from private owners by a retroactive interpretation of what purports to be a constitution adopted by the Carranza government.

That completes my statement, I believe, Mr. Chairman.

The CHAIRMAN. The provisions of the constitution of 1917 to which you have referred do not exclude the Congress of the Republic of Mexico, provided for under that constitution, from powers of enacting legislation?

Mr. KELLOGG. No. And I should like to make one comment, as an addendum to what I have just said, because a false impression might otherwise be created. The constitution of 1917, despite the language of article 27, when construed in its entirety—and that involves the consideration of other clauses that I have in mind, Mr. Chairman—does not deprive the owner of the surface of the petroleum rights, because it confirms not only article 27 but articles 14 and 126, and article 14 says that no law shall be given a retroactive effect. Primarily that word "law" might be taken to refer to subsequent enactments of Congress, but in article 126 that very constitution was enumerated as being one of the "laws" of Mexico.

Therefore article 14 and article 126, taken together with article 27, lay the ground for what would seem to be an entirely reasonable argument that the constitution itself does not actually deprive the private individual of his subsurface right. But every one of the Carranza decrees, commencing with the decree of February, 1918, interpret the constitution as absolutely eliminating private ownership in petroleum lying beneath the surface of land which has al-

ready gone out of the public domain and become the property of individual owners.

The CHAIRMAN. It not only interprets the constitution but declares that the constitution as thus interpreted by Mr. Carranza's decree shall become operative?

Mr. KELLOGG. That is precisely what it does.

The CHAIRMAN. No direct action has been taken by the legislative body, which is supposed to have been created for the purpose of enacting legislation to put the constitution in effect, to enact legislation under the constitution?

Mr. KELLOGG. That is entirely correct.

The CHAIRMAN. The Congress has been functioning in Mexico, has it not?

Mr. KELLOGG. It has.

The CHAIRMAN. Has the Congress ever passed any laws with reference to the petroleum industry?

Mr. KELLOGG. No such law has been passed. The Senate passed a bill at the last session, which, however, never was acted upon by the House, and that is the present condition of that legislation, which the constitution doubtless contemplated.

The CHAIRMAN. The so-called laws with reference to the petroleum industry, under the constitution of 1917, are merely decrees of Mr. Carranza, the President of Mexico, are they not?

Mr. KELLOGG. That is what they are, except as to such force which might be sought to have been given to those decrees by the general resolution which Congress always adopts at the end of its session ratifying whatever the President has done.

The CHAIRMAN. As a matter of fact, Carranza issued the first decree against which we have been protesting two years prior to the decree of the constitution in 1916, with reference to oil lands, etc.?

Mr. KELLOGG. There were a number of regulations that were issued, you know, requiring permits for drilling, etc.

The CHAIRMAN. And under the old constitution, which was then in force?

Mr. KELLOGG. Yes, sir.

The CHAIRMAN. And which he had organized a revolution against the then existing Government for the purpose of retaining in force, going back to the constitution?

Mr. KELLOGG. That was his declared purpose at the time of his original pronouncement.

The CHAIRMAN. And this Government in 1915 was compelled to protest against his arbitrary decrees affecting the oil industry?

Mr. KELLOGG. Yes, sir. In that same connection, the written promise given by Mr. Arredondo, on October 9, 1915, I think it was, contained the most explicit possible pledge of Mr. Carranza for the protection of the rights, lives, and property of foreigners in accordance with international law. That has not been made good by him in any particular, so far as the petroleum industry is concerned.

I should like to add one other point about the extent to which the confiscatory program has actually gone, because these various points should all be taken into consideration.

The CHAIRMAN. I shall be very glad to have you do so.

Mr. KELLOGG. In 1919, in the early summer, Mr. Carranza's government finding that they were not making the progress they had

hoped with regard to their dealings with the oil companies pursuant to their decrees, formed a plan of accomplishing indirectly what they had not been able to do directly, and they took advantage of one of those early decrees to which you have just alluded, Mr. Chairman—these so-called preconstitutional decrees—requiring permits to be given to the owners of lands before they were permitted to drill for oil on those lands; and taking advantage of that clause or decree they refused to permit a man from drilling his lands, wholly irrespective of the excellence of his title, unless in his application for the permit, he would agree to accept not merely the laws then existing but all laws that might at any time thereafter be promulgated either by Mr. Carranza himself in his capacity as dictator or by Congress, with reference to petroleum lands, titles, rights, operations, etc.

So that we found ourselves required to give Mr. Carranza a blank check on our future as a condition precedent to exercising the fundamental right of ownership, to enjoy the thing which you own. That campaign was carried on by the Carranza government until the latter part of the year 1919, the companies standing firm and refusing to sign away their rights in any such manner. In the meantime, naturally, some of the older oil districts had ceased to produce, and drilling in new districts became absolutely imperative, not only to keep up the oil supply of the world but to enable Mr. Carranza to collect the volume of taxes which he had been previously accustomed to receive from the industry. Finally, intimations were conveyed to us that if the matter was presented directly to the proper authorities of Mexico the decree as to prohibition of drilling would be loosened and made more practical, and that was done after a hiatus of probably six months, during which time an enormous number of opportunities were lost, and the industry received a very serious temporary setback in Mexico.

Those three things, the actual taking of title from one company, the granting of rights under the beds of streams which he had no power to grant, and the indirect effort at confiscation through the operation of the drilling decrees, include the principal efforts at physical confiscation which Mr. Carranza's government has made since the beginning of its series of decrees.

The CHAIRMAN. Speaking of these so-called preconstitutional decrees of Carranza, Mr. Carranza himself first issued a decree, did he not, vesting in himself the right to issue other decrees, and under that authority given by Carranza to himself he issued these decrees of 1915 to which you have referred?

Mr. KELLOGG. He placed the crown upon his own brow.

The CHAIRMAN. He distinctly vested himself as first chief, with authority to issue decrees, and then proceeded to issue decrees, one among them being this so-called preconstitutional decree, on which he afterwards based that order subsequent to what he called the constitutional development, and he made it constitutional by issuing a decree after the constitution was adopted, based upon his so-called constitutional decree which he himself had vested himself with power to make.

Mr. KELLOGG. And pursued the same system of evolution from his inner consciousness. Every one of the postconstitutional decrees as to petroleum was made by him pursuant to a supposed grant of

power by Congress, which grant did not begin to relate to or touch upon the field in which he was then personally legislating.

One of the powers which were given to him by the first Congress of Mexico was a power to legislate in matters relating to the treasury department, finance, to cover possible emergencies existing as to the necessity for money and the means of raising it. He saw fit to interpret that as giving him power to legislate on any subject toward which attention was directed, and it is the unanimous opinion of all Mexican attorneys with whom I have consulted on this matter that no shadow of excuse, from the standpoint of the jurisprudence of Mexico, existed for the twisting of that power granted by Congress relative to financial matters into a power to settle the question of the rights of individual owners to the petroleum underlying the surface of the land.

Is it permissible for me to add another statement?

The CHAIRMAN. Certainly.

Mr. KELLOGG. Mr. Lind made another statement which can not be allowed to pass without comment. The statement is one of those indirect statements which produce the effect or naturally tend to produce the effect of a direct statement in the public mind. It is this:

> He always insisted that foreigners operating in Mexico should not seek to avoid taxes and the performance of their duties the same as was required of Mexican citizens.

He was referring to Luis Cabrera, a member of the Carranza Cabinet. The obvious inference is that the oil companies were within the class that had sought to avoid taxation and the proper performance of their duties. I would like to make as emphatically as possible the statement that there never has been a time when any oil company in Mexico of which I have had knowledge, and I have been either directly or indirectly connected with all of them, has tried to avoid the payment of any taxes ever levied upon them by the Government of Mexico.

I would also like to make it plain that, taking advantage of the attitude which the companies have always maintained in that regard, Mr. Carranza's Government has during the last two years adopted a system of evading their own laws by taxing us 200 per cent of the amount which their own laws required us to pay, and they have done it in this way: The tax has been an ad valorem tax on petroleum or petroleum products exported, and the value of the oil or product which was the basis of that tax was fixed every two months by administration officials, who, without the shadow of any pretense of right, fixed the oil valuations at double the actual values. In Tampico, for instance, its valuation was fixed on a basis which represented more than its value after it had been hauled 2,000 miles to north Atlantic ports.

One of the last orders of the Carranza government, issued within the last few days, was to fix a new basis of valuation, which still further increased the tax by doubling the already doubled basis of valuation. So that if we had been compelled or should be compelled at any time to pay a tax pursuant to that new method, we should be paying on oil worth, we will say, a dollar a barrel, but taxed upon a valuation of $2, which, of course, is a mere evasion of the law and is a duplication of taxes. That is an illustration of the difficulties

with which we have had to contend and the more than willingness which it seems to me we have displayed to do our duty, as those who are temporarily or permanently in Mexico should do their duty, and to try to avoid the imputation of being tax dodgers in any way, shape, or form.

In this connection it is frequently published in the American papers that the oil contest between the American oil companies and the Carranza government relating to these post-constitutional decrees has been one of taxation. That is absolutely untrue.

It is a fact that we have refused to pay certain sums of money which these post-constitutional decrees sought to make us pay as rentals and royalties. Our refusal was made because by paying those sums under the terms of those decrees we must conclusively admit that somebody other than ourselves owned the property in respect to which the payments were made—for one can not pay rent on property which he owns himself, if he owns it.

That is the entire basis of the allegations that the American oil companies have been and are tax dodgers, and no allegation has been more frequently made by the Carranza propagandists in the United States than that.

The CHAIRMAN. The advice of the State Department of the United States Government had been sought prior to your action in refusing to pay these sums of money, had it not?

Mr. KELLOGG. That is true, and I would like to add that we have tried at every stage of this controversy, and it has had many different phases, to keep in constant touch with the State Department, and do nothing which they thought might be reprehensible to the interests of not only ourselves, but the interests of the United States as a Nation, and we have faithfully and fully carried out that program to the present moment. We have never suborned a rebel chief, never contributed to any rebel fund. We have behaved ourselves as decent men ought to behave themselves, going into a foreign country to attempt to do business. Our record is absolutely that of clean, decent American citizens prosecuting a clean, decent business in a foreign country, endeavoring to conduct their own affairs in a proper way and insisting on being allowed to keep what they bought and paid for and continue to conduct their own affairs.

The CHAIRMAN. In the last protest of the United States Government to Carranza, based upon the oil decrees and his proposed action with reference to oil, the United States Government, through its State Department, has stated definitely that they still maintain the position they have maintained with reference to all the different protests they have theretofore made against the enforcement of these decrees from 1915 down to the present time.

Mr. KELLOGG. That is correct, Mr. Chairman.

The CHAIRMAN. Does that conclude your statement?

Mr. KELLOGG. That is all I have in mind.

The CHAIRMAN. The statement you have given us has been exceedingly clear and very interesting, and we thank you very much. If you will be kind enough to have that memorandum prepared, I will be very glad.

Mr. KELLOGG. I shall be very happy to do so, Mr. Chairman.

The CHAIRMAN. It may be incorporated in the record.

Mr. KELLOGG. Thank you.

(The memorandum referred to will be printed in a subsequent part.)

WEDNESDAY, APRIL 28, 1920.

UNITED STATES SENATE,
SUBCOMMITTEE ON FOREIGN RELATIONS,
Washington, D. C.

The following testimony was taken at Washington, D. C., Wednesday, April 28, 1920, by Francis J. Kearful, Esq., in pursuance of an order of the subcommittee of the Committee on Foreign Relations of the Senate:

TESTIMONY OF JAMES D. SHEAHAN.

The witness was duly sworn by Mr. Kearful.

Mr. KEARFUL. Will you state your full name?

Mr. SHEAHAN. James D. Sheahan.

Mr. KEARFUL. What is your present place of residence?

Mr. SHEAHAN. Richmond, Va.

Mr. KEARFUL. Are you a native-born American citizen?

Mr. SHEAHAN. No, sir. I was born in Toronto, Canada.

Mr. KEARFUL. Are you an American citizen by naturalization?

Mr. SHEAHAN. Yes, sir. My parents were American citizens.

Mr. KEARFUL. In what business are you engaged?

Mr. SHEAHAN. Manufacturing farm tractors in Chicago.

Mr. KEARFUL. What business have you had in Mexico?

Mr. SHEAHAN. I was one of four others that became the owners of a large hacienda there in the fall of 1903, consisting of 362,000 acres.

Mr. KEARFUL. Did you and your associates buy that tract of land?

Mr. SHEAHAN. Yes, sir.

Mr. KEARFUL. How much did you pay for it?

Mr. SHEAHAN. $350,000 gold.

Mr. KEARFUL. Did you get titles that were regarded as good?

Mr. SHEAHAN. Yes, sir; up to the present time, so far as we know.

Mr. KEARFUL. What business did you conduct on this plantation?

Mr. SHEAHAN. The valley lands, which are on the Agua Fria River for a distance of about 28 miles passing through our property, are divided about one-third of them for the raising of cereals of various kinds, and we developed the water sufficiently to irrigate those lands. The balance of the land we have fenced for pastures for our blooded, registered stock.

Mr. KEARFUL. In what part of Mexico is this place located?

Mr. SHEAHAN. In Jimenez. Our boundary line comes within 4 miles of Jimenez.

Mr. KEARFUL. In what State?

Mr. SHEAHAN. In the State of Chihuahua, very close to the border of Durango, about 8 miles.

Mr. KEARFUL. What products did you raise on this place?

Mr. SHEAHAN. Wheat, corn, cotton, barley, and beans were the crops, and we had 500 acres of alfalfa. We started with 15 acres that was on the premises of alfalfa when we bought it, which was in bad condition, and we afterwards plowed it up and increased that up to 500 acres.

Mr. KEARFUL. What did you do in reference to stock raising?

Mr. SHEAHAN. We increased our stock raising about 150 per cent within six years from the time we purchased the property. When we bought it the water facilities on the range were quite limited. The cattle had to go a long ways for water. In that way there was a great deal of the lands where grazing was good, but there was no water on them; but we developed the water facilities on different parts of the range. In six years we had spent in the neighborhood of $300,000 in development work.

Mr. KEARFUL. In developing the water supply?

Mr. SHEAHAN. The water supply, and for new machinery and increased buildings.

Mr. KEARFUL. What did you have to do to develop the water supply?

Mr. SHEAHAN. In a greater portion of it we were able to build dams and operate reservoirs, backing the water up for a long distance.

Mr. KEARFUL. What kind of live stock did you have on the place?

Mr. SHEAHAN. Herefords, principally. We brought in breeding stock by the carload, sometimes as high as five carloads at a shipment, and kept them separately as much as possible from the native cattle that we had on the place when we purchased it. We built fences and cross fences so as to make large pastures and keep the better grade of stock by themselves.

Mr. KEARFUL. Did you have blooded stock brought from the United States?

Mr. SHEAHAN. Yes, sir.

Mr. KEARFUL. In addition to the cattle, did you have horses and jacks and hogs and sheep?

Mr. SHEAHAN. We had Spanish jacks that were imported. We had one German coach that we sent down there from Wisconsin; also a Percheron.

Mr. KEARFUL. Hogs and sheep?

Mr. SHEAHAN. Yes; and Angora goats. We had a large flock of Angora goats.

Mr. KEARFUL. Can you estimate the total amount of money invested in land and improvements and live stock?

Mr. SHEAHAN. In the neighborhood of between $600,000 and $700,000. If I may state it here, we had to build one year 40 miles of boundary-line fence, four barbed wire, shipping in the red cedar posts from the State of Texas. The next year we built 75 miles. Our boundary was a fence of four barbed wires on the entire boundary line with the exception of about 30 miles. That was a sort of mountainous country that very few cattle would attempt to go over or come in and encroach upon us.

Mr. KEARFUL. About how many people did you employ on this plantation?

Mr. SHEAHAN. As an estimate, I would say that we had in the neighborhood of 350, or between that and 400. We had built houses sufficient to house 100 families at headquarters, and I think those would average almost two to the house.

Mr. KEARFUL. Were your employees Mexicans?

Mr. SHEAHAN. Entirely so; peons.

Mr. KEARFUL. Were those peons forced to work for you?

Mr. SHEAHAN. No, sir.

Mr. KEARFUL. How did you employ them?

Mr. SHEAHAN. We established a system when we first became the owners of this property of letting the peons have a small acreage to work on shares for themselves. If a single man did not care to work his land, we did not bind ourselves to give him steady work, but the men who were working the land, if they were the kind of men that we wanted, we gave them the preference of working the time that they were not required to till their own crops—of working for us. In that way their entire time was well occupied.

Mr. KEARFUL Did you hear John Lind testify yesterday about the American operators of plantations in Mexico?

Mr. SHEAHAN. I did, sir.

Mr. KEARFUL. What have you to say about his statement that the operations of Americans on plantations in Mexico were not for the benefit of the natives?

Mr. SHEAHAN. I was surprised to hear such a statement. It certainly did not hold good in our section, not only on our property, but also on the adjoining property which was owned by a Scotch syndicate. It was most as large as our own, and afterwards sold to the Terrazas. It do not think there was an institution or large agricultural interest in this country that was better conducted than the San Isidro, the adjoining property to us.

Mr. KEARFUL. You heard what John Lind said about what he called conscript labor. Did you know anything about that in your locality?

Mr. SHEAHAN. We certainly did not. I do not think it existed in our section of the State or anywhere in the State of Chihuahua, I might say, because I was familiar with conditions there.

Mr. KEARFUL. You employed your workmen by voluntary contract with them?

Mr. SHEAHAN. Yes, sir.

Mr. KEARFUL. How did you treat them?

Mr. SHEAHAN. We considered that they were better treated by ourselves after we became owners of that property—in fact, that was their own statement. That was largely on account of housing conditions that we furnished for them.

Mr. KEARFUL. Did you charge them anything for the houses?

Mr. SHEAHAN. No, sir.

Mr. KEARFUL. Did you have any schools or churches on your place?

Mr. SHEAHAN. Yes, sir. We had a church there that was in bad condition, the roof had fallen in on it and the walls were in bad condition. We restored that. It was a Catholic church. There had been no services held there for, I would say, perhaps 40 or 50 years before

we became owners of the place. We also started a school in one of our buildings and were so well pleased with the attendance that we built a new two-room schoolhouse in a very desirable place right on top of the hill. We leveled it off and made a nice playground for the children there.

Mr. KEARFUL. Did the children of your employees generally attend this school?

Mr. SHEAHAN. Very fully. In fact, it developed so that we found it was even necessary for us to build an addition to this or build another one at a separate location.

Mr. KEARFUL. Were the Mexicans assessed for the maintenance of the school or the church?

Mr. SHEAHAN. No, sir. We paid that ourselves out of our own funds.

Mr. KEARFUL. Did you receive any aid from the Mexican Government for this school?

Mr. SHEAHAN. We did not ask for it and we did not receive it. We would have been entitled to compensation for them, but it was an experiment with us.

Mr. KEARFUL. What benefits, if any, have you observed to result from the operation of American and other foreign capital in that section of Mexico?

Mr. SHEAHAN. If I could say that from the knowledge that I have of San Isidro and Salaices—San Isidro was the adjoining property and was on the east, and Salaices was on the west, with nearly the same acreage as our own. It was a great benefit, I say.

Mr. KEARFUL. In what ways?

Mr. SHEAHAN. In increasing the wage, not by giving them any less work on our own place. The Mexican peons would say, if they had occasion to express themselves, that they worked harder for us than they ever did previous to the time we became owners of the property, but that they were better treated and better paid. We paid them all once a month.

Mr. KEARFUL. They did not object to working harder, did they?

Mr. SHEAHAN. No, sir. We found this: For the first four years, I might say, there was perhaps 60 per cent of our work that was development work. We made a distinction as to the wage that we paid men for working in the development work as against those who were working on the land in the usual way, because it was much harder work and longer hours in the development work and we made that distinction.

Mr. KEARFUL. In regard to the method of living, did the operations of foreigners result in any improvement for the natives?

Mr. SHEAHAN. Decidedly so, sir.

Mr. KEARFUL. In what respect?

Mr. SHEAHAN. They were better fed. Mexicans that we had on development work we paid 12½ cents more a day and furnished them rations free, while they boarded themselves when they worked on the hacienda in the agricultural part of it. After we were working the first year on that, it became very apparent that the men whom we had on the development work were particularly anxious to be kept there, for the reason that they were better fed, better cared for, while working them harder and longer hours, but they had better

pay. We used to pick out the very best class of the help and put it on the development work.

Mr. KEARFUL. What concessions, if any, did you have from the Mexican Government?

Mr. SHEAHAN. None whatever.

Mr. KEARFUL. You had no special privileges over anybody else?

Mr. SHEAHAN. None whatever, sir. We were offered, by the ministro de fomento—they passed a new law by which loans could be made for the purpose of developing water rights, and a larger amount of water retained for irrigating purposes, and also for stock raising. They urged us to become members and take advantage of that. We did not do so at any time. We financed our own proposition all the way through. The ministro de fomento also used to write us letters and comment as to what we were doing there. Other Americans that would go to Mexico City would be referred to us and to our place to show what had been done there is such a short time.

Mr. KEARFUL. Is the country in that region of such character that it can be divided up into small tracts and operated advantageously in small tracts under individual ownership?

Mr. SHEAHAN. Possibly there might be parts of the valley land that could be utilized in that way, but the question would be what would be done with the grazing lands when you separated the one from the other.

Mr. KEARFUL. Is irrigation necessary in that region?

Mr. SHEAHAN. It is. We have about 60,000 acres where the Mexican Central Railroad runs for 52 miles through our property. On the east side of the railroad we have 30,000 acres skirting on the base of a low mountain. That land we have tested for sugar beets and we found that it contains of sugar from 3 to 5 per cent greater than the sugar beet that is grown in Colorado and also around Deming, N. Mex., but there was no market for it.

Mr. KEARFUL. Did you observe among the natives any demand for division of large tracts among them?

Mr. SHEAHAN. No, sir; not at that time. That was not thought of then.

Mr. KEARFUL. Did you believe it to be practicable to divide up any large regions of that country into small tracts for individual operations by the peons?

Mr. SHEAHAN. I do not.

Mr. KEARFUL. What were the conditions as to security for life and property and protection of business operations from 1903, when you went there, until the fall of Porfirio Diaz, in 1911?

Mr. SHEAHAN. They were good. We never had any trouble. On the other hand, I used to send a peon into Jimenez when I was doing development work out on the ranch. He would bring me out $2,000 or $2,500 of money to pay off at the end of the month. He never had any fear of being held up by bandits or anything of that kind, nor had we.

Mr. KEARFUL. There are no bandits in that region?

Mr. SHEAHAN. There were not at that time; no, sir. There were some cattle thieves in the valley, but they were severely handled by the rurales.

Mr. KEARFUL. The rurales were an organization of mounted police maintained by the Government?

Mr. SHEAHAN. Yes, sir.

Mr. KEARFUL. When was there a change in that condition of security, if at all?

Mr. SHEAHAN. After the death of Madero.

Mr. KEARFUL. What happened then?

Mr. SHEAHAN. Then we began to have our real trouble.

Mr. KEARFUL. You did not have any trouble during the time of the revolution of Madero against Diaz?

Mr. SHEAHAN. We lost some live stock, and also they would come and get goods out of our store, and provisions and everything of that kind, and grain, but we got receipts for everything that Madero's forces ever took from us that we knew of. We would find animals killed on the range and the meat partly carried off and the balance of the carcass left on the range. That was very slight.

Mr. KEARFUL. Who was Madero's operating general in that region?

Mr. SHEAHAN. I do not remember.

Mr. KEARFUL. Was he Pascual Orozco?

Mr. SHEAHAN. Yes; part of the time. Then there was a change after that, but I have forgotten who it was after that.

Mr. KEARFUL. What happened then, after the fall of Madero?

Mr. SHEAHAN. Then was about the time that our troubles commenced, and as time went on it was increased all the time.

Mr. KEARFUL. Who caused the trouble?

Mr. SHEAHAN. Carranza's forces principally, and Villa was operating with the Carranza forces.

Mr. KEARFUL. That began in 1913, shortly after the fall of Madero?

Mr. SHEAHAN. Yes; 1914 was, perhaps, the beginning of it.

Mr. KEARFUL. Please describe briefly and in a general way just what happened from that time forth.

Mr. SHEAHAN. They would send out a force, making demand for so many head of steers and so many horses, and we would make a demand for receipts, and they would ignore our demand, and we would send some of our own force out for gathering the live stock that they required. They took at one time from an inclosed pasture that we had, I think, 171 saddle horses. We made a practice of breaking the horses for the range and keeping them in inclosed pastures after they were broken. They cleaned up the whole bunch of them, about 151 of them.

These Percheron stallions that we had, that were absolutely of no value for military service, were taken and ridden away. We had one valuable horse that cost us over $4,000. We found him about 5 miles from our headquarters, lying on the roadside, dead.

Mr. KEARFUL. Ridden to death?

Mr. SHEAHAN. Yes; ridden to death.

Mr. KEARFUL. What destruction of your property occurred?

Mr. SHEAHAN. About the latter part of 1917 we had asked the American consul here to assist us in getting protection. We had grown crops, gradually getting acreages smaller every year, hoping that by the time that crop would mature and be ready to harvest that the troubles would be over and we would have something to go on to make a start. But every time they would allow us to gather the crop, and after it was gathered they would take it. We got no benefit from it whatever.

This time he interceded for us and got a pledge from the general in charge of the Federal troops in Chihuahua that he would send 50 soldiers out to protect the crops when they were thrashing.

Mr. KEARFUL. Who was this general?

Mr. SHEAHAN. That I can not remember. He sent the soldiers out there and they began taking the grain from us almost as fast as it was thrashed, taking if off by wagon loads. Finally they got liquor somewhere and the captain of this force of 50 men that they had out there set fire to the buildings at headquarters of this particular hacienda. We had nine communities, you might say, in the valley from one end to the other. We used to build a warehouse that would accommodate all of the tenants in that community, and they would jointly have a certain space in the warehouse for their crops. The grain was in there and this captain set fire to the buildings and cleaned out the whole community. He gave them an hour to get their stuff out of the buildings. When we protested, the general made a claim that they were aiding Villa, that they were in sympathy with Villa, and that was the reason why the buildings were burned.

Mr. KEARFUL. That who was in sympathy with Villa?

Mr. SHEAHAN. These tenants.

Mr. KEARFUL. Your tenants?

Mr. SHEAHAN. On our place. That has been one thing that occurred all the way through that we had guarded at all times, and that is not to have any man or anybody else show any disposition to aid either side.

Mr. KEARFUL. Was there any truth in this pretext, so far as you know, about your men being in sympathy with Villa?

Mr. SHEAHAN. The only thing you might say, I think, in regard to that is that when the Villa forces were in there they were just the same as the Carranza forces, and would come there and make demands for feed or for whatever was on the place, and it was absolutely necessary that it should be given up to them.

Mr. KEARFUL. When that was done, the other side would come in and say they were sympathizers and destroy the property?

Mr. SHEAHAN. Yes, sir. We had an instance of that kind less than three months ago. Carranza forces came to our headquarters. There was a man that was now nearly 50 years old, born on the place, who has been acting as sort of foreman for us there. They went into his house and gathered up all his blankets and bedclothes and everything that they could find. He protested and they turned to and very nearly killed him. They beat him over the head—the captain or man in charge of the soldiers beat him over the head with his pistol, and if it had not been for a woman that grappled with this captain they would have killed the man.

Mr. KEARFUL. This was a Carranza captain?

Mr. SHEAHAN. Yes; he was a Carranza captain, and just over the things that were absolutely necessary for them to protect themselves.

Mr. KEARFUL. Was there ever any pretense of payment or giving receipts for the property and things taken?

Mr. SHEAHAN. No, sir.

Mr. KEARFUL. What would they say when they would come and take things?

Mr. SHEAHAN. That it was a demand from such and such a general.

Mr. KEARFUL. What would be the ground of his demand?

Mr. SHEAHAN. That he wanted the property, that he wanted some of the steers, that he wanted so much of the grain, or whatever it might be.

Mr. KEARFUL. Was there ever any promise made upon taking these things to pay for them?

Mr. SHEAHAN. Never.

Mr. KEARFUL. Did you make any protest against their being taken?

Mr. SHEAHAN. Nearly every time that we had a serious loss of that kind I reported it to the State Department as a matter of record, but we never got any satisfaction from it.

Mr. KEARFUL. Do you mean the American State Department?

Mr. SHEAHAN. Yes, sir.

Mr. KEARFUL. Do you know of any steps having been taken by the American State Department for your protection?

Mr. SHEAHAN. They would make reply to the protest that we entered, saying that the matter had been referred to Mexico City with request that they take action in the matter, and perhaps later on we would get a letter with a copy of the protest that was made in Mexico City, but we never had any satisfaction out of any of the protests that we ever made.

Mr. KEARFUL. What is the condition of that hacienda now?

Mr. SHEAHAN. It is a total wreck, you may say.

Mr. KEARFUL. What about any of the fine stock there that you took there?

Mr. SHEAHAN. No; there is no fine stock left there. There may be some scattered cattle on the range which you may term as wild cattle, but no herds, just stray cattle that would be off by themselves, that they would overlook or something like that. We have no record and no means of knowing whether there is one there or whether there are 100.

Mr. KEARFUL. Are the lands being cultivated?

Mr. SHEAHAN. In small acreages by the peons that have lived on the place all their lives.

Mr. KEARFUL. Do you get any returns from them?

Mr. SHEAHAN. None whatever. Even the peons that worked this land with the understanding that we would get a share of it, have had the greater portions of their crops taken as well as our own. We have entered protests against that time and again.

Mr. KEARFUL. Did you ever have any trouble with your workmen or employees on the place at all?

Mr. SHEAHAN. No, sir.

Mr. KEARFUL. Were they loyal to you?

Mr. SHEAHAN. Very much so; that is, up to the time of the revolution beginning. There was quite a number of the younger element that went out principally with Villa.

In explanation of that I might make this statement. We had a man on our property who had leased a couple of thousand acres of land for cash rent. He subleased that to peons on shares and made a very good profit on the transaction. His name was Chavez. The Chavez family was quite a wealthy family at one time. They were freighters and had been for two or three generations. Before the railroads were bu lt through there, they freighted from the City of Mexico or from Vera Cruz clear up to the northern boundary line. This Joe Chavez, from the time he was 15 years old, more of a Spaniard

than he was a Mexican, a great big tall man about 6 feet 2 inches, had been what you might call a freight foreman. He had a train of freighters under his charge and he knew the country remarkably well. He went out with Villa along about 1916. He took quite a number of younger men with him, not only on our place, but at Reguladora, which is 18 miles from our quarters, and also from Puebla, which is just across the boundary line from our land on the north. He made up quite a following for Villa in that section. He was afterwards quite noted with Villa. You have no doubt seen his name quite often as Col. Chavez.

Mr. KEARFUL. What did you observe about the motives of the young men who joined the revolution, judging from their acts?

Mr. SHEAHAN. That was after I was unable to go down to the property. Of course I knew but very little about that. Their parents still lived on the property and still live there now. There have been quite a number of young men killed, but the older people have been loyal and are living on the property and have shown no disposition to destroy any portion of the property.

Mr. KEARFUL. Did the young men join the revolution because they wanted the lands divided up or because they were oppressed by the land owners?

Mr. SHEAHAN. No, sir; it was more, I think, Chavez's personality that induced them to go with him. He is quite a noted character.

Mr. KEARFUL. What do you think were his motives?

Mr. SHEAHAN. Simply, I suppose, that he thought—I do not know what inducement was given by Villa. Chavez was a very valuable man to Villa, knowing the country as he did clear down as far south as Torreon, and perhaps farther south than that.

Mr. KEARFUL. Do you think he was actuated by motives of patriotism to establish democracy in Mexico by eliminating the evils that Mr. Lind told about yesterday?

Mr. SHEAHAN. I would not think so from the acquaintance that I had with Chavez. He was one of the best men that we had on the place and gave us every assistance that he possibly could at any time and was very friendly to us. My son lived there three years after I gave up going down there and lived on the place as manager of it, and he always regarded Joe Chavez as one of his reliable friends. He always said that any advice he wanted he felt he could call on Joe Chavez to tell him how to act.

Mr. KEARFUL. Did you have occasion to observe the motives of the Carrancistas with special reference to Mr. Lind's theory that the revolutionists of the north were actuated by high ideals?

Mr. SHEAHAN. Perhaps there was an element of that kind from what they gained from Madero more than anything else, particularly in the Reguladora Valley, because that is where Madero gathered his first forces. What took place south of there was simply an uprising. There were a lot of idle miners. The price of silver and copper was so low that the mines could not operate and left the entire mining force there without work and idle, and many of them without much to eat. They were ready to take up anything again after they got a little stronger. This property, which had been transferred to Terrazas, which adjoined us, San Isidro, was a ground of prey for them. They thought Terrazas was not for Madero's government, and whenever they could get anything off the property of Terrazas they were

at liberty to take it, and they immediately commenced plundering that before they commenced doing serious damage to anybody else.

Mr. KEARFUL. Did it appear from their acts that the opportunity to plunder property was one of the moving causes for young men joining the revolution?

Mr. SHEAHAN. I would not think so.

Mr. KEARFUL. You would not?

Mr. SHEAHAN. No, sir.

Mr. KEARFUL. You are speaking now about the Madero revolution?

Mr. SHEAHAN. Yes, sir.

Mr. KEARFUL. What do you say about the Carranza revolution, judging from what they did?

Mr. SHEAHAN. I would say that that was quite different. Young men that were born and raised on our place we found were only too ready to go out and get as much off the premises as they possibly could. They gave information, as nearly as we could find out, of just where the best opportunity was to get herds of cattle. For a couple of years we shifted our stock from one place to another so as to get them as far from the railroad as possible and at the same time keep them within the range where we could get water.

Mr. KEARFUL. Did you make any attempts to get your cattle and other live stock out of the country when you saw it was being stolen?

Mr. SHEAHAN. At one time we gathered 600 head of 3-year-old steers for the purpose of shipping them out to Fort Worth, Tex. We fed those steers, after we rounded them up, for six weeks. We were promised at first, intending to ship them in train loads, that we could get cars to move them. Afterwards we were finally denied cars, and they said they could not be shipped out of the country.

Mr. KEARFUL. What became of those cattle?

Mr. SHEAHAN. We turned them loose on the range again, after having herded them in inclosed pastures for that length of time, and we never realized a dollar out of them.

Mr. KEARFUL. What became of them?

Mr. SHEAHAN. They were stolen.

Mr. KEARFUL. Were they eventually shipped out by some one?

Mr. SHEAHAN. Yes, sir. At one time there was a lot of cattle driven off the place, but we never could trace where they came across the border. We had men on the border watching for them. Our view was that they were slaughtered at different points, Torreon, and also upon the border farther north.

Mr. KEARFUL. Was your experience with your cattle a common experience of the people in that region?

Mr. SHEAHAN. Yes.

Mr. KEARFUL. What happened to other plantations in that vicinity? Was it the same thing that happened to yours?

Mr. SHEAHAN. The same thing, yes. There was another very large ranch owned by a Russian Jew, who had a very large store at Jiminez. He had perhaps between 3,000 and 4,000 head of cattle. He lost every one of them in the same manner. He lost his before we did, because he was right on the railroad.

Mr. KEARFUL. How long has it been since you have been able to do anything down on that plantation?

Mr. SHEAHAN. We have not done anything there within the last four years; that is, we have done a little in the way of cropping, but

nothing ourselves. We allow the peons to do what they can, because all our work stopped and all our implements were stolen.

Mr. KEARFUL. Your implements were taken, too?

Mr. SHEAHAN. Everything, even to the gasoline engines.

Mr. KEARFUL. Were any of the houses destroyed?

Mr. SHEAHAN. They burned the houses. There were six houses in that group that were destroyed, as well as the large granary or warehouse. They would take the doors and even strip the roof off. The roof is covered with adobe clay over heavy slats. They took the clay off the roof and took those slats and used them for firewood.

Mr. KEARFUL. Why is it that during the last four years you have been unable to operate there?

Mr. SHEAHAN. We have a Scotchman who was manager of the place at one time and afterwards manager of the range of cattle, who has lived in that country for 30 years. Until two months ago he had not been able to get out to our headquarters in the four years. His wife is dead, but he has a family of six small children and lives in Jiminez. They have had him out twice to shoot him. He started on foot from Jiminez to go to Torreon, being a British subject, to put himself under the protection of the British consul at that place, and finally got a lift by freight train or construction train that took him nearly half way. One night they had him out twice during the night, insisting that he had money belonging to the International Land & Live Stock Co., and they made demand upon him for that money. They took him out once and were going to shoot him. Finally that squad decided they would go back to the commanding officer and get further instructions. Another one came out about 1 o'clock in the morning and took him out again.

Mr. KEARFUL. The International Land & Live Stock Co. is the name of your company, is it?

Mr. SHEAHAN. Yes, sir.

Mr. KEARFUL. Was he charged with any crime?

Mr. SHEAHAN. None whatever. He married a Mexican woman and his children were brought up in the Catholic Church, and his wife was a Catholic.

Mr. KEARFUL. What is the prevailing religion of the natives in that region?

Mr. SHEAHAN. Roman Catholic, perhaps 98 per cent.

Mr. KEARFUL. What did you observe about the influence of the Catholic Church upon the natives as to being good or bad?

Mr. SHEAHAN. I would say that in our section the natives would be better off if they were not under the control of the church.

Mr. KEARFUL. For what reason do you say that?

Mr. SHEAHAN. For this reason: There seems to be a feeling that if you oppose the church that you will meet with opposition, and serious opposition at that, from the church or from the priests, and that that will have its influence on the peons. We ourselves got along quite well. We had little difficulties at times, but I think they always thought that we had done more than our share to sustain a church at the place, which they had not done for 50 years before that.

Mr. KEARFUL. Did you observe whether the priests had any influence in civil affairs?

Mr. SHEAHAN. Yes; they would try to. We had little experience of that kind, nothing that was very serious, but it showed that they were accustomed to have it.

Mr. KEARFUL. You say they tried to. Did the church control the civil authorities in any way?

Mr. SHEAHAN. No; I would not say that they controlled them.

Mr. KEARFUL. The influence that you observed was the influence of the priests over the peons?

Mr. SHEAHAN. Yes.

Mr. KEARFUL. Do you think that influence was not for the benefit of the peons?

Mr. SHEAHAN. No; we did not think so.

Mr. KEARFUL. Do you think the peons would be better off without any religion?

Mr. SHEAHAN. I would not be inclined to think so. I do not think they would.

Mr. KEARFUL. What efforts did you make to get protection from the American Government for your properties in Mexico aside from the protests that you spoke of?

Mr. SHEAHAN. I can not say that we ever made any. I have repeatedly come before the Secretary of State, particularly during Bryan's time when he was Secretary of State, but I never went away from him that I did not feel like pulling my hair after I had had a conversation with Bryan.

Mr. KEARFUL. You did have a conversation with Bryan in regard to the protection of Americans in Mexico, did you?

Mr. SHEAHAN. Yes, sir.

Mr. KEARFUL. What was Mr. Bryan's attitude?

Mr. SHEAHAN. I came to Washington at one time and brought maps and other papers that I had that I thought would be of benefit to show him where our property was and how it was located and what we had done in the way of development. After we got through, he intimated that we belonged to the class that went into Mexico to get rich quick and now we were coming to him and asking to have the Government of this country ask for intervention; that, while we did not ask for it in so many words, we were like all the others that came in the same way. That was about the attitude that he had toward us.

When we bought this property our friends, many of them, said we had been cheated, that we had paid too much for it. It was heavily mortgaged and the mortgage only had six months to run, and perhaps if we had not spent a vast amount of money in developing that, the statement that we had paid too much for our property would have been true; but with the expenditures and with the increase that we could produce, both in the acreage in the valley and also on the range, increasing it 150 per cent, perhaps that statement would have been true—that we paid too much for it. But when we came to Bryan he intimated that we had stolen it from the poor Mexicans; that they were now trying to get it back again; and that we were not really entitled to very much consideration.

Mr. KEARFUL. Was he interested in your maps and plans and papers and the story of your development of that region?

Mr. SHEAHAN. To some extent he was interested. It looked as if instead of taking into consideration what we had done in the way of developing property, that he considered it as a property that was worth that amount of money before we put any money into it and that we had gotten it for half what it was worth. That was about the way he looked at it. It did not seem as though he took into

consideration that we had spent nearly as much in developing it as we had originally paid for it, and what he was looking at on the map at that time was the property after it had been developed.

Mr. KEARFUL. Did it seem to be his attitude that it was the right of the revolutionists to take it away from you?

Mr. SHEAHAN. Along that line; that we were not entitled to any consideration from this Government.

Mr. KEARFUL. You were put into that class that has been spoken of by Mr. Bryan and others as speculators engaged in plundering the Mexican people?

Mr. SHEAHAN. Yes.

Mr. KEARFUL. Was that about his attitude?

Mr. SHEAHAN. We were classed among that class. There was no distinction drawn between the men who had gone there and paid value for any property that they bought, and others. Of course there were people who were speculators, both in mining property and in timber property and perhaps in agriculture, but less in agriculture than any of the others, I think.

I was also instrumental at a later date, myself and Mr. Warren, of Three Oaks, Mich., and Mr. Newman, of El Paso, in getting up a committee of 21 representing the largest interests that there were in the State of Chihuahua, and also in Sonora, and by appointment we had a conference with Secretary Bryan. He immediately opened up along the same line and did not give us an opportunity even to tell what we came there for. He asked why we were not honest in what we came there for; that we came there for the purpose of asking intervention and that we were not honest in saying that we had any other purpose in view but that.

Mr. KEARFUL. Was that your purpose?

Mr. SHEAHAN. It was not our purpose. We came there as a matter of securing information as to what was best for us to do to protect our property.

Mr. KEARFUL. What was the advice he had to give you?

Mr. SHEAHAN. None whatever. It almost ended in a squabble.

Mr. KEARFUL. While you were operating in Mexico did you know of advice that he did give to Americans operating there as to what they should do?

Mr. SHEAHAN. No, sir; not at that time, I did not. I have since learned that.

Mr. KEARFUL. What was the advice that he gave them?

Mr. SHEAHAN. It was not very encouraging.

Mr. KEARFUL. I mean as to what they should do while he was Secretary of State?

Mr. SHEAHAN. I did not quite understand your question. Afterwards I had a personal interview with him and he urged me very strongly to bring this Scotchman and his family out of Mexico. At that time we had two other Americans there, and he urged me to bring them out and abandon the property entirely.

Mr. KEARFUL. You know about notices that were given out several times to Americans in Mexico to get out of Mexico?

Mr. SHEAHAN. Yes. I met some of the Mormons that had come over from the Mormon settlements, coming out of Mexico.

Mr. KEARFUL. What was the effect upon properties of Americans in Mexico when they were forced to go out?

Mr. SHEAHAN. It was just a question of abandoning them, as it was everybody's property. It was a total loss to them all.

Mr. KEARFUL. You went to Mexico in 1903?

Mr. SHEAHAN. Yes, sir.

Mr. KEARFUL. Did you know something about an article published by Mr. Bryan in The Commoner in January, 1903, in regard to Mexico?

Mr. SHEAHAN. No, sir; I did not know it at that time.

Mr. KEARFUL. You know it now.

Mr. SHEAHAN. Yes, sir.

Mr. KEARFUL. How does the attitude taken by him at that time compare with the attitude taken afterwards when he was Secretary of State?

Mr. SHEAHAN. Entirely the opposite. His statements in 1903, as we found the situation in our section were correct. We found that the Mexican Government was particularly anxious to get us particularly in the agricultural interests, that they wanted the valley lands to be developed and to produce larger crops.

Mr. KEARFUL. Mr. Bryan, in 1903, as shown by his article was enthusiastic about the establishment of centers of American civilization in Mexico, was he not?

Mr. SHEAHAN. Yes, sir; and we felt the same way for five or six years.

Mr. KEARFUL. Afterwards when he became Secretary of State he was not so enthusiastic about the centers of American civilization?

Mr. SHEAHAN. According to his attitude at that time we had no rights at all, but we had gone there for plunder.

Mr. KEARFUL. If the committee has been instructed by resolution of the Senate unanimously adopted to report to the Senate what, if any, measure should be taken to prevent the recurrence of such outrages; what advice would you give which might enable the committee to make an intelligent report as to what, if any, measures should be taken to prevent a recurrence of such outrages as you have related?

Mr. SHEAHAN. My own idea, and I think it is true of my associates, is that if some action could be taken by the Government of the United States similar to the action that was taken in Cuba, it would be the most pleasable methods, particularly in northern Mexico, say the five States in northern Mexico; that it could be handled in that way at less loss of life and greater protection of property, and at the same time it would be one of the greatest blessings I think that the Mexican people could possibly have. With the masses I do not believe it would meet any serious objection.

Mr. KEARFUL. Do you think the Mexicans themselves would welcome such a measure?

Mr. SHEAHAN. I think so, from what I know of them.

Mr. KEARFUL. You mean that great body of people?

Mr. SHEAHAN. Yes, sir; both rich and poor.

Mr. KEARFUL. Educated and illiterate?

Mr. SHEAHAN. Yes, sir.

Mr. KEARFUL. Do you think that would be beneficial to the Mexicans as well as opposing protection to American rights?

Mr. SHEAHAN. I know it. I am absolutely convinced on that point, and that it would be a blessing to them.

Mr. KEARFUL. Do you believe that the Mexicans generally, after they became convinced that the good intentions of this Government, would cooperate to establish permanent law and order under the supervision of this Government?

Mr. SHEAHAN. I believe they would. Yes; the masses, I think, would do that. They have had some opportunity to learn just what benefits they had when the Americans have gone in there, both in the mining districts, and also in agriculture and other lines. The conditions have been bettered instead of being as politicians in Mexico would have them believe. I know in our own case the masses of our people on our place, perhaps 98 per cent of them, would say they are far better off and fare better in every respect under our management than they ever did before. The greatest protests that we had after we went into Mexico were from adjoining and other haciendas in the district, that we were giving the peon more liberties and better pay than he had been accustomed to getting, and it was going to disturb general conditions in the Agna Fria Valley.

Mr. KEARFUL. This objection was on the part of Mexicans or Mexican landholders?

Mr. SHEAHAN. Yes; and also we met with protests from managers of the Scotch syndicate, who were most excellent people, but they looked upon it as a bad move, and the only way that we could explain that was that 70 per cent of our work was development work and was not connected with the agricultural part of the work, and did that work that was necessary that we should put in longer hours, and that we were willing to pay for the services of a better class of people that were willing to take with those conditions and that we were also feeding them at our expense instead of them feeding themselves.

Mr. KEARFUL. Do you think your disposition to treat them better than they had been treated before operated to create disturbances?

Mr. SHEAHAN. No, sir; not at all.

Mr. KEARFUL. How could people derive any benefits from the revolution that you had seen?

Mr. SHEAHAN. No. On two different occasions our store has been stripped of everything that was in it in the way of overalls and that class of stock that we kept for the working class of people, and at our own expense we have replenished that, giving it out to the peons on the place, so that they could be protected.

Mr. KEARFUL. They have been in a condition of poverty?

Mr. SHEAHAN. Very much so.

Mr. KEARFUL. And starvation?

Mr. SHEAHAN. Nearly so; many of the older people are quite so. That is the hard part of it, when the Mexican people themselves, poor and old, people who can work a small tract of land and raise beans are robbed, when their own people will come along and deliberately take their stocks of supplies. The strong able-bodied soldier that could work and earn his own living will rob the poor peon who is old and crippled.

Mr. KEARFUL. I believe that is all I care to ask. Is there anything further you would like to say?

Mr. SHEAHAN. I do not know of anything further that I could give any information about further than that I might say in connection

with the schools that the school we have established was, we felt, one of the best moves that we ever made. We established, as I said, a good school there, a two-room school, and hired a teacher at our own expense. That met with some opposition from the Catholic Church when we first started it. They thought that a school ought to be under their control and provision.

Mr. KEARFUL. Was the opposition on the part of the Catholic Church sustained by the civil authorities?

Mr. SHEAHAN. To my knowledge, it was never referred to the civil authorities. It was a matter between the priests and ourselves.

Mr. KEARFUL. You did establish a school under your own supervision?

Mr. SHEAHAN. Yes, sir.

Mr. KEARFUL. What became of the school after the revolution got into control?

Mr. SHEAHAN. It went to pieces.

Mr. KEARFUL. There is no school there now?

Mr. SHEAHAN. No; there is no school there now, and there is no church there now—that is, no services.

Mr. KEARFUL. Is there anything further you wish to tell the committee?

Mr. SHEAHAN. Nothing further.

Mr. KEARFUL. The committee are very much obliged to you.

(Thereupon, at 11.20 o'clock a. m., the committee adjourned.)

THURSDAY, APRIL 29, 1920.

UNITED STATES SENATE,
SUBCOMMITTEE ON FOREIGN RELATIONS,
Washington, D. C.

The following testimony was taken at Washington, D. C., April 29, 1920, by Francis J. Kearful, Esq., in pursuance of an order of the subcommittee of the Committee on Foreign Relations of the Senate.

TESTIMONY OF SHERBURNE G. HOPKINS.

(The witness was duly sworn by Mr. Kearful.)

Mr. KEARFUL. Please state your name?

Mr. HOPKINS. Sherburne G. Hopkins.

Mr. KEARFUL. And your age?

Mr. HOPKINS. Fifty-one.

Mr. KEARFUL. Your occupation?

Mr. HOPKINS. Lawyer.

Mr. KEARFUL. Your office is located where?

Mr. HOPKINS. 723 Fifteenth Street NW., Washington, D. C.

Mr. KEARFUL. Were you ever engaged as attorney for Venustiano Carranza, the present President of Mexico?

Mr. HOPKINS. I was consulted by that gentleman, as chief of the revolutionary cause, at various times between April 1, 1913, and September 15, 1914.

Mr. KEARFUL. Were you in Washington at the time of what was known as the Niagara conference, in June, 1914?

Mr. HOPKINS. I was.

Mr. KEARFUL. That was a conference between representatives of President Huerta and representatives of this Government, for the purpose of settling the difficulties that then existed between the two governments, was it not?

Mr. HOPKINS. It was.

Mr. KEARFUL. Do you remember whether or not, in the course of that conference, there was an understanding that an embargo upon arms and ammunition going to Mexico would be laid by this Government, and that such an embargo was laid?

Mr. HOPKINS. Such is my understanding.

Mr. KEARFUL. Do you remember whether or not it is true, as testified by Mr. Buckley, that, in violation of the terms of that agreement and of that embargo, a shipment of arms and ammunition went on the *Antilla* from this country to Tampico?

Mr. HOPKINS. My understanding is that subsequent to the arrangement mentioned, a shipment of arms was made on the Cuban steamship *Antilla*, sailing from New York to Tampico, and the ammunition was there delivered.

Mr. KEARFUL. Did you have any knowledge of the circumstance, as testified to by Mr. Buckley, that that was done with the knowledge and consent of Secretary Bryan?

Mr. HOPKINS. I know that intimations were conveyed to the representatives of the revolutionary party in the United States that they would be permitted to ship munitions of war from ports of the United States to Cuba, and that this Government would close its eyes to the fact that the vessels would not proceed to Cuba, but would proceed to Tampico; that in doing that the vessels would be subject to a nominal fine. As a result, several cargoes were shipped from Texas ports, the vessels were fined, and the fines subsequently remitted by authority of the Secretary of the Treasury.

Mr. KEARFUL. Do you know John Lind?

Mr. HOPKINS. I know Mr. Lind.

Mr. KEARFUL. What was his connection with the American Government at that time?

Mr. HOPKINS. I never met Mr. Lind but twice, on each occasion most casually. On the first occasion I met him in the café at the Willard, when I was introduced to him by some newspaper men, I think, shortly after the embargo to which you refer had been laid. Mr. Lind, upon ascertaining that I occupied the relationship to Mr. Carranza that I did, spoke to me quite freely about the situation in Mexico.

Mr. KEARFUL. Before going into that, Mr. Hopkins, the question was, what connection did Mr. Lind have at that time with this Government?

Mr. HOPKINS. Confidential agent of the Department of State at Mexico City.

Mr. KEARFUL. He was known as the personal representative of President Wilson, was he not?

Mr. HOPKINS. He was popularly so known.

Mr. KEARFUL. Was there at that time in Washington a revolutionary junta in the interest of the Carranza revolution?

Mr. HOPKINS. There was a confidential agency accredited here, the head of which was Mr. Rafael Zubaran, together with one or two secretaries At the same time Mr. Luis Cabrera was here unofficially, working more or less in harmony with Mr. Zubaran.

Mr. KEARFUL. Mr. Buckley testified, page 793 of the record:

> Mr. Lind, personal representative of the President and active Carranza revolutionary agent, was then in Washington, extremely busy as a messenger between the Carranza revolutionary junta and the State Department.

Do you regard that as a correct statement of Mr. Lind's activities?

Mr. HOPKINS. There is no doubt but what Mr. Lind circulated very freely in revolutionary circles, according to my recollection, and my further understanding is that his compensation as a representative of the Department of State did not cease until a subsequent date.

Mr. KEARFUL. Mr. Buckley further testified, on the same page:

> On June 6 a million cartridges were shipped on the steamship *Sunshine* from Galveston to Tampico. Thereafter the schooners *Sunshine*, *Grampus*, and *Susan* made six trips from Galveston to Tampico, each time carrying shipments of war material to the Carranza revolutionaries; all these boats, according to the speech of Representative Rogers, previously referred to, were consigned to Habana, but "by stress of water they were blown to Tampico."

Is that a fair statement of the shipments that you were referring to a moment ago?

Mr. HOPKINS. My understanding is that it is a correct statement.

Mr. KEARFUL. I have here from the Congressional Library a copy of the New York Herald of Tuesday, June 30, 1914, which purports

to contain a facsimile letter addressed by you to Mr. Carranza, at that time known as the first chief of the constitutionalists. Will you please state whether or not that is a correct facsimile of a letter that you sent to Mr. Carranza?

Mr. HOPKINS. That is a correct facsimile of the draft of a letter which I made to be sent to Mr. Carranza, and which was subsequently dispatched.

Mr. KEARFUL. The letter is dated May 8, 1914, and in it you make the following statement:

> Mr. Lind told me recently, and as he has subsequently intimated to Mr. Villareal that in case it was found impracticable to permit the exportation of war material, that you should arrange to export such as was needed from some port on the Gulf, preferably Mobile or Pensacola, in small vessels to Cuba, which upon arrival at some port on that island might alter their course to the mouth of the Rio Bravo. I have discussed this matter with Mr. Santiago Winfield, who knows the country in that locality and who informs me that large schooners or steamers of moderate size can approach within half a mile of a place called "Barril," a few miles south of the mouth of the river, where the cargo could be easily landed in launches. Mr. Lind assured me very positively that there would be no interference whatsoever with shipments made in this way, and in case Tampico is not taken I respectfully invite your special attention to the matter.

Mr. Lind testified before this committee day before yesterday. The paragraph just read to you was read to him, and he was asked whether he had given the advice and made the assurances stated by you in that paragraph, and he very positively and emphatically denied ever having given such advice or made such assurances. What have you to say in regard to it?

Mr. HOPKINS. I stated in answer to a previous question, I was introduced to Mr. Lind at the Willard Hotel, I think by a newspaper man, a friend of mine, during the lunch hour. In the course of the conversation which followed, which involved ammunition supplies, Mr. Lind advised me that shipments might be made from southern ports to the Mexican coast via Habana, all vessels leaving American ports with ammunition to clear for a port in Cuba, thereafter altering their course and proceeding to the coast of Mexico. That, he stated, would avoid any complications, whereas the embargo was of such a nature that ammunition would not be permitted to go across the frontier; that is to say, across the Rio Grande or Rio Bravo.

Mr. KEARFUL. Then, as I understand you, the statements made by you in the paragraph just quoted, and which Mr. Lind denied, were true?

Mr. HOPKINS. Absolutely correct, written contemporaneously with the assurances given me by Mr. Lind.

Mr. KEARFUL. How would you account for Mr. Lind's denial?

Mr. HOPKINS. I have no idea, unless possibly he has forgotten the conversation.

Mr. KEARFUL. He denied having any knowledge whatever of any arrangement for the shipment of arms or ammunition to the revolutionaries in evasion of the embargo or otherwise, and denied having any knowledge or ever having heard of any such shipments having been made. Do you know whether at that time he was interested in the matter of aiding the revolution under Carranza in this manner?

Mr. HOPKINS. The tone of the conversation was distinctly in favor of the revolutionary cause, and I understood his suggestions to me to have been made for the purpose of having it communicated to the proper authorities, who would make shipments. It was for that reason that I wrote Mr. Carranza.

Mr. KEARFUL. Please state whether or not the shipments referred to in your letter as being advised by Mr. Lind were subsequently made.

Mr. HOPKINS. They were.

Mr. KEARFUL. And they were made by ships clearing for a Cuban port and diverted to Mexico?

Mr. HOPKINS. They were.

Mr. KEARFUL. And their cargoes were delivered?

Mr. HOPKINS. They were, except two, which I think were sunk en route, subsequently salvaged, and resold to the Carranza government.

Mr. KEARFUL. Do you remember another letter written by you to Mr. Carranza on May 10, 1914, in which you state that President Wilson—

has discreetly permitted it to be known that in his opinion why you (Carranza) should not consent to mediation in respect to the internal affairs of Mexico, because in the opinion of the American Government, as in your own opinion, the only way to pacify the country would be the complete triumph of the revolution.

Mr. HOPKINS. That is my understanding.

Mr. KEARFUL. Did you know it to be the sentiment of President Wilson at that time that the only way to pacify Mexico would be by the complete triumph of the Carranza revolution?

Mr. HOPKINS. I think that impression was general among newspaper men who visited the White House and who gained their impressions from conversations with persons high in authority.

Mr. KEARFUL. Do you remember this statement in a letter written by you at that time to Mr. Carranza:

In respect to the proposition for mediation for a peaceful solution of the present struggle, I trust that you will not permit yourself to be influenced in any way by Mr. Bryan, who in my opinion will be disposed to sacrifice any great principle in the interest of his own political career. That is being demonstrated every day and is well known to the majority of political observers.

Do you remember that?

Mr. HOPKINS. I do; and those were my sentiments then and those are my sentiments now.

Mr. KEARFUL. What reason do you have to believe that Mr. Bryan, with respect to this particular matter, would be disposed to sacrifice principle in the interest of his own political career?

Mr. HOPKINS. My impression was that if Mr. Bryan through negotiations or otherwise might bring about a situation which would compel Carranza to enter into engagements which would limit the objects of the revolution, that he might, if it suited his purpose, compel Carranza to adopt a course by which those ends would be defeated.

Mr. KEARFUL. Do you remember stating further in that letter along the same line as follows:

It is for that reason that I have looked upon the offers of mediation by Argentina, Brazil, and Chile with much apprehension, feeling that Mr. Bryan might in some way so ally himself to their purposes as to neutralize the present dominant position which the revolutionists enjoy. Mr. Bryan pretends to be a great apostle of peace and because of that pretension has invariably indicated a willingness to embark on a peace-at-any-price policy.

Do you remember making that statement?

Mr. HOPKINS. I did make such a statement.

Mr. KEARFUL. Was that a true statement as to Mr. Bryan's position?

Mr. HOPKINS. I consider it so, as demonstrated by subsequent events.

Mr. KEARFUL. In the same letter do you remember making this statement:

Mr. Lind is as much opposed to mediation or compromise as you yourself, enjoying the confidence of the President, and can, I believe, speak with more authority than Mr. Bryan.

Mr. HOPKINS. That is the impression I gained at the time.

Mr. KEARFUL. You remember making that statement, do you?

Mr. HOPKINS. I do.

Mr. KEARFUL. Do you believe that to be a correct statement of the position of confidence enjoyed by Mr. Lind?

Mr. HOPKINS. I do.

Mr. KEARFUL. Did you gain that impression by reason of your connection with the revolutionary enterprise of Carranza, as his legal adviser here?

Mr. HOPKINS. I gained that impression through the two conversations that I had with Mr. Lind, through conversations that I had with others who had discussed the matter with Mr. Lind, and through conversations with representatives of Carranza in Washington who had also talked to Mr. Lind.

Mr. KEARFUL. Who were those representatives of Carranza?

Mr. HOPKINS. Don Felicitos Villareal, who at that time was acting as secretary of the department of finance of the Carranza Government; Mr. Zubaran, and others whom I can not remember, including many newspaper men.

Mr. KEARFUL. By the way, do you know what became of Felicitos Villareal?

Mr. HOPKINS. I do.

Mr. KEARFUL. Will you please state what became of him?

Mr. HOPKINS. He died. He was imprisoned by Carranza in the latter part of 1915, if I recall correctly, was kept in the penitentiary in Mexico City for about two years, and upon his release died.

Mr. KEARFUL. What was his offense?

Mr. HOPKINS. Hostility to Carranza personally.

Mr. KEARFUL. Did it have any connection with his duty as minister of finance and in refusing to obey the orders of Carranza in connection with the issue of paper money?

Mr. HOPKINS. That is true. He did refuse to permit his name to be used on a certain issue of paper money ordered by Carranza during the year 1915, as a result of which he abandoned Carranza and took sides with what was known as the convention government. Subsequently he was arrested by Carranza's order and confined in the penitentiary until shortly before his death. He was one of the best Mexicans I ever knew, by the way.

Mr. KEARFUL. Did he belong to that class of young Mexicans who have sometimes been referred to as having joined the Carranza revolution with enthusuastic patriotism for the progress of the country and who subsequently became disillusioned?

Mr. HOPKINS. Yes, sir. Villareal was a man of very superior education, a very practical man. He had great hopes in the future of his country. He became disillusioned through the selfishness of Carranza and his great desire to center all power in himself at no matter what cost to the country.

Mr. KEARFUL. Did you have any knowledge of the connection, if any, between John Lind and Carranza?

Mr. HOPKINS. I have no personal knowledge.

Mr. KEARFUL. Is it true, as testified to heretofore, that he was very active in procuring the recognition by this Government of the Carranza Government as the Government of Mexico?

Mr. HOPKINS. I have heard of it only. My relation to the Carranza Government ceased in September, 1914.

Mr. KEARFUL. What were the circumstances attending the severance of your relation to the Carranza Government?

Mr. HOPKINS. At the City of Mexico one day Mr. Carranza advised me that after serious consideration he had decided that a lengthy preconstitutional period would be essential before reestablishing a real civil government; that is to say, before reestablishing the constitutional order. I had been for a long time very much opposed to any such idea, because I foresaw a looting of the country in the event the constitutional order was not immediately restored upon the triumphant entry of the revolutionary forces into the capital. I had endeavored in every possible way to impress upon Mr. Carranza the absolute necessity for such a course: First, in the interest of good government; second, as a vindication of the revolutionary cause. As a matter of fact, the revolution was initiated because of the overthrow of government and defeat of the constitution by Huerta. Therefore, I maintain it was the duty of the revolutionists, after the overthrow of Huerta, to restore the constitution forthwith, and I frequently told Mr. Carranza that was my opinion; that if he did not follow that course, he would stultify himself. Hence, when he advised me that in his opinion a lengthy preconstitutional period would be essential before restoring the constitution, I asked his permission to retire and immediately returned to Washington. Since that time I have had no correspondence or relationship with him.

Mr. KEARFUL. Was it the fundamental basis of the revolution by Carranza that the constitution of 1857, as subsequently amended during the time of Diaz, would be reestablished?

Mr. HOPKINS. It was; it was upon that basis that he gained the adherence of the better classes.

Mr. KEARFUL. And also gained the sympathy of the American people.

Mr. HOPKINS. Most decidedly.

Mr. KEARFUL. The very name of the movement was a catchword, indicating that as the fundamental basis of the revolution, as they understood it, was it not?

Mr. HOPKINS. The very name adopted by the revolutionists indicated its purpose.

Mr. KEARFUL. What was that name?

Mr. HOPKINS. The Constitutionalist Forces, Ejercito Constitucionalista. You will understand, in this connection, from the name adopted, that Carranza evidently as far back as 1914 had the idea of perpetuating himself in power. No one dreamed of it at the time, but now we can see it all. He refused to establish a provisional government, and even the paper money issued by his authority bore no other obligation than that of the Constitutionalist Forces, of which he was the first chief. He adopted that means in order to avoid any semblance of conflict with the principles of "no reelection," which was the symbol of the previous revolution led by Madero

against President Diaz. He believed that, upon the triumph of the revolution, instead of being provisional president, by continuing his power as first chief, he might seek election, and thereby hold office for a further period of four years. It was with that end in view, that upon the triumph of the cause in August, 1914, he soon thereafter assumed the powers of the government, styling himself "first chief of the Constitutionalist Forces, encharged with the executive power," notwithstanding the plan of Guadalupe, which was the basic plan of the revolution, required him to assume the provisional presidency. Subsequent events have shown his true motive.

Mr. KEARFUL. You mean the provisional presidency under the constitution?

Mr. HOPKINS. The provisional presidency for the purpose of calling an election.

Mr. KEARFUL. Under the constitution?

Mr. HOPKINS. Yes, sir; and under the plan of Guadelupe also. Subsequent events have shown why he adopted that policy.

Mr. KEARFUL. To what events do you refer?

Mr. HOPKINS. His actions during the last three years, looking to his continuance in power beyond the constitutional period, and in violation of the spirit of the Mexican constitution, thereby inviting revolution.

Mr. KEARFUL. What acts have you in mind?

Mr. HOPKINS. The removal of constitutionally elected governors of the several States; the use of the military in browbeating the people; the naming of military governors in States where the people were entitled to elect them; the use of the military for electioneering purposes, and the inauguration of a generally unsettled condition from one end of Mexico to the other, hoping thereby to bring about a state of things that would enable him to either declare an election impossible or to nullify such election as might be held, in order that a subservient congress might name him as president ad interim to compose matters.

Mr. KEARFUL. Do you regard the government of Carranza as a success in the reestablishment of peace and order throughout Mexico.

Mr. HOPKINS. His government has been a ghastly failure. He had every opportunity possible under the circumstances, but cast every chance to the winds, thinking only of his own political future and ambition for power.

Mr. KEARFUL. In what respect has it been a failure?

Mr. HOPKINS. He has neither complied with his promises, pacified the country, or inaugurated the reforms demanded by the people.

Mr. KEARFUL. Has he complied with any of the governmental international obligations?

Mr. HOPKINS. It is one of the greatest problems in Mexico to-day, one of the problems that has done more to excite the people against him than any other thing. In fact, it is one of the bases of the present revolution against his authority.

Mr. KEARFUL. What has he done, if anything, towards the discharge of the financial obligations of Mexico?

Mr. HOPKINS. Absolutely nothing.

Mr. KEARFUL. It is stated that the revenues under the Carranza rule have been very much larger than they were under the rule of Porfirio Diaz.

Mr. HOPKINS. I have been given to so understand.

Mr. KEARFUL. What, if you know, has been done with those receipts, since no international financial obligations have been discharged?

Mr. HOPKINS. No one knows. That is one of the reasons that the people are demanding his exit at the present time.

Mr. KEARFUL. What, if you know, has been his attitude toward foreigners and foreign interests in Mexico, especially Americans and American interests during the past three or four years?

Mr. HOPKINS. As a general proposition his attitude has been one of hostility.

Mr. KEARFUL. Do you know how he has manifested that?

Mr. HOPKINS. He has failed to give adequate protection; he has not permitted development that only foreign capital extends.

Mr. KEARFUL. Have you ever heard Luis Cabrera express his sentiments with respect to Americans operating in Mexico and their property?

Mr. HOPKINS. No, I never have, personally.

Mr. KEARFUL. What, if you know, are the fundamental bases of the present revolution in Mexico, which originated in the State of Sonora some time ago?

Mr. HOPKINS. The people of Mexico generally have been in a great state of unrest for a lengthy period, due to the administration of public affairs by the Carranza government, which has complied with none of its promises or obligations and which apparently has had for its only object the vesting of power in Carranza himself and his continuation in office. The climax came when Carranza sent for Ignacio Bonillas, his ambassador to Washington, and named him as the candidate of the Civilista party for the presidency, that party being without membership or support of any kind, save by three or four gentlemen of Carranza's political family.

There never was such a thing heard of in Mexico City. That aroused a greater ill feeling than ever. And when Carranza, in order to rivet his hold upon the situation, initiated a movement looking to the military occupation of the State of Sonora, in order to do away with the authority of the State government, and remove the constitutional governor, the people of the State as a body rose up in arms, with the result that the legislature adopted a resolution suspending relations with the Federal Government until such time as their sovereign rights might be restored and respected.

Mr. KEARFUL. What, if you know, is the attitude of the leaders of that revolution toward foreign operators in Mexico, especially Americans?

Mr. HOPKINS. The leader of that revolution against the Carranza government is Gen. Alvaro Obregon, of the State of Sonora, who was Carranza's principal military chief during the revolution in 1913 and 1914. He formerly commanded the army corps in the northwest, and participated in the taking of Mexico City in August, 1914. Since he announced his candidacy in numerous speeches he has denounced the Carranza government because of its attitude toward foreign governments and toward foreigners, claiming that it is the duty of Mexico to accord that same treatment to foreigners which Mexico receives in other countries; also that it was the duty of the Mexican Government to respect all vested rights, and that if he were elected president he would guarantee that all rights acquired previous

to the adoption of the 1917 constitution would be in every way respected. In numerous other respects Gen. Obregon has shown an absolutely sane appreciation of the duties of the country, as well as its international obligations, asserting that it was absolutely essential that Mexico cultivate by all means the friendliest relations with her neighbors, and not to be constantly annoying them.

Mr. KEARFUL. Are the followers of Obregon in full accord with him in those sentiments?

Mr. HOPKINS. Absolutely; in every respect.

Mr. KEARFUL. Do you believe that Obregon and his followers in the new revolution are sincere in the expression of their sentiments?

Mr. HOPKINS. I most assuredly do.

Mr. KEARFUL. Did you arrive at that opinion from personal contact with them?

Mr. HOPKINS. I did; and I may add that Gen. Obregon's entire career shows him to be a man of singular consistency and tenacity of purpose. He himself can not be described as a politician. He is a farmer, who has never been engaged in politics until comparatively recently. He is supported by the best elements in the country, a good many of whom have been either educated in the United States or who have spent a good deal of time here and have been afforded opportunity to study the science of government and industrial development. These men are solidly behind Obregon.

Mr. KEARFUL. Are you familiar with Mexican history?

Mr. HOPKINS. Reasonably so.

Mr. KEARFUL. Can you recall any instance in the history of Mexico where a military leader has achieved a signal victory and turned over the results of his victory to a civilian chief?

Mr. HOPKINS. Yes; Obregon himself achieved a victory in 1914, and turned the results over to Carranza.

Mr. KEARFUL. Do you know of any other instance in Mexican history where that has occurred?

Mr. HOPKINS. Unless we refer to Gen. Diaz turning over the government to Gonzalez.

Mr. KEARFUL. That was generally understood to be under the hand of Diaz, notwithstanding the four years of Gonzalez.

Mr. HOPKINS. Quite true. Nevertheless, he turned the government over to Gonzalez.

Mr. KEARFUL. And after four years took it himself.

Mr. HOPKINS. Again.

Mr. KEARFUL. Apart from that, is it your understanding that the only instance in the history of Mexico where a military chief turned over the fruits of a signal victory has been that of Obregon when he defeated Villa in 1915?

Mr. HOPKINS. Yes. At that time Gen. Obregon returned to his farm in Sonora and remained there continuously until he began to campaign for the presidency.

Mr. KEARFUL. I believe that is all I care to ask. Is there anything further you would like to state?

Mr. HOPKINS. I do not think so, Judge.

Mr. KEARFUL. I am very much obliged to you.

(Thereupon, the committee adjourned for the noon recess.)

FRIDAY, APRIL 30, 1920.

UNITED STATES SENATE,
SUBCOMMITTEE ON FOREIGN RELATIONS,
Washington, D. C.

The following testimony was taken at Washington, D. C., April 30, 1920, by Francis J. Kearful, Esq., in pursuance of an order of the subcommittee of the Committee on Foreign Relations of the Senate.

TESTIMONY OF WILLIAM WESLEY CANADA.

(The witness was duly sworn by Mr. Kearful.)

Mr. KEARFUL. Will you please give your full name?

Mr. CANADA. William Wesley Canada.

Mr. KEARFUL. Where do you live now?

Mr. CANADA. My home is at Winchester, Ind.

Mr. KEARFUL. What is your age?

Mr. CANADA. Seventy.

Mr. KEARFUL. What experience have you had in the American Consular Service in Mexico?

Mr. CANADA. I was in the American Consular Service in Mexico 20 years, 10 months and a few days.

Mr. KEARFUL. Between what dates?

Mr. CANADA. 1897 and 1918.

Mr. KEARFUL. Was that service continuous?

Mr. CANADA. It was continuous from the time I was first appointed up to the time I resigned.

Mr. KEARFUL. How does that length of service compare with the service of other American consuls in Mexico?

Mr. CANADA. I served longer than any other man in Mexico, as consul.

Mr. KEARFUL. How, if you know, does that length of service compare with the length of service of other American consuls in the whole world?

Mr. CANADA. In examining the record, I think there was one who probably served a few days longer than I did or I served a few days longer than he did, I do not now just remember which. The list of consuls will show.

Mr. KEARFUL. At what point in Mexico were you located?

Mr. CANADA. Vera Cruz, Mexico, the city of Vera Cruz, in the State of Vera Cruz. I also had for a while Fronteras, Salina Cruz, Coatzacoalcos, now the Port of Mexico, Tlacotalpam, and a short time I had Tuxpan, as agent, all reporting to the Vera Cruz consul. Part of that time I was Cuban consul, if that has anything to do with it. I served as Cuban consul until they appointed their own consul,

the request of the Cuban Government and by the consent of the American Government.

Mr. KEARFUL. That was in addition to your duties as American consul?

Mr. CANADA. Yes, sir; in addition to my duties as American consul, the first Cuban consul they ever had there.

Mr. KEARFUL. While you were consul at Vera Cruz did you come in contact constantly with the officials of the Mexican Government?

Mr. CANADA. Daily, almost.

Mr. KEARFUL. State your relations with them in the beginning of your work there, as to cordiality.

Mr. CANADA. Very good. There was no friction. I was able to procure for Americans or Cubans protection in all the complaints that would come in that were proper. Those that were not proper, we usually settled them ourselves before we went to any officials. I was able to get any American out of jail. If he was put in late at night, I would get him out, on my own word. Those that were not bailable I was able to go to the jefe politico or judge and borrow them. I don't know just what that means. They said they would loan them to me, and I borrowed them, in a number of cases that were not bailable.

Mr. KEARFUL. Under your promise to be responsible for their appearance?

Mr. CANADA. I always promised to be responsible for them.

Mr. KEARFUL. And you never failed?

Mr. CANADA. I never failed during the first 15 or 16 years.

Mr. KEARFUL. When, if ever, did those relations change between you and the Mexican officials?

Mr. CANADA. Not until after the first chief, Carranza, had put Huerta out, as we called it. In the last days of Huerta I had some trouble to have my requests complied with, in releasing one or two prisoners whom I had asked for. Then I was told by my Government to take my own plans for it, and I went over the heads of all officials and went direct to Gen. Huerta.

Mr. KEARFUL. Mr. John Lind testified the other day that the only hostility he found in Mexico against Americans was on the part of the supporters of Gen. Huerta. What have you to say in regard to that?

Mr. CANADA. I have a great deal of respect for John Lind, but my experience was different.

Mr. KEARFUL. Was it precisely contrary?

Mr. CANADA. Huerta granted all my requests.

Mr. KEARFUL. What was Huerta's attitude toward Americans prior to the landing of the American forces at Vera Cruz?

Mr. CANADA. Friendly.

Mr. KEARFUL. Did he afford them lawful protection and security?

Mr. CANADA. So far as my jurisdiction was concerned, he did. I could not speak for others.

Mr. KEARFUL. What was his attitude after the taking of Vera Cruz?

Mr. CANADA. Up to the day he left his attitude toward me was correct, but rumor had it that he was very hostile against Americans; not so much against Americans, I think, as it was against the American Government.

Mr. KEARFUL. In particular, against President Wilson, was it not?

Mr. CANADA. Yes, sir.

Mr. KEARFUL. Mr. Samuel Guy Inman, who testified before the committee, made the statement that at the time of the taking of Vera Cruz Gen. Huerta issued an order for the imprisonment of Americans, and that many Americans, including American consuls in Mexico, were imprisoned and were not released until the places where they were imprisoned were taken by the Constitutionalist forces. Is that correct?

Mr. CANADA. I never saw that order. I had heard that some of them were imprisoned. I used my influence for some of them, Jeff Bruce, to get him out. That was in the northern part of Mexico, and I don't know the details or facts in the cases. In the State of Vera Cruz there were no consuls arrested, no consuls molested. The consul at Tlacotalpan and one or two others were held a few hours, but upon my request they were turned loose and came on down to the consulate.

Mr. KEARFUL. Do you remember the circumstance that it was reported at Mexico City to Gen. Huerta that the American forces at Vera Cruz were holding Mexicans there, and that the order which he gave for detaining Americans was by way of reprisal for the detention of Mexicans in Vera Cruz, and that when he found out that Mexicans were not detained in Vera Cruz, he freely allowed the Americans to depart?

Mr. CANADA. I heard of that order, but if he held anybody in reprisal, it was people that were on the road from their homes to Vera Cruz. There were some down on the railroad that were taken off the train at Cordoba, but I wired direct and they were turned loose and allowed to come down. They claimed there was some abuse. They claimed they were abused some. But Americans went and came freely in a short time afterwards. I am speaking of the last days of Huerta.

Mr. KEARFUL. Do you remember the circumstance of the imprisonment of an American physician, named Dr. Ryan, in the interior of Mexico, and his release by Huerta?

Mr. CANADA. Yes, sir.

Mr. KEARFUL. What was that?

Mr. CANADA. I got a cablegram from the State Department that Dr. Ryan was in prison in some town in the northern part of Mexico; I don't remember the name of it, and was to be shot the next morning at 5 o'clock; to procure his release if possible, using my own methods. I went over the heads of everybody and sent a telegram direct to Gen. Huerta. He answered back that he knew nothing about it now, but would investigate and have it prevented, and have Dr. Ryan brought to him and then send him to Vera Cruz. I sent that to the State Department, which seemed to please them, as Mr. Bryan, the Secretary, said Ryan was his personal friend. Dr. Ryan was brought to Mexico City; was sent down to Cordoba, then over to Tlacotalpam, and up to Vera Cruz on a boat, and reported to the consul's office.

Mr. KEARFUL. To your knowledge, did Gen. Huerta, even after the taking of Vera Cruz, show any hostility toward individual Americans or to their property interests in Mexico?

Mr. CANADA. No, sir; not to my knowledge.

Mr. KEARFUL. What circumstances attended the beginning of at change of relations between yourself as American consul and the Mexican officials under First Chief Carranza?

Mr. CANADA. What was the first circumstance that happened?

Mr. KEARFUL. Yes.

Mr. CANADA. Well, Americans were complaining that they had left their property and it was being destroyed; and I would go down and make a protest, and he would promise to send protection and never did so. That was repeated every day or two for months. I would go down and ask that some protection be extended, and he would promise it, but would not give it. If Americans got locked up I would go down and try to get them out of jail or prison, and they would promise me that to-morrow they would see to it. I had his promises, but very few I got out. He would cause newspaper men to be arrested and locked up, as well as individuals. His conduct was that of a person that hated the Americans.

Mr. KEARFUL. Do you remember a banquet that was given in Vera Cruz to First Chief Carranza on October 26, 1914?

Mr. CANADA. Yes, sir.

Mr. KEARFUL. Did you and other foreign consuls attend that banquet?

Mr. CANADA. Yes, sir.

Mr. KEARFUL. Was Carranza present throughout the proceedings?

Mr. CANADA. He was.

Mr. KEARFUL. Who was the principal speaker at that banquet?

Mr. CANADA. Luis Cabrera.

Mr. KEARFUL. What positions has Luis Cabrera held with the Carranza Government?

Mr. CANADA. I am unable to name the different positions which he held, but he was one of the cabinet officers.

Mr. KEARFUL. Do you recollect the speech that Cabrera made at that banquet?

Mr. CANADA. I recollect a part of it. I never will forget a part of it.

Mr. KEARFUL. Can you give the substance of what he said in reference to his attitude and the attitude of the Carranza Government toward the Americans and their property interests in Mexico?

Mr. CANADA. My recollection is that he said the Carranza Government—he was speaking for the Carranza Government and Carranza's attitude. I don't remember that he said it was his personal attitude, but he said that they were going to drive the Americans out, take their property, were not going to allow them to buy any more, and wanted me to tell my Government. He said something similar to the English and Cubans, but not quite so strong, as I remember it, which annoyed the consuls very much. The English and Cuban consuls wanted to leave the banquet, which was about over. The Spanish consul wanted to leave. I whispered to them to remain there until it was over. They remained until the banquet was over and went outside and waited for me. I shook hands with Carranza and Luis Cabrera and congratulated him on his speech, that it was pretty clear and we understood it, and I would tell my Government, as he requested, to the best of my ability, what the policies of the Carranza Government were going to be. I went out and the consuls were waiting for me outside, and we went across to the corner just around by the Mexican hotel. In substance we agreed to write out each one for himself

what he understood the speech to be. Then we would get together and blue-pencil it until we got down to what we thought were the facts. About that time somebody shot a gun off right close to us, and the German consul adjourned. The balance of us walked away. However, we talked the matter over the next day, and it was printed in the papers. My recollection now is they claimed the papers gave the substance of the speech, as well as they could. They had reporters over there. It was the next day, or the next day but one.

Mr. KEARFUL. Did the papers contain a report of the speech as you now have stated it?

Mr. CANADA. In substance.

Mr. KEARFUL. From your observation of the acts of the Carranza Government since that time, have the sentiments expressed by Luis Cabrera at that banquet been carried out?

Mr. CANADA. Yes, sir; and then some, I think; but they were carried out.

Mr. KEARFUL. Did you, subsequent to that time, have any transactions directly concerning Luis Cabrera, in reference to a shipment of gold and silver to the United States?

Mr. CANADA. Yes, sir.

Mr. KEARFUL. What was that?

Mr. CANADA. I received a telegram from the State Department to look out for gold and silver bars. An American came to me and reported that he had come all the way from Salina Cruz on a train that was bringing silver bars to Vera Cruz that had been stolen from an American mining company on the west side; I don't remember that place; that a great number of the bars were on the train. I followed them up and watched them put them in a certain bodega. Thinking that might be the same, I kept watch of it and tried to secure it, but could not. Luis Cabrera sent in an invoice in triplicate—a consular invoice, we called it—which described, as far as weight was concerned, the same weight, but not the exact number of bars. After the ship left I wired the number of the invoice to the United States Government. About two hours after the ship had left and just after I had sent the wire an American came in and claimed that he was hunting for gold bars taken from that same mine. I don't remember the name, but I remember it was at the same place. It was bars he claimed had been stolen by the Carranza people. Not knowing him, and knowing that spies were on the track of me all the time, I hesitated to give him any information until he about halfway convinced me he was who he said he was. All I did for him was, I went and got the original invoice and laid it on the table where he could see it. He took the number of it—standing off to one side, I saw what he was doing—and some other figures from it, looked at it, and did some writing on a piece of paper. I guess it was the numbers, and so on. He was excited and wanted to know how he could get to New York before that ship did. I told him I didn't know; I had no flying machine. Finally I happened to think there was a ship going to New Orleans, and I told him about it. He went out, and I never saw him any more, for that boat was sailing in about two or three hours. Afterwards I learned indirectly that the gold bars were attached in New York on the same number of invoice.

Mr. KEARFUL. Did you receive any complaint from Luis Cabrera with respect to that transaction?

Mr. CANADA. Yes, sir; after the gold bars had been attached in New York Luis Cabrera wrote me a letter wanting to know why I had given out such information. His letter to me will speak better for itself. He told me then who the gold bars belonged to. I think he said they belonged to his Government.

Mr. KEARFUL. Do you have that original letter?

Mr. CANADA. Yes, sir.

Mr. KEARFUL. And a translation of it?

Mr. CANADA. Yes, sir; February 15, 1915; that is when it was.

Mr. KEARFUL. Do you have any objection to putting the translation in the record?

Mr. CANADA. No, sir.

Mr. KEARFUL. It may be inserted at this point.

(The letter referred to is as follows:)

[Translation.]

VERA CRUZ, *February 3, 1915.*

Mr. WILLIAM W. CANADA,
Consul of the United States, Vera Cruz, Mexico.

SIR: Some time ago the department of the treasury, which is under my direction, sent to the United States some silver and gold bars which had been cast by the Mexican Government in the State of Sinaloa.

The companies who said that they were the proprietors of the mines from which the metal came were interested in knowing the date that said bars left Mexico for the United States, to the end of taking judicial action in that country.

As a matter of fact, upon the arrival of the metal in the city of New York we found that an action of replevin had been entered by the interested parties. This action, which we have reason to believe will not win in the long run, was taken, nevertheless, with the deliberate object of politically aiding our enemies, interfering with the use of the values which we had remitted.

Upon our making investigation as to how it was known beforehand in New York about the shipment of the bars, we have found, through private information first, and later through notices published in the press, that it was the American consulate who gave notice of the shipment of the merchandise to New York.

As this notice has caused grievous damage to this Government, I have seen fit to lay same before you, to the end that you will kindly inform me as to what reason the consulate had for giving the telegraphic advice to which I refer. I am,

Respectfully, yours,

LUIS CABRERA.

Mr. CANADA. I think I have a copy of my answer to it.

Mr. KEARFUL. Is this a copy of your answer to Mr. Luis Cabrera?

Mr. CANADA. That is a carbon copy of my answer to Mr. Luis Cabrera.

Mr. KEARFUL. Will you read it into the record?

Mr. CANADA (reads):

VERA CRUZ, MEXICO, *February 5, 1915.*

Lic. LUIS CABRERA, *Vera Cruz.*

DEAR SIR: In reply to your valued letter of February 4, in which you make inquiries regarding information said to have been given out relative to certain shipments, I have the honor to inform you that, while I should be pleased to give you any information, whether positive or negative, with regard to transactions taking place in this consulate, however, as you no doubt understand, I must first be authorized by my Government to do so.

Very sincerely, yours,

WM. W. CANADA.

Such actions as that made me persona non grata with Carranza officials.

Mr. KEARFUL. Did you report the matter of Luis Cabrera's request to Washington?

Mr. CANADA. I did, and sent a copy of the letter.

Mr. KEARFUL. Did you receive any instructions in regard to giving him any information?

Mr. CANADA. I did not, and I never gave him the information he asked for.

Mr. KEARFUL. And the matter was closed then, so far as you were concerned?

Mr. CANADA. I considered the matter closed.

Mr. KEARFUL. Did you know John R. Silliman?

Mr. CANADA. Yes, sir.

Mr. KEARFUL. Who was he, and what was his position?

Mr. CANADA. John R. Silliman was the consular agent up in a northern town called Saltillo. He was locked up, and we used our good offices to get him out. However, he got out; I do not know through what influence, but I believe that the Carranza forces let him out.

Mr. KEARFUL. That was at the time of the taking of Vera Cruz, was it?

Mr. CANADA. Yes, sir. He came down to Vera Cruz, and I sent him home; gave him money to go home on.

Mr. KEARFUL. Saltillo was the home of Venustiano Carranza, the then governor of Coahuila, was it not?

Mr. CANADA. I believe it was. They say that Mr. Silliman used to sell him milk. He ran a dairy farm there, and was well acquainted with him before the revolution. He came to Vera Cruz, and went to the United States, and finally he came back, claiming the President had suspended all civil service arrangements and appointed him consul of the first class, $2,000 grade. He went back up in the interior some place. Carranza came to Vera Cruz and left him behind.

Mr. KEARFUL. He was appointed as representative to negotiate with Carranza?

Mr. CANADA. Yes, sir. That was before Carranza came to Vera Cruz, and before he ever came to Vera Cruz. Carranza came to Vera Cruz and left him behind. I saw one or two letters through which he wanted the United States Government to get him back down to Carranza, that he thought he still had influence with him; and I saw one letter where he told Carranza to watch me, that he did not think I was a very good Carranza man—words to that effect. The Government appointed me as a go-between between the Government and Carranza. You can call it a messenger boy or ambassador, or what you please. I received the dispatches and presented them to Carranza under instructions. Silliman finally got down there, and then he received those dispatches. He was the special representative to Carranza.

Mr. KEARFUL. What was Silliman's attitude toward Carranza?

Mr. CANADA. Very friendly. He always spoke in the highest terms of him. He told me one day that Carranza started his revolution—got on his horse and told him it was going to be the bloodiest revolution that country had ever seen. About that time he was notified—while he was still on a horse—in the start-out it was a revolution against Madero, and he said he got a telegram showing Madero was assassinated, and he said he would start out to avenge the death of

Madero. Whether Mr. Carranza ever said that to Silliman or not I don't know, but Silliman told me that.

Mr. KEARFUL. Was Silliman a strong advocate of the success of Carranza?

Mr. CANADA. Very.

Mr. KEARFUL. Did he appear to have a personal interest in the success of Carranza?

Mr. CANADA. Well, I thought so. He told me one day that if Carranza did not succeed he would lose his beautiful home up in Saltillo. I think that was the town. Anyhow, he built him a fine house up on a little hill up there, and it was mortgaged. He said if Carranza succeeded, he would have no trouble in keeping that fine home.

Mr. KEARFUL. Did you have any information that led you to believe that Silliman was being paid by Carranza?

Mr. CANADA. Mr. Kelly, a clerk of mine, was detailed to get what information he could about him, and to get the facts. He was a brother-in-law to one of Carranza's men. He was a wireless man, I believe. He told me, "You might go out and talk yourself black in the face, and you could not make my brother-in-law or anyone else believe but what he is getting more pay from Carranza than from the United States Government." Then again, after a while he saw dispatches and reports I was going to send in. He would say, "Don't send that in now. That will displease Carranza." And all such talk as that he would get off frequently. Finally, I didn't allow him into my room. I would allow him in the room, but I would not let him see anything that was going on or show him anything.

Mr. KEARFUL. What information, if any, did you have as to whether Silliman was conveying to Carranza confidential matters occurring in your office?

Mr. CANADA. He was.

Mr. KEARFUL. Was that a common proceeding?

Mr. CANADA. Toward the last it was very common; that is, up to the time I quit showing him anything, and up to the time I would not talk to any of the men that was around him all the time, Mr. Weeks, and Mr. Tupper.

Mr. KEARFUL. Henry Allen Tupper?

Mr. CANADA. Henry Allen Tupper. They would come in and try to get me to talk.

Mr. KEARFUL. Do you mean George F. Weeks?

Mr. CANADA. I am not sure of the initials. He was a large man.

Mr. KEARFUL. The testimony before the committee shows he was a Carranza propagandist.

Mr. CANADA. That is what he was.

Mr. KEARFUL. The testimony also shows as to Henry Allen Tupper, that he was being paid by Carranza.

Mr. CANADA. I so considered him, and did not trust him.

Mr. KEARFUL. They were the men with whom Silliman was advising, were they?

Mr. CANADA. Every morning they were the first people in his office. I gave him an office in the building the consulate was in, rooms that I had control over. Mr. Silliman and I got to be very unfriendly. I would not follow his instructions and it seemed to peeve him.

Mr. KEARFUL. About that time did you receive an annonymous letter threatening your life?

Mr. CANADA. Yes, sir.

Mr. KEARFUL. Did you have any reason to believe that Mr. Silliman knew of the sending of that letter before it was sent?

Mr. CANADA. It might be some reason to me, but I doubt whether it would be a reason to any one else. It occurred on the patio. I said, "Mr. Silliman, I have got a love letter here." He said, "I have been looking for you to get love letters." He said, "Let me see it." I showed it to him. He said, "I have been looking for you to get love letters like that. I am not surprised at it." There were some other words said. I don't remember just what they were now. I didn't show him any more.

Mr. KEARFUL. Did you know Charles A. Douglass, who was employed by Carranza as his legal adviser?

Mr. CANADA. I am not personally acquainted with him. I think I have seen Charles A. Douglass. He was there on one or two trips.

Mr. KEARFUL. Did you receive a letter from Mr. Bryan introducing Douglass to you and commending him to you?

Mr. CANADA. Yes, sir; if that is the Charles A. Douglass; I got a letter from Mr. Bryan introducing Mr. Douglass to me, and Mr. Douglass called once or twice at the office.

Mr. KEARFUL. Is this the letter?

Mr. CANADA. That is the letter.

Mr. KEARFUL. What is the date of it?

Mr. CANADA. February 16, 1915.

Mr. KEARFUL. When was it received at the consulate?

Mr. CANADA. March 4, 1915.

Mr. KEARFUL. Please read it to the reporter.

Mr. CANADA (reading):

DEPARTMENT OF STATE,
Washington, D. C., February 16, 1915.

DEAR MR. CANADA: This will introduce to you Judge Charles A. Douglass, of this city, the local attorney for Carranza representatives in this city. He is visiting Gen. Carranza, and I am glad to make you acquainted with him. If, while he is there, we have any matters to take up with Gen. Carranza, he will be willing, as he is anxious to assist in smoothing out difficulties. I commend him to your confidence and courtesy.

Very truly, W. J. BRYAN.

That was addressed to "W. W. Canada, American consul, Vera Cruz," at the bottom.

I don't think Mr. Douglass ever came into my private office after presenting that letter.

Mr. KEARFUL. Did he have anything to do with the conduct of affairs by Silliman?

Mr. CANADA. He asked me some questions, and from the fact that he was attorney for Carranza I didn't answer his questions or show him anything. Whether or not that conversation chilled him a little or not I don't know. He didn't come back, but he would go directly to Mr. Silliman.

Mr. KEARFUL. What, apparently, were the relations between him and Silliman?

Mr. CANADA. Seeing them on the street, in an automobile together, all that I saw was very friendly. They consulted frequently in his office. At least I have seen him go in the office frequently.

Mr. KEARFUL. Could you give some instances of the futility of protests made against injurious acts committed toward Americans during the time of Carranza?

Mr. CANADA. By Carranza forces?

Mr. KEARFUL. Yes, sir.

Mr. CANADA. I don't believe any of the protests we entered were ever considered. They brought no results. I would notify the department, and they would wire me a dispatch to deliver to Carranza, and he would excuse it in some way. He never complied, never granted any relief.

Mr. KEARFUL. Did you know John Lind?

Mr. CANADA. Yes, sir; very well, while he was there.

Mr. KEARFUL. Do you recollect the time when he was sent to Mexico by President Wilson to deal with Gen. Huerta?

Mr. CANADA. Yes, sir; I went with him at the request of the department.

Mr. KEARFUL. Do you recollect the circumstance, which is a matter of common knowledge, that he presented certain representations to Huerta to the effect that Huerta should eliminate himself by holding an election, at which Huerta would not stand as a candidate, and that Huerta rejected those representations, and then John Lind returned to Vera Cruz?

Mr. CANADA. Yes, sir; I remember that was common conversation.

Mr. KEARFUL. And was reported in the newspapers at the time?

Mr. CANADA. It was reported in the newspapers at the time. I know he came back to Vera Cruz.

Mr. KEARFUL. Did he have his office in the consulate?

Mr. CANADA. Yes, sir; most of the time. He stopped at the hotel a little while, but had his office there all the time. Then he and his wife and family lived in the consulate with me.

Mr. KEARFUL. Did you have occasion to confer with him frequently in regard to the Mexican situation?

Mr. CANADA. Yes, sir. We talked frequently about it in an offhand way, and I heard him talk frequently to others.

Mr. KEARFUL. From your conversations with him what did you conclude as to his conception of his mission to Mexico?

Mr. CANADA. Well, while I have got a lot of confidence in Gov. Lind, I didn't understand it quite as he did the other day. I understood at the time, from the conversations and what printed matter I saw, and what dispatches I read and sent in, that his mission there was—I think I can express best my thought by telling what I heard him say, when he threw his arm up, "Huerta must get out or another revolution." I know it was talked that he must call an election, at which he would not be a candidate. I don't remember that he was to resign and remain there to call an election, but I got it in my head that he was to call an election while he was acting as President, but he should not be a candidate; that he must call an election at once. That was the impression I got from what I heard and read. I never had any other until the other day. I may be wrong about it, but that was the impression it made upon me.

Mr. KEARFUL. After Lind's negotiations with Huerta were broken off, and he was in Vera Cruz with you, what then was his attitude with regard to what should be done in Mexico?

Mr. CANADA. Well, I think his attitude was that of Gen. Huerta getting out or intervention.

Mr. KEARFUL. What was his attitude with respect to Carranza's success?

Mr. CANADA. He believed that Carranza would succeed.

Mr. KEARFUL. Was he a strong advocate of Carranza?

Mr. CANADA. Yes, sir; as I understood it.

Mr. KEARFUL. Do you remember whether he took the position that it was "Carranza or American intervention?"

Mr. CANADA. I think I heard him say that. If he would deny it, I would be in doubt about it, but I think I heard him say it.

Mr. KEARFUL. He admitted on the witness stand here the other day that he had often said that.

Mr. CANADA. Yes, sir. It was said so often I think I could not forget it. I think that is correct.

Mr. KEARFUL. Did he ever state to you the reasons that induced him to believe that the only salvation for Mexico was in the success of Carranza?

Mr. CANADA. Yes, sir; I think he did. I think he was trying to put representatives along with Villa and Carranza, so they would work in harmony.

Mr. KEARFUL. What were his reasons for believing that the salvation of Mexico depended upon the success of the Carranza revolution?

Mr. CANADA. I never knew what his reason were, what he based his reasons on, unless it was instructions for him to do certain things and he was going to do it without any particular reason.

Mr. KEARFUL. Did you get the impression that he went there with instructions to do certain things regardless of conditions?

Mr. CANADA. I got that impression.

Mr. KEARFUL. Did he ever expound to you his theories in regard to the good Mexicans of the north and the bad Mexicans of the south, and that it was desirable that the good Mexicans of the north should conquer the bad ones in the south?

Mr. CANADA. Yes, sir.

Mr. KEARFUL. What is your own opinion about that theory?

Mr. CANADA. Well, my opinion was that the better Mexicans were in the south, a good many of them. They were not all in the north. Probably there were some bad ones there and some good ones in the north, but the good ones in the south predominated, and in the north the bad ones predominated, to my mind.

Mr. KEARFUL. Did you come in contact very largely with the Mexican people in the southern part of Mexico?

Mr. CANADA. Yes, sir; naturally.

Mr. KEARFUL. What opinion did you gain as to the character and quality of those people?

Mr. CANADA. The men in the south that I came in contact with were very peaceable and submissive, industrious, trying to cultivate a little corn, tobacco, and such as they needed, but not very ambitious to accumulate; but they were law-abiding and there was very little crime. Up to the time Carranza came in, I am speaking of.

Mr. KRARFUL. Up to the time he came in with his men from the north?

Mr. CANADA. Yes, sir.

Mr. KEARFUL. John Lind testified the other day that, in his opinion, the influence of American operations in the southern part of Mexico was not beneficial to the natives of the country. What were your observations during your 20 years there?

Mr. CANADA. I could not agree with him. My observation was and I believe that the Americans had a beneficial influence over those of the South; that every time an American came in, it was a benefit to some of the Mexicans; that every plantation they opened up, it was a benefit to the Mexicans; and some of them up to the time they were destroyed were very beneficial to the owners. Some of those plantations might have been a detriment to the people of the North, but every American that went in there benefited the Mexicans in the South. Those stock companies in the United States, selling their stock to school ma'arms, barbers, clerks, poor people up here, some of them lost it all, but the Mexicans got the benefit of it. And the American colonists would come down. They would come down there with their small colonies. There was one between there and Tierra Blanca. I forget the name of it. They opened up a big tract of land in small ranches and commenced to grow vegetables and use scientific methods, use American implements for agriculture. I know in many cases, especially the one next to Tierra Blanca, the Mexicans followed suit, and would go to them for advice. They would raise their stuff and then some one of the colonists would come to town and sell it for all of them and divide up the money.

I know Mexicans were very well pleased that lived in those little places. I was out there a short time; stayed one day on account of a train being late. What was true there, I think, was true of everyone.

Mr. KEARFUL. Were there many such settlements in the southern part of Mexico?

Mr. CANADA. I only know two like that, but there were many settlements where there were small ranches and where they raised cattle and sugar cane. I think the Americans taught the Mexicans how to use tools; taught them how to work; but there was very little ambition in them to save something. I think everyone of those Americans that came down there benefited the Mexicans, especially in that neighborhood, even the tourists.

Mr. KEARFUL. Notwithstanding some of those tourists were very uncouth in their manners?

Mr. CANADA. Some of them would do things I couldn't understand. For instance, they would take their kodak, walk into the governor's house, and kodak his dining table. They wouldn't think of doing that at home. I talked to some of them about it. "Oh, well, we are out for a good time. You fellows pay 25 cents to move a trunk, and we give them a dollar. We got our money changed on the border, and what is it?" They would do things like that; things they would never think of doing at home; people who were perfect ladies and gentlemen at home. There was a few like that, not many.

Mr. KEARFUL. Did you ever hear of any instances of Americans mistreating Mexicans, or oppressing them, or exploiting them?

Mr. CANADA. I never heard of anything of that kind. The only case I was ever called on to investigate by the Government was what they called the La Junta Plantation, Sanborn's plantation. I think Sanborn lived in Chicago. They probably mistreated some

Americans there. They came in there and brought some American colored people and took them down there, and that was the only mistreatment I was ever called on to investigate, and the only complaint that was ever made to me, that I remember.

Mr. KEARFUL. Was that the only mistreatment you ever saw by Americans?

Mr. CANADA. Well, where Americans would mistreat Americans there; that was the only mistreatment I ever saw by Americans.

Mr. KEARFUL. Did you ever see any mistreatment of Mexicans by Americans?

Mr. CANADA. No, sir.

Mr. KEARFUL. Mr. Lind related the other day an instance of the method of getting volunteers which was employed by Huerta, and stated that you called his attention to it at the time. What was that?

Mr. CANADA. The first day he was over there he saw some prisoners on a flatboat, taking them over to San Juan de Uloa. He asked me who they were, and I said they were "volunteers." That was a general expression down there. When a man was arrested for stealing a chicken, or something of that kind, they called them "volunteers." I think I have a recollection of what he was speaking about. Probably he stated it correctly, and probably I used the term "volunteers," but I was not talking seriously about it, and my recollection is they were Yaqui Indians that had been taken over to Yucatan in the henequen fields, and were bringing some of them back. I don't know who was bringing them back, whether it was Madero or whether it was Huerta, but I remember that transaction.

Mr. KEARFUL. He stated that the prisoners passed through at the time he was there, and you called his attention to them.

Mr. CANADA. I don't remember anything about that, only what he said, and I couldn't remember it just as he put it, but I have seen them come through more or less under such circumstances.

Mr. KEARFUL. Do you know whether or not it has always been a common custom in Mexico to draft men who have been convicted of crime into the army?

Mr. CANADA. I understood when they were convicted of stealing something that they gave them their choice, whether they would go to prison or join the army. But that was under Porfirio Diaz's time. After that and under Carranza's time, it seems as though any excuse they could find they would draft them and put them into the army.

Mr. KEARFUL. That same system was employed by Huerta, was it not?

Mr. CANADA. I believe it was.

Mr. KEARFUL. Was the incident that Mr. Lind mentioned an illustration of that system?

Mr. CANADA. I kind of think so.

Mr. KEARFUL. And that term "volunteer" was used by Americans as a sort of witticism?

Mr. CANADA. Yes, sir. I never saw them with a rope around their neck. I have seen them where I think they were tied by the arms, one to another, but I never saw them go through unless it was that party Gov. Lind saw, and I don't remember any rope around their

necks. But they were taken through very frequently in the streets under guard, without any manacles of any kind.

Mr. KEARFUL. What methods were employed by Carranza and his people to get recruits?

Mr. CANADA. Just wherever they could pick them up. They would find out somebody that didn't have anybody to defend him very much, any parents or father, and accuse him of crime, whether he was guilty or not, and put him in prison and start to drilling him, drill him in prison two days, and then send him out, and put him in a uniform and give him a gun. I have heard fellows claim they would even start some kind of a racket to get them together in a bunch, and then Carranza soldiers would get a pot shot at them and take charge of the bunch.

Mr. KEARFUL. Did you ever hear of the system of going onto the plantations and gathering up the young men, promising them opportunities to loot and rob if they would join the army?

Mr. CANADA. The manager of the Forman plantation came to me frequently with that kind of a complaint, and I have no doubt but what that was true. The manager of the Yale plantation, when Dennis left it, said they come and took all of his help. That was close to Tierra Blanca. He couldn't do anything, and he wanted to know what I could do. I said, "I am helpless. I can't do anything with this Government. I try to do all I can, but I am powerless to do anything."

Mr. KEARFUL. Did you mean the Yale plantation?

Mr. CANADA. I don't mean the Yale plantation; I mean the Joliet plantation, from Joliet, Ill. Old man Dennis was the manager. They drove him out. He come in the office. He took a kodak picture of it. I have got it some place. His daughter took it, I believe.

Mr. KEARFUL. The Yale plantation was the one described by Mr. Bryan in his article in the Commoner in 1903 as one of the centers of American civilization in Mexico.

Mr. CANADA. He described it pretty well. I read that, but I didn't see why he didn't describe the Joliet, why he didn't describe the Emery, the Gould, and the plantation of a man from California. They were more or less the same kind of plantations, but they were ruined just the same as the Yale. In fact, I don't know of but two plantations that are doing any good. One of them is the McLane sugar plantation close to Vera Cruz. He is going on and making money. But he had to pay graft every Saturday night to the bandits outside, on the north and on the south. He told me that sometimes he believed they were some of the Carranza soldiers, but he went on and made money. Another was the Candelaria plantation close to Tlacotalpam.

Mr. KEARFUL. Those places you think were well described by Mr. Bryan as centers of American civilization in Mexico?

Mr. CANADA. Yes, sir. I think the description would have fitted many other plantations.

Mr. KEARFUL. And your information is, as I understand you, that the only ones that are still in operation are so by reason of the payment of graft to the officials?

Mr. CANADA. Yes, sir.

Mr. KEARFUL. From your observation up to the time you left there in 1918 was it possible for any business enterprise to continue operation without paying graft to the officials?

Mr. CANADA. No, sir. If you had freight to move, you had to pay graft to get the cars, and then you had to pay graft to these men to move the car somewhere else, and then you had to pay graft again to get the car to come on in. They would always have some excuse why they couldn't go, but a little graft would make the car run all right. In trying to get supplies for the Red Cross, I tried and tried and tried, and finally I found out if we didn't pay the graft we wouldn't get them, and I didn't pay the graft and I didn't get them.

Mr. KEARFUL. The Red Cross supplies were intended for the suffering Mexicans, were they not?

Mr. CANADA. Yes, sir. We had 40 tons of beans and 40 tons of corn. I tried to distribute it in Vera Cruz, and got a booth ready to distribute it the next morning. I had two sacks of beans and two sacks of corn for each one, and Aguilar sent word around not to do it, that they didn't need them. I let it lay in the bodega until it spoiled. I give it out on the sly to women that would come and children. I sneaked it out to them after night, but they only got away with probably 100 bushels of each.

Mr. KEARFUL. This distribution you say you made of that, was it to very needy persons?

Mr. CANADA. Yes, sir. I would see them following carts around and picking up grains of corn and oats and rice off of the street.

Mr. KEARFUL. While Mr. Lind was in Vera Cruz, did you observe as to whether or not he was engaged in dealing with the Carranza revolutionists?

Mr. CANADA. I thought he was. That is, there were people coming there that we understood were coming in the interest of Carranza, and they would hold conversations in the room. They were the class of people that visited him, and that was one of the reasons why I believed that.

Mr. KEARFUL. That was during the time that Huerta was still in power at Mexico City, and while Lind was living in Vera Cruz, under the protection of Huerta, was it?

Mr. CANADA. Yes, sir. I think Mr. Lind left before Huerta was put out.

Mr. KEARFUL. He left before the taking of Vera Cruz, did he not?

Mr. CANADA. Yes, sir. Since he testified, I think he left in March, and the taking of Vera Cruz was on the 21st of April. I happened to see a document that refreshed my memory.

Mr. KEARFUL. There was a letter referred to in his testimony with respect to his transactions with Hall, written by him about the time he left Vera Cruz, I think April 7. Does that indicate to you about when he left?

Mr. CANADA. The letter was dated April 7?

Mr. KEARFUL. April 5 or 7.

Mr. CANADA. He left the next day. He was aboard the ship then, aboard the yacht *Mayflower*. So that indicates the date.

Mr. KEARFUL. He was examined at some length with reference to his dealings with this man Hall and a Mexican colonel named Martinez, in conjunction with Consul General Arnold Shanklin, Mexico City, and he testified in substance that all he knew about it was that they were there to get some supplies to relieve the sufferings of the Zapatistas in Morales. What do you know about that transaction?

Mr. CANADA. The first I knew there was anything of that kind, I got a telegram from Shanklin in code, to have the consular door open, I think he said at 9 o'clock, to receive Hall and the colonel. That is the first I knew there was any arrangement of that kind. I made the remark to the clerk, asking him how he thought they had a right to order me to keep the office open, which was something I didn't know anything about. Mr. Lind was standing back of me. I didn't know it. He spoke up and said, "I know all about it. I will explain it to you. That is the only thing I ever kept away from you." That is the first knowledge I had. When they arrived they were much peeved because Lind had left the consulate and went aboard the ship and would not come ashore to see them. They sent out that night for him but he wouldn't come. All I know about it was what Hall told me the few days he stayed there, except one letter from Lind after he had reached Washington, probably in answer to one of mine, he told me something about it.

Mr. KEARFUL. What did Hall tell you in reference to the matter?

Mr. CANADA. May I state that Lind said they had a code, and the letter that probably you have got explaining the code. That was all that Lind said, as I recall, personally, except in writing. Hall told me that Lind had promised to take him on the boat with him to Washington. I am only repeating what Hall said. I am not saying I believe it, but I am repeating what Hall said. He said they were going there to get $50,000.

Mr. KEARFUL. Did he say that Lind had promised to get $50,000?

Mr. CANADA. He said "they." He said Lind was going to take them to Washington and "they" were going to arrange to get $50,000.

Mr. KEARFUL. For whom and for what purpose?

Mr. CANADA. It was for Zapata brothers. The purpose of it I never come to any definite conclusion on, what they meant to do with it. He told me they were offered from the State Department $50,000 worth of Red Cross supplies.

Mr. KEARFUL. What sort of supplies?

Mr. CANADA. I don't know what they were, but I suppose it was bandages and medicines. That is what I understood it to be at the time.

Mr. KEARFUL. Medical supplies?

Mr. CANADA. Yes, sir; provided they could be gotten to Zapata.

Mr. KEARFUL. At that time a portion of the railroad was torn up outside of Vera Cruz, was it not?

Mr. CANADA. Yes, sir. I got most of that information in a letter Mr. Hall had from Lind. He stayed there quite a while, and they wrote back and forth. He left Hall and the colonel there, and Hall had confirmed what I had found in that letter, where they would send him the supplies, which didn't suit him very well.

Mr. KEARFUL. Did they get the supplies?

Mr. CANADA. Not that I know of.

Mr. KEARFUL. Did they refuse to take the supplies in lieu of the money?

Mr. CANADA. They told me that they were not satisfactory, that they needed the money. The colonel grew very abusive and offensive. He was inclined to blame me for Lind not being there, and wanted me to get him aboard the battleship, claiming he was in imminent danger. I was very suspicious again, and thought they

were both spies, as far as I was concerned, and didn't treat with him, and told him he would have to get out of the consulate or I would call the officers and let them take him. I allowed him to stay until the correspondence went back and forth from the department, and they wrote Mr. Hall a letter and told him he was embarrassing the consul and might embarrass our Government, and that he had better come on to the States, and they would pay the way of the colonel to the States, but would not do anything for him after he got there, but the colonel didn't want to go.

Mr. KEARFUL. Did Lind say anything to you about having an arrangement with Mr. Shanklin regarding this matter?

Mr. CANADA. Except what he said in the letter.

Mr. KEARFUL. This Col. Martinez, was he supposed to be a colonel in Huerta's army?

Mr. CANADA. He told me he was and opened his trunk and showed me his uniform. He convinced me that he had been, and was now off of the pay roll and was working for Zapata. He told me he had a power of attorney from Zapata and could do anything with Zapata he wanted to.

Mr. KEARFUL. Did he show you the power of attorney?

Mr. CANADA. I don't remember that he did. I gave him until dark to get out one day, and told him I could do anything I wanted to with him after he got through there. That was 2 or 3 or, rather, 23 times, or something like that.

Mr. KEARFUL. Did you gain an understanding as to what Zapata was going to do; what they were arranging for Zapata to do?

Mr. CANADA. Mr. Hall gave me one kind of an understanding and when I got through with the colonel he would give me another. I never come to a definite conclusion as to what they did intend to do. I wrote Gov. Lind that I thought the colonel was a spy. He answered back that when we both come to the same conclusion it was usually correct. Now, I don't know what he meant by that.

Mr. KEARFUL. Do you know anything about the continuance of the arrangement, whatever it was, after Lind left, between the colonel and Arnold Shanklin?

Mr. CANADA. No, sir. I know that Hall got to the States and came back. Before he landed I received a telegram telling him to remain in Vera Cruz; that it was reported to the department that it would not be safe for him to go to Zapata. I sent word to Mr. Hall about that, and he wouldn't come after it, but sent a man after it, who got very abusive because I hadn't treated him as well as he thought I ought to. He got it, and he remained there a while and finally went up to Mexico.

Mr. KEARFUL. Mexico City?

Mr. CANADA. Mexico City, and there I understood he was on the pay roll of the United States Government as a representative to Zapata.

Mr. KEARFUL. What circumstance led you to believe that he was employed by our Government as a representative to Zapata?

Mr. CANADA. He told me so himself when he came back. The first I heard of it some one was speaking about him, and told me they had seen him have a Government draft and cash it in Mexico City. Then when he was up there, after that, he said Zapata wanted him to go over to Oaxaca, and he said I had been right and he wanted

to apologize for what he had said and the way he treated me when he was first there. I said, "Mr. Hall, forget that. I was doing my duty, and I guess you thought you were doing yours." He wrote some letters to some man in the Treasury Department. I had a copy of them. He said, "I am out of money." I said, "There is a table back there where they put stuff on to eat three times a day, and a bed." I asked permission to send him home. I told what he had said. I was instructed to send him home. I had instructions to buy a ticket as far as I could and to give him no more money than would buy a ticket to his home. I talked of some place in the western part of the country. I made all arrangements for him to go, and he said that wouldn't take him to Washington. I said, "I am sending you home. I have no orders to send you to Washington." But he got to Washington. He wanted to know why I didn't send him there.

Mr. KEARFUL. Did you know anything about secret messages between Shanklin and Lind and between Lind and Hall at the time Lind was in Vera Cruz?

Mr. CANADA. Yes, sir. Some one brought letters. I didn't know who they were. They said they were secret messages by Shanklin to Lind, and I think one come in there after Shanklin had gone back. Several letters passed back and forth by special messengers. When Shanklin was up there he wanted to be sending secret messages, and he did it, and we sent them for him. I don't remember who they were to.

Mr. KEARFUL. Mr. Lind presented the committee with an address by the President, delivered to Congress on August 27, 1913, in which the President dealt with the negotiations between Lind and Huerta, after they had been broken off, and used this language:

> We should earnestly urge all Americans to leave Mexico at once, and should assist them to get away in every way possible, not because we would mean to slacken in the least our efforts to safeguard their lives and their interests, but because it is imperative that they should take no unnecessary risks when it is physically possible for them to leave the country. We should let everyone who assumes to exercise authority on the part of Mexico know in the most unequivocal way that we shall vigorously watch the fortunes of those Americans who can not get away and shall hold those responsible for their suffering and loss to a definite reckoning. That can and will be made plain beyond the possibility of a misunderstanding.

Following that address of the President did you receive a message from the State Department to give a notice in substantially those terms?

Mr. CANADA. Yes, sir; that they were to be held personally responsible. I was to deliver that to all officials, military or civil officials. If they changed their officials, I was to go and tell the new ones. I presented copies of the telegram verbatim that was sent to me to the officials.

Mr. KEARFUL. Do you know whether similar instructions were given to other consuls in Mexico?

Mr. CANADA. I understood it was given to all. It gave a lot of hope to a lot of people there and caused them to hang on until they lost everything. It caused a lot of people that had little homes to remain there and try to hang on to them.

Mr. KEARFUL. That sentiment was made plain beyond the possibility of misunderstanding, was it?

Mr. CANADA. To me it was, and I thought it was made plain to everybody. Lots of them understood it that way.

Mr. KEARFUL. Do you know of any reckoning, definite or otherwise, to which any of the Mexican officials, civil or military, have been held for the sufferings of those Americans who did not or could not get away?

Mr. CANADA. Not one. There were one or two aggravated cases, which was reported, and the result was a protest from the department to be delivered to the officials.

Mr. KEARFUL. What was the advice given by Lind to Americans who had suffered from the acts of the Mexican authorities?

Mr. CANADA. I never heard him give any definite advice. I heard of it. He would usually pacify them by telling them such things happened in time of war, could not be prevented, there had to be somebody suffer. Silliman justified it on the ground that in the South the Yankee soldiers did the same thing to the Southern people, and on those lines they seemed to justify it, both of them. I think I heard Lind say once, "It is better to give a little graft. Probably you will get what you want. If it will pay you to do it, you had better give a little money than to have your property destroyed." I remember hearing that once, I think.

Mr. KEARFUL. Do you remember any notice, subsequent to the one just mentioned, that was sent out to Americans in Mexico to get out of the country?

Mr. CANADA. We got orders two or three times. The last one was a stampede. I think I have got it written up there.

Mr. KEARFUL. What arrangements was made by the American Government for the passage of Americans out of the country?

Mr. CANADA. They told me to pay their way, and draw on the department to reimburse myself. They sent a transport on one occasion upon which seven hundred or more people went. Then they sent a transport on another occasion. I suppose two or three thousand people went all told, but they just kept going out on the boats. One boat, I think, took eight hundred or more to Ne Orleans. Then they filled up another one, I don't remember, I have a record of it somewhere. Then we would get track of another boat. I think I sent out three or four thousand people.

Mr. KEARFUL. Did those people, as a rule, have to leave their places hurriedly and without provision for their passage?

Mr. CANADA. Nearly all of them had to leave hurriedly and lost all they had. The rich people got along and made money and staid, but the poor people lost everything they had.

Mr. KEARFUL. How was the rich man able to make money?

Mr. CANADA. Like the Lawrence sugar plantation. They were always in operation making sugar. They could pay graft and still go on. I presume it was more or less that way with a great many others, they could go on and make money; by paying graft they were permitted to operate, but the little farmer could not do it.

Mr. KEARFUL. How was it in the case of the members of the American colonies? You were speaking about the ability of the rich concerns to carry on business?

Mr. CANADA. They were carrying on business, and that is the only way they could do it. But as to the American colonies, the small man lost everything he had and was driven out, feather beds

ripped open, furniture broken up, houses torn down, and everything they had was destroyed. I think there were six or seven hundred of them reported in there, and they got them out.

Mr. KEARFUL. What sort of transportation were you instructed to provide for these people who were ordered out without the means of travel?

Mr. CANADA. My instructions were to give them steerage passage or cheaper, give them the cheapest passage possible.

Mr. KEARFUL. What class of people were these Americans for whom that provision was made?

Mr. CANADA. Just as good people as we have, as far as I know, only they were poor, and I guess that is no disgrace.

Mr. KEARFUL. As a rule, were they poor until they were forced to get out of Mexico in a hurry?

Mr. CANADA. Well, they were poor when they came there, because all they had they put in a few acres of ground and some implements and household goods, and they didn't have much money left. They were living from crop to crop. A man went down there with five or ten or fifteen thousand dollars, and he would put most of that into the agricultural business, and he has been ruined.

Mr. KEARFUL. Did you consider it a just and humane proceeding to force those people out of Mexico without previous notice, with their families and children, and not provide them anything more than the class of transportation which you said was to be "steerage or cheaper"?

Mr. CANADA. I will have to confess that I did not. I would rather have spent a hundred times the money than to have seen them go out in the way they did.

Mr. KEARFUL. What was the attitude of Gen. Huerta toward sending out American in those cases?

Mr. CANADA. I was embarrassed quite a good deal by his attitude. The Americans were generally complaining about taking the treatment they had to, when they had been in the habit of riding on first-class passage. Gen. Huerta sent an order down there to get them first-class passage. The collector of the port down there offered it to them, and some of them took it. I talked to a good many and told them it humiliated me to see the Mexican Government paying their way out, and I couldn't help it, and if I was them I would walk out before I would accept it. One or two fellows didn't go. They got a little patriotic themseleves.

Mr. KEARFUL. Did you consider that they had much inducement to feel patriotic toward the administration of the American Government?

Mr. CANADA. Well, as a member of the Government, and as they made it, I thought they had; that is, in the past. I was not holding any brief for the present one at that time.

Mr. KEARFUL. You did not, yourself, give expression to any criticism of the Government.

Mr. CANADA. Oh, no. When a man holds a public office he is nothing but a public servant, and I never criticised anybody holding a public office until I know what circumstances prompted them to act. Under the circumstances I might do the same thing myself.

Mr. KEARFUL. When did you quit your post in Mexico?

Mr. CANADA. I resigned in November, and I got up here in April, the 1st of April, a year ago.

Mr. KEARFUL. 1919?

Mr. CANADA. 1918.

Mr. KEARFUL. What was the reason for your resignation?

Mr. CANADA. Well, the humiliation. I was being asked to accomplish what I used to do there, and I couldn't get relief for Americans like I had in the past. I couldn't get the relief under the Carranza administration, through Col. Aguilar, that I had in the past, and I couldn't accomplish anything. And then Silliman came down and made it worse for me; and others came down, and it got so humiliating I had to resign. I believed that the State Department knew of the troubles there, especially after I had seen Mr. Lansing's indictment, some time in 1915 or 1916.

Mr. KEARFUL. That was June 20, 1916.

Mr. CANADA. That gave me to understand that our Government knew at least a part of what was going on, and the dispatches we would get and telegrams to look after Americans, and we couldn't do anything, and there was nothing left for me to do but get out, because I believe I built up—I may be mistaken about it—but I believe I built up a fair reputation, and I could see where it was only a question of time until I would be trapped in some way and spoiled.

Mr. KEARFUL. Trapped by whom?

Mr. CANADA. The Carranza people. I know that Silliman tried to have me removed two or three times; but I will have to say that Lansing and the State Department—I never was treated better from McKinley on down than I was by this State Department personally. They never reprimanded me for anything, but sent me bouquets sometimes. I tried to get Carranza and his government and officials to comply with the requests made by the State Department, and when I was unable to do it, I resigned.

Mr. KEARFUL. What traps were laid for you that you knew about?

Mr. CANADA. Well, they were trying to get into my personal files, and they did succeed in getting into them sometimes; they sent people up there that I happened to know, on account of my long acquaintance, that were against me. They talked for me and wanted to get me to talk. I was told by one party or another about that. And I even heard it reported that Bonillas complained to the State Department that I tried to blow up a battleship. That is one of the things the State Department defended me for very strongly. Lansing told Mr. Bonillas to furnish the proof or quit knocking Canada. They tried many things. I was told by one man, and I believed him, that a woman was to come to me with counterfeit money and good money, and get me to change the good money, and go back and tell them I gave her the counterfeit money. That I would have done if she had come with the money. There are lots of ways they can trap you. They are pretty slick at that. Then I suppose they would have made a real charge against me.

Mr. KEARFUL. Passing counterfeit money?

Mr. CANADA. Passing counterfeit money.

Mr. KEARFUL. Is the man who told you that present in this room at this time?

Mr. CANADA. I don't know. I don't see him. I am rather inclined to think he is.

Mr. KEARFUL. If you will look around, perhaps, you will see him.

Mr. CANADA. He was here. The man that told me that never told me a lie in his life that I ever caught him in, or misrepresented anything that I ever found out, and I believed him.

I have many others on the same line. Some detectives tried to get me to go out to another place and spend 10 days' vacation; said I needed it, and I did. One of them was pretty honest. There were three of them. He said, "Don't go. They are going to rob you and get your files and show what you have been sending in against Carranza." I had a great many friends among the Mexicans. They wouldn't hang together. Sometimes they would tell on one another. That was told me, and I didn't go.

Mr. KEARFUL. Were those men in the employ of Carranza, or were they employed by the American Government?

Mr. CANADA. Two of them were employed by the American Government.

Mr. KEARFUL. Under whom were they operating?

Mr. CANADA. I suppose under the authority of the American Government. I always thought so. I don't know personally.

Mr. KEARFUL. What department?

Mr. CANADA. I thought probably the Department of Justice.

Mr. KEARFUL. Were they accredited as secret-service men?

Mr. CANADA. Not that I know of. I suspected they were secret-service men, and afterwards I believe they said they were. My Government never notified me anything about it.

Mr. KEARFUL. What have you had occasion to observe with respect to the influence of the Catholic Church upon the Mexican people?

Mr. CANADA. It had a good influence in Vera Cruz and the surrounding vicinity. I am not acquainted beyond that.

Mr. KEARFUL. Can you elaborate that a little with respect to what you observed?

Mr. CANADA. Well, I think it had more effect on the women than on the men. It seemed to make the women pretty good citizens, and they were very devoted to the church.

Mr. KEARFUL. Did you observe whether the church had any influence in political affairs?

Mr. CANADA. Not that I ever saw or knew of.

Mr. KEARFUL. Did you observe as to whether the peons were mistreated by the church dignitaries?

Mr. CANADA. I never knew of a case.

Mr. KEARFUL. Did you ever know of their being oppressed by the priests?

Mr. CANADA. Not down in Vera Cruz, I didn't. I didn't have any personal knowledge of it anywhere. I know the Carranza soldiers took the churches in Vera Cruz and made barracks of them. The Catholic sisters finally some way got them to move out after a few weeks.

Mr. KEARFUL. Did you have occasion to observe the attitude of the Carranza soldiers toward the priests and the nuns?

Mr. CANADA. I didn't observe anything. I saw some priest there I think as waiter in one of the hotels in disguise. I was told he was a priest, and I believed it. Several of the nuns were down there. I usually turned them over to Father Joyce.

Mr. KEARFUL. Who was Father Joyce?

Mr. CANADA. He was a chaplain in the Army or Navy.

Mr. KEARFUL. Of the American forces?

Mr. CANADA. Yes, sir; as I understood it.

Mr. KEARFUL. What were the nuns you say you turned over to Chaplain Joyce?

Mr. CANADA. I didn't see them. They were sent in, and I would write a letter and tell them to take it back and go to Father Joyce with it.

Mr. KEARFUL. What were they doing that for?

Mr. CANADA. I understood they were in hiding, but that was only my understanding.

Mr. KEARFUL. Had they come from other parts of the country?

Mr. CANADA. Yes, sir.

Mr. KEARFUL. As refugees?

Mr. CANADA. Yes, sir.

Mr. KEARFUL. Did you know or notice the condition of any of them at the time?

Mr. CANADA. Only one. I am not sure she was a nun. She told me she was.

Mr. KEARFUL. What was that?

Mr. CANADA. Well, I think she was in the family way. I think I saw one here yesterday that went through Vera Cruz. I was so impressed with the fact that I asked her, and she said, yes, she did.

Mr. KEARFUL. That was Mother Elias, who testified yesterday?

Mr. CANADA. Yes, sir. She went out through Vera Cruz.

Mr. KEARFUL. What do you think is the trouble with Mexico?

Mr. CANADA. Well, the trouble with Mexico is rather serious. We can't do anything to try to bring about peace. They won't hold together. The trouble is they all want to be jefes, or bosses. They hang together a while, and then separate and start another revolution. But I like the people of Mexico, those that were not in the army as volunteers, and those that were not natural born thieves and can't help it—kleptomaniacs.

Mr. KEARFUL. Does that embrace a large majority of the people.

Mr. CANADA. I think about 80 per cent more or less are good people. I think Mexico is being controlled by about 2 per cent, and probably that is what is the matter with her.

Mr. KEARFUL. Do you think a large majority have the potentialities of good citizenship if they had a chance?

Mr. CANADA. I think they have. You take the children, they are bright as a whip, until they get to be 12 or 14. Some of them I know that have been sent to the States, that got good educations here and it made good citizens of them.

Mr. KEARFUL. Do you think a large majority of the Mexican people are industrious and peacefully inclined?

Mr. CANADA. In the southern part. I don't know anything about them in the north.

Mr. KEARFUL. What do you think ought to be done to give those Mexicans an opportunity to become good citizens?

Mr. CANADA. Well, I don't think my opinion would be very popular. I had better not express it. There are two or three plans that have been proposed. Mr. Wilson had a pretty good plan.

Mr. KEARFUL. Henry Lane Wilson.

Mr. CANADA. Henry Lane Wilson. That is one step in the right direction, but I fear you will have to take another step.

Mr. KEARFUL. His plan was to go in and pacify the northern part of Mexico, and make an arrangement with the Mexicans whereby a protectorate might be established?

Mr. CANADA. Yes, sir; that was his plan, to make a buffer State there, but that reminds me of the story of a Dutchman who had a fine dog, and he thought the world of it, and he wanted a short-tailed dog, and didn't want to hurt him, so he cut off an inch every morning. I think if you take that step you will have to take another one and another one. Armed intervention is the only remedy that I can see. There may be others, but I don't claim to be able to see through a brick wall. I don't want to see our country take Mexico and keep it, but treat it something similar to the way we treated Cuba, and I think that would be a Godsend to Mexico, and I think 80 per cent of them are praying for it.

Mr. KEARFUL. Do you think they would cooperate with us in establishing good government?

Mr. CANADA. They were coming to me in Vera Cruz, because they had confidence in me. They wanted to know why we didn't do anything, wanted to know if we were afraid to fight. "Come on in and we will help you." One man, who had been a commander under Porfirio Diaz, told me they would flop to us quicker than they ever did to Gen. Scott. All such expressions as that. It was the class of Mexicans that want to go on and do business and have peace, that was not in the army, what I call the better class of Mexicans.

Mr. KEARFUL. Mexicans of any particular blood?

Mr. CANADA. Very few of them were Indians. I only remember one case of Indian. It was mixed blood, white Spanish blood mixed with Indian, school ma'ams, professors in colleges. One was the mayor of the town. He told me after the troops had gone out that when they came in he would have killed them all if he could. The expression he used to me was "I would pull off my toe nails and finger nails to try to hold them here, if I could do it by such a thing. It is the first time we have ever had in Vera Cruz clean streets or felt safe, where men who had their business would not be robbed."

Mr. KEARFUL. Did you have such expressions of sentiment from all classes of Mexicans?

Mr. CANADA. I couldn't say that. They didn't all trust me, didn't know me well enough, but pretty near all classes. That was the expression I got from at least 80 per cent of them. One man had been a congressman. He lived across from the Diligencia Hotel. He told me that he thought 90 per cent of the Mexicans would submit right away and would not fight us; that he thought they would fight us in the mountains, bushwack a little, some of them. He was a man I had a lot of confidence in. Then there was a Mexican gunboat captain told me the same thing, some time when he was in the office.

Mr. KEARFUL. Did you receive that expression of sentiment from the intellectual class, the middle class, and the laboring class?

Mr. CANADA. Yes, sir; and even from one that was in the army—Carranza's army.

Mr. KEARFUL. An officer in the army?

Mr. CANADA. He was holding some kind of a position. He said, "We can't do anything down here. The States have got to do it; and for God's sake why don't you come and do it, and be done with it?" Those were the words he used.

Mr. KEARFUL. What were the conditions in Vera Cruz as to sanitation at the time of the landing of the American forces there?

Mr. CANADA. It was not as good as it was shortly afterward. The streets were filthy and in dirty condition, and outside the hotels were in very bad condition, flies swarming all around. Our troops came in and cleaned it up, and put it in sanitary condition. It was equal, I think, to any city in the United States, and especially more so than Chicago.

Mr. KEARFUL. Was Vera Cruz before that infested with mosquitoes?

Mr. CANADA. Mosquitoes and buzzards were the scavengers, and after the Yankees came in you would have to get a search warrant to find a buzzard, unless he came in trying to roost. They soon starved them out.

Mr. KEARFUL. Was it generally understood that the buzzards were the scavengers of the streets?

Mr. CANADA. Yes, sir.

Mr. KEARFUL. Did you ever have occasion to observe a fight between buzzards and dogs in the street over garbage?

Mr. CANADA. Yes, sir; and I have seen buzzards go up and examine a live mule, thinking he was dead, to see whether it was time to commence. I saw a cat thrown out of the second story of one building. It wasn't quite dead, but the buzzards came and waited until it quit kicking, and then they got busy.

Mr. KEARFUL. You say the streets were cleaned up to such an extent by the Americans that the buzzards had to leave?

Mr. CANADA. They were scarce. They would come back to roost on top of the church sometimes.

Mr. KEARFUL. Did Vera Cruz revert to its former unsanitary condition after the Americans left?

Mr. CANADA. Yes, sir. They took all the screens down from the meat market, they didn't clean out the hotels any more, they didn't clean the streets, they destroyed the tin cans the Americans had to put the garbage in, and box cars and troop trains that came in there would drive a dog off of a garbage wagon; in fact, it went back to a worse condition than it was when old Huerta was there.

Mr. KEARFUL. Did the buzzards come back?

Mr. CANADA. Yes, sir; a few saluted me when I left.

Mr. KEARFUL. Does anything further occur to you that might be of interest to the committee?

Mr. CANADA. No, sir; I have no story to tell. If there are any further questions I will try to answer them.

Mr. KEARFUL. We are very much obliged to you.

(Thereupon, at 12.30 o'clock p. m., the committee adjourned until 2 p. m.)

REPORT OF S. D. LESTER.

APRIL 28, 1920.

Senator ALBERT B. FALL,
Chairman Subcommittee on Foreign Relations
to Investigate Mexican Affairs.

GENTLEMEN: Pursuant to instructions from the committee, I began my investigation of affairs in Mexico about the 1st of October, 1919, continuing the same until leaving Mexico on the 19th of April, 1920. In taking up the matter of the relation of American citizens to the present Government of Mexico it seems that invariably the conversation with individuals would lead back to the Tampico incident about which very much has already been said to the committee. Perhaps not the Tampico incident proper, which was the so-called insult to the flag, but rather the mistreatment of Americans which occurred in consequence and immediately after the so-called flag insult. However, as that seemed upmost in the minds of nearly all the individuals whom I interviewed, it will be necessary to go into the Tampico incident in detail as the same was presented to me by various citizens in Tampico and vicinity.

I will refer to these individuals anonymously and will furnish the committee with a separate key which will identify each individual referred to which will be sufficient guaranty of the authenticity of such interviews. It is needless to explain to you that the reason for taking this course is, that the individuals could not afford to have their names mentioned in reference to the testimony given for reasons which are obvious. That is, that they fully understand that reprisals would be visited on them by the Carranza Government should they be identified as having furnished information for the committee.

The first matter will be the petition addressed to the President of the United States and signed by a committee appointed by various American citizens in Tampico at the time of the crisis known as the "Tampico incident" beginning about April 19, 1914. This was given me by a prominent American (whom I shall refer to as Mr. A), who was connected with its presentation to the proper authorities in Washington about the 1st of May, 1914.

To His Excellency the PRESIDENT OF THE UNITED STATES,
(Through the honorable the Secretary of State, the Secretary of War, and the Secretary of the Navy.)

SIR: Your petitioners, protesting their loyalty as taxpaying citizens of the United States while residents of Tampico, Republic of Mexico, respectfully beg to present on their own behalf and on behalf of those they represent the subjoined petition, based upon and due to the following facts, to wit:

I. The Government of the United States, for more than 10 months last past, has maintained American war vessels at the mouth of the Panuco River in the Gulf of Mexico, or in the Panuco River fronting the city of Tampico, or in both places;

II. In December, 1913, and again on the 1st or 3d of April, 1914, American residents in Tampico were invited to take refuge aboard these war vessels during battles in Tampico between opposing Mexican armies, such citizens being returned to their homes in Tampico when said battles terminated;

III. On or about April 9, 1914, Admiral Mayo, of the United States Navy, demanded that the Mexican Federal forces in Tampico salute the American flag in the manner and form specified in his demand;

IV. From and after making this demand the three United States war vessels then lying in the Panuco River in front of Tampico were held in a visible and threatening readiness to enforce compliance with the demand named;

V. On or about April 19, 1914, Gen. Huerta, commander in chief of the Mexican Federal forces, refused to comply with said demand; and

VI. April 20, 1914, it was stated in Tampico that the President of the United States had referred the fact of such refusal to Congress, which in turn was said to have referred the said fact back to the President.

VII. At 9.30 o'clock a. m., April 21, 1914, the said three United States war vessels, theretofore lying in readiness for action in the Panuco River facing Tampico, sailed down said river and disappeared beyond Mexican waters in the Gulf of Mexico, depriving Americans in Tampico of the last vestige of the ample protection up to that hour accorded them; nor did these vessels ever return or communicate again with the Americans on shore.

VIII. At 10 o'clock a. m., April 21, 1914, Gen. Zaragoza, commanding the Mexican Federal forces in Tampico, ordered all cantinas and saloons in Tampico closed.

IX. At some hour prior to 2 o'clock p. m., April 21, 1914, the Mexican Federal authorities in Tampico began to take away from Americans such arms as they carried or could be made to disclose.

X. At or about 4.15 o'clock p. m., April 21, 1914, bulletins were published by the Mexican authorities that American marines had been landed in Vera Cruz, which was the first intimation your petitioners had received from any quarter touching the said event.

XI. At or about 4.30 o'clock p. m., April 21, 1914, mobs began to form in the streets of Tampico; these mobs were dispersed about 9 o'clock p. m.; they formed again, and about 11 p. m. began the riotous destruction of American property; they were again dispersed about 11.30 p. m., only to re-form later and again to threaten the lives of Americans.

XII. Between the hours of midnight, April 21, and 2 o'clock a. m., April 22, 1914, officers from the German war ship *Dresden*, lying in the Panuco River in front of Tampico, came ashore and conveyed the American women and children aboard the *Dresden;* the commander of the *Dresden* advised the Mexican authorities that if any further mob violence occurred or if mobs formed again he would land his marines and restore order. Tampico was thereafter quiet.

XIII. At 9.30 o'clock a. m., April 22, 1914, the vice consul of the United States in Tampico made, orally, the following statement:

"Admiral Mayo has ordered all Americans aboard the American battleships immediately; a second order has been issued, joined by Gen. Zaragoza, for all noncombatants to withdraw from Tampico."

Vessels flying the German or the English flag took the Americans who obeyed the admiral's order out to the American battleships.

XIV. Once aboard the battleships your petitioners, against their protest in many cases, without their foreknowledge in any case, and without being permitted to go back after clothing, money, or valuables, were carried to Galveston, Tex., and put ashore there.

XV. Your petitioners, as stated above, were carried from Tampico out to the American battleships at anchor in the Gulf, on the 22d of April, and not permitted to return for their personal effects; the process of thus carrying out Americans from Tampico to American ships, all in vessels flying a German or an English flag, was kept up until April 29; it would seem to have been practicable to allow your petitioners to go back for their clothing, if for nothing else.

XVI. Since April 22, 1914, the property of the English, German, and Dutch residents in Tampico is said to have been unmolested, England, Germany, and Holland having each one war vessel in the Panuco River in front of Tampico. Since April 22, 1914, such American effects as clothing and personal property, as well as realty and buildings, have been subject to constant pillage and destruction, the United States having no war ships or other protection in Mexico waters near Tampico since such date.

In view of the foregoing facts, your petitioners respectfully request that the Americans recently carried out from Tampico be returned by the United States to their homes in that city with the least delay practicable, and that, upon their return, they be accorded suitable protection such as shall seem to your Excellency adequate for existing conditions; from personal knowledge of the existing conditions your petitioners presume to suggest that this protection include the presence in the Panuco River of a sufficient number of war ships, under instructions which will authorize those in command to meet any emergencies that may arise, instructions similar to those which your petitioners have reason to believe are given to the commanders of the war vessels of other nations who have successfully protected the lives and property of their citizens resident in Tampico and its environs and include such other means of protection as to your Excellency shall seem best. Your petitioners respectfully protest that the recent withdrawal of protection before ordering out the American citizens seems a reversal of the program best calculated to protect life, in that the Americans might have been removed first, and no battle having been contemplated, removed without undue haste, and the protection withdrawn afterwards. Their hasty removal, after protection was withdrawn, not only precluded your petitioners from taking any steps whatever to arrange for the security of their property and valuables but did not even permit them to bring out such things as necessary wearing apparel.

Finally, and as an additional and imperative reason for the prompt return of your petitioners to their homes in Tampico, they urge attention to the oil situation; in their profound conviction, the impending danger is most grave that the oil wells around Tampico may be destroyed by malice, or, if not properly cared for at once by those experienced in such work, may overflow and destroy themselves, not only to the damage of property between such wells and the Gulf, but to the almost certain loss of human life. Under the proper and adequate protection requested, this invaluable product so essential to the modern commercial life of the world at large

will be saved from the wanton waste otherwise certain to ensue. Agricultural crops lost may be replaced by succeeding crops; lands may withstand wars without material damage; but oil once lost and oil fields once destroyed are never replaced or replaceable.

For more complete particulars as to the oil situation, attention is respectfully directed to the detailed statement made at his request by your petitioners to the honorable the Secretary of War under even date.

And your petitioners will ever pray.

WASHINGTON, D. C., *May 1?, 1914.*

As a result of the above petition the Navy Department issued the following bulletin on May 23, 1914:

"While neither the State Department nor the naval officers on the spot feel justified in advising Americans who have left Mexico to return until conditions in that country are settled, the exceptional circumstances of the case have led the Secretary of the Navy to grant permission to those refugees from Tampico, who claim that they were brought to Galveston on April 22 and 23 against their will, to take passage on the transport *Hancock*, which will leave Galveston for Tampico next Saturday. This action was taken after conference with the Secretary of State at the request of several of the refugees who claim that when they left Tampico they supposed they were being taken on ships to remain only during the fighting between the Federals and the Constitutionalists and that after the fighting was over they were to be returned to the city. The captain of the *Hancock* will be notified that only men and trained nurses can be accommodated on the return trip to Tampico."

I think it will be no breach of faith since the names of these Americans have often been quoted as being members of the committee referred to above, to say that the committee consisted of W. M. Hanson, L. M. Phelps, jr., Dr. W. M. Turner, W. E. Lucas, J. B. Wood, and was assisted by other Americans by names of A. R. Bushnell, H. W. Dickson, Hugh G. Curran, A. H. Gibson, W. H. Zahnizer, Col. Timothy Spellacy, Thomas A. O'Donnell, S. B. Cochran, George Davidson.

I will insert here the personal account of one of the members of the said committee of the reception given them by the officials in Washington, D. C. and of the results obtained for the relief of the Americans in whose behalf they presented the petition above referred to:

"Beginning while President Taft was in office, Americans had been repeatedly warned by the Washington authorities to leave places in Mexico supposed to be dangerous. The Americans in Mexico could not understand the why of such warnings; they did not heed them, chiefly because they could not; leaving places deemed unsafe meant abandoning their property which, in many instances, represented all they had in the world, and in practically all instances represented their means of earning and getting a living; where could they go?

"On those Americans who were in and near Tampico on the 22d day of April, 1914—Vera Cruz had been taken by the United States Navy April 21, 1914—the impression was produced that they as noncombatants were requested to withdraw temporarily from Tampico during the battle to be fought that day. Except for this belief, this interpretation of the positive statements made by the American consul, who quoted Admiral Mayo and quoted Gen. Zaragoza, not 25 per cent of those who withdrew from Tampico would have withdrawn.

"Americans went aboard the lighters that took them out to the fleet with merely a change or two of clothing, often with only what they had on, and with no more money than they happened casually to have at the moment in their pockets.

"Once aboard the United States warships they were not permitted to return to Tampico, but were taken without their foreknowledge or consent to Galveston. Arrived in Galveston, about 20 per cent obtained funds from their connections in the United States, bought themselves clothes, and made themselves comfortable; about 80 per cent had no United States connections and, having left all they had behind them in Mexico, were without clothes, without money, without resources of any sort. Meetings were held evenings; those who had, or who had obtained, shared with those who had not and could not obtain; 20 per cent could not support the other 80 per cent very long. Finally two committees were appointed, one a committee that was to stay and help those needier than themselves, and the other a delegation that was to go to Washington and try to have undone the wrong inflicted on all. The committee went straight to Washington, arriving about May 1, 1914. This committee was instructed: (1) To ask for food and clothing for the stranded needy, whose all had been left behind in Mexico. (2) To ask to be taken back to their homes, where they could resume the occupations that yielded them a living. (3) To ask that the presence of warships off the Tampico customhouse in the Panuco River be restored, inasmuch as the taking of Vera Cruz would make protection necessary.

"It must be recalled that a couple of warships had been kept in the Tampico Harbor for 10 months or more; they were withdrawn April 21, the day Vera Cruz was taken; thereafter and until events detailed further along took place, United States warships were absent from the Tampico Harbor.

"So much as preliminary seems necessary to the understanding of what follows.

"Once in Washington, the committee organized, and made appointments to meet, first, Secretary Daniels, head of the department directly concerned in deporting the Americans from Tampico, in taking from Tampico the protection of American ships, and undoubtedly able to carry the Americans back to their homes.

"Secretary Daniels received not merely the committee, but received at the same time a number of Americans who had associated themselves with the committee in order to lend assistance. The first interview, this with Secretary Daniels, was distressing and unfortunate. The Secretary gave his callers his opinion of them, in terms that were neither kind nor just; this angered his callers who resented his remarks, and who, in consequence, behaved somewhat discourteously in that they interrupted the Secretary, interrupted each other, and tried to talk all at once, showing little control of temper or tongue. The Secretary was initially to blame in that, without waiting to hear what his callers had to say, he gave them his uncomplimentary opinion of them, spoke of them as 'refugees,' called them adventurers who had gone to Mexico with buccaneering intent, and said that they should have come to him with grateful thanks for having rescued them. The rejoinders the Americans made were explicable, natural but lacking in the respectful dignity essential to the success of the committee's mission. The words used by the Secretary and by his callers displayed much heat and some anger. One incident was particularly regrettable, the facts about which have seldom been accurately stated. In the course of his remarks the Secretary stated that, prior to the execution of his orders to withdraw the United States warships from the Tampico 'Harbor,' Admiral Mayo had made arrangements with the commanders of English vessels lying off the Tampico customhouse to care for the Americans in Tampico and carry them, when the time came, out to the American battleships then riding at anchor in the Gulf beyond the 3-mile limit. The Secretary had scarcely said these words when one of the Americans present, not a member of the committee, brought the umbrella he had in his hand down on the floor with a whack and said, 'That is not so.' The incident was passed over, though it will be believed that the interview thereafter dragged, and was soon ended.

"As an aftermath, the Secretary that same day gave to the press his account of the interview. The reporters requested the committee to reply, calling attention to the one-sided nature of what the Secretary had said. The committee declined to rejoin, alleging that any answer however justified would widen a breach the committee desired above all things to see healed.

"Further along will be given an account of the action the Secretary of the Navy took in the direction of the committee's petition.

"By appointment the committee the next day met Secretary Garrison, accompanied as before by a number of associated Americans not members of the committee, but equally interested in the committee's mission. Secretary Garrison's manner and method were judicial, patient, inquiring. He invited his callers to state the object of their call, and he listened with increasing attention to the very end. He then said, in substance, that what he had heard was, as to much of it, entirely new to him and, as to all of it, interesting; he said he would have to think out how he could help, promising help to the extent of his ability; he invited his callers to name two or three representatives—there were over a dozen of his callers though the committee numbered only five—and he invited these representatives to call again the next day, when he would be able better to give them his views. Representatives, two in number, did call the next day, and the day after, and on sundry occasions, later, always at Secretary Garrison's invitation; while the action to be taken, and finally taken, did not come within his department's province, the aid he lent was of much importance to the committee.

"On the third day, by appointment, the committee met Secretary Bryan. The committee was again accompanied by their associates who, while undoubtedly desirous of lending aid if they could, didn't want to miss anything. Their presence, helpful in one sense, made an unwieldy group and it was thus less helpful than they meant. Secretary Bryan promised the committee 15 minutes; he gave the committee more than an hour. He showed great tact in getting at the concrete facts, and the questions he directed now to one and now to another of his callers showed an active and intelligent interest.

"At this first interview the Secretary of State did two things that must be set down:

"In the committee's presence he dictated and ordered sent a telegram to the State Department's representative in Galveston, instructing such representative to honor

at once any request made upon him by Frank Hamerick (chairman of the committee left in Galveston) for money, food, clothing, or other necessities, such as medicines or medical attention. This afforded the immediate relief the committee asked for.

"The other thing Secretary Bryan did was, again asking his group of callers to name a couple of representatives whom he invited to call again, to ask that the committee reduce to writing, in as orderly a manner as possible, the various statements made to him by his callers at this first and general interview.

"Except the three interviews above described, one on each of the Secretaries of Navy, War, and State, the committee as a body made no more calls, nor did the committee's associates. But the chairman of the committee, accompanied sometimes by one sometimes by another of his fellow committeemen, was at one or the other of the departments almost daily; he was always received promptly, was welcomed, and could ask no courtesy because every courtesy was extended before he could ask it.

"Meanwhile the written statement asked for by the Secretary of State was undergoing preparation. Every alleged fact, every statement, every date, every name, was checked, compared, established, before it was admitted into the petition. When done, the whole was submitted to an officer of the War Department, whose suggestions were helpful, and it was at length ready for presentation.

"As to the statement requested by Secretary Bryan, it was really a 'petition.' Courtesy seemed to demand that it be presented to the President. Senator Gore, a friend of one of the committeemen, offered to take the chairman and one other member of the committee to the President; Secretary Garrison made the same offer. Senator Gore arranged for the call. Courtesy seemed to demand that Senator Gore, as sponsor for those whom he introduced, should know what the committee intended to do when introduced. The petition was shown to him—read to him—and received his approval.

"Just why he did it is unknown, but when he went to fix the hour for the call he handed to Mr. Tumulty a copy of the petition. The President was evidently displeased with the petition, because on no other hypothesis can his cancellation of the appointment be explained; within an hour of Mr. Tumulty's receipt of the petition from Senator Gore the President canceled his consent to receive the committee. The petition was then handed, one copy to Secretary Daniels, one to Secretary Garrison, and one to Secretary Bryan.

"That the matter came up at the next meeting of the Cabinet is probable.

"The calls by the chairman at the departments continued.

"Secretary Bryan continued to send aid to the Americans stranded in Galveston. In point of fact, he continued such aid for months, and in July he was instrumental in returning the remaining women and children back to their homes in Mexico—back to what was then left of their homes and possessions and means of earning a living. The first of the three objects the committee had in view in going to Washington was satisfactorily accomplished.

"One day in May, perhaps a fortnight after the first interview with him related above, Secretary Daniels sent for the committee; not all could attend, though a majority hastened to obey the summons. The Secretary stated that he had decided to send back to Tampico, without expense to them, such of the men as desired to return; he put the transport *Hancock* at the committee's disposition, the date was fixed for May 30, and word was dispatched for all to be on hand that day. The Secretary stated that he was unwilling to send back—at least for the time being—any women or children; he made exception as to a group of nurses who were returning to their places in an American hospital situated in Tampico.

"As to the return of protective United States war ships to the River Pánuco, near the customhouse in what is usually designated as the Tampico 'harbor,' Secretary Daniels stated that two war ships were being returned; he declined to agree to keep them there or to indicate for how long they would be maintained there; he limited himself to saying that 'two vessels were being sent there, and that there was at the moment no intention to take them away.'

"Taking men away from their homes and business, under a pretext that was disingenuous, and then dubbing them 'refugees' did much to dull the keen edge of their loyalty.

"May 30, as the returning Americans were going aboard the *Hancock*, the execution by each one so returned of an affidavit was demanded, setting forth that affiant was an American citizen, that he had been brought out of Mexico against his wish, that he was returning 'at his own suggestion, on his own responsibility, and at his own risk'; seemed, all of this, uncalled for—unless it was a notification that the United States intended to give him no protection or recognition while in Mexico. This further dulled the keen edge of the loyalty Americans like to feel toward their country. Add to this that, under date December 31, 1914, the American consul then in Tampico,

on the 1st of January, 1915, dunned every American for his income tax on money earned in 1914 in Mexico, which tax the United States Government demanded, seemed to the Americans in Mexico like exacting bricks without straw. A still further dulling of the edge of loyalty.

"The Americans in Mexico, however, are still loyal. They are not buccaneers. The vast majority of them are law-abiding, industrious, and worthy of the recognition they ask and the protection they need. They keep loyal, and they pay taxes to the United States Government. Has the United States Government, accepting the taxes, met its obligations to them?"

Mr. B., of Tampico, Mex., relates the Tampico incident as follows:

"The launch bearing the paymaster and crew from the United States man-of-war at Tampico, in April, 1914, had not entered the prohibited zone as defined by Gen. Zaragoza, but was en route to the Pierce Oil terminal for supplies when arrested by Mexican Federal troops. The Marines were marched through the streets of Tampico to the comandancia de policia, but were not incarcerated. They were only detained about a half hour by the authorities, as the news of their arrest had been communicated to the American consul and he was interesting himself in regard to their case, so that they were soon released and allowed to return to their ship with the excuse that their arrest was a mistake in orders by the officer who arrested them—that there was no intention to give the United States an affront.

"In the meantime, Admiral Mayo contended that the flag of the United States had been insulted by this arrest and detention of the Marines and demanded an immediate apology of Gen. Zaragoza and the salute of the United States flag. Gen. Zaragoza said that he could not render the salute nor the apology without authority from Mexico City; that is, from President Huerta: and that owing to the interruption of the telegraph service he had no means of getting such instructions. Therefore, he refused to render either the apology or the salute requested in the ultimatum of Admiral Mayo. This explanation was given to Admiral Mayo by Gen. Zaragoza at the suggestion of Consul Clarence Miller, who offered the suggestion to save Admiral Mayo from having to back down, as he had already issued a positive demand on Gen. Zaragoza to render the apology and salute within a prescribed time. Gen. Zaragoza had no intention of saluting the flag or apologizing more than he had verbally at the time of the release of the Marines, when it was stated that their arrest had been a mistake and not due to intent.

"Admiral Mayo had sent several notes to Gen. Zaragoza regarding the incident and each time had received an evasive or indirect answer. Finally, Admiral Mayo said to Mr. B., 'My God, can't I get this man to answer a direct question?' Mr. B. asked him in turn if he expected any such thing, saying that if he did he would be sadly disappointed. Finally, Admiral Mayo gave up hope of receiving the desired apology from Gen. Zaragoza and communicated his conviction that none was to be expected to the State Department at Washington, and was later directed to withdraw his fleet from the harbor at Tampico to the Gulf of Mexico, as the Mexican inhabitants had become very much aroused in their animosity toward Americans by the concentration in Tampico of many of the colonists from interior points, who came there seeking protection from the violence which threatened them in their homes.

"There seemed to be a mistaken idea on the part of Secretary of the Navy Daniels that Tampico was located on the shore of the Gulf instead of being, as it is, some 6 miles up the Panuco River from the Gulf of Mexico. Secretary Daniels's idea seems to have been that the boats were merely withdrawing outside the 3-mile limit and would still be in touch with the situation. Such idea was entirely wrong in that when the ships were located outside the 3-mile limit, as prescribed by international law, they were over 9 miles from the city of Tampico, and the only communication which the American consul had with Admiral Mayo was by communicating through the British or German gunboats which remained in the harbor, and which communication was very unsatisfactory because of the unfriendly attitude of the British at this time toward Americans.

"At the time of the capture of Vera Cruz by the United States troops, when the situation became so critical that Consul Miller wished to obtain shelter for the American women and children aboard the United States ships which had withdrawn to the Gulf of Mexico, the commander of the British ship *Hermione*, Capt. Doughty, offered his assistance in the following words: 'We can take care of part of your women and children if you have no other place in the world to put them.' Consul Miller thanked him, but at that time refused to avail himself of the offer because of the fact that assistance had already been offered by the German commander of the *Dresden* and also had been accepted. Later, however, the British did render considerable assistance in rescuing American citizens and transporting them from Tampico to the American

boats lying outside the harbor in the Gulf of Mexico, but throughout all they maintained such an attitude of unfriendliness that it was very insulting to the Americans who received such assistance.

"The American employees of the Aguila Co. were prevented from entering the Aguila Building by a guard of British marines who told them that the Aguila Building was neutral property and that they could not jeopardize the British interests by sheltering the Americans from the wrath of the Mexicans, who were threatening to injure them on the day of the riot at Tampico, April 21, 1914.

"On the night of April 21, 1914, when the Americans were being besieged in the Southern Hotel and the Hotel Victoria by mobs of infuriated Mexicans, a lieutenant from the German cruiser *Dresden* came to the Southern Hotel and asked if the Americans thought the situation sufficiently serious to demand the landing of assistance from the cruiser *Dresden*. On being informed that the Americans did not feel the need of this assistance at that time, the lieutenant told them that in case they wished assistance to hoist a lantern on the flagstaff above the hotel building and that the commander of the *Dresden* would send a landing party to rescue them. The Americans replied that they did not deem it necessary at this time, which was about 11 p. m. The German lieutenant then proceeded to the Hotel Victoria, where a number of other Americans had taken refuge, and then started on his return to the *Dresden*.

"The lieutenant had proceeded only a few blocks when he became convinced that the mob would soon attack the Americans unless help was furnished from some source. This he communicated to the commander of the *Dresden*, who sent a messenger to Gen. Zaragoza, the Mexican Federal commander at Tampico, informing him that unless the rioting was stopped in 15 minutes that he, the commander of the *Dresden*, would take such steps as were necessary to restore peace and quiet and protect the foreigners. Upon receipt of this message from the German commander, Gen Zaragoza dispatched a guard of Federal soldiers to disperse the mobs and quell the rioting, which was done in a few minutes' time, and for the balance of the night the guard of Federal soldiers remained on duty at the hotels mentioned and no further disturbances were experienced other than insulting epithets which were given to Americans when they withdrew to the shelter of the ships the following day."

Mr. C, a witness in Tampico on the 20th and 21st days of April, gives the following facts relating to the withdrawal of the Government gunboats from the Panuco River:

"On the afternoon of April 20th Admiral Mayo received a dispatch from Washington ordering the removal of the three gunboats that lay in the Panuco River, within 500 feet of the city of Tampico, out into the Gulf and to send all but the Des Moines to Vera Cruz. The admiral protested against such action vigorously, sending at least three dispatches to Washington before the order was obeyed. Consul Miller, when advised during the night of April 20 that the boats were ordered from the river, sent a long dispatch to Washington protesting, in the name of the hundreds of men, women, and children against such action, stating that their lives would be fearfully endangered by the removal of the boats, and that the Americans had become dependent upon these boats for their safety, having been given refuge on them during two rebel attacks upon the town, the one in December and the other in the forepart of April.

"The Mayo telegrams of protest were along the same lines, but neither were of any avail and the gunboats finally left their strategic position for the defense of Americans at about 9.30 o'clock on the morning of April 21.

"In spite of Secretary Daniels' statement to the contrary, no arrangement was made with the German or English to care for Americans at the time that the battleships left the Panuco River. At 4 o'clock on the afternoon of the 21st day of April the Mexican officials published placards in Spanish throughout Tampico saying that the Americans had landed forces at Vera Cruz, and calling upon all patriotic Mexicans to arm for the defense of their country, and arms and ammunition were furnished freely by the Mexican authorities to every one who applied for same. Mobs were formed in different parts of the city during the hours of daylight, but not to any great numbers. These mobs were formed as a result of the removal of what protection the Americans had when the warships were in the river. When the lives of American men, women, and children were menaced by a large mob of Mexicans in the middle of the night, the commander of the German gunboat *Dresden* voluntarily offered the protection of his Government to these Americans, and sent a naval officer to the hotel to signal from the roof of the same to his flagship in case his services were needed. Positively this was not done as a result of previous arrangement with Admiral Mayo. Later Admiral Mayo did enter into an arrangement with the German and British ships for the handling of refugees.

"It is only necessary to say that the Americans were saved by two small gunboats belonging to the German and English Governments, which proves that if our own three gunboats had been allowed to remain in the river, the lives of the Americans

would have been thoroughly safeguarded. We rejoice with Secretary Daniels over the fact that no American lives were lost, but we give glory to God and the German and English Governments, and not Secretary Daniels in this matter.

"No blame can be attached to Admiral Mayo or the officers and men of the American boats who have cried with shame over the fact that they were not permitted to rescue their own countrymen, and that this duty was entrusted, in their very presence, to the battleships of other nations. The English naval officer in charge of one of the boats used for refugees, in making a speech apologizing for having served only hardtack and corn beef to the refugees, stated that it was not his duty to care for us and that he did it because humanity demanded it, and that he only did so when we had been absolutely abandoned by our own Government."

This concluded the testimony in direct connection with the Tampico incident.

I will now proceed to the matter of the mistreatment of American colonists by the Carranza Government:

An American, whom I shall designate as Mr. D., gave me a statement, of which the following is a synopsis: He was asked by a general in command of the Carranza forces at Victoria if he would not like to go into a very paying business; the general stated that he had a friend with $1,000 000 to invest in a well-paying business which they would put Mr. D. in charge of and give him half interest in the business for operating it. This Mr. D. declined to do. Subsequently the same general asked him to appear before the Subcommittee of the United States Senate Investigating Mexican Affairs for the purpose of presenting certain facts favorable to the Carranza Government. Mr. D. laughingly replied that he could not do the Mexican Government any good by appearing. The general asked: "Well, there are some good Mexicans; are there not?" to which Mr. D. answered: "Of course there are, but I would not make a good witness for the Carranza Government before the Fall committee."

Mr. D. also stated that sometime previous to this conversation bandits had stolen 100 head of cattle from him and told him he could recover the same by bringing 1,000 pesos to a certain place in the mountains. He told the Carranza officer in charge of a garrison near his place that the bandits had stolen his cattle and of their offer to let him have them back for the sum mentioned, and he asked the officer to take his troops and recover the cattle from the bandits. This the officer declined to do. Mr. D. then offered him 1,000 pesos to go and recover the cattle, but the officer again refused, saying that he did not care to take any part in the case and advised Mr. D. to pay the bandits the $1,000 and secure the return of his cattle by that method. Mr. D. finally arranged for the payment of the ransom as demanded by the bandit leader and recovered his cattle. He further stated that he has positive knowledge that there is a working agreement between the bandits in that section and Gen. Manuel Larraga of the Carrancista forces as is evidenced by the facts that the bandits will steal cattle, horses, and mules and drive them to the vicinity of Gen. Larraga's headquarters and when the bandits have accumulated considerable numbers of stock Gen. Larraga's men will make an attack on the bandit forces who flee and leave the booty which is immediately confiscated by Gen. Larraga who disposes of the stock and applies the proceeds to his own account. In no case where the Carrancistas capture property by the above methods from bandits do they restore it to the rightful owner unless he is willing to repay a large ransom for return of the property, their contention being that everything taken from the bandits is theirs as the spoils of war.

Mr. D.'s experiences with regard to having to ransom his stock from the bandits and being unable to secure protection from the Carrancista forces in that neighborhood is typical of many instances happening to the American colonists in the vicinity of Tampico.

Mr. E. made the following statement:

"I was informed by an American, living in the vicinity of the property in question, in the month of October, 1919, that a certain house, owned and located on land belonging to an American citizen, was being torn down and the material being carried away by Federal soldiers. I immediately wrote a letter to Gen. Osuna, who is in command of the forces at this port, calling his attention to the matter and after waiting 15 days and failing to receive a reply called on him personally.

"Gen. Osuna informed me that he had failed to receive my letter and offered to send a man to make an investigation. He first went to the place where a squad of Federal soldiers had used the material taken from the house, consisting of lumber and corrugated roofing iron, for the purpose of constructing temporary quarters in which they were living. He then went to the place where the house had been located where we found only the foundation remaining and the frame of the roof which was lying on the ground. The house had been occupied by a Mexican family until the soldiers put them out and took possession and destroyed it.

"On our return to the office of Gen. Osuna, the man informed him in my presence that the house had been completely destroyed. Gen. Osuna said he was very sorry this thing had occurred and that he would either have the house restored or pay for same, but that he would require a little time to collect the money from the wages of the soldiers who had destroyed the house.

"After calling at the office of Gen. Osuna a number of times and being informed each time that they were not yet prepared to pay for the house, I was advised by Gen. Osuna on the first of this month that he could not make any settlement and that I would have to file my claim against the Government and let it take the usual course.

"The value of the house which was destroyed is about $1,000."

Mr. F., a small-fruit grower near Tampico, made the following statement to me:

"I am an American citizen, born in Whitley County, Ky., January, 1850. Lived in Oklahoma until February, 1912. Since that time I have been a resident in the vicinity of Tampico, Mexico, where I had a small orange orchard and raised garden truck for sale on the Tampico market. The first year and a half immediately following my arrival in Mexico in 1912, I was well treated by all the Mexican people and prospered financially. The latter part of 1913 the revolutionary forces of Carranza and the Federal army comprising Huerta's troops, fought a battle in which my farm and orange grove were immediately between the two contending forces, one army using my south fence for breastworks, and the other army using my north fence, the fighting continuing from morning of the 10th of December until the morning of the 13th of December. My family and myself were compelled to dig a hole in the ground under the house and lay there for three days and nights, with very little food or water. Our buildings, furniture, and household goods were riddled with bullets and everything destroyed.

"Gen. Aguilar, commanding the Carranzista forces took my stock, consisting of work horses, and refused to return them to me. On the 18th of January, 1913, Carranzista soldiers dug trenches and threw up breastworks in what remained of my orange orchard. At this time two of the soldiers met me in the road en route to town with a load of fruit. One of them abused me and struck me with his gun, and I only escaped from them by running for my life. One of my neighbors, a Mexican, interceded for me and tried to convince the soldier that I was a good man, and finally he went away and left me alone.

"In 1914, myself and family left our place and proceeded to Tampico, when we were warned by the American consul that it was unsafe for us to remain on our farm. This was about the 18th of April, 1914. Crowds of Mexicans on the street shouted insults to us and hollered 'Kill the Gringos.'

"About 8 a. m. on April 21, we were notified by the American consul that he had made arrangements for us to get on oil boats that would take us out about 11 miles to the American fleet. There we met Admiral Mayo, who expressed himself as being very sorry that we had been so badly treated, and we were well taken care of on board the United States battleships.

"I returned to Tampico the latter part of May and found that the Federal soldiers of Gen. Huerta had been defeated and driven away from Tampico, and the Carranza soldiers were in possession of that territory. They were impudent and abusive and one group of Carranza's soldiers came to my house in November, 1914, and arrested me and put me in jail with 500 or 600 Mexican prisoners. I was held in jail three days and then turned loose and told to go home. I was never tried and don't know what they charged me with or why I was arrested, but I paid a Mexican lawyer 200 pesos to get me out of jail.

"In June, 1915, Gen. Nafarrate, in command of the troops at Tampico, instructed his soldiers to arrest all Americans and compel them to leave their property, and a bunch of them came to my place and cut down my orange trees and destroyed my pineapples, and also some of my buildings. I then went to Tampico and was again assisted by the American Government to reach Galveston, hoping that the trouble in the vicinity of Tampico would quiet down and I then would be able to return to my place. I have made a claim against the Mexican Government, through the Secretary of State of the United States Government, and am now returning to the United States to wait until peaceable conditions are established in Mexico. We do not feel that our lives are safe even within a few miles of Tampico and so will have to leave our property to the possession of the natives in that vicinity until conditions are safe for our return.

Mr. G. made the following statement to me:

"In connection with the hardships encountered by American citizens in Mexico, especially the difficulties encountered by colonists there, it is pertinent to mention the railroad situation.

"In the fall of 1917 the farmers dealing in agricultural products and shipping their products from points on the railroad between Tampico and Monterrey found it very difficult to obtain cars. After one period of waiting for three months, after having ordered cars to ship their products in, I went to Monterrey and interviewed the chief clerk in the railroad dispatcher's office and managed to have 100 cars placed at points designated by me by agreeing to pay the clerk 10 pesos each for every car they would furnish for the shipment of my products. I experienced no more difficulty in obtaining cars for nearly two years, as their agreement with the chief clerk in the dispatcher's office held good until Gen. Murgia commandeered all the freight cars on this branch of the National Railways to ship out corn and other products which he was purchasing, either directly or through his agents, in the State of Tamaulipas.

"The farmers were unable to secure cars to ship the corn to the market because Gen. Murgia had commandeered the cars for his own use, under the pretext that it was a Government necessity. This compelled those having agricultural products for sale to sell them to Gen. Murgia's representatives at ruinous prices.

"I again proceeded to Monterrey and tried to make another contract with the chief clerk in the dispatcher's office, but found that the chief clerk was unable to deliver me any more cars because Gen. Murgia controlled that division of the railroad; but I found that I was able to arrange for some cars through an agent in Tampico on payment of the sum of 10 pesos per car and putting up a bond of 4,000 pesos per car to guarantee against loss of the car through any acts of bandits, as it was of frequent occurrence that bandits raided trains and burned up the cars along this branch of the railroad. Thus, it will be easily seen that the farmer or colonist of small means had enormous difficulty in getting his products to the market.

"In addition to this the railroad officials forced the payment of express rates on carloads of freight wherever possible, and where the product is valued enough that the shipper will pay such rate, which is very much higher than the commodity freight rate on car lots.

"I also told of an incident happening to another American, which statement is verified, in which the general in command of the garrison at Tampico proposed to a man who had hay to ship that if the man having the hay would give the general 1 car of hay, he would furnish the cars and haul 10 cars of freight free of charge to whatever market this man desired his hay moved, and would also furnish an armed train to see that the hay was not molested in transit. This arrangement was made and the hay delivered according to agreement, the general being able to move 10 cars of freight as a military necessity because he could gain 1 car of hay for his personal profit.

"The members of one freight train crew told me that they had been engaged for almost two months in hauling corn for Gen. Murgia, during which time they had hauled six trainloads of corn over the railroad between Tampico and Monterrey, which was exclusively for Gen. Murgia's account, but which was handled as Government business in the railroad office.

Mr. H. is an American citizen owning a small farm in the vicinity of Tampico, Mexico. On July 13th he received a letter from a bandit leader who signed himself Col. Fabian Aguilar. This letter was in Spanish; a copy follows, also the English translation.

LOS MEZQUITEZ, VER., *Julio 27 de 1919.*

SEÑOR H, *Columbos, Tamps.*

MUY SEÑOR MIO: Refiriéndome a la oferta que se sírve Ud. hacerme por conducto del Sargento Mateo Haro, me permito suplicarle enviarme $3,000.00 tres mil pesos, que me son muy necesarios para el sostenimiento de la fuerza de mi mando. En caso de que no le sea a Ud. posible ayudarme con todo el dinero, le estimaré avisarme por escrito la cantidad que mande. Adjunto le remito el salvo conducto que solicita para que no vuelva Ud. a ser molestado en sus intereses. Asi mismo le suplico enviarme aviso del comportamiento de mis soldados de ahora en adelante para correjír cualquier irregularidad. Sin otro particular soy su afmo amigo y S. S.

(Firmado) CORONEL F. AGUILAR.

[Translation of the above letter.]

LOS MEZQUITES, VER., *July 27, 1919.*

DEAR SIR: Referring to the offer you so kindly made through Sergt. Mateo Haro, I take the liberty to ask you to send me $3,000 (pesos), which I very much need for the maintainance of the forces at my command. In case you should not be able to help me out for the full amount, I will thank you to advise me by letter the sum you are sending.

Inclosed find the safe-conduct you requested in order that you may not be further troubled. I will also ask you to report the behavior of my soldiers in the future, in order to enable me to correct any irregularity on their part.

Yours, very truly,

COLONEL F. AGUILAR.

Mr. H. had made the colonel no offer. The letter is written in a very smooth and courteous manner, the rough demands being left to the armed band who delivered the message.

Mr. H. continues:

"In response to this demand for 3,000 pesos, I told the bearer of the note which demanded the payment to say to his leader that I could not pay them that amount, and ask him to tell me in writing the least amount that he would exact from me, and in response he sent me another demand in which he doubled the amount requested in the first letter. There were three men in the party demanding this payment of ransom, and they said I could have until the 15th of August to make the payment, that I had a carload of corn I could ship in the meantime and get the money out of that with which to pay them. They said that if I did not pay them by that time they would take and destroy everything that they could not move from the place and burn the rest of it, and that they also had authority from the leader to kill me as a part of the penalty for not making the payment.

"My farm is located near a town where there is a garrison of 30 Carranzista soldiers. I immediately notified the commander of the Carranzista garrison of the visit of these bandits to my place and of the demand they had made, and told them the direction in which the men had gone and asked him to arrest them, but they said they could do nothing as their orders were to guard the town at which they were stationed.

"The bandits who demanded the 3,000 pesos from me also told me that they were going to compel every foreigner in that part of the country to pay according to the property that he had, and they named a number of Americans whom they had listed to force indemnities from.

"I informed the general in command of the Carrancista forces at Tampico of the first visit of these bandits and he promised to give me protection, but he has made no move to fulfill his promise. I also made a statement to the American consul, and his advice was for me to leave my farm and seek safety elsewhere, unless I could afford to pay the ransom demanded, and, as I do not have the means to pay this ransom, I have decided to abandon my property rather than to pay the penalty threatened me if I remained on it."

It is interesting to note in connection with this statement that the letter demanding 3,000 pesos from Mr. H. was delivered to him by one Sergt. Mateo Haro and that the demand was signed Col. F. Aguilar, and that on August 24 this bandit leader, who signs himself Col. F. Aguilar, surrendered to the general in command of the Carrancista garrison at Tampico and was guaranteed full amnesty for himself and his forces for all unlawful acts committed by them, and he was then commissioned colonel in the Carrancista forces.

It is also of interest to note that the Sergt. Mateo Haro has since been arrested and charged with the crime of assassinating Mr. John H. Correll and of being the leader of the assault on Mrs. Correll. It is also true that Mateo Haro confessed to his part in the crime, but if he or any of his accomplices have suffered any penalty for the commission of their crimes I have been unable to discover that fact.

The following is a brief statement of the hardships encountered by an American colonist in Mexico, whom I shall designate as Mr. I.:

"You ask me to tell you of the hardships and trials that we had in Mexico, and to repeat all of them would make a nice sized book. After one trip, I went back again to look after my property in November, 1913, and then the Carrancistas took Victoria and took some of my cattle and horses when they were battling around Victoria and destroyed my henequen plantation and cut all my fences around my land and took a lot of my corn and fodder, and I only had one mule left, and a crowd of us decided that it would be a good plan to come to the States, so we bundled up what little stuff we could carry and started and it took us over 10 days to come out by horseback and wagon, as the road was bad at times. When we got to the bridge I let a Mexican ride my mule, and when he got to the bridge they took the mule, Mexican, and all, and that was the last I ever saw of the mule. I complained to Gen. Pablo Gonzales, and he told me to get the mule, and had given an order. But when I took the order down to the jefe, they took the order, but I did not get my mule.

"After I was out of Mexico the Mexicans used the fiber plantation to graze goats and burros, and I was offered $22,000 in gold for the plantation in 1912; they run fire through the plantation several times and burned nearly all of the plants, and as the Mexicans

stole the fiber and young plants, and also cut the hearts out of the old plants, and could not protect the same, so I sold the plantation and all for $8,000 to get rid of the same. The plantation was worth not less than $30,000, and I would not have sold for less than that when I was offered the $22,000. I put 16 head of thoroughbred cattle over the mountains, pure-bred Holsteins and Jerseys, and put these on the Hausacana ranch, and they took all of these cattle.

"When Caballero was governor of Tamaulipas he offered us some fiber for sale, Mr. Jones and myself, and we bought two cars from him and he was to load the same at a certain time and turn over this fiber to us; but the price went up to such a high value that he took it away from us and sold the same himself, and when the price of fiber dropped to the normal times, then he gave us what fiber was due us, and we lost not less than $2,500 in the transaction, and I have the papers of the same and also his receipts of the purchase and the offer of the firm wanting to buy at the time when he took it away from us. I have paid taxes time after time on land and have sold some land since the Carranza Government is in and have had to pay more taxes than what I should have paid. I also bought some money when the fiat money came out and sold some and took 20,000 pesos over across the river, and the jefe across the river here informed me that the money was good, and to buy all of it at the price I wanted, and I sold the same, and then about a week after they stated that the money was no good and I had to make all the money good and lost over $5,000 in gold in this transaction. Then they barred me from Mexico, and I had all the receipts of the people that I bought from, and then to get a permit to return into Mexico I had to send all of these in and they canceled all charges that they had against me and notified all the judges not to molest me.

"I also had two mines denounced up at Charcos and spent about $4,000 in gold on these and the denouncements, and the Carranza Government canceled these titles, as they were given to us during the Huerta régime. The property was denounced during the Madero times."

The following is a statement of a mining engineer residing at San Luis Potosi, Mexico, of 20 years experience in Mexico, regarding general conditions there:

"I have spent the greater portion of the last 20 years in the mountains of Mexico, because I am free from rheumatism here; consequently, I believe I know the country as a whole, and the people better than most other Americans. I have traveled over every county in the Republic, and have come in contact with every grade of people from pure-blood Indians to the Presidents. I will state at the beginning that I am a friend of the Mexican people, that is, the law abiding class, and the country in general. If possible to adjust conditions here without armed intervention, I certainly would prefer it, but how it is or can be done I am unable to say. Maybe you people can work it out some way. I have suffered the loss of property which I assure you has hurt me a great deal, but I have not made any claims for damages, and do not intend to, because if I had not found this country when I did I would not be on earth to write you this letter. In my opinion Mexico has arrived at the point where it can not save itself for the following reasons:

"At the present time the government holds the larger towns and the greater portion of the railroads. The bandits, so-called, control about all of the country between the railroads, which is 90 per cent of it, and practically all the small towns. Every passenger train carries an armed escort of soldiers, from 20 to 75; they go ahead of the trains in armed cars, and when some important persons are on the trains they generally run an escort train both behind and ahead.

"Carranza is dominated by his generals. They in turn do not wish to end the banditism because they are allowed to do as they please, have all become wealthy, and are growing richer all the time. It is well known that they draw pay for paying from two to five times the soldiers they have under arms. Besides this they commandeer horse feed, horses, and other supplies from the citizens and never pay for them. Yet they draw money from the Government for the purpose. It is believed by the majority of Mexicans that Carranza is letting his generals do as they please, and rob the government for the purpose of keeping in with them, so that when the election comes on he can claim that a lawful one can not be held, which will allow him to stay in. Personally, I believe this is true. It is well known that not one of the several generals had anything when the Carranza revolution started, but at the present time they are trying and have bought large tracts of land, and stocked them, and keep a guard of government soldiers on them for the protection of their individual interest. Some months ago Pablo Gonzales gave one of his friends, Antonio Acosta, $50,000 for buying a mine.

"He has publicly stated that he would spend $2,000,000 to defeat Obregon for the presidency. It is known that he did not have 5,000 pesos when he became general. Francisco Murgua has recently bought a large ranch in Coahuila and he has property

in San Antonio that brings him over $6,000 rental per month. A few months ago Gen. Hasso took $2,200 worth of merchandise from a mercantile company of this place, and refused to even give them a voucher for it. He also took 20 of the best horses there were from the San Jose ranch, about 20 miles south of here, and refused a voucher. Both have written time and again to the government about it, but have never received any reply.

"Gen. Isidro Cardona took over a mine belonging to a widow woman, worked it, taking out 35 carloads of ore, sold it, leaving the mine in very bad condition—never gave her one cent. He killed a Spaniard who had several houses here, took possession of the houses, and is collecting rent on them to this day.

"This thing is going on all over the country and is well known, but I am giving you facts that came under my personal observation.

"Carranza is robbing the people by high taxation in order to get money for his generals. He knows they are robbing, but is helpless to prevent it if he so desires. Taxes to-day on low-grade ores are about 20 per cent of their value, consequently the mine owners can not work them at a profit, and they are shut down while thousands of men are idle, almost starving for the want of work. The mercantile houses are being taxed so high that they must sell at high prices in order to pay them. The people, in turn, have to pay the prices, which in the majority of cases they are not able to do, and are in a semistarving condition.

"When Felipe Pescador was general manager of railroads, he gave the management of all divisions to some of his personal friends. At every division point the friend had his private supply store in the town, in which he carried a general supply of railroad supplies—supplies that were taken from the railroad shops. When a mechanic applied at the shops for something to repair the cars, he was told it was not in stock, but he might find it at a certain store up town. He would go and get it, give a voucher for same. The voucher would be sent to Mexico City. Pescador would honor it and remit his friend, the owner, one half and kept the other half. Pescador was a second-rate operator (telegraph) before he was made general manager.

"People wonder where the bandits get their arms and ammunition. They get them in two ways, one by attacking trains, killing the escorts, taking their arms and ammunition. Another means of getting them is: The Carranza soldiers. And I may say some of the petty officers sell Government ammunition to the smaller stores, and they, in turn, sell it to rebel agents. The more ammunition the Government gets the more the rebels will get. The following facts I took from Mexican newspapers; some came under my personal knowledge. During the 20 months I have been here, 52 trains have been dynamited, robbed, all the passengers robbed, the escorts killed, and the young girls in most instances taken away to the mountains to life worse than death. In most instances those girls were of the better families, because the poorer class were not able to travel on railroads.

"Within 30 miles of ———, which is garrisoned, there are five separate bunches of bandits. Benito Zapeda, with 40 men, has been camped 12 miles east of ——— for three months, yet no effort has been made to get rid of him. On the 26th of July Ygancio Gonzalez, Francisco Trevino, and three other men of the town went for a ride about 6 miles out. All were captured by the Zapeda bunch, their horses taken, part of their clothing, four of them were held, and Ygnacio Gonzalez was sent back for a ransom of $500 each, with a threat that if the money was not forthcoming by the next morning the four would be shot, and he would be shot as soon as they could get their hands on him. During a conversation with him I asked him if he had reported it. He said no; that they had no guaranties, and that if they reported it they would be killed. Two weeks ago a bunch took the manager of the Agua Dulce ranch to the mountains for $30,000 ransom, and he is still there, not being able to raise the money.

"About a month ago one Gen. Garcia captured a town 12 miles west, killed the colonel and his aid, robbed several stores, and left without being molested.

"On the 22d of August a band robbed all four stores at the ranch of Santa Tirbucio.

"An old man, and a good one, by the name of Feliciano Gonzales, who had 6 cows, about 50 goats, and 5 horses. During the last two months they have taken everything he had and left him so poor he can hardly live.

"At the station of La Ventura there lives a man by the name of Constancio Acosta. He is a one-legged man and has to keep himself and five in family on 1 peso per day, which he gets by looking after the railroad pump. With the help of his wife and small children he planted some wheat, and about the time it was grown a bunch of several hundred came along, turned their horses in on it, with the result that next morning there was no wheat. He had nine cows and of those gave seven of them for some wheat that was cut and in bundles. Before he could thrash it another bunch came along, threw the wheat to their horses, leaving him with nothing but two cows and his peso per day.

"During the last few months three trains were burned near Saltillo, on the Coahuila & Zacatecas Railroad, a line 65 miles long, and since that time about a dozen bridges have been burned on the same line.

"In order to show what poverty exists outside of the mining camps I will cite two cases that came under personal observation: I was at a little ranch about 10 miles south of here by the name of ———. We rode up to two little houses (jacals) and called for some water. The women answered that they had some water, but had no clothes and could not bring it out to us. During the same trip we saw a dozen people waiting around a sick cow until she died, and the owner skinned her, then they cut up and ate the meat. I asked them if they were not afraid to eat it, and they answered that they had as well to die from bad meat as to starve to death. The people away from mining camps eat lizzards, toads, burro meat, and anything they can get.

"The railroad officials are robbing the roads of about one-half the fares. For instance, the ticket agents will sell about half the berths on the Pullmans, then tell the passengers there are no more. This was done with me, then after the train leaves the conductor sends his aide into the day coaches, picks out his friends, brings them back, and sells them berths. Then he and the agent that had no more divides 50–50. The greater portion of passengers will buy a ticket to the first or second station, which gets them through the gates, then the conductor will carry them through for half fare and pockets the whole.

"It is known that there are 180 bandit heads in the Republic and no question there are more. Every State has some general for governor, and he is seeing to it that he does not go hungry.

"Formerly there were millions of horses and cattle, now it is a rare thing to see one. Every property owner lives in some garrisoned city and never leaves to see his property. Every man who has anything at all is afraid to leave the town.

"I am sending you several clippings taken from Mexican papers. Among them is an account of the murder of Adam Scheffer, an American. I see the governor has advised the Federal Government that the bandit head, Albino Gaitan, was killed. I was informed by a Mexican by the name of ———, to-day that Gaitan was at this moment camped about 25 miles west of ———, that he saw him last night. No doubt but that you have seen the account of the death of Villa and Martin Lopez several times. Yes; well this is about the way they all turn out. The account of the death was evidently sent out for certain effects.

"Mexico is a very rich country, and if it could have an honest government, honestly governed, it could soon recuperate, but, it has not and I don't think ever will through these people. So many bandits all over the country, if they are bandits, and the heads of the country acting like they are, how are they to ever put it in good shape? See if you can work it out; I can't.

"Remember also that I am here, and it might be unpleasant to have my name exposed."

The following statement was made by Mr. Barnes at the time he left his property in 1914, and he has not been able to return to the farm since because of the dangers to life and property in that vicinity.

U. S. S. "DES MOINES," *April 30, 1914.*

By R. E. BARNES,
Merriam, Kans:

Two hundred acres of land in Atascador colony, District of Valles, San Luis Potosi, and 15 miles north of Rodriguez station, valued at $40 per acre; household goods; farm implements and wagon; 4 head of mules (taken at station at Ebano); 1 wagon and contents (taken at station at Ebano); 8 acres of sugar cane, at $200 per acre; cane mill and evaporator.

R. E. BARNES.

He states that about April 23, 1914, he and his neighbor Mr. L. M. Moorehead, and sons of the latter, were en route to Panuco from their farms on the Atascador, in wagons, and Mr. Barnes had four mules and a wagon, Mr. Moorehead had eight mules and a wagon—all intending to work on the new railway under construction at Panuco. When they entered the town of Ebano, the Huertista commander there took their teams, wagons, and harness, camping outfit, etc., from them and they came to Tampico on a troop train and were advised by the American consul to leave the country which they did in company with many other Americans.

Mr. K. relates the following story:

"Writing my experiences especially during the revolution here in Mexico, I am glad to do so if it possibly can help to untangle things. I have lived in Mexico 20 years.

"During the first year you could call it revolution, but soon it grew to fire, murder of innocent people in order to rob.

"We had a nice foreign colony, mostly Americans, in San Dieguito and also in Rasco, Micos, Crucitos, and San Mateo, and stations on the railroad between Tampico and San Luis Potosi, about 200 kilometers southwest from first-named city. Horses and cattle were taken away from us, fences broken down time and again, and crops destroyed.

"As soon as a crop of corn was ready it was taken away from us. All these things commenced after Carranza got in power, because little groups of so-called soldiers sprung up everywhere, not being contented with the new boss, and papers given us by generals and other officials were not respected at all.

"One afternoon, year 1914, just after dinner as I was still sitting round the table with my family, suddenly appeared four armed men and entered the house and demanded from me $1,000, arms, etc. Money I did not have more than about $100 which, of course, I gave, likewise a shot gun, pistol, three or four dozen new yute sacks, 'machetes,' etc., and if it had not been because I manage the language good, I was saved from further trouble.

"When the Americans entered Vera Cruz, all the Americans in Micos were gathered up like cattle, even ladies, and shut up in the American grocery store for three days and insulted in various ways, and the next day they all left on horseback, except me, as my wife was sick. Some of them got through to Tampico in three days after many hardships, and two men were stopped, Mr. Speedy, English, and Cavan, American, to be shot, but happened to escape. This was all done by Carranzistas.

"A little while after this one Sunday afternoon, I was sitting in my house with my family, when up came a Carranza captain with four soldiers, took a horse I had tied up and commenced to insult me for Gringo, etc., one of them, a youth about 14 years old, pointing his rifle against me. They were all drunk. I had a part of a bottle of Mexican brandy in the house and I told the captain to step inside, offered him a chair and a drink, another, and talking to him until he got reasonable and left, and even told the soldiers to tie up the horse where it was before. It was not the first time that a drink saved a life here in Mexico.

"During all this time everything was taken away little by little until nothing was left, no animals to work with, etc.

"Three years ago in month of January, I was woke up one night at 10 o'clock. In came a bunch of armed men, about 20 of them. They demanded $1,000, rifles, etc., and when I told them that I did not have it, the captain told one of his men to get a rope and string me up.

"Again I talked him out of it when I told him he could have the corn, about 40 bushels, which I had on the second story.

"While we were up loading, some of the men had cleaned up my bedroom, as I had only put on a pair of pants when I left bed, sheets, pillows, stockings, boots, blankets, shirts, and coal. All I got back was my boots, pants, and an undershirt. I did not like to see a rope so near a second time.

"Afterwards they burned the house.

"For the last four years or five, not a month, sometimes not a week, has passed without wrecking a train, robbing the passengers, and carrying the young girls away.

"Where you before could not travel on a train or horseback, you would not now even an old burro, dog, or a chicken. People in the ranches live hidden in the mountains, their houses being burnt down by Government soldiers, this being especially true in the oil fields, even big towns gone."

The following is the statement of Mr. M. L. McCrocklen, now deceased:

"This is to advise you that on the morning of November 15, 1913, at my hacienda 'Espiritu Santo,' Micos, Mexico, about 5 o'clock of said morning, I was surrounded by a Mexican Army consisting of Gens. Carranza and Villa forces, to number of 200 well-armed soldiers, while I was working at my sugar mill. They demanded me to proceed to the house at once, which I did at the point of Winchesters. They then, on reaching the house, demanded 3,000 pesos of me. I was unable to produce more than 600, which they took, and immediately calling for a rope and tying it around my neck and hanging me to a tree and began torturing me, my toes just touching the ground. I begged permission to allow my foreman and clerk to witness the execution so that they could tell my family what had become of me. They granted the request, explaining that they would execute all of the Americans immediately after my death. As a last resort I plead with them that I was an old man, being 71 years old at the time, and had only a few more years to live, and had always been good to their people, and asked them to call my employees up and carefully ask them, which they did, and after conferring with all of my captains, they granted my pleadings, provided I would place in the hands of the leader 3,000 pesos at a lonely spot designated in the

mountains, and said that if this amount was not deposited in the place designated at the stated time they would return and burn my entire hacienda and kill me. After promising to meet their demands they finally released me, taking me to my house again, together with my other American employees, at the point of their guns, and held us for five hours while they were looting and sacking my house, store, and bodegas of their entire contents. After loading the same and carrying it all away, together with all my mules, horses, and saddles, then they robbed my foreman and clerk of all clothing and personal effects. I fled for my life to a seaport and remained at Tampico. Sometime in December, 1913, I met Hon. John Lind, United States representative of President Wilson, and discussed the whole matter with him, and he directed that I should file a claim for my loss, but should make every effort to save my crop of sugar cane, and if I succeeded in saving it, should send in a credit of same to Washington, D. C., to be indorsed on my claim. He did not think I should go on the hacienda, but might remain along the railway and watch it, but this finally became of no use and the crop was a total loss."

The following is the statement of Mr. Hiram Catron, related to me on October 25, 1919:

"My name is Hiram Catron, American citizen, born in Hawkins County, Tenn., March 9, 1850. Came to Tampico, Mexico, January 28, 1907. Located on my ranch at Las Palmas February 1, 1907, and have resided there until August 1, 1919, when conditions became so bad that I left and have been staying in Tampico or vicinity since, because there is reason to believe that I would be murdered if I remained on my property owing to the fact that my son, Peter Catron, was assassinated June 7, 1919.

"My ranch of about 1,400 acres is named hacienda Las Puentes, near the station of Las Palmas, San Luis Potosi, and I resided there continuously until the 1st of August, 1919, with the exception of 40 days—from June 24, 1916, until August, 1916—during which time myself and family took refuge in the mountains to escape a marauding band of Carranzista soldiers, who were terrorizing that part of the country in which I lived. My son and myself returned to the ranch from our hiding place in the mountains, and were fired upon by the Carranzista soldiers, when we again took refuge in the mountains until notified by friendly Mexicans that the Carranzista soldiers had left the vicinity of my ranch. The Carranzista soldiers had looted my ranch during my absence of 32,000 pesos (Mexican paper money) and $100 (American money), 10,000 pesos worth of sugar, 800 pesos worth of coffee, 4,000 pesos worth of corn, 10,000 pesos worth of household goods, 40 head of cattle, 3 mules and 1 mare, 7 sets of harness, 1 farm wagon, and several plows. This was the total loss during this one raid of June 24, 1916, and since returning to my ranch August 5, 1916, up to the time of my leaving it, August 1, 1919, I lost about 350 head of cattle, 10 head of horses, and 6 head of mules.

On June 7, 1919, my son, Peter Catron, had taken a small canoe from the ranch house to the Tamesi River about noon, and about 8 p. m. the team returned without any driver. Search was at once begun and continued until the second day, when my son's body was found floating in the river, the wounds in his body showing that he had been murdered. One shot from a 30–30 rifle had entered the back of his neck and come out under his chin, causing instant death. Subsequent investigation has developed the fact that two Mexican cattle thieves, one by name of Isabel Valderis and Elenzo Zeuira had committed the murder. This was told by an eye witness by name of Luterio Cedillo, who lives near the scene of the murder and who had followed the Mexicans and saw them shoot Peter Catron. The reason for the murder was that these two Mexicans had been stealing cattle from my ranch, as well as from other Americans in the country, and my son Peter had caught them in the act and had complained to the authorities, which resulted in their being arrested and placed in jail charged with stealing cattle. Owing to the influence of Gen. Manuel Laraga, who is a Carranzista general at Guerrero, and who exerted his influence in behalf of these two thieves, they were given their liberty; and in order to intimidate other Americans, they committed this cold-blooded murder.

My son, Peter Catron, who was murdered as aforesaid, was born in Berry County, Mo., December 19, 1881, and came to Mexico in March, 1908. He lived with me on my ranch until the time of his murder, being sober and industrious, and well liked by both Americans and Mexicans. He was my principal help in managing my ranch as he spoke Spanish very fluently, and for the reason that I was so dependent on him I deemed it unsafe for me to stay there on the ranch after his murder.

"My losses and the mistreatment I have received have been caused by Carranzista soldiers or bandits operating under their protection, as is evidenced by the following incidents:

"During the year 1913, I had 300 bushels of corn taken by the troops of Gen. Manuel Larraga; and in February, 1914, Gen. Nafarrate camped with about 1,500 soldiers on my ranch They destroyed about 6,000 pesos worth of sugar and corn, besides cutting

down 60 acres of sugar cane, which was a total loss for two years following. Sugar cane produced about 200 pesos worth of sugar per acre each year, so that my loss for the 60 acres was in the neighborhood of 24,000 pesos.

"The colonists have been systematically robbed and some of them murdered for the sole purpose of intimidating those who remained, and to compel them to desert their property, which is then confiscated or destroyed by the Mexicans under the protection of the Carrancista troops. All of the territory in the vicinity of my ranch is controlled by Carrancista troops under Gen. Manuel Larraga, whose brother, Leopoldo Larraga, has purchased many head of live stock at a fraction of their value from the theives operating in that territory. The ranch of Gen. Manuel Larraga at Guerro is stocked with the best cattle selected from the former colonists of the Atascador and other colonies on the San Luis Potosi Railway. Also a number of the farm implements in use on his ranch are known to be those stolen from American colonists, who have been driven from their homes, and whose farms are now either grown up in brush or occupied by Mexican squatters.

"It is in vain that appeal has been made to the Government of the United States through the medium of its consular representatives, as they have invariably taken the matter up through the State Department at Washington with the Mexican Government, who in turn report the matter to the local authorities and the American who has so complained to his own Government has then been much worse abused than before."

The following is the translated testimony of two eye witnesses to the murder of Peter Catron as taken from the Primary Court, City of Valles, State of San Luis Potosi, Mexico:

Statement of Virginia Villasana: August 25, 1919, having been summoned, Virginia Villasana appeared. She was informed of the penalty for false testimony, and having been questioned regarding herself, she said: "My name is as written, 38 years of age, a widow, a native of Tula, Tamaulipas, and living on the ranch Las Puentes, in the municipality of Villa de Guerrero." On due examination she replied: "On the 7th of July, which was Monday, and about 12 o'clock, Eleno Zequera, Isabel and Pedro Balderas, and a boy about 12 years of age, a brother of the Balderas, came to my house which is at La Cuaya, and which belongs to the ranch Las Puentes, the property of the Americans, Monty and Pedro H. Catron, situated in the municipality of Villa de Guerrero, my house being about 50 paces from the river. Said parties were a little intoxicated, Isabel Balderas being more so than the others, as he laid down to go to sleep and the others stayed there, Zequera carrying a gun, the others not having arms, for, as I knew, they were going to stay in the country. About 1 in the afternoon Don Pedro Catron came, alone and on foot and unarmed, to get a hammer, a hatchet, and a bottle of whiskey, telling me that he was going to put a boat in the river to fish, and after he had left the house with those things, and was a short distance away, Eleno Zequera talked to him, regarding some cattle which Zequera had on the Las Puentes ranch, and said: 'Listen, Don Pedro, you told me to take the cattle away.' Don Pedro replied: 'Yes, take it away.' Then Eleno said to him: 'No; why should I take it away, and now that I think of it I won't take it away.' Don Pedro replied: 'Yes, man; take it away.' Eleno then said: 'Now, another thing. I know that you say that I take away cattle, that I am a cow thief; that I even steal cattle from my employer.' Don Pedro replied: 'Yes, man, why not?' Eleno asked him if he had proofs of this, to which Don Pedro replied that he had proofs.

"To this Zequera asked what proofs he had. And then Zequera said: 'Prove it,' and immediately fired a shot from a gun on the saddle, in the direction of Don Pedro, and without raising it to take aim he fired, the shot taking effect in his throat or neck and came out behind at the nape of the neck, and at a distance of about 2 meters. Immediately Don Pedro fell dead, without making a motion. Then Zequera tried to carry the body of Don Pedro to throw it into the river, and demanded the assistance of Pedro and Isabel Balderas, and as the latter was asleep he was awakened by Pedro to help Zequera to throw the body, and as these refused to help Zequera threatened them with the firearm, making them help him, and the Balderas, Zequera, and the boy who was with them, threw the body into the river, Zequera telling everybody in the house that they should not say anything about what had happened or the same would happen to them as to Don Pedro. In my house at that time were my two daughters, Francisca Sanchez and Eustacia Cedillo, and my nephew Eleuterio Cedillo, who witnessed the deeds which I have narrated, as they happened at a short distance from the house and on the nearby highway. I want to state that the disagreement which arose between Zequera and Catron was because of the matter of the cattle which Zequera had on Catron estate, for which he did not pay pasturage, and because he stole cattle from Catron, as shown in the conversation which they had, and which was the cause of his death. Afterwards, and only once, and while I was away from the house, Zequera came and asked if I had said anything about what had happened, and when

I said I had not he threatened to harm them if they should do so, promised to pay their living expenses. He asked if anyone had been searching for him, and hoped that they would, and that Monty would come that he could kill him also." The above has been read, was certified to, and was not signed, as she could not write.

Statement of Francisca Sanchez: In the City of Valles, on the 12th day of the month of September, 1919, after being summoned, Francisca Sanchez appeared; she swore to tell the truth, and on being questioned regarding her history said: "My name is as written; am 19 years of age, unmarried, a native Estacion de Las Palmas, and live at the ranch La Cuaya in the municipality of the Villa de Guerrero." Having been examined in accordance with the summons she replied: "It is true that on the 7th day of July last, in the morning, and before 12 o'clock, Eleno Zequera, Isabel, and Pedro Balderas, and Amancio Balderas, their brother, about 12 years old, came to the house, Eleno being armed with a gun, the Balderas not carrying arms, and all on horseback. I do not know why they came to the house, where my mother, Virginia Villasana, Eustacia Cedillo, my mother's niece, and Eleuterio of the same name, a brother of the former and I live, and as Isabel Balderas was a little drunk he laid down to sleep in the kitchen of the house. Shortly afterwards the North American, Pedro H. Catron, arrived, to get a bottle of whisky and an axe to take to some place where he had a wagon; I did not see any arms on his person. After he left the house Eleno Zequera caught up with him a short distance down the road, and I could not hear what they were talking about because of the distance, but from the signs they were making it was seen they were disputing, but my mother, Virginia, who was near, must have heard. They were talking in this way when Eleno Zequera, who had gone after Catron on horseback, fired a shot from the gun he was carrying. Don Pedro falling dead immediately. Just at that moment Eustacia went to awaken Isabel Balderas, who was asleep, and then Eleno Zequera threatened my mother and us not to tell what had happened, and made Pedro and Isabel Balderas help him to carry the body of Don Pedro to throw it in the river, and Isabel Balderas hit Pedro with the handle of an axe, telling him to go to the road and see if anyone was coming, Amancio afterwards going away with a horse, and I, having seen the body of Don Pedro, saw that he had a bullet hole in his throat. After this Zequera as well as the Balderas went away, the former alone, taking the road to Santa Elena, and the others toward the ranch where they live. About 15 days afterwards Eleno Zequera came back to the house in company with Guadalupe del Angel and a boy called Eleuterio whose family name I do not know, on horseback and armed; they remained only a short time, and only asked about the other Americans, and then went away." She certified to the foregoing after it had been read, and did not sign, as she can not write. I attest.

Mr. L. told me the following story:

"On or about November 27, 1917, Mr. L. L. Wieder, an American citizen, one of the colonists of the Atascador, went to the town of Guerrero, S. L. P., Mexico, to complain to Gen. Manuel Larraga, who was at that time, and still is, a Carrancista officer in charge of Government troops in that district, his complaint being that cattle thieves had robbed him and other Americans in that settlement. On his way returning when about 2 miles from his home, he was shot and killed by Mexicans whose names are Alalio Nava, Domacio Nava, Inez Barron, Camilo Martinez, and another whose first name is Nicholas. After robbing him his body was left lying in the public road. He received one shot in the heart, two through the head, and one through the leg and one through the hand. The above-named murderers are now living on the Atascador and have never been tried for their crime for the reason that Gen. Larraga controls the court absolutely and prevents their giving justice as has been demonstrated in other cases.

"Shortly after the murder of Mr. Wieder, 275 head of his cattle were taken by the above-named murderers and Cecilio Roque, Antonio Castillo, Emilio Sanchez, Nieves Barron (a brother of the Inez Barron mentioned), and Juan Cruz to the town of Guerrero and sold to Col. Leopoldo Larraga, brother of Gen. Manuel Larraga, for the sum of $11 per head. His household goods, the sheet-iron roof of his house, his farm wagons and plows were also taken to Guerrero and sold to the same party. The farm wagons and plows were sold by Julian Reyes and Alberto Rodriguez. The wagons are in use in Guerrero to-day and can be identified. All fences and b ildings on the farm belonging to Mr. Wieder have been carried away or destroyed.

"Another American colonist of the Atascador had 300 head of Durham cattle taken by Camilio Martinez, Inez Barron, Alberto Rodriguez, Alalio and Damacio Nava, Antonio Castillo, Cecilio Roque, and Nicholas ———, and sold to Col. Leopoldo Larraga and Maj. Pedro Zamudio—one team of American mules, one Percheron mare, wagons, horses, farm implements, and other movable property were taken and the buildings and fences all destroyed or taken away. One of the thieves, Camilio Martinez, now lives on the Harnback farm, which is called La Providencia.

"From Mr. E. S. Dunn the same band of thieves took 50 head of very fine dairy cattle, household goods, implements, etc.; all fences and buildings are gone, and the purchasers were the same two men, Col. Larraga and Pedro Zamudio; the latter is now mayor of the town of Guerrero.

"From Mrs. D. E. Duff 40 head of fine dairy cattle were taken, as well as all farm implements, buildings, and fences destroyed or stolen, by the same band of thieves named above, and by orders of Maj. Pedro Zamudio.

"At the present time there is not one American settler left in the Atascador colony, nor is there one American house left except in ruins.

"It is useless and it would be foolish to ask any further redress of the courts or Mexican authorities, as their lives as well as their positions are absolutely dependent upon the military authorities, and these last mentioned are aiding and abetting in the crimes of murder, robbery, and terrorism which has been systematically carried out to dispossess the Americans of their property.

"A very creditable witness told me yesterday, October 25, 1919, that within the last month he had seen one of the Jersey cows stolen from Mrs. D. E. Duff in the possession of Gen. Manuel Larraga, at his home, which trifling bit of evidence goes to prove that he was interested in getting the best of the loot.

"Therefore it is worse than useless to look toward the Carranza officials as they are constituted at present, for redress. It will merely put them on guard and they get their henchmen together and nicely whitewash all of the black spots in their records.

"Protest is hereby made against the confiscatory decree of article 27, constitution of 1917, which attempts to confiscate the subsoil rights of our property. Protest also is made against the abridgment of our rights to sell our properties to anyone but Mexicans, unless the purchasers agree to consider themselves Mexicans with respect to such properties, and therefore not to invoke the aid or protection of their governments in connection therewith. (Art. 27, clause 1, Constitution of 1917.)

"When the Americans began to colonize the tract known as Atascador it was entirely unpopulated, and semiwild long-horned cattle roamed over it; the opportunity to purchase was open then and had been for years, but the Mexicans had not developed 1 acre of the rich farming land there. But when the Americans had cleared and developed the land from jungle to well improved farms, they are murdered, robbed, their women ravished, and a general campaign of terrorism inaugurated for the sole purpose of enriching a few Carrancista officials who coveted the fruit of the labor of the American colonist."

Mr. N. makes the following statement:

"For 25 years I have lived in one community in the State of Tamaulipas on a plantation purchased and developed by myself from its virgin condition of young-timber land. Sixteen of these years were passed under the administration of Porfirio Diaz and the different governors of the State during that period, with all of whom I had the most intimate relations, and received from them every consideration and kindness, as well as from the local authorities. During all that time I had but one legal controversy with anyone. I was received as a friend by all of the Mexican people with whom I came in contact and the same consideration that they extended to all the other foreigners who show a disposition to help them develop their country by working their lands or mines upon modern lines without any special effort to exploit them. These years were uneventful, the most of my time being devoted to the improvement of the property.

"The year 1913 was the first year of revolutionary activity that we felt in this section of Mexico. On April 18 of that year I was awakened at about 12 o'clock at night by a summons from some armed men accompanied by my mayordomo, who, after I had admitted them, said that they were scouts of the forces of Lieut. Col. Nafarate, a revolutionary chief who had revolted against the Huerta régime near the City of Mexico and had come overland from the city toward Victoria, Tamaulipas, with the intention of executing vengeance on the people of Victoria for a rather summary dismissal that they had received from these people.

"The message that these scouts brought to me was that they had taken the town of Llera that afternoon at 4 o'clock and proposed to make me a visit within a day or two, assuring me that they were familiar with my kindness to the people of that district, and would therefore give me all protection. I, of course, realized that this visit meant something besides that and I asked them what it was that they really wanted. They replied that they wanted a can of coal oil and a bucket of crude petroleum, which I immediately ordered the mayordomo to deliver to them and then dismissed them.

"During the next few days this revolutionary party went recruiting among the people of the municipality, and on the 20th they called upon me in force, being introduced by an old friend of mine who had been the candidate for the Maderista party

for the year before for president municipal, but had been defeated by the efforts of the clergy and landowners, the ticket representing them being victorious, as alleged by their opponents, fraudulently.

"Lieut. Col. Nafarate and Maj. Navarrete were the leaders of about 75 veterans of the Madero revolution, who had made this long trip of approximately 700 miles from Mexico City in 20 days. They assured me that they required nothing of me, but would appreciate it if I would give them the rifles and ammunition which they knew that I had. I thought it the better part of discretion to surrender the arms, as they had respected all of my other property. They immediately passed on to my neighbor's hacienda, where they spent the night, the owners having fled at their approach. They occupied the main dwelling, obliging the foreman to surrender 20 or 30 horses and otherwise disposing of the property as though they were the owners.

"During the two days that this force had held the town of Llera, capturing the municipal officers who were alleged to have been fraudulently seated, and made them sign an agreement not to exercise the duties of their offices any further, and left other officers of their own choosing who were principally those officers who had been defeated at the preceding election. Early in the morning of the 22d of April this force, after traveling 45 miles during the day of the 21st, appeared before Victoria, the capital of Tamaulipas, and demanded the surrender of the town, which was refused by the then governor, Matias Guerra. The town was garrisoned by a detachment of the Tenth Regiment of Rurales under Capt. Navor Torres, assisted by the Defensa Social, a voluntary organization of citizens. The rebels were defeated and by evening were in flight in the direction of Matamores.

"I was afterwards told by friends in Victoria that the rifles which the rebels received from me were really the only arms they had that caused any dangerous situation, as the other arms they had were not important.

"Within a few days the former officials of the municipality of Llera, who had signed under duress the agreement not to exercise the duties of their offices again, returned to their offices—were in daily discharge of their duties. Nothing further was heard from Lieut. Col. Nafarate and his band until May 13 of the same year, when he surprised two freight trains and a passenger train at a switch near San Francisco, 30 miles due south of Victoria, on the Monterey and Gulf division of the National Lines of Mexico. They caused the passengers to alight, taking prisoner two of them, a Spaniard named Lucas Haces and a Mexican named Barberena, who were at once accused of being enemies of the revolution and sentenced to death. Barberena was finally reprieved by some powerful friends of the revolution who happened to be on the train, but Lucas Haces, accused of being a foreigner and taking part in the recent fight at Victoria, was taken a short distance below Forlon Station and executed. His body remained there exposed several days and was literally devoured by wild animals.

"The leader of this band of revolutionists was Col. Jesus Augustine Castro, afterwards subsecretary of war for two years under the Carranza administration. His record has been a notable one. From being a conductor on the electric line between Gomez Palacio and Torreon at the beginning of the Madero revolution, he had organized what was called the Twenty-first Regiment of Rurales, and it was a remnant of these rurales with their Maj. Navarette, who had attacked Victoria, and after being defeated had gone to receive more arms and ammunition from across the Texas border, and had returned. On this occasion they numbered with their new recruits some 200 well armed and well mounted men.

"Upon receiving advice of the affair of the shooting of the Spaniard near our station at Forlon, 3 miles from our plantation, and the presence of Col. Castro's troops at said station, I drove over there with a clerk, and for the first time became acquainted with Col. Castro and renewed my acquaintance with Maj. Navarette. I found the colonel affable, and he assured me that his desire was to protect all foreigners against molestation by his troops.

"He then left the railroad, proceeding to Xicontencatl, where he continued his propaganda, and of course received daily acquisitions of recruits to his troops. He made a wide detour toward the west to the mountains and then returned to the railway station, passing our plantation at 5 o'clock in the evening of the 16th of May, where he paid his troops from money obtained from merchants of the towns passed, having surprised the old officials of the town of Llera performing the duties of their offices, which they had agreed not to, and executed two of them and pardoned the presidente, Alberto Muniz, on account of his son-in-law having joined his forces, after giving him a good beating.

"Having paid off his troops at our plantation, Castro proceeded to another hacienda for the night and early in the morning his scouts were surprised by running upon Federal scouts protecting the flank of the Federal forces repairing the railroad at Ysasi Station, which were going north to meet another force coming south from Vic-

toria also repairing the railroad. During the morning Castro captured an unfortunate lineman, who was coming ahead of the Federal troops repairing the telegraph wires and hung him. He organized his forces at Forlon Station and during the day gave battle first to one of the forces going south and then to the force coming north, retreating at nightfall with about 300 men. During the night he buried his dead, and bright and early in the morning he retreated westward toward the mountains.

"In the meantime the conductor of the passenger train that had been captured by Castro had found refuge at my house. Upon the retreat of Castro toward the mountains, this conductor made his way to join the Federal forces and gave the officers all the information they required to put them on their guard.

"On the 18th of May the Federal forces reappeared under command of Capt. Torres, and I went to meet them. I was immediately accused of being in league with the revolutionists, but after some discussion, in which I proved that it would be impossible to take any other stand than what I took, I was released and advised to be very discreet in any relations I might have with them, as I was under suspicion of being one of their sympathizers. The railroad was fully repaired the next day and Sunday, which was the 20th of May, I was surprised by a Federal force of cavalry and infantry at my plantation, who commenced impressing my laborers into the service of the Federals. After demonstrating my entire sympathy with the Diaz government, my men were finally released, the Federals going on their way to Victoria. Nothing further happened in the immediate neighborhood until the combined attack against Victoria on the 16th of November of the same year. They were successful after two days' fighting, the Federals retreating southwestward through the mountains toward the railroad from Tampico to San Luis Potosi. During this attack the rebel forces under command of Col. Sartos came to our station, burned that station, and destroyed a car of corn that I had loaded the day before, visiting me shortly afterwards at the plantation, where he obliged me to give him food for his men and horses, remaining in that vicinity about four days, during which time he informed me that his orders were not explicit, but he thought he would destroy the pumping station and water tank, and fuel oil deposit and pump at Ysasi Station, which I begged him not to do, showing him that if his party was successful they would need all of these supplies and machinery. He agreed that I was right, and finally returned to Victoria.

"On November 25 Col. Viviano Saldivar came through from Victoria with 150 men, arriving at dusk. I met him upon his arrival, and he assured me that his chief, Gen. Luis Caballero, had sent him in advance to assure me that he was friendly to foreigners and would give me all protection, both to me personally and to my property; but having outstripped his commissary train, he would appreciate it if I would give him corn and fodder for his stock, as well as two fat cows with which to feed his troops, promising me to return the same in the morning upon the arrival of his commissary train, which he did.

"He spent the next five days scouting around the country, taking possession of the stocks of goods of the merchants and the cattle and horses of the ranchers who were known enemies of the revolutionists, returning to Victoria with a large quantity of loot which he had thus obtained. This officer always treated me with the greatest of kindness and consideration.

"Within a few days the advance upon Tampico began. Several hundred troops passed during the week, all of whom I was obliged to feed without recompense; however, in some cases I obtained receipts.

"The attack upon Tampico occurred December 5, and lasted two days, the revolutionists being defeated. A permanent force was left at Los Esteros Station, 28 miles north of Tampico under the command of Col. E. P. Nafarete. He remained there with occasional skirmishes with the Federal troops stationed at Altamira, 15 miles north of Tampico, through the winter.

"I was obliged to transport my vegetables for export to the United States through the lines of both the rebels and Federals, and my relations with both continued friendly during all that time, but especially with the revolutionary leaders, who were at that time very desirous of being recognized by the United States. On May 13, 1914, after driving in the Federal outposts, a determined attack was made on Tampico by the rebels under Gen. Pablo Gonzalez, and the town was taken. The Federals under Gen. Morelos Zaragoza went in the direction of Mexico City.

"Previous to this in April an acute crisis occurred for foreigners, when the United States forces attacked and captured Vera Cruz. During that period I consulted Gen. Caballero, in charge of the forces beseiging Tampico at the request of several American colonists, and asked him what would be his attitude toward foreigners should the rebels and Federals unite against the American forces. He assured us of his protection, and said that in case of hostilities he would send us under safe conduct to the nearest United States forces.

"The casualties of the rebels in attacking Tampico at the different times during the winter of 1913–14 were approximately 1,000, as I was informed by the adjutant of Gen. Caballero's brigade. At no time were foreigners seriously molested during this period. Their losses consisted principally in having to feed large numbers of rebel troops who happened to be in their neighborhood.

"About this time I joined an American, who was manager of another hacienda, in a telegram to President Wilson, urging him to recognize the Carranza revolutionists as being the faction of the revolutionists most numerous and homogeneous. We received no direct reply.

"One of the instances of the capture of Victoria in November, 1913, by the revolutionists' troops was the capture of the president of Llera and various other local authorities, who were immediately hung. In fact, within a few months not one of the nine members of the municipality survived. Since then a strange mortality has overtaken almost every successive municipal administration of Llera. At least three presidents have been executed by first one side and then the other, the fourth having been saved by me upon his plea to me to furnish a payment to the Villista commander of 1,000 pesos, which I did, and which, by the way, still remains unpaid. The history of this municipality, I think, is typical of those of a great many others in Mexico during the past six years.

"First one partido would come along and find some incriminating evidence against officials or civilians, and they would be arrested and sooner or later executed. For instance, the town of Xicotencatl in 1915 was occupied by the Villistas, who obliged several of the prominent citizens to contribute to their cause. When they were driven out by the Carranza forces, these lists of contributions by these citizens were found, and they were immediately arrested by Gen. Luis Caballero and placed in the penitentiary in Victoria, with instructions to the commandant that should the Villistas be on the point of victory these political prisoners should be executed. The signal for the execution should be an explosion at the Government palace. The explosion occurred, but it was a machine gun and not what the jailer supposed it was, a signal for the execution of these unfortunate people. He immediately executed them by firing on them through the bars of their cage. Thus the best citizens of southern Tamaulipas were executed and buried in one common grave. Only one escaped. Being well supplied with funds, he bought his way out. However, personally, I have no complaint to offer concerning my treatment by the revolutionary leaders.

"They never looted or destroyed my property, but they did occasionally take horses, mules, and saddles. I have fed thousands of them and their horses, of which I have little record. I have receipts for some, but oftener they refused to sign receipts, and I, of course, was glad to get off so cheaply in comparison to my Mexican neighbors, against whom the revolution was really directed.

"They have not lived on their properties for six years, and these are in a very lamentably ruined condition, producing hardly 50 per cent of their prerevolutionary production.

"I have never left our property for more than a few weeks or a month at a time, and then it was only once a year for a visit to the United States. Even when the danger of armed intervention by the United States was most acute I refused to leave our home at the command of the United States Government, preferring to take chances of personal danger to abandoning my home, which meant ruin after so many years of hard work.

"Aside from the feeding of so many troops and their horses, my real losses would not exceed $7,500 in value of corn burned at station and work animals taken and cattle and hogs killed for meat. A rough estimate of the feed consumed would add $10,000 to this estimate.

"It was not until April 9 of this year that a band of bandits, who have been hovering around the valley in the western mountains 20 or 40 miles away, made a raid on our property during the temporary absence of the garrison. On this day, being in the store, I heard shots and cries in our village of laborers' houses, and on looking out I saw a bunch of armed men riding toward us firing as they came. I took protection from the bullets. Firing soon ceased, and I was the first prisoner taken. The man who captured me took me at once to the leader, Elario Medina, who received me rather coldly. He had formerly been one of my employees, but committing some petty crime had fled to the mountains and gathered a bunch of thieves and assassins. They had killed all of our elected municipal officials one after another for three years, so I hardly knew what to expect. But I protested against the looting of my store and house and the houses of my employees.

"They said they were Peleasistas, a real revolutionist of the oil country south of us. They had adopted this leadership in order to get rifles and ammunition, but they were simon pure bandits.

"They treated me well personally, but exacted a written promise from me to pay them 300 pesos monthly under the veiled threat of taking me with them to the mountains for ransom.

"The losses on account of this raid were approximately 7,000 pesos in merchandise and money and work animals taken from my store and 2,000 pesos in clothes and money taken from tenant farmers, who were left in a very pitiable condition, although none of them were personally abused.

"I reported the facts to the governor, who expressed his regret and promised protection. But, on May 9, just 30 days after the first raid, the bandits came again to collect the monthly tribute, and took value of two and a half months' tribute, or 750 pesos. I have not made any effort to locate them to pay them the balance due to date.

"I again protested to the governor in person and have had a strong garrison of troops ever since. The expense of feeding the horses of these troops devolves upon us, which, besides their everlasting thieving, make a heavy charge on me.

"The present situation in northwestern Mexico, bounded by the Rio Grande on the north, the Gulf of Mexico on the east, to Tampico on the south, the railroad line to San Louis, and north to Laredo, is that production in a great measure has ceased, except in the large towns or plantations that are garrisoned. Outside of these limited numbers, those who are actually working have to pay tribute in one form or another to roving bands of bandits, some of them having more or less revolutionary titles, but the effect being the same.

"The railroad situation is typical. The administration of the railroads has suffered such losses on account of the burning of trains, both cars and engines, that the rolling stock is not sufficient to take care of the freight, so that officials sell the cars for the trip at prices ranging from 100 to 150 pesos per car, all freight being at the regular express rates for car lots, which makes it a heavy charge on low-valued freight. Local freight in less than carload lots is unknown. There is at present, piled up in the freight warehouses at Victoria, freight that has been there for the last five months. Where that freight is corn or semiperishable stuff, it is, of course, now worthless.

"The military situation is another terrible scandal. I am assured by friends of mine who hold commissions in the Carranza Army that the captains are allowed to pad their pay rolls, sometimes to the extent of 50 per cent, receiving of course the corresponding pay of 1.25 pesos per man per day, plus the feed for his horse, which is 40 cents per day. All cavalry commanders receive this item of forage for their horses. This forage comes from the farmers where they are billeted, but the farmer gets not 1 cent of pay for it.

"I have been required by different commanders to make invoices for feed furnished, even receipting them, but have never received a cent.

"In return the captain must pay his regimental commander an average of 500 pesos per month. The regimental commander pays his brigade commander correspondingly, etc. It is fair to say that at least one-half of the Federal army budget is graft.

"The condition of the poorer people outside of the towns as a result of the bandit activities is pitiable. In most instances they have lost their blankets and other articles of clothing to such an extent that they are suffering severely in the winter weather, and I feel that I am rendering them a great assistance in stating these facts with the hope that some remedy may be found for such a terrible situation. In fact, my neighbors constantly appeal to me, asking how long can this situation last."

Mr. O. made the following statement to me:

"This information concerned my abuses and property losses at the hands of the various classes of Mexican bandits: All these people who carry arms are bandits and in this section of country it is controlled by the Carrancistas. Just a little south the country is controlled by Manuel Pelaez. But it will be noticed that 80 or 90 per cent of the robbing has been done in territory controlled by the Carrancistas and in a majority of the cases there was absolutely no attempt to punish the guilty parties; therefore it became useless to make any complaint to the authorities.

"My first loss was one horse stolen in June, 1913, by thieves. Next in May, 1914, the American people in my settlement were advised to pack our traps and go; this advice came to me from a captain on an English man-of-war lying in Tampico; I sent my wife out, she went out on the *Connecticut*, and five days later I received a notice from a Mexican judge, delivered to me by two American negroes, who had agreed to help fight the Gringoes; this notice informed me that I must surrender all my guns and ammunition and horses and myself to him (the judge) at once. I refused to surrender and went to see some more Americans who lived near me and found that one had already fallen into the hands of the Mexicans (Federals). Well, I, together with the others, provided ourselves with some grub and guns and ammunition and made our

way through the brush to Tampico, or rather the mouth of the Panuco River; there we were picked up by a launch from an English gun boat the same day. The same English people picked up about 125 other American people; they fed us that night and next day they took us to sea and put us aboard the S. S. *Cyclops* and took us to New Orleans. I came back to Mexico in August, three months after we had been driven away, only to find that I had lost eight head of work horses worth $1,200, United States currency, and one stallion worth $500, and three large hogs worth $225, and 190 chickens worth $50, and household goods and guns and carpenter tools worth $500, and four head of American cattle worth $200, and growing crops worth $1,000. At this time I had 21 acres planted to citrus fruits, just commencing to bear. At once I set about to buy horses to get my land cultivated, but only succeeded temporarily, for in June in 1916 we had to beat it again and was away three months, again returning October 1, 1916, and immediately commenced to cultivate my land again. But ever since I have not been able to keep stock sufficient to keep my land cultivated, so therefore, I have lost 75 per cent of my fruit grove, worth $5,000. In March, 1916, on one occasion, I was beaten and punched in the stomach with guns by Carrancistas. In May, 1917, my wife was at my home with a Mexican servant woman and two Mexican workmen; there came three bandits at midnight and robbed the house of everything of value, clothing and bedding and $35 cash. In June, 1917, the thieves took three American cows worth $300. At the time they robbed my house my wife escaped and went into the woods and stayed the rest of the night. They abused the servant woman trying to make her tell where more money was hid.

"In October, 1918, there came to my house at night a Mexican who lived near me but believed him to be my friend. He commenced to break the windows and when I opened the door to see who it was, I simply poked my face against the muzzle of a large American pistol. Of course I did not lose any time getting my head back, but none too soon, for at the same time there was a blast from the pistol almost burned my eyes, the ball tearing splinters from the door just past my head. Well, of course, I reported the case to the judge at Pueblo, Vieo. He had the man to appear before him, and I also appeared as witness and gave the judge the facts and the judge assured me that I might go home, rest at ease, as he, the judge, would send the man away where he could not give me any more trouble. When I got home the man was already there, waiting for me, armed with a nice letter from the judge telling me the man was a good man but had only been drinking bad whiskey and if I would only be kind and nice to the man he thought the man would let me alone.

"Please notice that in telling this I only wish to make it clear that the American people can not get any protection from the authorities. At another time a Mexican who was known to be in with the Villistas and Tampico, although being occupied with Carrancistas and this man, wanting to get on good terms with this Carrancista colonel, stole from me a very fine American mare worth $200 and made the Carrancista colonel a present of the mare. At another time in April, 1918, I had bought seven head of work horses, and my wife was living at my home and I was working 11 miles away from home. The Villistas came to my house and took six head of horses. My wife and I walked 18 miles trying to get our horses back, and Gen. Valducero told us that if he had not needed the horses he would not have taken them. Three days later, as soon as the Villistas were well gone, the Carrancistas from Tampico went to my house looking for the Villistas and got the one mule the Villistas had left. At another time some bandits stole one of my cows, and my Mexican man who was working for me reported to the judge at Tampico Alto, and the judge went and got part of the meat and hide of the cow, but made no attempt to punish the thieves.

"At another time some thieves stole five head of my cows and had butchered one. I was away from home; a Mexican told my wife where she could find her cow's hide in a tanning vat. She went to the judge at Tampico Alto and asked the judge to arrest the man who killed the cow and get the hide from the tanning vat, and the judge refused to do anything for her.

"Please remember I am not trying to tell of my losses, but only wish to show that the American people can't get any protection from the authorities, and it is well to note that in a very great many cases where men representing different oil companies have been held up and relieved of pay rolls that the bandits always knew just how much money there was in the pay roll and demanded just that much, and there was absolutely no other way for that information to get through other than through the Carrancistas. At another time there was a bunch of bandits went into a camp of one of the oil companies and cleaned the camp of all jewelry and clothing and bedding and about $10,000 cash. Next day the Carrancistas came to this same camp looking for the bandits and immediately the Americans recognized the Carrancistas' horses as being the same horses the bandits rode the day before.

"Only a short time ago, just 11½ miles from here, the superintendent of the pipe-line department of the Mexican Pete Co., together with another American and one Mexican, was shot, not held up (but shot first), and then robbed of a pay roll of 18,000 pesos.

"Most of the civilian population in this section of the country knows who those bandits are and where they live; I myself know most of them and we all know that the authorities know, yet there is no real attempt made to punish them.

"I have lost altogether 24 horses and 9 cows, together with growing crops and household goods, hogs, and chickens. But my greatest loss is in being deprived of the privilege of living at home and farming my land."

The following is a synopsis of a statement made to me by Mr. P., an American citizen born at Waring, Tex., who has lived in Mexico over three years, most of the time farming.

For the past three years has farmed near Isasi, Tamaulipas. There are several thousand acres in the hacienda, 600 acres of which are in cultivation and under irrigation. Crops have been very good during most of the time Mr. P. has farmed the hacienda and he has raised an average of five carloads of corn for the market over the amount required to feed the stock on the ranch; in addition to which he had been raising a few hogs and cattle.

On October 29, 1918, bandits numbering about 40 came to the ranch and robbed Mr. P. of 812 pesos in money, took all household goods and provisions—even taking the blankets covering three corpses of Mexicans on the ranch who had died of the "flu"—took the clothing away from those sick at that time, took 21 mules and 1 horse, some corn. These bandits were led by Francisco Medrano and Hilario Medina.

At other times Mr. P. has lost small amounts of corn by Mexican tenants of adjoining ranches coming boldly into his field in daylight and loading his corn on burros and carrying it away. On his complaining to the local authorities in one instance four of these thieves were arrested and taken to Victoria, Tamaulipas, for trial, but the man whose tenants they were happened to be a friend of Gov. Osuna, and he had them released and they came back to the ranch and have openly threatened revenge for his having them arrested. Mr. P. is one of the Americans between Tampico and Victoria, Tamaulipas, where at the beginning of the revolution there were several prosperous colonies of Americans. Mr. P. says that it is impossible to get cars to ship produce in by freight but the Government will furnish the cars if ordered at express rates. It costs 150 pesos to ship by freight as against 300 pesos for express to Tampico, from Isasi.

Mr. P. states that the Carrancista soldiers will not tender the Americans any protection against bandits for when appealed to, they say that their duty is to guard the railway stations. And occasionally when the Carrancistas hear of the bandits having a lot of cattle and horses which they have stolen of the various ranchers both foreign and Mexican, they will make up an expedition against the bandits who are usually easily separated from their booty, which then becomes the property of the Carrancistas as the spoils of war they call it. If the rightful owner demands his mule or horse or cow he may have the same by buying it back from the Carrancistas.

Owing to the bandits making threats against the farmers that they will be made to suffer if they complain to the authorities, and if they do not furnish money in many instances when it has been demanded of them, Mr. P. said that he thought he would leave the hacienda at once.

Mr. Q. made the following statement to me:

"I was born in West Virginia, and am an American citizen, 68 years of age. Have been in Mexico since 1901, and with the exception of a few months have lived on my farm of about 65 acres, one-half of which is in oranges. Some of my Mexican employees have been in my employ for many years, which indicates that my treatment of them has been kind and just and satisfactory to them. On December 20, while returning from town in my buggy to my ranch at about 4 p. m., I was halted by a Mexican, armed with a revolver and a knife. The bandit surprised me by appearing suddenly out of the brush which fringes the road, and halted me with the word 'Expedite.' I stopped the mule and inquired what he wanted. He replied, 'Your money,' which demand I complied with as quickly as possible because of the fact that he had his revolver pointed at me and was so close that he could reach his hand out and receive the money which I tendered him. I never argued the question of giving up my money or gave him the least cause for injuring me. Nevertheless he threatened me with his knife repeatedly and appeared about to stab me. While I was being robbed the mule had entangled one of the lines, and as soon as the Mexican stepped away from the buggy and ordered me to drive on I stepped from the buggy; the bandit fired one shot at me, while my back was turned from him, the bullet striking me in the fleshy part of the calf of my leg. I judged the revolver to be of .38 caliber, and

as the bullet did not disable me at once, I scrambled into the buggy as the bandit ordered me, to drive on toward home.

"When I had driven about 25 yards I noticed that the wound was bleeding so freely that I turned across the road and looked back to where the bandit was standing and called to him, saying in Spanish, 'Man, you have killed me. Permit me to go back to town to see a doctor.' He ran toward me calling me vile names and brandishing his knife at the same time, threatening to kill me if I did not go on toward home. I made haste to comply before he reached the buggy again and drove slowly up the road for about 300 yards until I felt sure that the bandit had left the road for the brush which grows heavily on both sides. As soon as I estimated that he had returned far enough into the brush to make it reasonably sure that I could pass without being mistreated, I turned the mule back toward town and drove as quickly as possible to secure medical attention. As soon as I reached town I took a launch for Tampico, and arriving at the fiscal wharf at Tampico I was carried ashore by two United States sailors by the name of Floyd and Elmore from the United States ship *Niagara*, which is stationed in the Panuco River. The sailors carried me to a carriage, as my leg had become so stiff from the wound that I could not use it. I drove to the hotel where I summoned a doctor who gave me treatment and made me as comfortable as possible.

"About two hours after my arrival at the hotel, at about 8 o'clock, to be exact, the judge of the first instance and his secretary came and asked me for a detailed statement of the robbery, which I gave him, with the request that no mention be made of it by the newspapers, and he assured me that my wishes would be respected. It is here noted that the detailed account of the holdup was published in the local press the following day, which article placed the blame on me by saying that I should have been armed, which as all Americans know is not possible unless you secure a special permit, which special permit is not always recognized by the Carranza soldiers, as they frequently disarm foreigners who have permits to carry weapons. The paper went on to say that I was to blame in that I should have had a revolver and should have fired it twice in the air to frighten the bandit so he would not have robbed me. The press did not charge any blame to the bandit nor to the Carranza soldiers, who made no effort to apprehend him. In response to my request the American consul, Claude I. Dawson, sent a young man from his office to get a statement of my adventure. In conclusion, I would say that the suffering and indignities we American colonists are enduring is far harder to bear than the loss of property. The amount of money secured from me by the bandit was only about $30 We have enough property, if we were unmolested, to support us very comfortably here in Mexico; but owing to the troublesome state of affairs we would not be able to dispose of our property for anything near its value, and if we return to the States to live we feel sure that our property would soon be entirely destroyed, as it is only by constant effort that we have prevented it from being devastated so far."

Mr. Don D. Morehead made the following statement to me:

"I was born in Boise, Idaho, October 20, 1895, and came to Mexico in 1908, and have been in Mexico ever since except for two trips to the United States. The first five years in Mexico were in peace and we were getting along finely and we were respected and thought well of by the Mexicans, but in 1914, when the revolution was at its worst, the Mexican Federals treated us just as usual, but the Carrancista soldiers were robbing houses and stealing our property so we decided to go to Panuco to work with our mules on the new railroad which was being built there. We reached Ebano on the day that the United States troops captured Vera Cruz. There the Federal troops confiscated our outfit and we went by train from Ebano to Tampico, being shanghaied out of Tampico with other Americans and landed at Galveston.

"We returned to Mexico after three months and found our ranch of the Atascador in very bad shape, owing to the depredations committed by the Carrancistas in our absence. Through many difficulties we remained on our ranch until the Pershing expedition entered Mexico, when we were told by friendly natives that the United States was at war with Mexico and that all Americans would be killed. We organized a force of Americans from the colony and hid out in the mountains for about six weeks, during which time the Carrancistas robbed the property of the Americans of all that they desired. Several times we were fired upon by the Carrancistas when we were passing back and forth from the settlement to the mountains. We were told by friendly Mexicans that the object of Carrancista soldiers was to run all of the Americans out of Mexico and confiscate their property. In this they were very successful, for a great many of the colonists had been so robbed and mistreated that they had returned to the United States, deserting all their property to the Mexicans.

"Gen. Manuel Larraga has been the commander of the Carrancista forces at Guerrero, State of San Luis Potosi, for several years and, while not actively participating in the robberies of the Americans in the colonies between San Luis Potosi and Tampico,

has been responsible for the execution of the majority of the deeds of violence which have been committed on the colonists in that vicinity. Men under his command would steal cattle from the colonists on the Atascador and sell them to Gen. Larraga, who in turn would ship them to market, knowing all the time that they were the cattle of the colonists in the Atascador and other American settlements. He was also responsible for the murder of Lincoln Weider and Peter Catron, for the men who committed these murders were under his protection and it was due to his influence that they were not apprehended and punished for their crimes. One night in November, 1917, Lincoln Weider was returning from Guerrero to his ranch and he was killed from ambush, as was also a Mexican employee with him. Both were shot in the back and their persons robbed of all valuables. The primary object of the murder of Lincoln Weider was to put him out of the way, so that they could steal his cattle. We found the bodies of Weider and his Mexican employee the day after they were murdered and gave them burial. We found out later that the murder was committed by cow-punchers, in the employe of Manuel Larraga, whose names are Cecilio Roque, Inez Baron, Camilo Martinez, Alberto Rodriguez, Masema Nava, and Eulalio Nava. They were the employees of Manuel Larraga, and had made repeated threats that they were going to kill all the Americans on the Atascador.

"At that time, November, 1917, a few American friends and I were about the only Americans left on the Atascador and we gathered what cattle belonging to us that we could find and left them in charge of a Mexican by the name of Torivio Ordones who was very trustworthy. Torivio Ordones had lived on our place about six months when the same bunch of bandits aforementioned as having killed Lincoln Weider came and took our cattle by order of General Larrago, they said, and then returned again about two weeks later and executed the Mexican whom we had left in charge of our stock, also robbing the place of everything we had left in charge of our employee. Our property is now being occupied by Carranza soldiers under orders of Maj. Pedro Sumideo, who is said to have ordered the killing of our Mexican employe, Torivio Ordones.

"After leaving our property in 1917, a friend and myself went to work for Jones and Cowan, American ranchers of San Luis Potosi, working on their sugar plantation. Here we were unmolested for a time, but in 1918, bandits under Cedilio Brothers came and robbed the place. The first occasion they did not commit many outrages, but on the second event they killed seven Mexican workmen and one woman, and outraged many of the Mexican women on the plantation. They burned the houses and stripped the clothes from the dead as well as the living. They also took every other article of property which could be carried away with them and burned many of the houses and improvements. My friend and I were shot at several times but luckily escaped to the mountains. The situation had become so perilous here that we went to Tampico and sought employment.

"Since taking employment in the oil fields at Tepetate I have experienced very good treatment from the forces of Manuel Pelaez, the revolutionist who controls part of the country in which the oil wells are located. I have worked two years in the Tepetate and Chinampa fields and find that the forces of Pelaez treat foreigners very well, while the Carranza soldiers who are stationed in and about the fields in the same place, are very impudent and insulting. The officers of the Carrancista soldiers often get drunk and commit many offenses against Americans and other foreigners, and there is no power to restrain their unlawful acts. I still own property in the Atascador colony but the land itself is practically all that is left, most of the improvements having been burned and all the personal property carried away."

Since making this statement Mr. Moorehead died of typhoid fever and is therefore safe from reprisal.

Mr. R. made the following statement to me:

"I am an American citizen; born in Coryell County, Tex., May 27, 1886; come to Mexico in December, 1904; locating in the Chamal Colony, State of Tamaulipas. From 1904 until 1912 the colony lived in a state of peace and grew very prosperous until the revolution broke out in the State of Tamaulipas, as it had already been raging in other parts of Mexico. After the United States entered Vera Cruz a number of American women and children were taken to the mountains and hidden by the men of Chamal Colony to protect them from the hordes of Carrancista soldiers who were pillaging the settlements in our vicinity and committing many atrocities on Mexicans and foreigners alike.

"I was among others of the American colonists who did not have time to reach the United States after conditions became bad, so about the middle of May, 1914, a number of us hid out in the mountains for about 20 days, until the American consul sent a messenger to locate us and insist that we bring the women and children to Tampico to be removed from Mexico or get them out of danger of execution by the Mexicans.

Foreigners were being arrested by the Carrancistas wherever they could be found and their property confiscated, and in many cases the Americans were threatened with death in order to make them give up their property willingly.

"After most of the other American colonists had left Chamal Colony I went to work in Tamaulipas. During the time I worked the above ranch it was raided by bandits, who looted the property and robbed us of all clothing and other valuables which they could carry away. These same bandits surrendered to the Carranza forces at Tampico shortly after the robbery and looting of the above property and their chief, Fabion Aguilar, was granted amnesty for the entire band by the Carranza Government and Aguilar was commissioned a colonel in the Carrancista army and is now located at Tampico, where he is in possession of many cattle, horses, and mules, and other property stolen from the colonists of Chamal Colony and other colonies in that vicinity. When asked for the return of the property stolen by him the Carrancista general in charge at Tampico has told several Americans that the property in question could not be returned because Aguilar had been granted amnesty for all of his acts. Therefore they could not prosecute him or get the property returned.

"In August, 1919, I was taken prisoner by a bunch of bandits about three miles from the ranch and held prisoner for about half a day, during which time the bandits stood me up to shoot me several times, and once selected a tree from which to hang me. They robbed me of my horse and forced me to lead them to the ranch so they could enter the property without giving alarm to the other employees there. They then robbed the property of all provisions and clothing, harness, and saddles, and took five horses to carry away their loot.

"In October, 1919, I was sent to Victoria, Tamaulipas, to receive a bunch of mules. In the road we met a number of Carrancista soldiers, who intercepted some of my Mexican helpers, beat them with their guns and lariat ropes, and scattered the mules into the woods. One of them also attempted to beat me with his rope, but I told him not to, and caught his rope when he struck at me and pulled it away from him. The Carrancista officer, for this is what he proved to be, then drew his sword to strike me. I caught his hand holding the sword and dragged him from his horse and finally dropped him on the ground and, spurring my mule, escaped from him. When I encountered the balance of the band of soldiers, who were a little farther along the road, I asked for their commanding officer and they told me that this was a bad place for an American and that I had better go. We escaped from their hands, gathered up the mules again, and finally arrived safely at the ranch, but the above incident shows how much illtreated Americans suffer at the hands of the Carranza soldiers even though they give no offense and are going about their business peaceably and lawfully.

"Owing to having been through so many scrapes like the one recited on the ranch, I have finally decided to quit working as I find it too dangerous to remain longer in that part of the country. Conditions since 1913 have been such that I have risked my life many times at the hands of both the Carranza soldiers and other bandits not operating directly under their command."

Mr. S. made the following statement to me:

"In writing this article on the taking and looting of the city of Valles, State of San Luis Potosi, and the horrible deeds which were perpetrated on that day and for several months thereafter, nothing that occurred will be exaggerated or set down in malice. The incidents that will be narrated passed under the personal observation of the writer, or were related to him by reliable witnesses.

"The conditions described herein are not peculiar to the District of Valles, being in fact general all over the Republic, for almost every hamlet, town, and city has passed and is passing through the same experience, many villages having a population of several hundred people having been entirely blotted from the face of the earth during the past six years.

"The writer has left Mexico with the intention of not returning until the reign of anarchy now prevalent over practically the whole of Mexico is a thing of the past.

"In order to get the right perspective it is necessary to state that Valles is one of the oldest established towns in Mexico, existing long before the Spanish conquest, for it is a matter of record that when the Spaniards arrived there they found an Indian town of considerable importance, and when Don Joseph de Escandon, described in the old records as 'Count of the Sierra Gorda, Knight of the Order of St. James, Colonel of the Regiment of Queretaro, Lieutenant of the Captain General of the Sierra Gorda,' arrived there in 1748 he established a mission and had constructed there a church in order to convert the Indians from their pagan gods to the Christian religion.

"At the outbreak of the Madero revolution in 1910 the city had about 2,500 people and had the distinction of containing on its tax list the largest number of names of American property holders of any city in the Republic of Mexico, there being located within its limits the American colonies of Atascador, San Dieguito, and Los Platanos.

"Lands in this district, with but few exceptions, were not held in large tracts, and it was indeed a rarity to find in the city itself anyone living in a house not owned by the occupant.

"The people were law-abiding and prosperous. Politics did not trouble them and the authorities were elected annually from among the best people in the town and surrounding country, the only difficulty experienced being the reluctance of the best men to take office.

"The Madero revolution attracted but little attention, and did no damage to the city or any of the outlying villages.

"In February, 1913, Severo Oyarvide, a well-to-do cattleman, while traveling on the public highway accompanied by Roman Larraga, encountered one Manuel Larraga, nephew of the aforementioned Roman, and in a shooting scrape which occurred Oyarvide was killed and Roman Larraga wounded. This quarrel had its origin in politics, Manuel Larraga having been an adherent of Madero during the political campaign of 1910, and the other two favoring the reelection of Porfirio Diaz. After the killing of Oyarvide, Manuel Larraga hid out in the brush, and the downfall of the Madero government occurring a few days afterwards, he was enabled to collect together a few adherents, and in order to avoid standing trial for the killing of Oyarvide, rose in arms against the government of Huerta. His following, however, was so scant that outside of making traveling hazardous some 20 miles from the city and compelling the payment of tribute from a few sugar plantations, no damage was done until late in the year, when the burning of ranches belonging to those of other political faiths became general.

"Political conditions in the surrounding country in the early part of 1914 became unsettled, largely on account of the work of propagandists of the Carrancista revolutionists among the Huasteco Indians, of whom several thousand lived in the mountains some distance from the city.

"In March, 1914, the town was alarmed by reports that a large body of revolutionists were within a few miles of the city, but the citizens were reassured in a day or two by the news that they had passed going towards the North.

"On Easter Sunday, April 12, at 4 o'clock in the morning, the city was rudely awakened by the firing of thousands of rifles, the rattle of machine guns and by yells bursting from thousands of throats of Viva Carranza, Viva Villa, Viva Zapata, Viva le Revolucion, and the alarmed citizens jumped from their beds and saw with horror that the outskirts of the town were in flames.

"The small garrison consisting of some 30 Federal troops, put up some resistance, but seeing that they were outnumbered 100 to 1, sought safety in flight.

"The everadvancing path of the revolutionists was plainly evidenced by the burning of more and more houses, the occupants in most cases having taken to the gardens surrounding their houses.

"The dismay of these industrious citizens as lying on the ground surrounded by screaming women, and crying children and momentarily expecting death, they saw the destruction of their homes, built by the toil of many years, and in many cases the houses laboriously erected by their own hands, may be better imagined than described.

"By daylight the Carrancistas were in undisputed possession of the city, the only point held by the Federals being the railroad station, some 2 miles from the city proper. Here there were some 20 Jucheteco Indians from the State of Oaxaca, who had been stationed there to protect the building and neighboring bridges. These 20 Indians defended the station from 4 o'clock until 10 o'clock in the morning and then retired in good order, their ammunition having become exhausted. This was the only place where the revolutionists suffered any casualties. As soon as the Indians retired the Carrancistas set fire to the station and all surrounding houses, including the cottage built in modern style and owned by an American, the owner barely escaping being shot on account of having been accused of giving one of the Indian soldiers a glass of water a few days previously.

"In the meantime the city of Valles had been given up to pillage. Stores, large and small, irrespective of the political affiliations of the owners, were broken into and the shelves left bare.

"Neither were private residences respected, for orders had been given to the soldiers to burst open the doors of any residence found closed, and anything found therein was to be considered common property.

"The working classes of the city were invited to take part in the looting, refusal to do so being considered as evidence of nonsympathy with the revolution.

"The judge of the county court, Lawyer Estevan Ruiz, was taken from his home, marched to the church square, and shot without any semblance of trial. This man had a wife and four children, who followed him to the place of execution, begging

and pleading for the life of their husband and father. But all in vain. Just before the execution the wife broke through the cordon of soldiers, and threw herself into the arms of her husband for a last embrace, but a voice of command rang out: 'Take away that woman;' then a brief silence broken by a volley, a woman's scream, and again silence for the newly made widow had fainted. Then again a voice rang out: 'There lies a man who lived like a pig and has died like a hog. He served the usurper. When Huerta, the man he loved to serve, killed Madero, his widow wept over the dead body. Let this widow now weep over the corpse of her husband.'

"A few hours afterwards two boys, neither of whom had passed the age of 18 years, were marched to the same spot and executed. Their offense was that they had been policemen in Valles.

"When the town was attacked several citizens attempted to escape to the surrounding country, some succeeding and others not. Among the latter was a man of the name of Manuel Rodriquez, who owned a small ranch in the neighborhood. This man a few days previous had written a letter to his nephew in Tampico, stating that it was rumored that an attack would soon be made on Valles, but that he did not believe it would take place, as he doubted that the Carrancistas had the courage. This letter was found in his possession when captured, and he was thrown into prison. Some of his friends learning of his plight went to see Gens. Milan and Galindo, commanding the Carrancista herds, and were told that Rodriquez would be shot at sundown, but on their plea for clemency it was finally decided that he should be tried by court-martial the next day. The next morning after several of his friends had interceded for him, testifying to his good character, his aloofness from politics, and the fact that he was the principal support of two widowed sisters and of a nephew of tender age, it was decreed that his life should be spared if he would join the Carrancista forces. This man was physically unfit to be a soldier, being almost blind, but the so-called military judges were inexorable, and Rodriquez signified his assent as the only alternative to save his life.

"The sheriff of the county, an old man of over 60 years of age, was discovered in hiding on Monday, and his case was tried immediately after that of Rodriquez. This man had several witnesses to prove that he had often befriended men of well-known Carrancista tendencies and had in effect often done so to his own detriment. He was given the same alternative as Rodriquez—join the revolutionists or be shot. He also signified his assent to impressment into the ranks.

"These two men were taken next day to the town of Guerrero, some 20 miles distant, and both shot, it having been discovered that the one was too blind, and the other too old, to be soldiers. Thir graves are on the banks of the River Tamuin, the man ordering their execution, Gen. Augustin Milan, is now governor of the State of Mexico.

"One of the first acts of the Carrancistas after the capture of the town was setting free the prisoners found in the jail. This was the settled policy of these people, as thereby they gained many adherents among the criminal class, as thugs, murderers, and thieves were valuable adjuncts and especially suited for the work in hand.

"At this time there was a man in jail of the name of Venustiano Gonzalez. This man in his early manhood had been sentenced to death for robbing and murdering a messenger carrying money from Valles to Tancanhuitz, but his sentence had been commuted to seven years' hard labor in the penitentiary, which he had served. In 1910 he had been accused of the murder of an old man, who opposed his marrying his daughter. When the Madero revolution triumphed Gonzalez had been set at liberty by the Maderistas, but the case had never been definitely tried and legally was still pending. This man having friends in the Madero government decided that it was a good time to bring the case up and consequently came to Valles from San Luis Potosi, where he had been set at liberty, and with a good deal of braggadocio asked to be tried. But the plans of men and mice aft gang a-glee, for before the trial came off the Madero government fell, and he found himself again in jail, with an excellent prospect of justice being done, which of course was the last thing he desired, there being no doubt of his guilt, in fact one of his accomplices before the act having turned State's evidence. This man, upon the taking of the town, was set at liberty and was very insistent upon the necessity of the execution of the judge. He was made a captain in recognition of his zeal for the cause.

"Lieut. Defoe, of the Federal army, was wounded during the attack on the town, but managed to get into the brush, where he stayed all that day and the following night, but being delirious with fever from his wound, on Monday he crawled out upon the roadway, and was discovered by Capt. Lucio Blanco of the Carrancista army, who challenged him with the usual cry of "Quien Vive?" The young lieutenant, in his delirium, answered Huerta, and without more ado Blanco placed his

revolver against Defoe's temple and scattered his brains over the greensward. Blanco afterwards boasted of this act as a great deed. The fact that he did so shoot Defoe was corroborated by an American who happened to be present when the murder was committed.

"On Monday the Carrancista officials ordered all records of the courthouse, including criminal and civil cases, records of deeds, etc., brought out in front of the court and burned.

"While the town was being looted the generals in command called a meeting of the most prominent citizens, and told them they had to deliver to him by 4 o'clock that afternoon 16,000 pesos, as their contribution for the furtherance of the cause. By 2 o'clock that afternoon 10,000 pesos had been collected, and the committee then waited upon Gen. Galindo who had charge of this particular branch, to inform him that they could not collect any more. Gen. Galindo replied that before taking the town he had been under the impression it was a much larger place than it really was, and he had thought of levying a forced loan of 100,000 pesos, and he considered he was doing the town a special favor by only demanding 16,000 pesos.

"He had secured a list of all the well-to-do people, and asked why a certain widow lady whose name was on his list had not subscribed. Upon being told that she had not been solicited on account of her widowed state he replied, 'Put her down for 1,000 pesos, and tell her that if she does not pay by 4 o'clock I will turn her over to my soldiers.' The widow paid, thus saving herself from a fate which would have been worse than death. He also informed the committee that if the whole sum was not delivered by the specified time, those private residences which had escaped looting would no longer be exempted. The 16,000 pesos were collected and delivered.

"One of the things that struck observers was the utter lack of discipline among the officers and the soldiers. The officers, on their arrival in town, had ordered the doors of the courthouse broken down, and had brought from the looted stores cases of wine and boxes of beer, which were piled four or five cases high in front of the court building, and held high revel therein. The soldiers soon broke up into small groups each one having a bottle in his hand, which, when half emptied, was dashed to the ground and a fresh one tried. Soldiers clasping each other around the necks and maintaining their equilibrium by leaning against each other were a common sight. Others would fire indiscriminately in the air, and yell their war whoops.

"Another thing that attracted attention was the fact that nearly all the soldiers had brand new rifles.

"The church, the schoolhouses, and in many cases, private residences were converted into stables or something worse.

"The shrubbery on the Plaza which for years had been well cared for, was trampled under the feet of men and horses, the streets of the city were literally covered with corn, as there was plenty of it, and it was shoveled out on the sidewalks and streets for the horses to eat and trample on. Fields planted near town with corn were entered into, the corn cut down and fed to horses, the owners, in many cases poor men, being afraid to make any remonstrance. Wanton destruction, in fact, was the order of the day.

"The forces of Larraga, mentioned in the first part of this article, had not taken part in the attack, but arrived in the afternoon. It is not the policy of revolutionists to allow an officer well known in a town to capture it, because having many friends and possibly relatives therein, he is liable to use his influence, or at least be requested to, to save them from having their property looted, or to aid them in contributing heavily to a forced loan. Such an officer is allowed his opportunity in another region where he is unknown.

"Who then were these men who had come, as their leader stated, over the body of the murdered judge, to bring justice (sic) to Valles?

"They were the same party, augmented by new recruits, who had passed a few miles distant from the town a month previous. They had gone to Matamoros, on the Texas-Mexican frontier, which was in the hands of the Carrancistas, where they had been supplied with brand new rifles from the United States, and were now on their way back to the State of Vera Cruz, from whence they came, looting every village and ranch on their way back.

"The town remained in the hands of the Carrancistas for three days and the revelry of drinking and looting continued, when suddenly an outpost came into town shouting the Federals are coming, and in a few minutes the whistle of an engine was heard, and then the booming of cannon.

"Then pandemonium broke out among the officers and soldiers of the Carrancista forces, and each man made for his horse, but not to meet and defeat the Federals. Oh, no; only for the purpose of getting away without firing a shot, each man for himself, but each one carrying on his person and strapped on his horse all the loot that he could carry. A great many found that they were overloaded, and for miles out of town, in every direction except that along which the Federals were advancing, the

roads were littered with bolts of calico, silks, canned goods, etc., discarded by the 'patriots' who had come to give justice to Valles. The town of Valles was like a sucked orange, why attempt to retain it, while other towns only a few miles away were still unscathed and had not yet been 'redeemed'?

"The Federals only stayed a few days, having been called to Tampico on account of the famous 'Tampico incident,' which led to the taking of Vera Cruz by the American forces on April 21, 1914.

"Upon the retirement of the Federals the forces of Manuel Larraga took possession, they having only retreated to their old lairs, about 20 miles from the city.

"One of the first acts of this general was to order the arrest of Herminio Perez, a young man of about 25 years of age, his offense being that he had run for the State legislature under the Huerta régime, although not successful in the campaign. He was delivered to the Indians and was tortured for several days before he was put to death by hanging.

"A brother of this unfortunate man, who was a stockman in a small way, fearing for his life, left town and joined another band of Carrancistas who were operating a few miles away. After a few months' service with this band, he applied for and obtained a passport from his commanding officer to visit Monterey, but on his way he was detained by forces of Gen. Larraga, brought to Valles, and also turned over to the Indians, and suffered the same fate as his brother. This man, Fortunato Perez, was married and had four little children, whom they left destitute. This man had never had anything to do with politics.

"Another brother, Santos Perez, and the only remaining one, escaped from the town, and reached the United States, but having learned of the terrible fate that had overtaken his brothers, on the outbreak of hostilities between Carranza and Villa, returned to Mexico, and joined the Villista forces, and when the Villista wave swept down to Ebano, he was in the force that occupied Valles on the retirement of the troops of Larraga. The Carrancista officers became aware that Santos Perez was with the Villistas, and on their retirement, left several letters where they were bound to be found, purporting to be in answer to letters received from him offering to betray the Villista forces. Upon the discovery of these bogus letters Perez was taken to the graveyard and there put to death.

"Pedro Castillo was delivered to the Indians to be tortured and killed, his offense being that he was the tax collector of a neighboring town.

"Augustin Lucero, a poor boy, who earned his living as a peddler, suffered the same fate. His offense being that he was considered lukewarm toward the revolutionary cause.

"Ricardo Palenzuelos lived in the town of Tancanhuitz, which also fell under the sway of Gen. Larraga. This man Palenzuelos had the misfortune of having a good horse, which the commander of the Federal troops stationed there some few months previously, wished to buy. Palenzuelos refused to sell, but upon the commander insisting, stated that, while he would not sell the horse, as it was a gift from a friend, he, in his turn, would give it to the commander, which he did. Upon the occupation of the town of Tancanhuitz, Palenzuelos had been assessed 1,000 pesos as his quota to the forced loan placed upon the town by the Carrancista forces. This he paid, but it having arrived to the knowledge of Gen. Larraga that he had given his horse to the Federal commander, the former sent soldiers to arrest him. Palenzuelos was brought to the presence of the general and accused of his offense, which he admitted, stating the circumstances. He was ordered taken to the village of Tanlajas. Upon hearing this, Palenzuelos, who knew it meant death, pleaded with the general to allow him to remain with his wife, who was laboring in child birth, and who had been in terrible pain for several days, being unable to deliver the child, until his wife should be relieved, or until she died, as it was only a matter of a few hours. The general replied that he had nothing to do with his (Palenzuelos) family affairs, and ordered him taken away by force. He was shot the same day and his wife died that afternoon."

The accepted principles of law and justice not only of Mexico but of the entire civilized world, have been inverted by the revolutionists of that country. The people of Mexico had been taught that stealing was wrong, but we have seen in the above narrative that the lower classes were invited, and in many cases, forced to take from stores and private residences, anything they could lay hands upon. They had been taught that the taking of human life was a heinous crime, they saw defenseless men, innocent of crime, shot without compassion, while murderers, thugs, and thieves were set at liberty and honored; they had been taught to respect the sanctity of churches irrespective of creeds; they saw the old church; hoary with age, turned into a stable and a brothel. They had been taught to construct; the revolutionists showed them how to destroy.

Is it then any wonder that five years after the events above related, the country is still being ravaged, from the Gulf to the Pacific, from the Rio Grande to the Guatemalan border, by bands of more or less strength, largely composed of offshoots from their own organization? Can the leopard change his spots?

These dissolvent groups, having only one object in common, that of loot, succeeded in establishing themselves in the seat of power, and with its tentacles reaching out to every State capital, and from there again to every municipality in the country, the monstrosity, which is known as the Government, has devoted itself to the problem of devising means of sucking the last drop of blood from industry, while other tentacles severed from the main body, but animated by the same unworthy motives, prey upon the same industries, each in its own peculiar way demanding its pound of flesh. The Government, by the enactment of unjust and arbitrary and retroactive laws, attempts to throttle by confiscation, and exorbitant taxes, the revolutionists with arms in their hands, take what they find, and levy tribute. The parentage of both branches is the same, having their common origin in anarchy, communism, disorder, class hatred, atheism, and assassination, which of late years we have come to know under the general term of bolshevism.

What a pity that this unnatural production was not allowed to die aborning, as it would have, but for the solicitous care of the man who acted as accoucheur, and who afterwards stood sponsor for it at the baptismal fount—President Wilson.

This concludes the statement of atrocities and outrages on colonists, and I will now take up the outrages and robberies directly connected with the operation of the oil companies in the vicinity of Tampico. For the years 1917 and 1918 I will merely give the date, name of company, location and nature of the event, and the summing up of the situation as given me by a man prominent in the oil business in Tampico who has been intimately conversant with the situation for the past several years.

"During the last year or more the conditions in the Tampico district have become steadily worse, due to the state of lawlessness and lack of authority. During the second half of 1917 the oil companies operating in this district suffered considerable monetary losses, due to robberies, but only one Mexican employee was wounded. During the first six months of the present year, however, five Americans and three Mexican employees were brutally and cowardly murdered; six Americans and three Mexicans similarly wounded, and one Hollander abducted by an armed force and held for ransom. All of this has resulted from the banditry and brigandage due to the entire absence of efficient and proper police or other protection and the absolutely uncontrolled condition of affairs now existing. Comparison of the events for the periods mentioned indicates clearly the progressiveness and malignancy of the situation. Many, if not a majority, of these occurrences have taken place within 25 miles of Tampico, and the most notable and outrageous, viz, the robbing and killing of the Texas Co.'s paymaster, with the wounding of his companions; the robbing of the Mexican Gulf Terminal, with the killing of the assistant cashier and four others and the wounding of several; and the abduction of the superintendent of the Corona, occurred within a few miles of this city, the first two being just outside of the city limits. These occurrences, together with innumerable instances of insult, abuse, robbery, and mistreatment of individual employees in the various camps of these companies or while going to and fro, have already caused many American employees to leave the country during the last three months and to dissatisfy and disturb the field operatives, and there is among them a strong and growing conviction that they are entirely without protection or guaranty of any character and that the conditions under which they work are unjustifiably and inexcusably dangerous. The occurrences mentioned are in no way connected with or incident to armed conflict or military compaign, but result wholly from lack of order and control of a protective character and prosecution and punishment of a curative nature.

"We are convinced that if this condition of affairs continues and that if protection of some character is not speedily furnished, more Americans and other foreign employees will either individually or en masse decline to further unnecessarily imperil their lives and persons and will seek a livelihood elsewhere, and this will probably curtail operations and in time interfere with the movement of oil as under present conditions it is extremely difficult to replace the employees leaving.

"In consequence, the representatives of the companies mentioned, after full conference, have agreed to lay this situation before their respective home offices and to strongly urge that those home offices jointly request the State Department to secure such remedy as may be proper and effective through such channels as it may deem wise, and to do this with all possible dispatch.

Date.	Company.	Casualties.	Money lost.	Nature of event.	Men hurt or wounded.
1917.					
Aug. 15	East Coast Oil Co., Panuco		$745.44	Camp robbed	2
Sept. 1	East Coast Oil Co., pipe line		101.20	do	
4	Aguila Co., Bustos		199.60	do	
29	Aguila Co., Chijol Canal		23,406.00	Paymaster robbed	
Oct. 6	Aguila Co., Los Naranjos		109.52	do	
6	Aguila Co., Potrero		246.95	do	
Nov. 10	Aguila Co., Los Naranjos		245.23	do	
17	East Coast Oil Co., Panuco		587.00	Camp robbed	
24	Mex. Gulf Oil Co., pipe line		1,402.92	do	
Dec. 27	Aguila Co., Chijol Canal		40,710.66	Paymaster robbed	1
1918.					
Jan. 23	East Coast Oil Co., Territas Blancas				3
Feb. 6	Aguila Co., Los Naranjos		3,700.00	Paymaster robbed	
8	East Coast Oil Co., Panuco		10,000.00	do	
12	Texas Co., Chijol Canal			Held up	1
15	Freeport Mex., Camalote			Held for ransom	
19	Metropolitan, Chijol Canal			Launch attacked	
21	do			do	2
21	Mexican Gulf, Horconcitos		329.08	Camp robbed	
21	Texas Co., Chijol Canal	1	14,000.00	Paymaster robbed	2
22	Texas Co., Obando Camp		2,500.00	do	
Mar. 1	Aguila Co., Tierra Amarilla		175.00	do	
1	Aguila Co., Potrero		853.08	do	
5	Metropolitan, Tepetate		1,341.70	do	
7	Aguila Co., Potrero		1,700.35	do	
15	Freeport Mex., Camalote	2	1,000.00	do	
16	Texas Co., Topilla			Robbed on train	
28	Cortez Co., Chijol Canal		12,007.60	Paymaster robbed	1
28	Aguila Co., Potrero		959.31	do	
28	do		2,748.00	do	
Apr. 4	Corona Co., Santa Fe		705.50	do	
6	Texas Co., Tepetate			Camp robbed	
7	do			do	
12	Metropolitan, Tepetate		324.00	Paymaster robbed	3
13	International, Tepetate		936.00	do	5
14	Cortez, Tepetate			Camp robbed	
16	Mex-Gulf Oil Co., Tepetate			Camp shut down	
18	do		259.47	Camp robbed	
16	Texas Co., Tepetate			do	
18	Texas Co , Chijol Canal			Several thousand pesos	
19	Corona Co., Topilla			Camp robbed	
23	Aguila Co., San Pedro		1,359.50	Paymaster robbed	
24	East Coast Oil Co., Topilla			Camp robbed	
25	Aguila Co., Bustos			do	
26	Corona Co., Santa Fe		475.00	do	
27	do		475.00	do	1
May 6	Mex-Gulf Oil Co., Tepetate			do	1
6	Aguila Co., Santo Tomas		512.00	Paymaster imprisoned	
12	Corona Co., San Jose		300.00	do	
12	Cortez Co., Tepetate			Paymaster robbed	1
16	Cortez Co., Lagoon		10,547.50	do	
16	Texas Co., Lagoon		10,000.00	do	1
17	Mex-Gulf Oil Co., pipe line			Paymaster escaped	
18	Mex-Gulf Oil Co., Tepetate		183.30	Camp robbed	
22	Metropolitan, Tepetate		103.00	Paymaster robbed	
22	Mex-Gulf Oil Co., pipe line		1,040.50	do	
23	Corona Co., Santa Fe		456.50	do	
23	Corona Co., Topilla		300.00	do	
26	Corona Co., Santa Fe		552.00	do	
29	do		158.00	do	
June 1	Corona Co., Rodeo			Camp robbed	
8	do		2,000.00	Paymaster robbed	
8	East Coast Oil Co., Torres		1,542.65	do	
9	Aguila Co., Tepetate		967.00	do	
12	Metropolitan, Palo Blanco		1,100.80		
24	Mex-Gulf Oil Co., Tepetate			Reservoir fired	
26	Texas Co., Topilla			Employee robbed	
27	Metropolitan, Palo Blanco			Camp robbed	
29	Aguila Co., Cuecillos	1		Assault	1
29	Mex-Gulf Oil Co., Prieto	5	5,562.40		1
30	Corona Co , Topilla			Superintendent of camp held for ransom.	

An oil company which I shall designate as A B suffered the following losses during the year of 1919:

On March 2 armed forces robbed our camp at Tierra Amarilla of all the personal belongings of the employees and camping material to the value of $4,000.

On March 4 one of our employees was held up and robbed of $8,300, ora nacional, by four armed men near Tumbadero.

March 11 our pump station at La Cerba was robbed of stores to the value of $34.

Armed forces on March 13 commandeered two horses and one mule near Tempoal.

March 24 armed forces entered our camp at Tanquilar demanding 2,000 pesos and all arms. As neither could be furnished, they threatened the engineer, looted the employees' quarters of what personal belongings and food they could carry off.

On March 25 the armed forces entered Las Lomas camp and commandeered one horse.

On March 27 armed forces entered the same camp and demanded arms and 500 pesos. Failing to get what they demanded, they robbed the men and the employees of their personal belongings.

March 22 our camp superintendent near Palma Sola was held up and robbed by six armed men, the robbery netting them 3,169 pesos.

On April 3 armed forces commandeered provisions to the extent of $552 from Naranjos camp.

On May 20 the armed forces visited our camp at Tempoal and commandeered a horse.

On June 9 our paymaster from Tanhuijo was robbed of 1,200 pesos.

On June 30 armed forces visited our Tumbadero camp and commandeered supplies worth $96.

On June 28 armed forces entered our Tanhuijo camp and commandeered provisions and animals to the value of $2,000.

On July 5 armed forces entered our camp at Tempoal and took material to the value of 210 pesos.

On July 7 armed forces visited our Minatitlan camp and robbed it of supplies to the value of $20,000, besides stealing personal belongings of employees to the value of about $800.

On July 9 armed forces entered our camp at Tempoal and commandeered supplies valued at $135.

On the 6th of September our paymaster was robbed by bandits near Naranjos camp of 72,000 pesos.

The company which I shall designate as C D suffered during the months of November and December, 1918, and the year of 1919 as follows:

During the month of November, 1918, soldiers of Carranzista forces stationed at Palo Blanco consumed meals at our mess house to the value of 4,500 pesos. A captain of the Carranzista forces stationed at Palo Blanco abused and threatened our camp superintendent on several occasions, and it is believed, but for the intervention of some of our Mexican employees, this captain would have murdered our superintendent. After this trouble, complaint was made to Gen. Lopez De Lara, the Carranzista commander in that district, who had the troublesome captain removed to another post.

During the month of November and December one of our launches was held for 28 days by Gen. Lopez De Lara for his exclusive service, costing us, as expense for labor, gasoline, and repairs, 3,000 pesos without counting the loss to the company through not having the service of the launch.

During the month of January Carranzista soldiers consumed meals at our mess house at Palo Blanco to the value of $964.

On the 4th of December, 1918, our Tepetate camp was robbed of 4,175 pesos.

On March 21 our towboat was commandeered by a Carrancista colonel for transporting his troops to Tampico from San Geronimo and kept in his service until March 29, costing us a total of 1,325 pesos. A second barge was commandeered for the same length of time, which cost us about 1,000 pesos.

On April 1 the Carrancista forces commandeered our barges for a few days for movement of troops, costing us 788 pesos.

On August 16 three armed bandits robbed our paymaster of $4,000 while en route from Tampico to Tepetate. Gen. Pablo Gonzales, whose headquarters were then at Juan Casiano, was immediately notified and he gave assurance that the bandits would be apprehended if possible.

On July 4 the six armed men attempted to hold up our paymaster near Soledad, but he escaped without being injured or without losing the pay roll.

In the latter part of August one of our fast launches was commandeered by a paymaster of the Carrancista army, who loaded the craft with tortilla and beer and used the boat for over 10 days, during which time it was greatly damaged, in addition to depriving us of the use of our own property.

On September 23 our Comales camp was visited by several hundred Carranzista soldiers who entered the camp, in spite of the protests of our boys, and carried off nearly all of the clothing and personal belongings of our employees, in addition to

which they gave our employees orders to cut all of the brush around the camp, which we feared to do because the Villista forces had threatened our employees with theft should they cut the brush as ordered by the Carrancista forces.

A company, referred to as E. F., made the following statement:

During the month of December, 1918, Carrancista officers commandeered launches from our marine department, returning them in a damaged condition, causing a loss of $750.

On the evening of January 15, 1919, bandits visited our camp at Panuco and hung one watchman until he was almost dead, robbing the Chinaman, who was the only other person there, causing us to abandon the camp temporarily.

During the month of April, the Carrancista forces commandeered supplies and transportation to the value of $3,588. During the month of May, Carrancista forces commandeered food and supplies and transportation of troops to the extent of $3,105.

During the month of June, Carrancista forces commandeered material supplies and food to the amount of $3,869, in addition to which our camp at Zapatan was held up on August 1 and our camp superintendent threatened with death unless he gave the bandits $5,000. He gave them all the money he had, which amounted to $200, after which they left him, threatening him with death if he reported to the authorities.

On August 14, a group of armed men—seven, as near as we can ascertain—entered the company's property at Alvarez and, after sacking the house occupied by the cashier and others, in search for money and valuables, they forced the superintendent to accompany them to the office building, where, by threatening his life, they forced him to open the company's safe, from which they obtained 23,416 pesos. In addition to the cash taken, personal effects taken from the employees amounted to about $350, United States currency. The bandits were heavily armed with Mausers, pistols, and carrying ammunition belts, having very much the appearance of the ordinary Mexican soldier. They commandeered the company's launch and compelled the launchman to take them some distance up the Tuxpan River where they disembarked. Complaint was immediately made to the Carrancista military authorities at Tuxpan, who showed the disposition to apprehend the guilty parties, and soon afterwards three suspects were arrested who confessed to the crime, and two of them were executed on August 17. The confession of the first three captured also implicated Lieut. Col. Barnebe Rodriguez, of the Carrancista army. He was also detained. Four of the principal offenders are still at large. The amount of money recovered is about $2,000. The military authorities advise us that the persons remaining on their hands, together with the record of their investigation, will be delivered to the civil authorities for future action.

A company which I shall designate as G. H. reports as follows:

A bunch of soldiers belonging to Gen. Laraga's troops killed a man living at our camp without any provocation and carried his daughter away.

Another man living just across the river was killed by Carrancista soldiers without any semblance of trial in the month of February, 1919.

At San Jose de las Rusias, Carrancista soldiers to the number of 120 visited camp and asked for food and fodder for their horses. Also, one of our barges was commandeered by Gen. Lopez de Lara for a period of six days, transporting government troops.

On the 14th of March bandits attacked camp at Camelote which was defended by Carranzista soldiers and five of the soldiers were killed, and all of the stores in camp robbed. Our work was greatly delayed because of the refusal of the Carranzista forces to allow our peons to leave camp for some days following this attack.

During the month of March, camp at San Jose de las Rusias was visited by a band of Villistas who robbed the camp of 200 pesos, and returned again in a week, when they demanded and received 200 pesos more. Also, our wagons were encountered on the road and robbed of corn to feed the animals the bandits were riding.

On the 14th of March a party of bandits robbed the Panuco railroad station of 200 pesos, also destroying the track and telegraph line for a short distance. Following this, Carrancista soldiers were sent to the scene of the trouble and communication was restored.

On the 30th of April, 20 bandits attacked our camp at Topila and robbed it of $217 in cash, besides destroying the telegraph and telephone apparatus before they were driven away by an armed guard from a nearby camp.

On May 28, one of our geologists was held up by drunken soldiers on the Tamesi River who robbed him of his money and supplies even taking his clothing and shoes. He is not positive whether they were Carrancista soldiers or bandits.

Another of our geologists reports the following incident which occurred near Zacamixtle on July 20. "I was doing some geological work in the canton of Ozuluama, Vera Cruz. At about 1 o'clock July 20, I saw two soldiers wearing the uniform of the

Carrancista army standing on the railroad about 75 or 100 meters north of where I emerged from the brush on the Zacamixtle Tan Coco road. They signalled to me, spreading out their arms horizontally. Not understanding the meaning of this I halted and remained standing in the middle of the railroad, facing the soldiers who drew back the bolts of their rifles making ready to shoot, and one of them signalled again as before. I now thought perhaps they wanted me to put up my hands to show that I was unarmed so I raised my hands. The next instant they fired two shots at me, fortunately without hitting me. I am not quite sure whether they fired while I was still standing with my hands up, or a fraction of a second later, but I jumped back into the Zacamixtle Tan Coco ruin and ran as soon as I realized that they were firing at me. I ran back along the Zacamixtle road as fast as I could without looking back, and I do not know if the soldiers ran after me or not. I could not have seen this anyway, as the road is winding and leads through thick jungle and I had a start of nearly 100 meters of which I made the most. I suppose that they followed, however, as no more shots were fired and, if the soldiers had not been running, trying to catch me, they would very probably have fired more shots after me into the brush. Knowing the trails around Zacamixtle very well, I soon switched off from the road into a small brooklet which I followed for a while, making a detour through the brush and got safely back in Zacamixtle. The next day I went to see the major who commanded the troops in that vicinity and told him the above-mentioned facts. He seemed to consider the occurrence as rather a good practical joke and laughed when I told him of it, but said the soldiers could not belong to his command, as none of his men had left camp on the previous day. He said the soldiers must have come from Juan Casiano. I must make mention of the fact that I carried no arms and, in my opinion, at so short a distance the soldiers could not possibly have mistaken me for a rebel. Neither did they challenge me with the usual, Quien viene?

"I am told that on the morning of the same day a band of soldiers robbed one of the camps near the Hausteca railroad and threatened to shoot the superintendent, according to the story given me by our peons, and again, a week before these events happened a band of soldiers murdered some peaceful Indians, not rebels, going from Monte Grande to the market in Anono.

"This is the second time the Carrancista soldiers have shot at me without warning or reason. The first shooting occurred in December, 1918, in the San Jose de las Rusias. I was accompanied by another geologist and on that occasion, we were standing in the middle of the road observing a band of soldiers who were coming toward us, when suddenly, without any warning, they started to shoot at us. We sprang back into the brush where they sent about 20 shots after us, some of the bullets striking the sand quite near.

"It would therefore appear that the Carrancista soldiers had acquired the habit and considered it a regular pastime to shoot a peaceful stranger without any apparent reason, and so I offer to bring these happenings to the knowledge of our consular representatives."

On September 12 the camp at Panuco was robbed during the night. The doors and windows were broken open and contents of the storehouse were in disorder. Seventy-two dollars in gold had been taken from the safe, which was not locked at night because it is very hard to open, and, in case they are visited by bandits, they prefer to have it open easily rather than suffer bad treatment for not being able to open the same. On September 20 the pump man at their pump station was kidnapped by three armed horsemen and did not return. They did not even give him time to stop the pumps he had been attending. His body was found near Panuco a few days later.

The camp at San Jose de las Rusias has been visited several times during the month of September; each time they commandeered supplies for the men and fodder for their animals.

The company referred to as "I. J." sustained the following losses and injuries to employees during the year 1919:

On the night of July 19 three bandits entered the samp at Topila and robbed our foreman of personal effects and money to the value of $163.

On the night of January 24 three bandits robbed our Topila camp of automobile supplies valued at $100. The next morning our watchman tracked the bandits to a house near Topila, captured one of them and turned him over to the civil authorities who promised to have him punished.

On March 14, about noon, 106 armed men, claiming to be of the Pelaez forces, came into our camp at Panuco and required our Chinaman to give them food for themselves and horses, and they commandeered supplies to the extent of $50 worth. They also demanded that we send 2,000 pesos next day to Tantoyuca and 2,000 pesos per month thereafter for protection.

The company referred to as "L. M." states:

Our launch was held up in the Chijol Canal on the 8th of April by five armed men, the leader armed with automatic pistol and the others with Mauser rifles. They demanded the pay roll, and when told that there was none they thoroughly searched the boat. They took $20 and a watch from one of our employees and $12 from another employee and allowed the boat to proceed.

On Saturday morning one of our employees, while taking 5,000 pesos gold to Tepetate, was held up and robbed about 10 miles from Las Matillas. Our employee was in an automobile, and after giving up the pay roll was allowed to proceed uninjured.

On May 2 two of our employees were held up by armed men about 10 miles from Las Matillas and robbed of all their money and personal effects, approximately $250 in cash.

On the morning of August 11 our launch was held up in the Chijol Canal. The handits asked if there was any money on board and on being answered in the negative they examined the mail and after opening one or two letters returned the mail to the launch and allowed the boat to proceed.

On the morning of August 11 one of our employees at Tepetate was attacked by a Mexican peon, a former employee, who wounded him severely with a knife. The attacking Mexican escaped. The attack was caused by a refusal on the part of our foreman to pay the Mexican extra wages demanded.

The company referred to as "N. O." states that three of their employees were held up by bandits on April 10, 1919, near Garrapatas. Two of the employees were severely wounded by being shot. The bandits secured about $9,000 in money and left the wounded men lying in the road. These men afterwards recovered.

On August 11 two bandits with rifles entered the camp near El Tigre and after killing the boss carpenter robbed the camp of everything of value. As near as can be determined, the bandits secured about 200 pesos in addition to personal belongings taken from the camp. Authorities at Ozuluama were notified of the robbery as soon as possible.

August 19, three bandits armed with rifles entered Garrapatas. They demanded 5,000 pesos. They made a search of the house and took whatever they fancied, but only took such small articles as could be easily carried on their person. The value of the personal property taken amounts to about $600 United States currency.

The company which I shall designate as "P. Q." report the following incidents:

"On May 4 one of our employees en route to Tepetate in an automobile was held up and searched by bandits. He was questioned as to whether he had any money, and to which he replied in the negative, and was also questioned as to what cars had gone ahead of him. When he told the leader that a car belonging to another company had gone out about daylight, the leader cursed his men for their negligence, saying to our employee that the car they were after (as they understood that it carried a pay roll) was the one which had gone out earlier in the day. They then permitted him to continue his journey.

"On May 16 our mail car en route to Tepetate was held up by six armed bandits. They searched the car and driver, opening all mail packages, but finding no money permitted the mail carrier to proceed.

"On the morning of June 23, 1919, one of our office employees was attacked by a Mexican with a machete and seriously wounded in defending himself. The employee stated that he did nothing to provoke the assault and had no idea as to how he had incurred the enmity of the Mexican. The Mexican was only prevented from murdering him by being overpowered and disarmed.

"On July 1, 1919, one of our employees at Tepetate was brutally murdered without any provocation whatsoever by a band of five armed men who came to our camp for the purpose of robbery. (This incident is very fully covered elsewhere, so it is unnecessary to go into details.)

"On June 24, 1919, one of our employees was robbed of the company's pay roll by armed bandits, the bandits securing 11,000 pesos and also $1,500 United States currency.

The company referred to as "R. S." report that on May 15, their launch was held up by eight armed bandits who suspected it of having a large sum of money destined for paying employees at one of the camps. They took the paymaster ashore and searched and threatened him, robbing him of all his clothing and $31.50 in money, after which they permitted the launch to proceed.

On July 7 one of their employees was stopped by six armed men near the village of Tampeche and robbed of 2,200 pesos oro nacional, and about $500 United States currency. These bandits were dressed in the uniform of the Carrancista soldiers and were armed with 30-30 rifles and Mausers.

On June 30 an employee was halted by three armed men who appeared to be Carrancista soldiers and who robbed him of his money and personal effects and then allowed him to proceed. This robbery occurred near the village of Las Milpas.

On September 7, Gen. Gerozabi of the Villista forces with about 100 men entered our camp south of Tampico and searched the camp for a Carrancista officer on whom they wished to wreak vengeance, but not finding him after a thorough search of the camp they were furnished with food and supplies from our commissary depot, without doing any serious injury

The company which I will refer to as "T. U." reports that on July 17, 1919, their camp at Palo Blanco was held up and robbed by six Mexicans armed with rifles. The amount secured by the bandits was about 12,000 pesos. The company states that the bandits were with Carrancista soldiers (or ex-soldiers for certainty) inasmuch as they were frequently seen in company with Carrancista officers previous to the robbery and were known to some of the employees of the company who recognized them on the occasion of the robbery.

On July 1, Carrancista soldiers commandeered an automobile from the same company which they showed no intentions of returning; also supplies amounting to about $400.

I will attach hereto the story of the hold up of an individual employee of one of the oil companies in the field at Tepetate:

"My name is ———. I am an American citizen, age 24 years, and have resided for the past three years in Mexico, during which time I have been in the employ of different oil companies.

"On July 30, 1919, at 10 p. m., I was at the Chinampa Plaza, which is about half a mile from camp at Tepetate, State of Vera Cruz, Mexico. I was then in the employ of a company, and in returning to their camp in company with another employee at a dark place in the road, we were suddenly confronted by five armed men, who accosted us in Spanish and at the same time threatened us with their rifles. I had a revolver on my person at the time, but the attack was so sudden I had no opportunity to use it and hastily threw it into the brush as I feared it would cause them to handle me more roughly if they found that I was armed. The robbers demanded our money and emphasized their demands by striking us about the head and shoulders with their rifles and by poking the muzzles of their guns in our stomachs and threatening to shoot us. I gave them all the money I had on my person, which was about $25. They also took my gold watch and what little change ——— had. This was not as much money as they expected to get from us and they became more threatening and abusive, one of them striking me on the head back of my left ear, cutting a gash in my scalp and almost rendering me unconscious.

"Meantime ——— was begging them not to injure us and offering as inducement for them not to injure us further that if they would conduct us to the plaza, we would get more money for them. They hesitated about returning with us to the plaza, saying that they were going to kill us right there, because they feared that we had recognized them, and that if we returned to the plaza it might complicate matters for them in the future. After much pleading on our part, they returned with us to the plaza, where I procured $50 more and gave it to the leader, who proved to be a captain of the Carrancista army stationed at the camp Juan Casiano, which is near Tepetate. The other four members were soldiers stationed at the same place. After threatening our lives if we ever attempted to identify them, they left us at the plaza and we made our way back to the Metropolitan camp at about 2 a. m. the following morning.

"At about 10 o'clock the morning after the robbery, we went to the Juan Casiano camp of the Carrancista soldiers and told Gen. Pablo Gonzales, who was in command there, that some of his soldiers had robbed us the night previous. He asked us if we could identify them and if we were positive that it was Carrancista soldiers who had robbed us. We told him that we were positive as to identity of the robbers because we had seen the same soldiers and the captain, who led them in the robbery, at the Chinampa Plaza on several occasions previous to the robbery. He then caused the soldiers to be lined up and told us to pick out the ones who had robbed us. This we had no difficulty in doing and on searching the captain, whom I had identified as the leader of the robbers, Gen. Gonzales found my watch and about $25 of the money taken from me. The watch and money were restored to me by Gen. Gonzales, who said he would place both the captain and soldiers under arrest and send them to Mexico City, where he assured us they would be properly punished. Gen. Gonzales said he would put a stop to the trouble his men were raising around the camp, and he said he knew they committed many abuses during his absence. I have no means of knowing what punishment, if any, was given the robbers in question, but I do know that my life was greatly endangered when they were holding me up because of the fact that they knew I recognized them as being Carrancista soldiers and might make complaint against them if they did not put me permanently out of the way.

I wish to say in conclusion regarding the relation of the oil companies to the Mexican Government, that report of drilling operations for the latter part of November, 1919, showed that the Mexican Eagle Oil Co., an English company, had nine wells drilling, none of which were closed because of no permit.

The Mexican Gulf Oil Co. had three wells being drilled, two of which were stopped by the Carrancista authorities because of no drilling permit.

The Trans-continental Petroleum Co. had two wells being drilled both of which were stopped because of no drilling permit.

The Texas Co. had two wells drilling both of which drilling had been stopped because of no permit.

The Cia Pet. La Azteca had one well being drilled which was stopped because of having no permit.

Mexican-Sinclair Petroleum Corporation had one well being drilled which was stopped because of no permit.

Huasteca Petroleum Co. had two wells projected and two located, two of which were stopped because of no permit.

Cortez Oil Corporation had three wells being drilled two of which were stopped for reason of no permit.

Union Oil Co. had two wells being drilled both of which were stopped because of no permit.

Empire Gas and Fuel Co.—one well in progress which was stopped because of no permit.

La Atlantica had one well being drilled which was stopped because of no permit.

The Segura Miguel had one well drilling which was stopped drilling temporarily.

The National Oil Co.—one well; drilling stopped because of no permit.

At this time (the 1st of December) it was reported to the managers of oil companies at Tampico that legal representatives of the Carrancista Government were preparing to bring suit in Tuxpam against all managers who had attempted to drill without permits. Penalties, according to competent legal authorities, involved a maximum of two years in prison, and, at the court's discretion, fines ranging from 1,000 to 100,000 pesos, or, in the case of foreigners, the option, in the case of conviction, of article 33.

Respectfully submitted.

S. D. LESTER.

SUPPLEMENTAL REPORT OF S. D. LESTER.

APRIL 28, 1920.

Senator A. B. FALL,
Chairman Subcommittee of the Committee on Foreign Relations
Investigating Mexican Affairs,
Washington, D. C.

DEAR SIR: I beg to submit a report on my negotiations looking toward having Americans living in the vicinity of Tampico, Mexico, appear as witnesses before your committee.

About October 1 of last year I proceeded to Tampico, Mexico, with credentials from your committee, for the purpose of making a preliminary investigation of conditions there with a view to ascertaining the names of witnesses who had a first-hand knowledge of such conditions and of events that had transpired in that vicinity within the last few years. In a separate report, which I have submitted to-day, I endeavored to give to the committee an accurate account of conditions in that district, and have incorporated therein statements of men who would have made most valuable witnesses, but who, unfortunately, could not be induced to testify under the circumstances.

I spent over three months in Tampico and worked most industriously in interviewing Americans, and altogether interviewed between two and three hundred men, making full notes of what they were in a position to testify, and then selected from this number about 60 employees of oil companies and about 40 colonists and business men, mostly of small means, who I thought would be able to give the committee information of value. You have undoubtedly noted from the report in question that the personal testimony of these witnesses would have been most instructive.

I take great pleasure in recording in the beginning that the Americans I called on were uniformly courteous to me and most anxious that information depicting the real conditions reach the committee, and that, with the exception of the managers of the oil companies, they did everything in their power to aid me in my efforts to secure witnesses for the committee. I found the employees of oil companies and colonists and business men almost universally desirous of testifying, but possessed of a strong conviction that they would not be justified in giving isolated testimony before the

committee, owing partly to the manner in which they had been neglected by the American Government, and to the fact that in some instances the complaints they had made to the State Department had been communicated to Mexican officials who had visited reprisals on them; in addition, the employees of the oil companies were of the opinion that it was the fixed policy of their companies not to do anything that might displease the Carranza Government, and felt that if they should testify they would be disloyal to the interests of their employers. Almost without exception these men stated that they would willingly testify if the managers of the companies approved of their doing so. The independent Americans—that is, Americans not employed by oil companies—were willing to testify if it could be arranged for a number of Americans to come to the States for that purpose, and especially if arrangements could be made for the employees of oil companies to testify, for they felt that not only would the Carranza Government refrain from persecuting 40 or 50 men who testified, but also, that the oil companies would intervene to protect their employees from reprisals by that Government, and in so doing would protect the men of independent means.

Upon completing the preliminary investigation above referred to, I interceded with the managers of several oil companies in Tampico, and was informed that they were in no way opposed to their men giving testimony before the committee, but that they they had no discretion in such matters, and if instructed to do so by their principals in the States, they would not only cooperate in having their men testify, but would also gladly testify themselves. With this assurance, I communicated the facts to Judge F. J. Kearful, counsel for your committee, and not hearing from him within a reasonable time, and realizing that nothing could be done until such arrangements suggested by the managers were completed, I returned to New York about the 6th day of January and reported personally to Judge Kearful.

I was informed by Judge Kearful that he and Mr. W. F. Buckley had conferred with the executive committee of the Oil Association about the 20th of December, and that these gentlemen had concurred unanimously in the suggestion of Judge Kearful and Mr. Buckley that they advise the managers of the oil companies in Tampico individually, or the managers' association in that city, that the officials of these companies would pay their expenses in excess of those paid by the American Government and would do all in their power to return these men to Mexico to their positions and, in the event of failing to do so, would give them employment in the States or otherwise compensate them for their sacrifice. Messrs. Kearful and Buckley stated that since the executive committee of the oil association had promised to immediately telegraph instructions to this effect to Tampico, they were under the impression that the managers in Tampico had communicated with me and for this reason had not communicated directly with me.

Since nothing had been heard from the managers of the oil companies in Tampico, it was deemed advisable to take the matter up again with their principals in the States, and for this purpose Mr. Buckley attended a meeting of the Oil Association held in New York on the 10th day of last January. Mr. Buckley reported to Judge Kearful and to me that he advised these gentlemen that it would be useless for me to return to Mexico unless the oil companies took the position that their men would be permitted and encouraged to testify, and that a definite decision should be reached at once. Mr. Buckley stated that he asked the association to advise the managers in Tampico not only of the decision that the executive committee had made in December, which was now ratified by the association, but also that a tanker or tankers would be furnished to transport these men in a body to the States and take them back in a body to Tampico, and that the association would endeavor to have the State Department instruct the American consul at Tampico to give these men emergency passports. Mr. Buckley further stated that he laid particular emphasis on the fact that the oil association must leave nothing to the discretion of the managers in Tampico, and that the latter gentlemen should be given definite instructions. Mr. Buckley reported to us that the oil association had agreed to all of these proposals. He explained to the association that the reason he suggested that the men be brought up in a body and returned in a body to Tampico was prompted by the general feeling and current reports that the Carranza government would endeavor to prevent these men from returning to Mexico; it was thought that this Government would hardly stop 50 or 60 men who might endeavor to return.

While at this meeting Mr. Buckley advised me by telephone that the Oil Association desired to see me for the purpose of hearing a synopsis of the testimony that their employees and colonists would give and of learning the names of their employee who were to be called. I went down immediately to the meeting of the Oil Association and explained the entire matter in detail to these gentlemen. At the request of the members of the association I gave them the names of the employees who were to serve as witnesses, and each member made a note of the names of those employees

working for his particular company. These gentlemen agreed that they would transmit the names of these men to their respective managers and instructed Mr. Pat Longan, the manager in Tampico of the International Petroleum Co., who was present at the meeting, to convey the decision of the oil association to the next meeting of the managers' association in Tampico.

In view of the agreement set out above, I left New York for Tampico a day or two later for the purpose of arranging, in conjunction with the managers, to bring the witnesses to Washington to testify. On my return to Tampico I found that two circumstances had intervened which undoubtedly had some influence on the situation. The Carranza Government had published a notice in the press to the effect that it had insructed its consuls in the United States not to visé the passports of Americans testifying before the committee, and the oil companies had begun negotiations with the Carranza Government which resulted later in the issuance of temporary permits by the Government to the oil companies to drill their own properties, but without prejudice to the contention of the Government that title to these properties now rested in the Government, and not in the oil companies. In this connection, one must not lose sight of the fact that it had been known generally for many weeks that the Carranza Government would endeavor to prevent any American who told the truth about conditions in Mexico to the committee from returning to that country; and also that the oil companies had been most active in urging that your committee proceed vigorously with its investigation in conducting an extensive propaganda in the American papers with regard to Mexico, and in protesting that their interest in conditions in Mexico was not limited to the oil situation, but that, in so far as their interest was centered in this situation it arose from a determination based on principle not to permit the confiscation of their properties.

I wish you would also bear in mind that neither of these matters was ever referred to by the managers of the oil companies in their conferences with me.

On January 27 I attended a meeting of the Managers' Association in Tampico, in which Mr. Longan advised these gentlemen of the agreement that had been made in New York by the Oil Association, and of the instructions that he had been charged to deliver to them, whereupon the managers appointed a committee of American attorneys representing the oil companies to cooperate with me in arranging the details for bringing witnesses to the States. On the following day, January 28, I met this committee, but when I suggested a consideration of the details of bringing witnesses to the States, these gentlemen advised me that they had not been instructed just how far to cooperate with me. I immediately reported this development to Mr. Longan, who offered to take the matter up again at the next meeting of the Managers' Association to be held on February 3. After this meeting I was advised by Mr. Longan that he felt sure that something had transpired to modify the determination of the oil companies, but that he was unable to ascertain just what had happened. In this connection I will state, parenthetically, that Mr. Longan gave me his hearty cooperation in this matter, and did everything in his power to carry through the agreement that the Oil Association had entered into with the representatives of your committee. I continued to call on the managers and their attorneys, but while none of these gentlemen volunteered to inform me that their determination had been modified, and although they all continued to assure me of their desire to cooperate, they laid streess on obstacles and extraneous matters, and I soon perceived that it would be a loss of time to expect any aid from them, and left Tampico for the States on February 6.

I still felt that if the men in question were actually subpœnaed they would be able to induce the oil companies to agree to their testifying before the committee and being averse to losing the fruits of work engaged in for a period of several months, I returned to Tampico on April 3 for the purpose of summoning managers and employees of oil companies and independent Americans not connected with these companies. When I returned to Tampico I bore the following letter from you, dated in Los Angeles, Calif., March 17, 1920:

DEAR SIR: I beg to advise you that I have listened with great interest to your report on the investigation you made in the Tampico district for this committee, and entirely approve of the manner in which you have carried out your mission. I have no doubt that the witnesses whose names appear in the list you have compiled will be able to give testimony that will be most valuable to the committee in its work.

You are hereby directed and authorized to proceed to Tampico and summon American citizens to appear before the Senate subcommittee in Washington; and you are further authorized, where witnesses are for any reason unable to appear in Washington, to take their testimony, assuring such witnesses as desire it that their names will not be divulged in connection with their testimony.

You will please bear in mind that the committee desires the testimony of only such witnesses as are entirely willing to testify, and that no measures of coercion will be employed by the committee, and you will please so advise those whom you summon.

Yours very truly,

ALBERT B. FALL, *Chairman.*

I proceeded to summon Americans in Tampico and read to each person the above letter as my authority, and regret to report to you that, with the exception of Mr. Pat Longan and Hon. Claude I. Dawson, all of these gentlemen felt impelled to decline to testify. In order that my report to you might be as accurate as circumstances would permit, I made it my practice invariably, after summoning a man, to write in my notebook his comments. I will now proceed to give you a list of the gentlemen I summoned, together with a record of their statements on being summoned:

Erby E. Swift, secretary of the American Chamber of Commerce in Tampico, summoned on April 9, 1920, at 11.30 a. m. In reply to his summons, he stated: "I would like to give my testimony if sure that it would never be made public."

B. F. Moats, property owner, summoned on April 15, 1920, at 11.10 a. m., asked, "Have you anyone to go from here?"

K. L. Merrem, colonist, summoned April 9, 1920, at 1.55 p. m. In answer to his summons, he replied, "If my country needed me I would go, but it does not, and it would be useless for me to jeopardize myself here when, either right or wrong, my country has permitted others of my countrymen to suffer." (Mr. Merrem referred to the fact that the American Government had permitted the Carranza government to refuse entry to other Americans who had testified before your committee.)

Ed Williams, banker, summoned on April 9, 1920, at 3.45 p. m. In reply to his summons, he stated, "I am going to Mexico City in the morning and will let you know what I decide. Will be back before you leave."

A. E. Graham, colonist, summoned on April 9, 1920, at 2.55 p. m. In reply to his summons he stated that he felt that, since the United States has not and can not do anything to relieve those who have suffered more than he, or even guarantee the return to this country of those who testify, he could not feel justified in going before the committee, as he received very much better treatment than even the Mexican citizens in the neighborhood in which he is located. In view of these facts, he said that he would be very ungrateful to the Government if he took any other course.

Mr. Jones, of Cowan & Jones, owners of a sugar plantation near Micos, San Luis Potosi, summoned April 9, 1920, at 4 p. m. In answer to his summons Mr. Jones replied that his partner, Mr. Cowan, would be in the latter part of the week, and they would undoubtedly have some information to give me, since they had recently been raided again.

Alec Smith, property owner, summoned on April 9, 1920, at 4.10 p. m. In answer to his summons Mr. Smith replied, after hesitating a long time, "Excuse me, I am going to see the Texas Co."

John I. Newell, property owner, summoned on April 9, 1920, at 4.15 p. m. In reply to his summons, he stated, "I can not go. I am just now getting in a position to make a little money to pay my debts. I would not hesitate to sacrifice my own interests if my country needed me, but all that I can tell has already been told. I am sure that, in view of the fact that we are given no protection if we fall under the ban of displeasure of this Government, whether right or wrong, we are left by the United States to work out our own salvation, and so I must decline at this time."

Claude I. Dawson, United States consul, summoned on April 10, 1920, at 11.45 a. m. In answer to his summons, Mr. Dawson replied, "I know of no reason why I should not go, except that as an official I am entirely at the orders of the State Department and can not appear except with their approval."

Frank Engle, colonist, summoned on April 10, 1920, at 5.20 p. m. In answer to his summons, he stated, "There is nothing I could say to the committee. Of course, I have been robbed, just as have many other Americans, but not to such an extent that I could not continue on. If I could have any assurance that by going before the committee I could do any real good I would do so."

J. E. Barron, leaser, summoned on April 12, 1920, at 11 a. m. In reply to his summons, he stated, "There is a great deal I ought to tell the committee, for I have been here long enough to know of many events, but unless assured of absolute secrecy I could not go. I will see you again."

A. W. Beckley, colonist, summoned April 12, 1920, at 12 m. In reply to his summons, he stated, "The thing that keeps me from going before the committee is that the Mexicans have always been so much smarter than the Americans in these things.

I could not go up there and expect to return here, and it is vital to my interests now that I be able to come down here and look after my property."

A. G. Mason, merchant, summoned April 12, 1920, at 9 p. m. In answer to his summons, he replied, "It is impossible for me to go. I am too busy and also there is risk of jeopardizing my business if it should become known."

A. R. Bushnell, independent oil operator, summoned April 19, 1920, at 4.05 p. m. In answer to his summons, he replied, "What are the points the committee wishes to bring out? I do not think it possible to get away at this time to go up there, but I do think it would be important to have some one give the committee the reason why the unrest is so widespread here and why the disorder grows."

M. C. Moorehead, colonist, summoned April 14, 1920, at 1.15 p. m. In answer to his summons, he stated, "A man who has lost all he has in the world but his job has to guard against losing that. I have a farm on the Atascador which I do not dare even go to see. Carranza soldiers have possession of it and are running cattle on it."

W. W. Hopps, hardware merchant, summoned April 15, 1920, at 11.45 a. m. In answer to his summons, he stated that while the Carranzistas were what everybody said they were, still he had some friends among them.

E. J. Kimball, mining man from Mexico City, summoned April 16, 1920, at 10 p. m. In answer to his summons, he stated, "If I thought they would keep my name out of the record, I would appear."

James A. Carpenter, broker, summoned on April 17, 1920, at 9 a. m. In answer to his summons, he inquired, "Will they pay my expenses?"

P. M. Longan, manager of the International Petroleum Co., summoned on April 10, 1920, at 9.30 a. m. In answer to his summons, he replied, "I accept the summons."

Barrett Jones, assistant manager of the International Petroleum Co., summoned on April 13, 1920, at 3.15 p. m. In answer to his summons, he stated, "It is up to my chief. I think he intends going, so that ties me here."

Wm. J. Stork, with the International Petroleum Co., summoned on April 15, 1920, at 7.15 p. m. In answer to his summons, he stated, "Well, you know how it is. It soon developed that if a man went before the committee he could not come back here, and while Pat Longan was perfectly willing that I should go, I figure that I could not make a living in the States, so I changed my mind about going."

J. A. Brown, manager Transcontinental Petroleum Co., summoned on April 10, 1920, at 4.30 p. m. In answer to his summons, he stated, "There is nothing I know of that would be of benefit to the committee."

H. B. Duncan, attorney, Transcontinental Petroleum Co., summoned on April 10, at 12 noon. In answer to his summons, he stated, "I have no information of sufficient value to the committee to justify me in going before them."

J. B. S. Mennett, with Island Oil Corporation, summoned on April 10, 1920, at 10 a. m. In answer to his summons, he stated, "It is possible that I may find time and would be entirely willing if my testimony could be entirely confidential, but I do not feel that I could add anything that is not already at their disposal in the records of the State Department."

William Nuenhoeffer, manager, Richmond Levering Co., summoned on April 10 1920, at 10 a. m. In answer to his summons, he stated, "I haven't time."

Charles W. Hamilton, manager, Mexican Gulf Oil Co., summoned on April 10, 1920, at 2.30 p. m. In answer to his summons he stated, "There is nothing that I can say that I know of my own experience, as most of my information is from reports coming second and even third hand. If I were a rich man like Mr. Buckley I might do so, but my livelihood is dependent on my position here which I can not afford to jeopardize."

P. J. Oliver, head of the transportation department, Mexican Gulf Oil Co., summoned April 10, 1920, at 3 p. m. F. C. Greer, pipe line superintendent, summoned at same time. These two gentlemen did not say a word, but appeared to look to t eir chief, Mr. Hamilton, who was present, for instructions.

Mr. ——— [name not given for obvious reasons], official of the Mexican Gulf Oil Co., summoned on April 10, 1920, at 2.15 p. m. In answer to his summons he stated, "I would have no objection to testifying before the committee if I could be assured of absolute secrecy, but you understand that if it became known to the Carranza Government, my job would be at an end. I could not remain here and my means of livelihood would stop. I am perfectly willing, and in fact have been very active in giving confidential information to the United States consul for years, and have submitted a stack of evidence to him. Wait until I consult Mr. Hamilton and Mr. Lee" (manager and attorney respectively for the Mexican Gulf). "I am just as anxious to have the matter succeed as you, but feel like I owe a duty to the company also." After consulting these gentlemen, Mr. ——— declined to testify.

Oscar B. Franks, accounting department, Mexican Gulf Oil Co., summoned on April 12, 1920, at 7.30 a. m. In answer to my statement that I summoned him to

appear before the committee he said, "No; you don't." Upon my assurance that I did and was authorized to summon him, he said, "Oh, yes; I know you can, but I won't go."

Thomas J. Lee, attorney, Mexican Gulf Oil Co., summoned on April 12, 1920, at 10 a. m. In answer to his summons he stated, "I am disposed to accept all regular summons." Mr. Lee was evidently inclined to interpose technical objections to the summons, and since there was no disposition to compel involuntary witnesses to come, I did not press the point.

N. D. Jeffries, with Mexican Gulf Oil Co., summoned on April 14, 1920, at 1.10 p. m. In answer to his summons he stated, "I will go and see the company at once and see if I can get off. I asked them when you were here before, and they said it would be at least 10 days before they could get a man to take my place, and that is the only answer I ever got from them." He continued, referring to a demand for 3,000 pesos made on him by the bandit leader Aguilar in August, 1919. "When I told the American consul last August about the demand for the money, he said, 'The only thing you can do is to pay it or leave (that is, leave your farm). If you can afford to pay, all right. If not, get off.' I had 300 acres of land plowed for crop, and rented it to a Mexican, but later he refused to pay any rent. I went to see the presidente municipal. He said they had orders from the Government that they could occupy, rent free, any vacant property of foreigners. I protested, but he refused to show me his authority, and I had to submit, since the consul said he could do nothing for me. I asked the man who occupied my land if he would even pay the taxes and this he refused to do. I have wanted all the time to go before the committee, but my company would not make any arrangement to release me. I will go at once to see the manager again and if they will let me off I will go before the committee at once." Mr. Jeffries did not return.

Pete Wilson, with Mexican Gulf Oil Co., summoned on April 15, 1920, at 2 p. m. In answer to his summons he stated, "I will go see the manager and if he says that my job holds good and my expenses and salary will be paid I will go. They told me that they would do that before, but they also said that the Mexicans were watching and no one who went before the committee would be able to return, so I backed out." Mr. Wilson did not return.

Mordelo Vincent, assistant manager, Agwii Petroleum Co., summoned on April 12, 1920, at 10.15 a. m. In answer to his summons he stated, "I don't wish to appear as a slacker or one who does not do his duty to his country, but I feel that there is nothing I can tell the committee which would justify the sacrifice I should have to make in view of the attitude of the Mexican Government."

F. X. Anglin, manager Agwii Petroleum Co., summoned on April 14, 1920, at 10 a. m. In answer to his summons he stated, "It is up to Mr. Vincent, as I have only been here about six weeks and have been very busy during that time."

William E. Green, general superintendent Huasteca (Mexican) Petroleum Co., summoned on April 10, 1920, at 4 p. m. In answer to his summons he stated, "Come in Monday about 9 or 10 a. m., and I will talk with you. I am so busy with company affairs that I do not know what to do. Such a large company as this, and only one man to handle the work." On Monday, April 14, 1920, I went to see him at 9.40 a. m., and he stated, "I do not know of a thing I could tell you. We have had so little trouble. Only two of our men have had anything out of the ordinary happen to them that would be of interest to the committee, and they can not come."

M. H. Willis, engineering department, Huasteca Petroleum Co., summoned at Tampico on April 13, 1920, at 9.15 a. m. In answer to his summons he first stated "I have no passport and Dr. Paddleford and William Green told me that any man who went before the committee was a fool. They also told me that any man who went must consider his trip as his annual vacation. Mr. Green and Dr. Paddleford further told me that the man who had been there in January had misrepresented them [in stating that the company was willing that their employees testify], and that they opposed any man going because it would destroy his usefulness to the company, and that the company had too much money at stake here to risk the reprisal that would surely be their lot if it were known that their employees testified against the Mexican Government."

I. B. Flick, field superintendent Huasteca Petroleum Co., summoned at Tampico on April 13, 1920, at 9.30 a. m. In answer to his summons he stated, "Of course, I would not object to going if I knew it would be absolutely secret, but at present it is impossible on account of having too much work on hand."

George de Hay, pipe-line superintendent Huasteca Petroleum Co., summoned on April 15, 1920, at 11.30 a. m. In answer to his summons he stated, "I could not give you any answer without consulting Mr. Green, as that is a matter which involves the company, and if they approve I am sure I know some things which the committee

ought to know. I will let you know later." The next day, at 2 p. m., he stated to me, "I am going down to the office now to see Bill Green and if he will agree I am going to give what I know to the committee." Mr. de Hay did not return.

Wm. L. Steed, field manager Huasteca Petroleum Co., summoned on April 16, 1920, at 5 p. m. In answer to his summons he stated, "That last clause lets me out. I am an unwilling witness. The United States has never done anything for me, and when we were run out of here in 1914 we had to go on German and English boats owing to the country we belong to failing us in our hour of need."

I. F. Taylor, station superintendent Huasteca Petroleum Co., Esperanza Camp, summoned on April 12, 1920, at 9 a. m. In answer to his summons he stated, "I should like to go if I can get leave from the company, and I will go immediately to see if I can arrange for a leave. Having been diplomatic agent for the company in many of its dealings I have some interesting things I could relate to the committee." Mr. Taylor did not return.

W. E. Livingstone, manager Penn-Mex Fuel Oil Co., summoned at Tampico on April 13, 1920, at 6 p. m. I summoned Mr. Livingstone in the presence of the attorney of the company, Mr. Lipscomb, and his reply, addressed partly to me and partly to the attorney, was, "I don't know; we might take a vacation."

J. A. Lipscomb, attorney Penn-Mex Fuel Oil Co., summoned on April 10, 1920, at 5.20 p. m. In answer to his summons, he stated, "I would not object to doing all I can for the general good. Perhaps I may be able to get to the States in time to appear before the committee."

Harry Kipp, representing an oil company whose name I do not remember, summoned on April 10, 1920, at 12.30 p. m. In answer to his summons, he stated, "I could not do any good by appearing before the committee."

Dan Moran, manager The Texas Co. of Mexico, summoned on April 12, 1920, at 10.45 a. m. In answer to his summons, he stated, "I am not as bitter as some toward the Mexicans. Too many Americans come down here and invite trouble by their attitude and by misunderstanding the Latin mind. Bonillas is a very highly educated engineer, much smarter than the average American." He added that he thought Bonillas would be the next president and that conditions would be all right under him. Referring back to the matter in hand again, he said, "I thought Bill Buckley told the committee all they wanted to know."

I. S. Broun, agent Standard Oil Co. of New Jersey, summoned on April 12, 1920, at 3.30 p. m. In answer to his summons, he stated, "Our activities here are confined to a small refinery and so our own experiences are not worth mentioning. Although I have been here eight years, my knowledge is all second-hand regarding affairs in general."

H. A. Ellis, manager Atlantic Refining Co., summoned at Tampico on April 12, 1920, at 5 p. m. In answer to his summons he stated, "I do not think anything I could tell the committee would be of any consequence, but I want to assure you that my inclination is to wish that I could. My company has suffered very little compared with some."

H. M. Wilson, manager of the Interocean Oil Co., summoned on April 14, 1920, at 10.30 a. m. In answer to his summons he stated, "I have been here 2½ years but have experienced nothing worth mentioning."

O. C. Hasbrouck, manager Pierce Oil Corporation, summoned on April 14, 1920, at 11.45 a. m. In answer to his summons he stated, "I have been in this country about 2½ years, 2 years in the vicinity of Tepetate, and I should like to appear before the committee if I can get away. My sympathy and inclination are for the cause."

George G. Hunt, manager of the Union Oil Co., summoned on April 14, 1920, at 4.45 p. m. In answer to his summons he stated, "I don't think there is one of the Americans connected with the oil industry here who would not be pleased and immensely gratified if they could assist in every way possible, but we have to consult the interests of our principals, and the moral duty we owe them, and keep up the work which guarantees against loss large sums of money invested in plants, and the entire fabric of the industry would be destroyed if we deserted, as we surely would if we knowingly exiled ourselves from our work by appearing before the committee."

H. J. Kidder, superintendent Pierce Oil Corporation, summoned on April 14, 1920, at 5.15 p. m. In answer to his summons he stated, "There is nothing our company would care to lay before the committee, as we have very little to relate."

W. H. Sharp, manager of the Freeport Mexican Fuel Oil Co., summoned on April 15, 1920, at 10 a. m. In answer to his summons he stated, "Am very busy and do not think it will be possible for me to get away, but will be glad to appear before the committee if it is possible."

Walter Tschuden, assistant manager, Freeport Mexican Fuel Oil Co., summoned on April 15, 1920, at 9.45 a. m. In answer to his summons he stated, "No, don't subpoena me; I don't know anything."

Benjamin Buchanan, National Petroleum Corporation, summoned on April 15, 1920, at 11.30 a. m. In answer to his summons he stated, "Our operations in the field are very limited and as a consequence we have very little of interest to relate. I have been reading the reports of the findings of the committee and think they are doing great work."

Mr. Posey, with Continental-Mexican Petroleum Co., summoned on April 15, 1920, at 11 a. m. In answer to his summons he stated, "We have no information of importance. Have been held up and robbed, but that might have happened anywhere. What I know would appear very trivial."

R. B. Keys, assistant manager, National Oil Co., summoned on April 15, 1920, at 1.45 p. m. In answer to his summons he stated, "It is not a case of unwillingness to appear, but rather we are too busy to attend to any matters outside of our company."

William Stevens, field superintendent, New England Fuel Oil Co., summoned on April 16, 1920, at 11 a. m. In answer to his summons he stated, "I am perfectly willing to go if Capt Blackmon gets back in time. He is away for a month."

W. O. Fitch, with New England Fuel Oil Co., summoned on April 10, 1920, at 9.30 a. m. In answer to his summons he stated, "I would like to appear before the committee if it is possible to do so."

You will perceive from the above answers that almost without exception the subordinate employees of the oil companies and independent Americans of small means were desirous of testifying, but that, in view of the threat of the Carranza government not to permit them to return to Mexico if they should tell the truth about conditions in that country, and the attitude of the oil companies in not only refusing to protect such men as might testify but also in actively opposing the desire of their employees to appear before the committee, they felt that they were not justified in making the individual sacrifice involved in testifying; they had long ago lost faith in their Government, and when the only hope that remained—the influence of the oil companies—was denied them, they declined to testify.

During my last trip to Tampico I received the impression from a number of sources that while I was negotiating with the managers during the latter part of January a definite decision had been reached not to cooperate with your committee. In order to ascertain the truth I applied to the secretary of the Managers' Association, Mr. J. A. Brown, but was unable to receive any satisfaction. I also called on Mr. Thomas J. Lee, Mr. D. C. McCuen and Mr. H. B. Duncan, the attorneys constituting the committee to cooperate with me, who insisted that the companies were most anxious to cooperate with me. I arrived in New York on the 26th of this month, and yesterday, the 27th, called on Mr. Chester O. Swain, the president of the Oil Association, and asked him for copies of the telegrams which I understood had been exchanged between him and the secretary of the managers association in Tampico. Mr. Swain gave me these copies. In this connection I wish again to call your attention to the fact that the meeting of the managers' association that Mr. Longan and I attended occurred on the 27th of January; that my meeting with the committee appointed by that association to cooperate with me occurred on the 28th of January, and that Mr. Longan's subsequent meeting with the managers' association occurred on the 3d day of February.

From the copies handed to me by Mr. Swain, it develops that, on January 13, three days after I attended the meeting of the oil association in New York, Mr. Swain sent Mr. Brown the following telegram:

"Pat returning Tampico important message. All managers authorized to cooperate fully in matter."

On January 28, the day after I met with the Managers' Association in Tampico, and the same day I met with the committee of attorneys appointed by that association for the purpose of cooperating with me, the secretary of this association, Mr. J. A. Brown, wired Mr. Chester O. Swain as follows:

"Referring to special message brought by Pat, we find individual who talked with you in New York wants to make sensational publicity by taking nearly 120 (?) employees of oil companies and colonists from here to testify. He asks for three landmen and a camp cashier from the Transcontinental Oil Co. We think his methods are sensational, political, advertising, and will hurt relation of oil companies to Government of this country at a time when this is particularly undesirable. Records of occurrences in oil country are on file and can be obtained by committee by request to Department of State. If you approve and instruct us to give to him everything required will do so. Please wire."

On January 31, three days before Mr. Longan again met the Managers' Association, and seven days before I left Tampico, Mr. Swain telegraphed Mr. Brown as follows:

"Replying your telegram January 28, association accepts judgment of local managers in matter and withdraws instructions sent through Pat."

Comments on these interesting telegrams would be superfluous. Although the decision not to cooperate was made on January 31, three months ago, the oil companies had not communicated this decision to Judge Kearful, Mr. Buckley, or myself.

I wish to call your attention to the statement in the telegram of the 28th of January that "the individual who talked with you wants to make sensational publicity by taking nearly 120 employees of oil companies and colonists from here to testify," and the further statement that "we think his methods are sensational, political, advertising, and will hurt relations of oil companies to Government of this country at a time when this is particularly undesirable," and that "records of occurrences in the oil country are on file and can be obtained by the committee by request to Department of State." The Oil Association had been apprised by Mr. Buckley and by me of the object in bringing a large group of witnesses at one time, since it was thought that such action would preclude the possibility of political persecution, and certainly the object of bringing witnesses was to inform your committee and the American people of conditions in Mexico—there could be no other object—and the more publicity given to the truth, the more desirable it would seem that these witnesses come. The oil companies had been engaged for many months in extensive propaganda having for its ostensible purpose the giving of publicity to conditions in Mexico; but from the above telegrams, it would seem that while they desire such publicity they shrink from accepting the responsibility for the same. I presume that the relations of the oil companies with the Carranza government which might be affected at this time referred to the fact that the oil companies were about to secure provisional permits to do temporary drilling, and that they feared that further publicity adverse to the Carranza Government might injure their prospects. As to the allegation that the records of such occurrences could be found in the files of the State Department, it certainly could not have escaped the observation of the managers that, in the first place, these files are not available, and in the second place, if this were the objection to cooperating, it should have been alleged in the beginning.

In view of the above, it is with great regret that I have to report to you that my mission to Tampico has failed to result in testimony before your committee of the most vital nature with regard to the critical situation in the oil fields, due to the refusal of the oil companies to cooperate with your committee, and that my mission was rendered more difficult and the time and money expended were in excess of what they should have been because of the unfortunate breach of faith on the part of the oil companies. It had been my understanding that the oil companies were desirous of having the facts with regard to Mexico, and especially with regard to their persecution and the maltreatment and assassination of their own men, presented to the committee, and I had proceeded on this theory. I found that the managers were anxious to shift responsibility to their principals in the States, and that the latter were equally determined to shift the responsibility to the managers, and that all desired to profit by the endeavors of your committee without assuming the risk of cooperation in so far as my work was concerned.

The failure of the oil companies to present their case to the American people and to inform the legislative branch of their government of a situation concerning which they have complained so bitterly for the last few years, was so incomprehensible to me that I endeavored to ascertain if there were any motives that prompted this unusual conduct outside of their unfortunate timidity, and developed the opinion of several managers that may to some extent explain this attitude, and which I believe will be interesting to the committee. Several of these gentlemen charged that the work of this committee was purely political and that the committee was not endeavoring in good faith to alleviate conditions in Mexico. This impression was confirmed in a conversation recently with a high official of the Oil Association, in which this gentleman stated that he had never had much confidence that the investigation would accomplish any ultimate good, since he believed that certain members of the committee were actuated by personal, political motives instead of a desire for the amelioration of conditions in Mexico.

Respectfully yours,

S. D. LESTER.

FRIDAY, MAY 14, 1920.

UNITED STATES SENATE,
SUBCOMMITTEE ON FOREIGN RELATIONS,
Washington, D. C.

The subcommittee met, pursuant to the call of the chairman, at 11 o'clock a. m., in room 128, Senate Office Building, Senator Albert B. Fall presiding.

Present: Senators Fall (chairman) and Brandegee.

The CHAIRMAN. The committee will come to order.

The chairman made the following statement:

Under Senate resolution 335, Sixty-second Congress, second session, a subcommittee of the Foreign Relations Committee of the United States Senate was directed to make an investigation of Mexican affairs. The subcommittee was composed of the following Senators: William Alden Smith, Michigan, chairman; Porter J. McCumber, North Dakota; William E. Borah, Idaho; Benjamin F. Shively, Indiana; Gilbert M. Hitchcock, Nebraska.

Later, by the adoption of a resolution to that effect, offered by Senator Cullom, the then chairman of the Foreign Relations Committee, Albert B. Fall, of New Mexico, was designated as a member of said committee.

The resolution under which the committee was constituted and directed to act is as follows:

Resolved, That the Committee on Foreign Relations or a subcommittee thereof is hereby authorized and directed to inquire, investigate, ascertain, and report whether any persons, associations, or corporations, domiciled in or owing allegiance to the United States, have heretofore been or are now engaged in fomenting, inciting, encouraging, or financing rebellion, insurrection, or other flagrant disorder in Cuba or Mexico against the lawful, organized Governments of those countries.

Resolved further, That said committee or a subcommittee thereof is hereby empowered to summon witnesses, to send for persons and papers, to administer oaths, and to take and secure whatever testimony and evidence may be required to ascertain and report upon the matters aforesaid; and said committee or a subcommittee thereof is hereby authorized for the purposes aforesaid to sit wherever necessary and act as well when Congress is not in session as when in session.

Resolved further, That the said committee is hereby directed to report the result of its said investigation and inquiry to the Senate during the first month of the next session of Congress; and the expenses incurred by such investigation and inquiry shall be paid from the contingent fund of the Senate upon vouchers to be approved by the chairman of the committee.

The committee opened its hearings on September 7, 1912, at El Paso, Tex., and continued same at various points along the border and in the United States until the latter part of December, 1912.

The evidence, documentary and otherwise, taken by this committee was printed for the use of the Committee on Foreign Relations, but no report of the committee upon the subject of its investigations was ever filed either with the Foreign Relations Committee or with the Senate.

Senator Fall, chairman of the subcommittee conducting the present hearings, prepared a report upon certain phases of the investigation; that is to say, particularly upon the question as to funds used by the Madero and other revolutionary factions in the overthrow of the Diaz government. This typewritten report was prepared about March 1, 1913, and submitted to Senator Smith, chairman of the subcommittee conducting the 1912 hearings.

Later, that is to say, on or about June 1, 1913, having ascertained that this report had not been presented to the Foreign Relations Committee, Senator Fall presented a copy of the typewritten report to the then chairman of the Foreign Relations Committee of the United States Senate, Augustus O. Bacon, of Georgia.

This report apparently was never considered by the Foreign Relations Committee, nor by the Senate, nor was same printed for the use of the Senate or otherwise.

In conducting the present hearings this committee would have sought and taken testimony in addition to that which it has secured had some portions of such testimony not been covered by the work of the committee in 1912, and had it not been for the fact that such testimony is embraced in the printed report of hearings of 1912, a copy of which printed report, consisting of 918 pages of printed matter, is in the possession of the present committee, the greater portion of the evidence, documentary and otherwise, embraced in the report referred to having been taken by or in the presence of Mr. Fall, chairman of the present committee.

Certain portions of the evidence taken in the 1912 hearings and included or set forth in the printed document referred to are, in the opinion of this committee, material in the present hearings, and same are ordered printed and will be considered as a portion of the hearings and evidence taken in the present proceedings. Such portions will be printed as the hearings and as of the proceedings of this day, and follow this statement.

The report submitted by the chairman of this committee to the Foreign Relations Committee in June, 1913, will also be printed, following the evidence now submitted.

EVIDENCE TAKEN BY THE SUBCOMMITTEE OF THE FOREIGN RELATIONS COMMITTEE OF THE UNITED STATES SENATE IN 1912, UNDER SENATE RESOLUTION 335, SIXTY-SECOND CONGRESS, SECOND SESSION.

LOS ANGELES, CALIF., *September 18, 1912.*

The committee met at 2 o'clock p. m.

Present: Senator Smith of Michigan (chairman) and Senator Fall.

Present also: Mr. A. I. McCormick, United States attorney for the southern district of California, and Mr. Dudley W. Robinson, assistant United States attorney for the southern district of California.

STATEMENTS OF DUDLEY W. ROBINSON AND A. I. McCORMICK.

Mr. ROBINSON. I am the assistant United States attorney for the southern district of California. I first became interested in any way in the Mexican situation when preparing to prosecute the case of the United States against Ricardo Flores Magon and others upon a charge of violating the neutrality law by forming a conspiracy to enlist men to go to Mexico to fight as soldiers against the Mexican Government.

In the inception of the case our officers seized the plant of a paper known as El Regeneracion, which was the official organ of the so-called Mexican Liberal Party and of the Mexican junta of which Ricardo Flores Magon was the head in Los Angeles and which was conducted at the headquarters of the Mexican junta in Los Angeles.

At the same time we seized all the correspondence we could find, both of the junta and the newspaper.

In looking through this correspondence we found that the junta had sent broadcast throughout the country——

Senator FALL. Throughout which country?

Mr. ROBINSON. Throughout the United States copies of this paper; sent them out freely whenever anyone requested that they be sent to any place where they might be distributed.

In answer to the pamphlets and papers and articles in this newspaper the junta and the Magons individually received replies from all over the United States.

From my acquaintance with the localities in New York City and elsewhere from which a great many of these replies came, and from my acquaintance with some of the families, and I might say also that from responses that they received from some people in Los Angeles and vicinity, I became convinced that a great many very respectable people and a great many respectable women were responding to their requests for assistance in furthering the cause of the Mexican Liberal Party. These donations or subscriptions were very small——

Senator FALL. You mean the individual subscriptions?

Mr. ROBINSON. The individual subscriptions were very trifling amounts, none running to more than $25 that I can remember and most of them being in amounts of $2, $3, or $5 apiece; but there were apparently a great number of them, from the number that we found copering the limited period of the correspondence which we seized.

Senator SMITH. Can you give an estimate of the total amount of money that they took in?

Mr. ROBINSON. It would be practicable impossible to do that. We never did set them out or attempt to tabulate them.

Senator SMITH. Do you think they would run into the thousands of dollars?

Mr. ROBINSON. I should say probably up to $1,000 a month anyway and sometimes possibly more than that. There were subscriptions sent from various socialists throughout the country and there were contributions sent from socialistic and anarchistic organizations. Apparently small bodies would hold receptions or entertainments or take collections among themselves and send them in to the Magons for the purpose of helping along their work.

The correspondence also disclosed the fact that the Magons had agents whom they sent around to make speeches to groups of their

friends, either of their own nationality or of the socialistic persuasion, and to get up receptions and entertainments and make collections for the cause.

We had a large amount of their correspondence, and a few specimens of it, selected at random, will show its character. Here are some of them:

CHICAGO, *March 31, 1911.*

Mr. ANSELMO L. FIGUEROA,
Los Angeles, Calif.

DEAR SIR: I have distributed many of the copies of Regeneracion which you have sent me, and shall distribute more. I inclose a letter from a teacher of Spanish in this city to whom I sent a bundle of the papers. My custom is to watch the ads. of teachers in the "Instruction" column of the Sunday Tribune, and, if the names and addresses are given of Spanish teachers, to send them bundles of your paper. I am also studying Spanish, and a Mr. R. L. Terwilliger, of the Hayes Hotel, Sixty-third Street and Lexington Avenue, this city, who is in my class and to whom I gave a copy of Regeneracion, said he should subscribe for it. If he has not done so, you might send him a sample copy or two and jog his memory. I find, however, that I have more papers sometimes than I can distribute, and thought perhaps you had better cut down my allowance, sending me a bundle once a month, or at most twice a month.

I do not think there are many Spanish people here and few who are studying the language.

With best wishes for your success, I am,

Very truly, yours,

IDA CROSS,
6242 Woodlawn Avenue, Chicago, Ill.

CHICAGO, *November 19, 1910.*

Mr. ANSELMO L. FIGUEROA, Ed.,
Los Angeles, Calif.

DEAR COMRADE: I see your appeal in the Daily Socialist and herewith inclose check for $10. I should like $2 of it to apply on a year's subscription for me, although if the money is worth more to you as a donation you are welcome to all of it without a subscription to myself. Also, if you desire to give me sub cards for the rest or any part of it, I will give to Spanish people, in which way you may increase your circulation. Of course, I presume three or six month subs. are better than a year's as in that way the paper becomes more extensively known. However, please do as you wish, as I desire it as a gift to do with as you think best to advance the interests of your paper.

Fraternally,

IDA CROSS.

P. S.—Please send correspondence to my business address, care of The Public, room 205, No. 357 Dearborn Street, Chicago, Ill., but send the paper to me at 6242 Woodlawn Avenue, Chicago, third flat, as papers get mixed with exchanges when they come to this office.

Check Central Trust Co. of Illinois, No. 192, $10.

CHICAGO, *June 3, 1911.*

DEAR COMRADE MAGON: To-day St. John spoke to me of a man that can give any general representing Madero a grand reception providing they cross the border to attack Lower California. I understand he can also get help to consummate his work.

This may interest you. I am writing it therefore, that you may if you wish avail yourself of his service. He likewise is being notified of this and may be of some assistance to you.

Trusting that the boys in Lower California will be aided much more in the future than in the past,

I remain yours sincerely, for the revolution,

J. MENKE.

P. S.—This man's address in Dan Dawson, 606 and 608 Second Street, El Paso, Tex.

If I can be of more service to you in Los Angeles than here please let me know.

SAN DIEGO, CALIF., *June 5, 1911.*

R. F. MAGON, Esq.,
Los Angeles.

COMRADE: You will remember me as I had several lengthy talks with Comrade Figueroa in regard to the establishment of a grocery among the Mexicans about Los Angeles. But I don't want to talk about that. Yesterday noon when I arrived here from "Los" I went into Kaspar Bauer's curio store to have a little talk with him. He showed me a letter which he had just finished writing you, and in which he resigned as member of the local junta. He said war in Lower California ought to be discontinued and Madero be given a chance as to show what he would do for the people of Mexico. I talked against this policy and he in its favor. We had quite an argument. I did not tell him all I thought though, but I will tell you. Bauer has been bought off, and so has Pryce if he does not return. The former told me that Turner also was for quitting. I don't know whether this is true or not, but if it is true then he also has been bought off.

Better appoint some of your own countrymen as members of the junta, and on with the revolution.

Yours, fraternally,

OTTO KAPPLIN,
Rural Delivery No. 3.

We, undersigned old soldiers, having fought 50 years ago against slavery, send this as an encouragement for the Mexicans who now fight against beaurocrat-capitalist tyranny.

	Cents.
S. B. Kyle	25
J. C. Cole	25
D. W. Lindsday	25
R. A. Kennedy	25
H. T. Engle	25
A. J. Helmuth	25

SOLDIER'S HOME, CALIF., *March 19, 1911.*

CHICAGO, ILL., *February 13, 1911.*

420 WEST FOURTH STREET,
Los Angeles, Calif.

GENTLEMEN: Since I should like to offer to the Mexican insurgents the services of a friend and myself, I herewith beg of you to kindly inform me how to do so.

I am a European by birth, and have received my education in a military academy of one of the world powers, and have seen actual Army service in the same country.

My friend, Mr. Thurber, of Chicago, Ill., also has seen service.

We are both of the same age—23 years—and both of good health.

I understand there is a special demand for men who understand how to operate machine guns, and both of us are fully competent to do so.

Please inform us also as to what outfit we should need and the pay we may expect and under what conditions.

In the hope that you will have the kindness to answer at your earliest possible convenience and give us the desired information,

We are, respectfully yours,

GEO. A. RODEL,
TOM E. THURBER,
558 West Van Buren Street, Chicago, Ill.

HOPE, N. MEX., *February 7, 1911.*

ANSELMO L. FIGUEROA,
Los Angeles, Calif.

DEAR SIR: I see by the daily papers that there is a lack of surgical care for the wounded revolutionists. If such be the case, kindly put me in communication with the proper ones, that I may get into their hospital service, where I can be of assistance to them.

Respectfully,

H. A. CRECELIUS.

HOPE, N. MEX., *February 7, 1911.*

JOHN KENNETH or
EDITH L. TURNER,
Los Angeles.

DEAR COMRADES: A physician and surgeon of this town, Dr. Crecelius, aged about 30 and trained in New York, is willing to give hospital service to the cause. Write him or us as to his usefulness and where most needed.

Yours, an appeal for liberty,

S. PARKS.

Lista de gastos del dinero recibido del Sr. F. Frezieres:

Para Viage á el Cajon, Cal (Costo de Viages redondos):	
De Los Angeles á San Diego	$5.00
De San Diego á el Cajon	.75
De el Cajon á Flores Ranch	6.00
De San Diego á Lake Side	3.00
Para pagar Hotel desde el 27 de Marzo ál 30 de Abril ($3 diarios)	119.75
Recibido del Sr. Fiezieres	120.00
Resto	00025

Los Angeles, Calif., 5/1 de 1912.

JULIO MANCILLAS.

SEATTLE, WASH., *May 29, 1911.*

R. FLORES MAGON,
Organ of the Mexican Liberal Party, Los Angeles, Calif.

DEAR SIR: Inclosed you will find $1, contributed in the cause of human liberty.

Yours, truly,

SADIE L. BERNSTEN.

Sottoscrizione pro-rivoluzionari Messicani:

G. Ambrosetti	$0.15
G. Zanollis	.50
L. Rossi	.15
E. Bettini	.25
N. Caputi	.25
F. Caputi	.25
A. Scarpenti	.50
F. Guerrieri	.25
F. Cordini	.15
T. Minetti	.25
G. Marasco	1.00
A. Bellettini	.20
P. Toce	.15
G. Borghi	.15
G. Franculli	.20
S. Milani	.15
B. Lamberti	.20
A. Lapento	.15
R. Bagnaschi	.25
L. Zamberletti	.10
A. Sabatelli	.10
P. Montani	.10
A. Giuliani	.10
Totale	5.55
Deolotto spese postali	.10
Totale netto	5.45

Per la sez. soc. ital. di Torrington Ct.

ANTONIO GIULIANI, *Segretari.*

SAN FRANCISCO, *April 18, 1911.*

Mr. TURNER, *Los Angeles, Calif.*

DEAR SIR: I got your address from the Liberal Legion of S. F. and want to know if you can put me in communication with Francisco Madero, jr., or what you can do about it. I am in possession of a secret to manufacture smokeless powder at a cost of 7 to 10 cents per pound, ready for use in 30 hours. Can be used in guns, rifles, and made stronger for blasting purposes. Can make it anywhere, on the desert, mountain, and on ships. By inquiry here the cost is 30 to 40 cents per pound. As you will not be here in two weeks, I send this letter for a speedy reply. It would be a good idea to go into Mexico and manufacture it right on the spot, but I have no knowledge how to make cartridges, only the powder. This is reliable information; no American humbug.

Yours, respectfully,

M. A. REDDING,
1117 McAllister Street, City.

LOS ANGELES, CALIF., *May 16, 1911.*

Received from Messrs. A. P. Cherback and P. H. Leifferts, members of the international committee, Mexican Liberal Party, junta, the amount of $16.10 (sixteen dollars and ten cents). This money has been used for the purchase of one rifle and cartridges and rail passage from Los Angeles to San Diego for one Russian fellow.

JOHN KOLODY.

OFFICES OF THE JUNTA OF THE MEXICAN LIBERAL PARTY,
519½ EAST FOURTH STREET,
Los Angeles, Calif., May 10, 1911.

FELLOW WORKERS: The Mexican revolution is labor's revolution, for the Mexicans have been stripped to the bone by the very powers which labor is organized to fight. It is a war of men versus money, the workers versus alien landlords and financial leeches, the people versus Wall Street.

The profits wrung from American labor have been taken across the Mexican border and used to grind out even vaster fortunes by slavery of the grossest type and the fraudulent appropriation of huge landed estates, literally given away to foreign millionaires and corporations by the corrupt financial ring that has ruled Mexico.

Forced from the land, driven into exile, and compelled to work at starvation wages, the Mexicans have been used by capital as a club. Now the Mexicans have revolted and the club is turned against the oppressor. Help us to use it effectively, striking off our chains and yours.

Help the Mexican revolution! It is your revolution, and its triumphant issue will mean your redemption, for American labor will not remain enslaved when Mexicans, just across the border, have won their economic freedom.

Help the Mexicans to win! Help them with your dollars, as they, less fortunately situated, are helping you by giving up their lives—their all.

Don't let Wall Street plunge your country into civil war by forcing on it armed intervention. Don't be Wall Street's cat's-paw. It is not Wall Street, but you, that will have to pay the awful bill. Not the Morgans and the Rockefellers, but you will be the food for powder.

Capital is straining every nerve to win this fight. Defeat it; score a victory for labor that will be decisive throughout the world.

We Mexican revolutionists have suffered everything—exile, imprisonment, the gallows. We have not flinched; we are not flinching. We are fighting, laying down our lives, living as only those who have a great cause at stake can live. Every cent you contribute will be used, and used economically, to win this fight. If we wished it, we should not dare to be false to our financial trust.

We send you copies of our manifesto, since we wish you to know where we stand. You can assist greatly by urging your trade and labor papers to publish or comment on it, for publicity is the life of every movement. We have nothing to conceal. Moreover, we beg you to correspond with us that we may give you information on any points respecting which you may be in doubt.

Unless requested not to do so, we shall publish in our official organ, Regeneración, the names of contributors, with the amounts contributed or pledged.

ORGANIZING JUNTA, MEXICAN LIBERAL PARTY,
Per R. FLORES MAGÓN.

(Stamped:) Junta Organizadora del Partido Liberal Mexicano.

Subscription list.

C. H. Axelson, 2839 Grand Avenue, Minneapolis (amount pledged weekly, 25 cents)	$1.00
C. A. Miller, 27 North Eighth Street, Minneapolis	1.00
Sam Tobin	.25
A. Pion	.25
Geo. Pish	.25
Social Science Club	1.00
	3.75
Weekly pledges by Axelson, two weeks	.50
	4.25

P. S.—If you can, drop me a line about what is going on on the battle field. Send me one more list and I will do what I can.

C. H. A.

Name of circulator of petition and receiver of money, C. H. Axelson, 2839 Grand Avenue, Minneapolis, Minn.

LOS ANGELES, CALIF., *June 4, 1911.*

Mr. R. F. MAGON.

DEAR COMRADE: I was at the meeting to-day of the international committee of the Liberal junta.

I wrote J. M. Barnes, national secretary of the Socialist Party, to come to your rescue with $500 at once.

If, however, all your efforts seem destined to failure in raising money, allow me to suggest that you might be able to make a pretense of selling out the Lower California movement to Dick Ferris and the plutes that are after it. Then turn right around and use their own money against all of the plutocracy for the Mexican cause.

All is fair in war, and I would do anything to defeat the capitalist class.

Yours, fraternally,

ALEX. T. WILSON.

LIBERAL CLUB,
1876 MISSION STREET,
San Francisco.

J. K. TURNER AND EDITORS OF REGENERACION.

FRIENDS: As secretary of the Liberal Club, which was organized here last night, it is my duty to inform you that our object is to aid the revolution in every way that the laws allow us.

Boone and Morris are here from Mexicali, and are with us. We have arranged a big meeting for Friday, March 17, in conjunction with the Socialist Party and the unions.

We want you to communicate with us so that we may be able to act intelligently and effectively. We have several attorneys in our membership, and they keep us on the right side of the law.

We are getting in touch with liberal-minded people all over the country, and we will have a nation-wide protest with the aid of the Socialist Party and the unions. The people of San Francisco are waking up to the real significance of the revolution. You people want to get after the State office of the Socialist Party, and get them to start agitation. If the American people are aroused, Taft will keep his hands off. The Bulletin, local evening paper here, is strong for the revolution. Fremont Older is the editor's name.

Send 300 copies of Regeneracion at once, as we want them for Friday's meeting.

Inclosed find $10; we will have a substantial sum to send you soon. More news later.

Yours, for the cause,

JOS. MOORE,
Secretary pro tem.
M. H. MORRIS.

CARMEL, CALIF., *June 12, 1911.*

Mr. W. C. OWEN,
Los Angeles, Calif.

DEAR MR. OWEN: Last night I wrote Magon a letter in regard to your criticism, or rather your condemnation—as you put it that way—of my latest Pacific Monthly article. I thought first of writing only to you, but reflected that probably he had not read my article himself, and perhaps not even your criticism, so that he might be deceived both as to what I said and what you said.

As I said to Magon, I do not object to honest criticism from the best of friends. However, I can not see how you could have read into my article praise of Madero. I have just gone over the article again and sincerely believe that, instead of being impressed favorably, the average reader will decidedly get an unfavorable impression of Madero from what I wrote. Of course, I did not strongly condemn him, as you would have done under the same circumstances. But that does not mean that I praised him. I wish you would go over the article again and see if you can find anything that can fairly be called praise. I said that Madero had (the article was written over two months ago) so far been a great strength to the revolution; but I immediately went on to point out that it was his money that had been the strength rather than he; that he was a prominent figure in the revolution rather because of his money than because of his personality or his program. Certainly this is far from praise.

This seems important to me, because I know there will be a good many readers of Regeneracion who will not read my article, people who will misunderstand what I said by reading what you said, who will think I have written an indorsement of Madero. Some of these will feel less friendly to me; some, perhaps, will feel less friendly to Magon—believing that I have written against Magon. This I have not done. I have tried to do a work that need not take sides between any party fighting against Diaz, but you can not but agree with me that in my writings I have given the Liberal Party more than a shade the better of it, and in what other things I have done all has been done for the Liberal Party.

I have never attempted or desired to make friends with Madero. I do not wish to be thought of as having praised Madero. I have not praised him. I will therefore ask you, in all fairness to me, in your next issue either to print an article in which you say on a second reading you went too far in saying that I praised Madero or print all that I said about Madero and the Liberal Party—there is not much of it—or at least print such a part as will cause no misunderstanding of me in the minds of your readers.

Trusting that you will set me right in this, I remain,

Very sincerely, yours,

JOHN KENNETH TURNER.

LOS ANGELES, *June 1, 1911.*

JAMES DUNN, *Point Loma.*

DEAR FRIEND: I am writing these few lines to give you the facts of my case. I was unable to call on you when I passed through San Diego. I just received your letter the last evening in Tijuana. Pryce and I left there to confer with the junta. The officers all knew that Pryce was coming up. We did not think it advisable to inform the boys. I decided to come at the last minute. Neither one of us took a cent from the funds. I had a few dollars which I made by selling a plant of curios, etc., which I had discovered. On account of the junta not assisting us, we have had a hard time to get ammunition, etc. We raked in about $850 from license fees, etc., and were holding it with the intention of getting fieldpieces and machine guns, expecting the junta to come through with rs. and amm. They have been receiving contributions right along and never came through with a gun or a cartridge. But that was not the worst. They did not send anyone down to transact the official business of the town, excepting toward the last they sent one down to handle the customs. All they ever did was to write letters of congratulation. Mayol got away from us on account of lack of ammunition. When we marched from Little's ranch Pryce sent a letter to the junta asking that 20,000 rounds be sent to Tijuana to be ready for us when we arrived. They did not do this, nor did they even reply to the letter. If this had been sent we could have marched directly on Ensenada before Mayol could have started from Bee River. To make a long story short, it disgusted us so much that we decided to quit. Even after Madero had won out and declared

us to be filibusters, etc., the junta did not visit us. Only through the papers we learned of their intentions. J. K. T. visited us while at the fort and said that we could not fight both the feds. and Maderists, as the junta wanted us to do. We had a meeting of the officers when we got back and practically decided to throw it up. We were leary of the Mexicans and did not know how to go about it for the best. We were afraid that on account of the junta still ordering us to continue the fight that if we had a meeting of the boys and declared it all off the Mexs. would call us all filibusters, etc., and start a young civil war amongst us. On the other hand, we figured that if Pryce blew, the bunch would disappear. Your gun was stolen by some one. It was in Schmidt's company, and I showed him your letter, but he did not appear to be very eager to return it; next I heard it was gone. He was out of town when I left or I would have seen him about Nolan, though he would not have moved in the matter, I know. He was all for B Company. He caused lots of ill feeling amongst the boys. If a saddle or horse was stolen, B Company had it. Pryce had already sent $10 up to you when I spoke to him about your letter. I wanted to send you another 20, but it was too late.

June 3.

Just saw James; he tells me you are down there. I did not think you were ready to leave the hospital so soon. I was hoping that this letter would reach you in time to prevent you from going down. As far as I can see, the game is up—that is, the financial end of it—and I do not feel like risking my life for nothing. However, you may look at it in a different light. Would like to see you and have a long talk with you. My next move will be either South America or the South Seas. James says you are all right except for the bullet in the shoulder. Hope you get it out soon.

Well, this is all now. If you wish to keep in touch with me, address me care of Dick Ferris; he is a good fellow and can be trusted. Am looking forward to a letter from you. Au revoir.

Ever, your friend,

MELBOURNE.

Address: C. W. Hopkins, care of Dick Ferris, U. S. Grant Hotel, San Diego.

P. S.—When you have read this, burn it.

P. P. S.—Will write further when I receive an answer from you. Am working on the "Pearl" proposition.

1876 MISSION STREET, *April 5, 1911.*

R. F. MAGON:

Yours of 4th and night letter just received. All is ready here. Araujo wrote a few days ago saying that he could not bring slides and that Turner could not come. That made things bad for a while, but we will do the best we can, and all will be well.

I appreciate the harsh conditions under which you work in the office. The same is true of the situation here. Lots of froth and sympathy, but dam little actual work.

After I see Turner and A. I may be able to do something in regard to helping you in the office. I have been working hard on the unions but have had to carry the fight practically alone. I succeeded in getting the hall free for the meeting—a matter of $25—and may secure other support.

Let me assure you once more of the sincere friendship and high esteem in which I hold such men and women as yourself and the others who are giving your lives for humanity.

Yours, for the cause,

JOE MOON,
Secretary Liberal League.

BRAWLEY, CALIF., *June 7, 1911.*

EDITOR REGENERACION, *Los Angeles, Calif.*

DEAR SIR: A number of young men of this place, principally members of the Industrial Workers of the World, are ready and willing to give their services and lives, if necessary, to the cause of the liberals and to freedom in Lower California. Should we go at once to Tijuana, is the general in command in a position to equip us for duty in the field? Hoping to hear from you immediately in regard to this matter.

I remain yours, for industrial freedom,

THOS. M. DODSON,
Care of I. W. W. Local,
Box 485, Brawley, Calif.

Money order 549279, $1.50.

SACRAMENTO, *April 23, 1911.*

Mr. A. L. FIGUEROA,
Los Angeles, Calif.

DEAR SIR: Inclosed will find money order to amount of $1.50, for which send 50 copies of Regeneracion. This will be a standing order every week until further notice. The paper goes very well, and the 25 I received from you last week sold like hot cakes. It is the real dope all right.

Yours, for the revolution,

G. C. KRAAL,
Secretary, Independent Workers of the World,
320 M Street, Sacramento, Calif.

Check, branch of Bank of Arizona, No. 1008, $8.
Recib. y Anotado.

JEROME, ARIZ., *April 20, 1911.*

REGENERACION: Kindly send us four copies of your paper, for which I am herewith sending you a check for $8, and kindly send me a receipt for same.

Respectfully,

JEROME MINERS' UNION (box 786).
WOLF HOLM, *Secretary.*

Se le mandan, 4 Ej del, No. 34.

American Express Co. money order 2168928, $8. Pd.

INDIANAPOLIS, IND., *June 1, 1911.*

MEXICAN LIBERAL PARTY,
RICARDO FLORES MAGON, *Secretary,*
Los Angeles, Calif.

COMRADE: In reply to your appeal for assistance, I am glad to inform you that the Socialist Party of Marion County heartily indorses the attempt of the workers of Mexico to at least wrest concessions from the new ruler, and we pledge ourselves to give every aid possible, although we have no large treasury to draw from. The total amount on hand at last meeting was voted to your assistance, amounting to $8. [Anotado.] This amount will be added to on further appeal if possible. All the requests asked for in your communication were complied with.

Best wishes for the successful conclusion of our cause.

I am, fraternally, yours,

MARCUS C. GREULING,
2541 East Fifteenth Street, Indianapolis.

Money order 631795, $5. Rds.

CLEVELAND, OHIO, *29/V/1911.*

CARO COMPAGNO FIGUEROA,
Los Angeles, Calif.:

Spedisco $5.00 a pró rivoluzione Mexicana $1.00 da L. Martino ed $4.00 da is sattoscritto (Anotados).

To qui potrei avere dei fucili del governo, a buon marcato ossia da $1.50 a $2.00, per la prossima volta ti pare pisi conveniente che ti mando dei fucili ossia é meglio i danari?

To sono da pocco tempo in questa Cittá perció non ho nessuna conoscenza, ma con tutto ció qual' cossa prametto di fare. Desidererei avere il giornale "Regeneration."

Per ora ti saluto, tuo.

P. CHIEREGO, *Gen. Del., Cleveland, Ohio.*

* * * * * * *

Mr. ROBINSON. The literature, of which I have one specimen here in Spanish and English, a manifesto to the Workers of the World, shows by its composition that these people are of superior intelligence.

Senator SMITH. Will you give us a copy of that manifesto?

Mr. ROBINSON. Yes; the copy of it printed in English is as follows:

MANIFESTO TO THE WORKERS OF THE WORLD.

COMRADES: For more than four months the red flag has flamed on the battle fields of Mexico, carried aloft by emancipated workers, whose aspirations are epitomized in this sublime war cry, "Land and Liberty."

The people of Mexico are right now in open rebellion against their oppressors, and taking part in the general insurrection are found the supporters of modern ideas, those convinced of the fallacy of political panaceas in the redemption of the proletarian from economic slavery, those who do not believe in the goodness of paternal governments nor in the impartiality of laws fashioned by the bourgeoisie, those who know that the emancipation of the workers ought to be accomplished by the workers themselves, those convinced of direct action, those who deny the "sacred" right of property, those who do not take up arms for the purpose of raising any master to power, but to destroy the chains of wage slavery. Those revolutionists are represented by the organizing junta of the Mexican Liberal Party (519½ East Fourth Street, Los Angeles, Calif., U. S. A.), whose official organ, Regeneracion, clearly explains its tendencies.

The Mexican Liberal Party is not fighting to destroy the dictator, Porfirio Diaz, in order to put in his place a new tyrant. The Mexican Liberal Party is taking part in the actual insurrection with the deliberate and firm purpose of expropriating the land and the means of production and handing them over to the people—that is, to each and every one of the inhabitants of Mexico, without distinction of sex. This act we consider essential to open the gates for the effective emancipation of the Mexican people.

There is also another party in arms, the anti-Reelectionist Party, whose leader, Francisco I. Madero, is a millionaire, who has seen his fabulous fortune grow with the sweat and the tears of the peons of his haciendas. This party is fighting to make "effective" the right to vote, and to found, in short, a bourgeois republic like that of the United States. This purely political and capitalist party is naturally an enemy of the Mexican Liberal Party, because it sees in the activity of the Liberals a menace to the survival of the bourgeois republic, which guarantees to politicians, to seekers for jobs, to the rich, to all the ambitious, those who would like to live at the cost of the suffering and the slavery of the proletarian, the continuance of social inequality, the capitalist system, the division of the human family into two classes—that of the exploiters and that of the exploited.

The dictatorship of Porfirio Diaz is about to fall; but the revolution will not end by this act alone. Upon the tomb of this infamous dictatorship there will stand, face to face, with arms in the hand, two social classes, that of the well fed and that of the hungry, the first upholding the interests of its caste and the second the abolition of those privileges by means of the installation of a system which guarantees to every human being bread, land, and liberty.

This formidable fight of the two social classes in Mexico is the first act of the great universal tragedy which will soon have for its stage the surface of the whole planet, and whose final act will be the triumph of the noble formula, liberty, equality, and fraternity, that the political revolutions of the bourgeoisie have not been able to crystallize into fact because they have not dared to break the backbone of tyranny, capitalism, and authority.

Comrades of all the world, the solution of the social problem is in the hands of the disinherited of the whole earth, for they only require the practice of one great virtue, solidarity. Your brothers in Mexico have had the courage to raise on high the red flag, but not to make a puerile boast with it in inoffensive manifestations through streets and plazas, which almost always terminate with the arrest and the wounding of the participators by the cossacks of the tyrant, but to sustain it firmly in the battle fields as a spirited challenge to the old society which it is trying to crush in order to build on the solid earth the new society of justice and of love.

Comrades, comply with your duty.

Signed by the Organizing Junta of the Mexican Liberal Party in the city of Los Angeles, Cal., U. S. A., on April 3, 1911.

RICARDO FLORES MAGON.
ANSELMO L. FIGUEROA.
ANTONIO DE P. ARAUJO.
LIBRADO RIVERA.
ENRIQUE FLORES MAGON.

Mr. ROBINSON. The general tone of their literature is that which is adopted by two classes of people with whom we have had a great deal to do in this section of country. One class is what is known as the Socialist Party of the more radical type and the other class is known as the I. W. W., or Industrial Workers of the World. Both of those, the radical Socialists and the I. W. W.'s, make a particular point of the contention that political action is no longer of any use to the working classes, and that direct action is the only thing which will bring about the condition which they desire; that is, that the workingman shall own and control the machinery of manufacture and the product of his labor, and also have the benefits of the profits of the industry.

Senator SMITH. I heard a woman talking that on the street corner here the other night.

Mr. MCCORMICK. Mr. Robinson might call attention to the positive, unequivocal statement in their constitution and by-laws to the effect that the only thing they recognize as in any matter whatever deterring them from accomplishing their object is the power to accomplish it. In other words, they say, "We will use force if we can. The only thing that will prevent us using force is overpowering force against us."

* * * * * * *

You will notice in that manifesto to the Workers of the World in the second paragraph it says:

> The people of Mexico are right now in open rebellion against their oppressors, and taking part in the general insurrection are found the supporters of modern ideas, those convinced of the fallacy of political panaceas in the redemption of the proletarian from economic slavery, those who do not believe in the goodness of paternal governments nor in the impartiality of laws fashioned by the bourgeoise, those who know that the emancipation of the workers ought to be accomplished by the workers themselves, those convinced of DIRECT ACTION—

Those words "direct action" are printed in capitals.

Senator SMITH. That is revolution?

Mr. ROBINSON. Yes; in this case it means revolution.

It continues:

> Those who deny the "sacred" right of property, those who do not take up arms for the purpose of raising any master to power, but to destroy the chains of wage slavery.

In other words, in this part of their propaganda they put their revolutionary movement upon the basis of a movement for what Mr. McCreary defined yesterday in our talk as a socialistic Utopia.

Senator FALL. To be brought about by force?

Mr. ROBINSON. Yes; to be brought about by force, and to find its base in Lower California; in Mexico if they could accomplish it throughout Mexico, but in Lower California if they could not get the main body of the country.

Senator FALL. As a matter of interest I call attention to the fact that during the Madero revolution Ricardo Flores Magon had a party of armed men in the State of Chihuahua, numbering, as nearly as I could ascertain, approximately 100, who were taking part in the revolution, and who refused to acknowledge Mr. Madero or any other one man as a leader, and who were driven out of Orozco's camp because they were purely socialists. Orozco finally ran them out of

Chihuahua and was denonunced by Ricardo Flores Magon for not being a true socialist and patriot.

Senator SMITH. When was this?

Senator FALL. This was before the capture of Juarez in the original revolution. Those Magonistas, as they were called, were driven out of the State of Chihuahua by the insurrectos in that State and were not allowed to affiliate with them at all, and the Magonistas in turn denounced the revolution as it was being carried on there because it did not meet with their approval, and they were trying to carry it into Lower California.

Mr. ROBINSON. The manifesto to which I have referred is worth reading on account of the clear exposition of exactly the same sort of doctrines as are contended for by the Socialists, and which find place in the literature of the Industrial Workers of the World.

* * * * * * *

Mr. ROBINSON. The appeal made by the Magons to the men in Mexico and the appeal to those who were sent from the United States to fight in Mexico was placed upon another basis. The men who were enlisted were not always exactly volunteers. Of course, they went voluntarily, but they were pursuaded by agents of the Magons. These volunteers were given their bare expenses to get to the Mexican line. There was no money consideration given to them.

Senator FALL. They were armed, were they?

Mr. ROBINSON. No; not always here. They were told where they could go and get the arms on the other side.

Mr. MCCORMICK. The difficult thing in our prosecution was to prove that the expedition was of a military character, and in that connection I may state that the Magonistas were constantly advised by the best attorneys, who posted them on the neutrality laws, and for that reason they kept everything absolutely secret which had anything of a military character attached to it at all. In other words, their idea was, "You go down to the Mexican line and do not be a soldier or indicate in any way that you are a soldier until after you get across the line. Then you will find so and so and will immediately receive your gun and ammunition." That is correct, is it not, Mr. Robinson?

Mr. ROBINSON. Yes. They clearly thought in their operations, since the trial at Tombstone three or four years ago, that they had now found a way to get around the law, so that if they sent these men down there and did not give them arms but just told them, "Go down there, if you will, and we will pay your fare, because it is a favor to you; you are friends of humanity," they thought it would be all right; and they had a form of enlistment blank which appeared upon its face to be merely a certificate of membership in the Mexican Liberal Party, a political organization, but which really enrolled them as a part of their army down there.

Senator SMITH. What proportion of these volunteers were Mexicans?

Mr. ROBINSON. I should say something over half of those who went down there, probably, were Mexicans.

Senator SMITH. Were there any other nationalities represented besides Americans and Mexicans?

Mr. ROBINSON. There was every nationality. We had a Russian who was a star witness for the Government and a very intelligent

man, but he had evidently had nihilistic or anarchistic principles instilled into him. He went down there and they found him very useful in the hospital on account of his intelligence, and he was made a sort of superior nurse. There were Germans. One of their generals was Gen. Pryce, formerly of the South African mounted police. I believe they called it, who served in the Boer War.

Senator SMITH. On the British side or on the Boer side?

Mr. ROBINSON. On the British side. He became a general there; but according to his story, and I believe he told the truth, he went of his own accord and was not sent there by the Magons.

Senator SMITH. A soldier of fortune?

Mr. ROBINSON. He was purely a soldier of fortune.

Mr. MCCORMICK. There was an attempt made to extradite him by the Mexican Government for alleged crimes of arson, robbery, and murder, involving his operations at Tia Juana. He was in command of the rebel army which took Tia Juana, in charge of the customhouse, and I believe the evidence in the extradition case showed that he took charge of the various stores and attempted to sell off the goods and everything else. They charged him also with killing a number of people. They charged him with the murder of those individual people who were killed in the fight, and also charged that his actions in taking the goods from those stores was robbery or larceny or whatever it may be under the treaty.

But the point I desire to bring out is that he being a British subject, the British Government took an active interest in this case. The Secretary of State wrote me a personal letter about it, informing me or instructing me, through the Attorney General, to keep them advised right along, and not to let him be finally extradited until I told them of it.

Senator SMITH. Was this an expedition which started from the United States?

Mr. MCCORMICK. It started from the United States. They denied the extradition on the ground that the evidence showed that everything was political in character, and that is not extraditable.

Senator FALL. The British Government interfered in his behalf?

Senator SMITH. Was he ever extradited?

Mr. MCCORMICK. He was not.

Senator FALL. Our State Department did not interfere with reference to the extradition of the American citizens, did it?

Mr. MCCORMICK. No.

Senator SMITH. Go ahead.

Mr. ROBINSON. The main part of their promise to these enlisted men was that on the successful termination of the war each man would receive 160 acres of land in Mexico and probably in Lower California, but at any rate in whatever part of Mexico the army of the Mexican Liberal Party could succeed in acquiring.

Some of the volunteers of other nationalities were promised more than that. One colored man who was a valiant fighter said he was promised two horses and a couple of guns and some revolvers, and he was given the privilege of always carrying two revolvers. He was formerly a soldier in the American Army.

Senator SMITH. He was not very high priced at that, was he?

Mr. ROBINSON. That was a part of their arrangement with the volunteers.

Now, I will try to get back to the question of how they got the money to send them down there, and where the money came from, as far as I can state it, and connect that with the use of the money by the junta—by the Magons.

In their manifesto, as well as in articles in their newspaper, and in the teaching of their prophets who went about and addressed the people here and in San Diego and along the Mexican border, in fact all over this part of the country, they sent out the same message that is found in the manifesto to the Workers of the World, in this language:

Agitation– That is the supreme recourse of the present time. Individual agitation of the class-conscious workers; collective agitation of labor organizations and of groups organized for liberal propaganda; systematic agitation of the labor press and of free thought; agitation in the street, in the theater, in the street cars, in meetings, in the bosom of the home, in every place where you can find ears disposed to listen, consciences capable of indignation, hearts which are not calloused by the injustice and brutality of their environment; agitation by means of letters, manifestos, leaflets, of conferences, of meetings, by whatever means it may be possible, making clear the necessity of working at once and with vigor in favor of the redical revolutionists of Mexico, who need three important things: A world-wide protest against the interference of the powers in Mexican affairs, class-conscious workers determined to propagate the doctrines of social emancipation among those not class conscious, and money, money, and more money for the support of the social revolution in Mexico.

Then it goes on to say:

Comrades, reprint this manifesto, translate it into every language, and circulate it in every corner of the world. Ask the labor press to insert it in its columns. Read Regeneracion, and send your piece of money to the organizing junta of the Mexican Liberal Party, 519½ East Fourth Street, Los Angeles, Cal., United States of America.

So that their story came down to a question of money—contributions, small or large, any kind that they could get—but they spent very little of that money in the fight, in supplying anything to the army in Mexico or in Lower California. They spent almost nothing for ammunition. They were niggardly when they were asked to send hospital supplies. Here is a letter which illustrates that:

CALEXICO, CALIF., *May 12, 1911.*

SR. FLORES MAGON,
Pres. Junta Liberal, Los Angeles, Calif.

SIR: Some time ago I wrote to you on the subject of payment for medical services to wounded insurrectos at Mexicali, but as yet I have received no reply. Allow me to repeat that each and every leader of the troops there, Berthold, Leyna, and Salinas, and also Capt. McDonald, whose leg I was able to save, gave me their personal guarantee that I would be paid. You know the value of these guaranttes as well as I do. My attendance included several night calls and much time, and in addition there was a sum of several dollars for surgical dressings and medicines which I paid out. At that time there was absolutely nothing in the way of supplies for wounded. It seems to me grossly unjust to expect such service from a stranger and not pay him, and I therefore request to be informed if there is any responsible authority to whom I can apply for settlement of a just claim. The amount of my bill is $31.50.

Yours, respectfully,

WM. FAWCETT SMITH, M. D.

Senator SMITH. Proceed.

Mr. ROBINSON. Money was collected from the spoils taken by various of the men down there. The foreign legion, as you might call

them, were sent up here for the purpose of buying a machine gun, and there was quite a dispute between the generals in Lower California and the Magons up here as to what became of the money for the machine gun, because the machine gun never materialized, and yet the money went into the treasury. So they spent practically nothing down there. On the other hand, as soon as the town of Mexicali was taken by their forces, and as soon as Tia Juana was taken by their forces, and two or three other small places were taken, the junta immediately sent one of its representatives down to become collector of customs, and he promptly sent the money that he collected, and whatever he could get out of it, up here to the junta.

Senator SMITH. Have you any idea how much that aggregated?

Mr. ROBINSON. No; it would be hard to say exactly, but we did have a figure given on the trial of from $300 to $500 or more a month being taken at Tia Juana. Of course there is not very much traffic across there.

* * * * * * *

Mr. ROBINSON. On that same point, in the supplying of arms and ammunition, there was a very illuminating incident. It was brought out during the testimony of a man named A. G. Rogers, a printer, who printed socialistic papers at that time in Los Angeles and who is now engaged in printing Socialist papers in San Diego and who was there during the I. W. W. free-speech campaign. He told how John Kenneth Turner, the author of Barbarous Mexico, gave him some money to go and buy a lot of old guns. I think they were condemned United States Army Springfield rifles. The big dry-goods store of Hamburger had them and was evidently selling them as cozy-corner ornaments, and Turner had the idea that he wanted to get them, and he sent Rogers down there and Rogers bought them, something like 50 of them, for $1.98 apiece. Those were sent down to Lower California as equipment for the army of the Mexican Liberal Party.

Senator SMITH. Those were probably the guns that the ammunition would not fit.

Mr. ROBINSON. That seems to me to show that they did not have any great source of supply, and it also shows the lavishness of their own contributions to the cause in Mexico.

Senator FALL. I do not think these people over here had any particular backing, but they were picking up subscriptions and calling on the Industrial Workers of the World and the radical, militant Socialists for help to establish a purely communistic commonwealth, and they declare in their manifesto against Madero and against anyone else for President of Mexico.

Mr. MCCORMICK. Right after Madero had been victorious they came out with a long article in El Regeneracion to the effect that they did not recognize Madero at all.

Senator SMITH. Did they select that territory as the base of their propaganda because of its general chaotic condition?

Mr. MCCORMICK. I think that undoubtedly had something to do with it.

Senator FALL. And, further, its geographical position.

Mr. MCCORMICK. And the further fact that there was no Mexican army or navy to interfere with them. The Government once in a

while ran a gunboat up and down the coast to protect the former fishing concessions, but there was practically nobody on the peninsula of Lower California to protect the Mexican interests, and never has been.

Senator FALL. This literature which they were using in this particular revolution is the same as that which Ricardo Flores Magon and his associates have been disseminating industriously in Mexico for a great many years. I think they had a paper in San Antonio at one time, but their headquarters were here and have been in St. Louis, Mo., where they published this paper. We received copies of practically the same manifestos at Cananea over four years ago. We found there they were calling for people to join the Socialist Party and to unite themselves with it. In fact, the Western Federation of Miners sent some men down there, and they asked them to cooperate. One of the Western Federation of Miners took part in the riots and was finally killed. These people were working all over Mexico, and the effect of their work has been very much more far-reaching than anyone would imagine. Then this revolution occurred in Mexico, with which they had nothing to do directly, so far as it was captained by Madero and Orozco. They took for their part Lower California, which they imagined could be more easily overcome, and where they thought they could go in and establish their government without any difficulty. That is the way I understand it.

Senator SMITH. Have you found any connection between any leading revolutionists in Mexico and these people?

Mr. ROBINSON. Not in the main part of Mexico.

Senator SMITH. Or in any one of these States?

Mr. ROBINSON. None except Bahan, Cal., and I was going to explain about what is going on there at the present time.

We were on the question of the extent of their propaganda work throughout Mexico as well as throughout the United States. In the extradition case we obtained the statement of Ricardo Flores Magon, who, under the impression that he was safe in doing it, went upon the stand and explained how they were maintaining this army in Mexico. Later on in the trial of the case we made his statement Exhibit 1 and quoted Ricardo against himself, and in that statement he tells how the organization began in St. Louis—I think it was in about 1903 or 1904. It gives the officers.

I have a translation of it, as follows (in part):

49. To establish bonds of union with the Latin-American countries.

50. Upon the Liberal Party becoming victorious the properties of the enrichened functionaries under the dictatorship shall be confiscated and the proceeds shall be applied to the compliance of the dispositions pertaining to lands, especially to restitute the Yaquis, Mayas, and other tribes, communities, or individuals, the lands which were taken away from them, and to the amortization of the national debt.

51. The first national congress to function after the fall of the dictatorship shall annul all the modifications made to our constitution by the government of Porfirio Diaz; shall reform our "Carta Magna" as may be necessary to make this program effective, creating the necessary laws for this purpose; shall regulate such articles of the constitution and other laws as may be required, and shall study all such questions as may be considered of interest for the country, whether announced in this program or not, strengthening the points herein set forth, especially with regard to labor and lands.

ESPECIAL CLAUSE.

52. It remains, on the part of the organizing committee of the Liberal Party, to notify the foreign Governments at the earliest possible moment and in the name of the party that the Mexican people do not want any more debts on the nation, and therefore they will not recognize any new debt which, under any form or pretext, the dictatorship may throw upon the nation, whether by contracting any new loans or by recognizing past obligations of no legal value.

Reform, liberty, and justice.

St. Louis, Mo., July 1, 1906.

RICARDO FLORES MAGON, *President.*
JUAN SARABIA, *Vice President.*
ANTONIO I. VILLARREAL, *Secretary.*
ENRIQUE FLORES MAGON, *Treasurer.*
Prof. LIBRADO RIVERA, *First Vocal.*
MANUEL SARABIA, *Second Vocal.*

Senator SMITH. Do you find that there is sufficient strength to this movement which you have been describing for it to have been responsible for that chaotic and revolutionary movement that exists in Mexico?

Mr. ROBINSON. I think that undoubtedly the propagation of that bunch of ideas throughout practically all of Mexico for a number of years, most of it coming from the United States, has placed the Mexicans in such a state of mind, considering their mental development and the peculiar appeal of the one note that these propagandists constantly strike—of ease and personal profit—that undoubtedly the great mass of them will continue to revolt until they get to the point where there are a large enough class of intelligent people there to support a strong Government, or until some arrangement is made by which they divide up the land and go through a period when they realize that they can not hold on to it.

Senator SMITH. Do you share that view, Mr. McCormick?

Mr. MCCORMICK. I think so. That is my opinion.

Senator FALL. In connection with the question that Senator Smith has asked, I call attention to a translation into English of the manifesto of this junta, a part of which reads as follows:

The Mexican Liberal Party is not fighting to destroy the dictator, Porfirio Diaz, in order to put in his place a new tyrant. The Mexican Liberal Party is taking part in the actual insurrection with the deliberate and firm purpose of expropriating the land and the means of production and handing them over to the people; that is, to each and every one of the inhabitants of Mexico, without distinction of sex. This act we consider essential to open the gates for the effective emancipation of the Mexican people.

Then it goes on to say:

There is also another party in arms, the Antireelectionist Party, whose leader, Francesco I. Madero, is a millionaire, who has seen his fabulous fortune grow with the sweat and the tears of the peons of his haciendas. This party is fighting to make "effective" the right to vote and to found, in short, a bourgeois republic like that of the United States. This purely political and capitalist party is, naturally, an enemy of the Mexican Liberal Party, because it sees in the activity of the Liberals a menace to the survival of the bourgeois republic, which guarantees to politicians, to seekers for jobs, to the rich, to all the ambitious, to those who would like to live at the cost of the suffering and the slavery of the proletarian, the continuance of social inequality, the capitalist system, the division of the human family into two classes—that of the exploiters and that of the exploited.

Mr. MCCORMICK. You notice that they do not hold up the American Government as a model.

Senator FALL. They say that the Madero party is endeavoring to establish such a government as that of the United States, which they are absolutely against.

Mr. McCORMICK. A statement was made in one copy of El Regeneracion to the effect that Roosevelt, who was then President, was standing in with Diaz, protecting him, and that they would finish Diaz and then take care of Roosevelt afterwards.

Senator FALL. I have among my papers a letter from an American who was present at one of the Mormon colonies, stating that Salazar, who was just leaving Chihuahua, was going through the colonies on his way to Sonora, where he now is, and stating that he and Rojas and others were coming west for the reason that they were going to receive all the assistance they needed from the Socialists of the United States; that they were themselves Socialists, and that they would get all the assistance they needed over here; that there was going to be a socialistic revolution in the United States itself which would be contemporaneous with theirs.

Mr. ROBINSON. It appears by this statement of Ricardo Flores Magon that the Mexican Liberal junta was organized in St. Louis on the 28th of September, 1905. In answer to the question, "Who is helping you—what other men?" he answered, "My brother, Enrique, Juan Serabia, Antonio Villareal, Librado Rivera, Rosalio Bustamente, and Manuel Serabia," and he says: "We agreed between ourselves, by suggestions received from some of our companions, that I should be the president of the junta, Juan Serabia vice president of it, Antonia I. Villareal secretary, and Enrique Flores Magon president, and Librado Rivera, Rosalio Bustamente, and Manuel Serabia members of the junta." He was asked in his examination:

How many divisions of men in the Mexican Army have you issued concessions to commanders?

Answer. In Lower California or in all of the country?

Question. All over the country.

Answer. I don't remember how many.

Question. In what States were those divisions?

Answer. Sonora, Chihuahua, Coahuila, Tamaulipas, Sinaloa, Durango, San Luis Potosi, La Honda, Tlazcala, Vera Cruz, Yucatan, Tabasco, and Jalisco.

Senator FALL. That was his statement in the extradition case of Pryce?

Mr. ROBINSON. Yes. It served as Exhibit 1 in our prosecution of Magon and the others.

Now, there is another matter that I think I ought to tell you about. There was a set of people whom their activities touched, whom I mentioned before, the Industrial Workers of the World. A great many of them have contributed to the cause, where they took up collections among themselves. Apparently they are an irresponsible lot of people, but they manage to gather small sums together and find money when they need it for their leaders, and a great number of them went to Lower California. A number of them joined individually at Mexicali, and then quite a crowd of them went to Packard Station and formed a separate division under a man named Stanley, called Gen. Stanley.

Senator FALL. Did they not go through Arizona?

Mr. ROBSION. Yes; they went through Arizona from Calexico, and through to Mexicali, and then deserted or withdrew from the

main body, which was under Gen. Leyva and Berthold and Salinas at Mexicali. These three men and some others alternated in command under instructions from the junta which designated who should be in command at Mexicali. This body of men, consisting of white men and negroes, many of them Industrial Workers of the World, went to Packard Station and formed a separate battalion. Later on that battalion was under the leadership of Rhys Pryce. He became known as Gen. Pryce, and he was in command at Tia Juana at the time of the first battle of Tia Juana. Later on a greater number of the I. W. W. slipped over the line from San Diego.

Senator SMITH. What was the date of that battle?

Mr. ROBSION. I think about the 8th or 9th of May, 1910, two years ago.

Senator FALL. That was fought in the Madero revolution against Diaz?

Mr. ROBSION. Yes. I think it was along about the 8th or 9th of May.

Along toward the early or middle part of July of that same year there was another battle at Tia Juana, and in the meantime the I. W. W. had gathered a great force there and joined the army, and they chose a commander by ballot. The I. W. W. outvoted the fighting men, and put the so-called Gen. Jack Mosby, who was an I. W. W. and a ne'er-do-well, in command. He was a deserter from the United States Navy, and he told me he was a soldier of fortune by profession. I think he learned his soldiering out of yellow-backed dime novels.

Senator FALL. They deposed Pryce in favor of Mosby?

Mr. ROBINSON. Yes; and Pryce and several of the real fighting men withdrew and came over to the United States.

Senator SMITH. Did they ally themselves with either Diaz or Madero?

Mr. ROBINSON. No; they were distinctly under Magon.

Senator SMITH. And they have no connection at all with either of the others?

Mr. ROBINSON. No; because by the time the second battle of Tia Juana took place Madero was in control, and his forces came up and fought these men and whipped them, and drove them out of Lower California.

Mr. MCCORMICK. In fact, it is the Madero government that has insisted on this vigorous prosecution that we have had here.

Senator FALL. They were against Diaz, but they refused to affiliate with Madero?

Mr. ROBINSON. They were against the Government.

Senator SMITH. They had a propaganda of ideas of their own?

Mr. ROBINSON. Yes. Then there was a great deal of activity of the I. W. W. back of them there, and that has continued since the cessation of actual fighting around San Diego right up to the present time, and the I. W. W. have cast languishing glances at Lower California, and in their ostensible fight for free speech, which the private communications of their own leaders have indicated to us was not a real free-speech fight at all, they have really been fighting to establish a center for some sort of a revolution—either to take place in this country, if an outbreak could be brought about through

the outcome of the Lawrence strike, and the troubles north in the lumber regions, and the troubles in San Diego—to break out in a general uprising of the unemployed and the laboring classes of the United States, or else they would make their own sally into Lower California and there establish a separate government of their own.

With the defeat of this army at Tia Juana, the Mexican junta here had practically nothing left to fight with, and they were almost immediately arrested on this charge, on which we have recently convicted them.

Senator FALL. Magon and how many others were convicted of a violation of the neutrality laws?

Mr. ROBINSON. Four altogether—the two Magons, Librado Rivera and Anselmo L. Figueroa. They were convicted in June, 1912, in the United States district court, on the charge of conspiracy to violate the neutrality law and were sentenced to 23 months each at McNeils Island.

Mr. MCCORMICK. There was another man indicted, but we were unable to apprehend him. He was Antonio de P. Araujo. He had served a term at Leavenworth Penitentiary upon a similar charge, and he was the secretary of the junta. He acted as collector of customs at Tia Juana and other places wherever the opportunity offered, and he disappeared. He has lately been reported in Canada, and sometimes reported in various other parts of the continent; sometimes in this country; but we have not been able to get him.

Mr. ROBINSON. We have now got down to the point where the army of the Magons was defeated, and shortly before the date of their arrest, when there was a new general came into the field. His name is Tirzo or Tirza de la Toba. Tirza de la Toba received a commission as general from the Magons, and a letter was written to him, which we obtained, signed by R. Flores Magon, and I think it would be very valuable for your records. I have obtained the letter from our court files and will have to return it, but I can read it. This is the letter:

LOS ANGELES, CALIF., *June 26, 1911.*

Esteemed companion TOBA: Greetings.

I received your esteemed letter of the 23d instant. The companion who brought it informed me of the situation in which you are in. We believe that the best thing you can do at this time is not to think of recovering Tia Juana, but to march toward the southern peninsula, where there are rich towns which can give us good food and in quantity.

Your number is very small, but you can raise people in your march toward the south, and when you arrive at Santa Rosalia you will have a large number. Everything rests on the fact that you do not make an attack before you are of sufficient force. Keep yourselves out of sight as much as possible and only attack small forts.

In your march to the south, tell the brother Indians that if they unite with us they will be given lands. Take everything necessary and invite the poor to supply themselves from the granaries and warehouses of the rich. Do not molest the poor; tell them that you are fighting for the benefit of the poor class. Invite the populace to take all they need from the stores and warehouses; in this manner you will have all the poor people in your favor, who will see clearly that this fight is in their favor and against the landowners.

Invite the laborers to possess themselves of the lands and work them on their own account without recognizing the right of the rich. If the owners of the land wish to eat, let them work as the poor do. The movement continues all over the country. The press of the United States is silent on all that occurs in the interior and in the south of Mexico and tries to cause the belief that there is only revolutionary activity in Lower California. But the

press in the City of Mexico speaks very clearly of the actual situation of the country. Everywhere there are mutinies; everywhere the Madero forces are disgusted, because Madero does not wish to give land. They are separating in small groups and making companies of skirmishers which very soon will be quite strong.

The important thing is not to fight superior forces for the present; and if you undertake the march by the south, we will hope that you will make a good war.

The assembly is in a desperate condition financially at this time. Unfortunately, Pryce has not sent money to this city for the support of the revolution, and, as you know, he went with the funds. If it were not for this, we would aid the assembly. However, you can secure protection so that you will lack nothing.

Do not be discouraged. We hope that soon we will have the news that you have captured a place of importance. You are a very small number, but on your road you can go raising fights until you reach Santa Rosalia, which is the most important place.

I am your esteemed companion in social revolution,

R. FLORES MAGON.

I neglected to say that the members of the Junta were arrested. I went in liberty under caution, however. They want to take the rest of the companies, but the persecutions are of no importance to us as long as there are always brave companions who are ready to continue the fight.

That is the translation of his letter to de la Toba.

De la Toba went into the mountains along the border of the neighborhood of El Campo, and has been dodging back and forth across the line. Sometimes he has been reported in the neighborhood of El Cajon, San Diego County, Calif., and at other times has been reported as having gone back across the Mexican line. Recently we have been informed that the forces of de la Toba, which were originally only about a dozen or so more men, have increased to somewhere between 100 and 200 men. Within a month an arrest was made and a prosecution started in our office on a charge against seven men of conspiracy to violate the joint resolution of Congress passed on March 14, 1912, and the President's proclamation following that joint resolution, forbidding the exportation of arms and ammunition to Mexico.

These seven men were apprehended in the neighborhood of El Cajon, near the city of San Diego, with rifles and ammunition and several empty dynamite-bomb cases in their possession. The bomb cases were pipes fixed and formed for use as dynamite bombs, with a place for a fuse, but not loaded with dynamite. These men were traveling toward the Mexican line under pretense of being engineers and surveyors. But on their way they stopped and saw a Mexican who has always been known to us to be pretty closely associated with these revolutionary movements and who lives at El Cajon, and he furnished them with a map of the water holes in that vicinity, and one of their number has confessed that they were on their way to meet de la Toba, and that this map was given to them so that they could subsist while they were hunting for de la Toba.

Senator FALL. Did that map show the water holes in Mexico?

Mr. ROBINSON. Yes; along the border and in Mexico. Also it showed the small towns along there, and the settlements, houses, and so on.

I have stated about the situation that we have here. I think that covers pretty nearly all of it. The paper El Regeneracion still lives

and is being published. We still have the propagandist who stand in the plaza or in the street and preach on antipatriotism and the folly of obeying law.

Mr. McCormick. Did you tell the committee about the demonstration that took place the other day?

Mr. Robinson. No; I did not tell them that.

Mr. McCormick. I think you ought to tell them that, because they want to know about the action of any corporation or association in America in connection with the revolution. The I. W. W.'s were responsible for that demonstration which occurred at the time of the sentence. In view of the sentence, and what occurred during the trial, connecting the two propositions together; I wish you would tell them about it.

Mr. Robinson. During the trial of the Magon case, which lasted about three weeks, the court room, or that part of it set aside for spectators, was constantly filled at first by followers of the Mexican Liberal Party.

Senator Fall. Principally Mexicans?

Mr. Robinson. Mostly Mexicans. In fact, at first they apparently were all Mexicans, the men and women alike wearing the red badge of the Mexican Liberal Party in the court room. Every morning as we began the trial we would turn around toward the back of the room and face a solid phalanx of the wearers of the red.

As the trial progressed, the corridors in the morning and at the noon intermission, and as we came out in the afternoon, became more and more crowded, and known members of the I. W. W. were seen mingling with the crowd—numerous men who were identified by our officers and investigators as having participated in the rioting at San Diego. Some of them were men who had been in Lower California in the revolution, and one whom I personally recognized was a member of the gang that was prosecuted here for an attempt to dynamite the Hall of Records, and among them were more dangerous labor union agitators, the "wrecking crew" of the labor union gang here in Los Angeles. The I. W. W.'s and the labor union men became more and more numerous, and toward the end of the trial they just about equally balanced the Mexicans who were in the court room and in the corridors.

El Paso, Tex., *Tuesday, October 8, 1912.*

The committee met at 11 o'clock a. m.

Present: Senator Fall.

STATEMENT OF BRAULIO HERNANDEZ.

Authoritatively and in unmistakable terms I state the following:

The political campaign against Gen. Diaz was expensed by the leader and the Vazquez Gomez brothers, but in Chihuahua we did the campaigning without their aid.

From Mr. Madero we got only $100 for stock sold to him by the printing company, publisher of The Cry of the People, official organ of the party in the State of Chihuahua.

In October, 1910, I went to San Antonio to tell the leader that if he was not going to proclaim the war that we would. He gave me $100 to start the revolution.

The money that I left to my family when we went to the front ($100) was from a collection that Mr. Abraham Gonzalez had raised in Chihuahua from among some wealthy men. Said collection amounted to not over $400, $200 being from Don Alberto Madero, who, after having promised that help, had to be hunted up all around for four days to collect the money.

In November, the 14th, Alfonso Madero sent to Mr. Perfecto Lomelin the amount of $2,500, plus $1,600 two days afterwards.

The 20th of the last-named month I received from Mr. Alfonso Madero's hands $1,800. I had to wait four days for the money, which was sent from New York. I knew, for about that time that Alfonso had to pawn his ring to send a party away with a message.

In January, the first week, Mr. Gonzalez obtained a few hundred dollars from the Maderos, but very soon we were again in dire need, and Jose de la Luz Sota went to see Madero, sr., to plead for some money; succeeding in moving his heart; he gave $2,000.

Mr. Gonzalez again wrote to the leader, and he sent us $200. That we did not dare to use, because he said that they were of his particular and private expenses.

When the leader came to El Paso from Dallas he had to exchange one of two golden pieces that his mother had presented him as a memento when he undertook to enter into Mexico at the beginning of the revolution.

The provisional President and his brother were hidden in my home here in El Paso during 22 days. The treasurer of the junta gave me only $10 for the maintenance of my illustrious guests. When they left, Raul promised my wife to send her, "when their fortune would turn," the money to pay their wash bill. Undoubtedly their fortune has not changed yet, neither mine, as Gustavo Madero has refused to pay me a bill owed ever since November 4, 1910.

The provisional governor of Chihuahua, to cross the line into Mexico (with Mr. Madero), borrowed from a friend $30; of them, $5 were for me.

When Lic. Gonzalez Garza, at present governor of the federal district, came to take my place as chief of the junta, as the Maderos saw the possibilities of a near triumph, Gustavo opened a little more the purse, but I am sure that he never sent him, altogether, $10,000. The salary of $60 was assigned to me. From it once I used $35 to pay for some balls I ordered to have made for the "blue whistler." For three or four days I refused to attend to the junta in order to compel Garza to pay me back the money employed in the balls.

I believe that the 20th of January the insurrectos under Orozco received the first remittance of cartridges from the junta, and he could not get any more for quite a period of time.

The Maderos had brought to Barnes from New York $50,000 worth of ammunition, and very often Gustavo was unable to send some because he lacked the money to pay the express or freight of the cargo.

The firm "Shelton & Payne Arms Co.," of this city, were handling for us the arms and ammunition sent by Gustavo; they did not charge any commission, and even several times lent us the money to pay the express or the freight bills. I wish to add herewith that Mr. Payne could not, long after the triumph of the Madero family, obtain

permission to cross the border line with his shotgun in a hunting expedition. That may be strange, but not so much as this: The Madero government has not yet paid the rent of the rooms that the "Confidential agency of the national revolutionary government". had in the Caples Building of El Paso.

During the armistices in Juarez the insurrectos under Madero were fed with voluntary contributions afforded by Messrs. Francesco Madero, sr., Thomas Braniff, and Ernesto Madero, the uncle of the leader, and who, as minister of finances under de la Barra, paid Gustavo over $300,000 for the expenses of the revolution.

The only foreign help—material assistance to the revolution—I received arms and cartridges worth $480.

The truth of God is that the revolution was fought with the abnegation and hunger of the Mexicans, with no more.

United States Senators: The error which has its gala day before it is ripe for destruction, is now tottering to fall headlong to its doom. Orozco is now either hidden in American territory or seeking, with a handful of insurrectos, refuge in the mountains; his fiilofobia scared away his followers. Darkness represents evil, and Lic. Robelo is the worthy representative of the multitraitor Orozco, but not of the revolution.

Señor Didapp, who has been pretending to represent in Washington and Vasquistas, must necessarily be known already in that city as an impure liar, an insane sower of darnel.

Peace, peace! The first step to have it is the recognition of belligerent rights to the revolution.

BRAULIO HERNÁNDEZ.

EL PASO, TEX., *September 22, 1912.*

TESTIMONY OF SHERBURNE G. HOPKINS.

Sherburne G. Hopkins, being first duly sworn by the chairman, testified as follows:

Senator SMITH. Mr. Hopkins, the resolution under which this inquiry is being conducted provides that we are authorized and directed to inquire, investigate, ascertain, and report whether any persons, associations, or corporations, domiciled in or owing allegiance to the United States, have heretofore been or are now engaged in fomenting, inciting, encouraging, or financing rebellion, insurrection, or other flagrant disorder in Mexico against the lawful, organized Government of that country.

Mr. HOPKINS. I am familiar with the resolution.

Senator SMITH. You reside in Washington?

Mr. HOPKINS. Washington, D. C.

Senator SMITH. And have an office in the Hibbs Building?

Mr. HOPKINS. Yes.

Senator SMITH. What is your business?

Mr. HOPKINS. Lawyer.

Senator SMITH. How old are you?

Mr. HOPKINS. Forty-five.

Senator SMITH. How long have you been engaged in the practice of law?

Mr. HOPKINS. Since I was 21 years of age.

Senator SMITH. In your capacity as a lawyer have you found it necessary or convenient to become familiar with the affairs of the Mexican Republic?

Mr. HOPKINS. Yes, sir; I have.

Senator SMITH. For how long a time have you been familair with Mexican affairs?

Mr. HOPKINS. About 15 years.

Senator SMITH. In what manner were you brought in contact with Mexican affairs, especially?

Mr. HOPKINS. I have been concerned since my boyhood with affairs in Latin America, and in this connection became familiar with the affairs of Mexico.

Senator SMITH. Did you have occasion to visit Mexico during the so-called Madero revolution against Diaz?

Mr. HOPKINS. No, sir.

Senator SMITH. Or after?

Mr. HOPKINS. Yes.

Senator SMITH. How soon after?

Mr. HOPKINS. The 1st of June, 1911, after the fall of Juarez.

Senator SMITH. Immediately after the fall of Juarez?

Mr. HOPKINS. Yes.

Senator SMITH. What was the occasion of your going there?

Mr. HOPKINS. I was called there.

Senator SMITH. By whom?

Mr. HOPKINS. By representatives of Mr. Francisco I. Madero.

Senator SMITH. The revolutionary leader who afterwards became President of Mexico?

Mr. HOPKINS. Yes.

Senator SMITH. By whom were you summoned?

Mr. HOPKINS. My recollection is that I was summoned by Gustavo Madero, the brother of the President, or by Juan Sanchez Azcona, his secretary.

Senator SMITH. Did Gustavo Madero afterwards become secretary of the treasury?

Mr. HOPKINS. No, sir; Gustavo Madero has never held public office. Ernesto Madero is minister of finance. He is an uncle of the President.

Senator SMITH. Do you know him?

Mr. HOPKINS. Yes; I know him very well.

Senator SMITH. What was their purpose in summoning you there?

Mr. HOPKINS. To confer with me relative I should say to the settlement of certain affairs.

Senator SMITH. Pecuniary affairs?

Mr. HOPKINS. There were a great many claims outstanding and a great many obligations which had been incurred, some of which I was familiar with, and I presume they desired to consult with me for that reason.

Senator SMITH. What part of the financial affairs of Mexico were you familiar with?

Mr. HOPKINS. I was familiar with railroad affairs.

Senator SMITH. What railroad?

Mr. HOPKINS. The Nacional Railways of Mexico.

Senator SMITH. By whom were the national railways owned?

Mr. HOPKINS. By the Mexican Government.

Senator SMITH. Did they call you there for that purpose?

Mr. HOPKINS. That was possibly one of the purposes.

Senator SMITH. What else?

Mr. HOPKINS. They desired to consult me, as I recall, relative to certain claims.

Senator SMITH. Did they consult you regarding any loans?

Mr. HOPKINS. No, sir; not at that time.

Senator SMITH. Did they afterwards?

Mr. HOPKINS. I was interrogated on the subject.

Senator SMITH. By whom?

Mr. HOPKINS. By Mr. Francisco I. Madero and Gustavo Madero.

Senator SMITH. To what effect?

Mr. HOPKINS. Relative to the best manner of placing loans.

Senator MCCUMBER. That was after he became President?

Mr. HOPKINS. No, sir.

Senator SMITH. A few months intervened between the fall of Juarez and his assumption of the Presidency. In fact, he had indicated a disposition to permit Diaz to remain, even after his election, had he not, some weeks?

Mr. HOPKINS. No, sir; but I can explain if you desire.

Senator SMITH. Go right along and explain it in your own way.

Mr. HOPKINS. Do you wish me to explain it under oath?

Senator SMITH. Yes. I want to make this record complete.

Mr. HOPKINS. When President Diaz manifested his purposes to leave Mexico——

Senator SMITH. Give that time, if you can.

Mr. HOPKINS. That was in May, 1911; he thereupon summoned Francisco de la Barra, then ambassador of Mexico at this Capital——

Senator SMITH. Washington?

Mr. HOPKINS. Washington; and appointed him minister of foreign relations.

Senator MCCUMBER. Who did that?

Mr. HOPKINS. President Diaz, in order that upon his retirement or resignation from the presidency de la Barra might succeed him, appointed him minister of foreign relations, and, as provided by the constitution, the latter succeeded him in the executive chair.

Senator SMITH. Pending the election?

Mr. HOPKINS. As President ad interim. That was agreed to by Mr. Madero. De la Barra succeeded President Diaz and was provisional President on the arrival of Mr. Madero at the capital. Meantime, Mr. de la Barra, recognizing the new order of things and the demands of the public, appointed a cabinet, a majority of whom were Maderistas, or in favor of the principles advocated by Mr. Madero. Among those was Mr. Ernesto Madero, a graduate of an American college, a banker of Monterey, and a large property owner, who was, as I have said, an uncle of the President, and who was made minister of finance. I should describe him as the strong man of that cabinet.

Senator SMITH. When you speak of him as uncle of the President, you mean an uncle of Madero?

Mr. HOPKINS. An uncle of Madero. That was the situation down to the time when Mr. Madero was elected and inaugurated. That was the form of government at the time.

Senator SMITH. You have spoken of Gustavo Madero.
Mr. HOPKINS. Yes.
Senator SMITH. Where did you first know him?
Mr. HOPKINS. In Washington, D. C.
Senator SMITH. Had he been living in this country?
Mr. HOPKINS. No, sir.
Senator SMITH. Temporarily?
Mr. HOPKINS. He had lived in this country; yes. He had been partly educated here, and had been living in exile in San Antonio, Tex., with his father, Francisco Madero.
Senator SMITH. Did you have frequent occasion to meet him here?
Mr. HOPKINS. He came here to consult with me, I believe, the latter part of October, 1910.
Senator SMITH. Do you know at whose instance?
Mr. HOPKINS. I can not say.
Senator SMITH. Do you mean you do not remember?
Mr. HOPKINS. I do not know. I do not recall, but I presume it was at the instance of some of the leading members of the revolutionary party.
Senator SMITH. Did you have anything to do with him prior to the fall of Juarez?
Mr. HOPKINS. Yes.
Senator SMITH. How long prior?
Mr. HOPKINS. Continuously.
Senator SMITH. During the revolution?
Mr. HOPKINS. Almost daily.
Senator SMITH. And did he make his headquarters here at that time?
Mr. HOPKINS. Yes; here and in San Antonio.
Senator SMITH. When did you visit Mexico City after the fall of Juarez?
Mr. HOPKINS. The first part of June.
Senator SMITH. You went for the purpose of conferring with those people?
Mr. HOPKINS. Yes.
Senator SMITH. Did you go at the instance of any American client?
Mr. HOPKINS. No, sir.
Senator HITCHCOCK. You spoke of being consulted about claims, but you did not state against whom the claims were or in whose favor.
Mr. HOPKINS. As I understand it, those claims related to obligations incurred by the revolutionary group—not claims against the Mexican Government
Senator SMITH. Just tell the committee what those claims were, and who held them, as far as you are able to do so.
Mr. HOPKINS. They were pecuniary claims arising out of services rendered and matters of that sort.
Senator SMITH. Money loaned?
Mr. HOPKINS. No; there was no money loaned.
Senator MCCUMBER. Materials furnished?
Mr. HOPKINS. No, sir; there were no materials furnished.
Senator SMITH. What kind of services?

Mr. HOPKINS. Secret services, for instance. There was a very large item outstanding for secret service.

Senator SMITH. Did you advise with Madero and his associates there regarding those matters?

Mr. HOPKINS. I advised with Gustavo Madero and others; yes, sir.

Senator SMITH. With the present President?

Mr. HOPKINS. No, sir; I did not advise with him in regard to those matters.

Senator SMITH. With his private secretary?

Mr. HOPKINS. Not with regard to those matters.

Senator SMITH. With regard to any matters?

Mr. HOPKINS. Yes.

Senator SMITH. What?

Mr. HOPKINS. Railroad matters.

Senator SMITH. Concerning any other than the Nacional Railways?

Mr. HOPKINS. No, sir.

Senator HITCHCOCK. I should like to have the nature of those claims made a little clearer. Were you retained on behalf of the claimants?

Mr. HOPKINS. No, sir.

Senator SMITH. You were consulted on behalf of the Madero faction?

Mr. HOPKINS. To be frank, I was the legal adviser of the revolutionary party in Washington.

Senator SMITH. For how long a period?

Mr. HOPKINS. From the beginning until the end.

Senator SMITH. Can you explain why they desired to consult you concerning claims for service?

Mr. HOPKINS. Yes, sir; because I had charge of their secret service.

Senator SMITH. Did you employ the men?

Mr. HOPKINS. Yes, sir.

Senator SMITH. In that capacity were you thrown in contact with Mr. Sommerfeld at all?

Mr. HOPKINS. I know Mr. Sommerfeld, but I never saw him until after the revolution.

Senator McCUMBER. Who is he?

Senator SMITH. He is the personal representative of President Madero, with his headquarters at El Paso, Tex. Mr. Hopkins, you say you were their principal counsel here?

Mr. HOPKINS. Yes.

Senator SMITH. And they came to you with all matters that concerned that Republic?

Mr. HOPKINS. Yes, sir; all matters that pertained to the revolution and in connection with which my services were deemed essential.

Senator SMITH. You were also the counsel of the Standard Oil Co.?

Mr. HOPKINS. I never was and am not now, sir.

Senator SMITH. You have been?

Mr. HOPKINS. No, sir.

Senator SMITH. And never have been in their employ?

Mr. HOPKINS. Never.

Senator SMITH. Or of the Waters-Pierce Co.?

Mr. HOPKINS. I have had relations with the Waters-Pierce Co.; yes, sir.

Senator SMITH. Are you their counsel now?

Mr. HOPKINS. No, sir.

Senator SMITH. What relation have you had with them?

Mr. HOPKINS. I was once employed by the Waters-Pierce Co. to get evidence against the Standard Oil Co. in Mexico.

Senator SMITH. At what time?

Mr. HOPKINS. In January, 1912, and thereafter.

Senator SMITH. At any time prior to that?

Mr. HOPKINS. Do you mean in Mexico or the United States?

Senator SMITH. Either.

Mr. HOPKINS. Yes.

Senator SMITH. How long prior?

Mr. HOPKINS. I think about six months on one occasion.

Senator SMITH. Did you at any time make any attempt to get any concessions from the Mexican Government for the Waters-Pierce people?

Mr. HOPKINS. Never.

Senator SMITH. Did you obtain any personal concessions from the Mexican Government?

Mr. HOPKINS. Never. I am not interested in any concession. I never applied for a concession, have never owned any, have never had the slightest interest in one in my life.

Senator SMITH. Was there any attempt made to get any oil concession down there by you?

Mr. HOPKINS. Never.

Senator HITCHCOCK. Do I understand you to say that the Waters-Pierce Oil Co. had not attempted to get any concession?

Mr. HOPKINS. Never. The Waters-Pierce Oil Co. has never asked for any concession that I am aware of, and I have understood it to be a fact that the Waters-Perce Oil Co. has never owned a concession, and it is inclined to be proud of that fact.

Senator HITCHCOCK. Have they any interests in Mexico?

Mr. HOPKINS. Very large interests.

Senator HITCHCOCK. What is the nature of their interests?

Mr. HOPKINS. Oil interests.

Senator HITCHCOCK. Oil lands?

Mr. HOPKINS. No, sir; refineries only and distributing facilities.

Senator HITCHCOCK. Could they operate advantageously without having any special privileges from the Mexican Government?

Mr. HOPKINS. Yes; just the same as they could here.

Senator HITCHCOCK. Had they any interest in the revolution?

Mr. HOPKINS. Absolutely none.

Senator HITCHCOCK. Had they any interest against it?

Mr. HOPKINS. Absolutely none. They remained absolutely neutral.

Senator HITCHCOCK. Were their properties affected by the revolution?

Mr. HOPKINS. I know that they suffered a great loss in profits by the revolution.

Senator HITCHCOCK. From the operations of the revolutionists?

Mr. HOPKINS. From the general stagnation in business, I presume. I never heard that they suffered any loss at the hands of the revolutionists. To make matters perfectly clear I should state that I had no relations with the Waters-Pierce Oil Co. during the revolution, knew nobody connected with the company, and I can further assert that the Waters-Pierce Oil Co. had no relation whatsoever to the events that took place during the years 1910 and 1911.

Senator HITCHCOCK. How can you state that without having had any relations with them at that time?

Mr. HOPKINS. My relations with the revolutionary party were so close that I think I can affirm that as a fact.

Senator SMITH. Mr. Hopkins, do you know whether the Official Diary of Mexico, along in July, 1910, contained an announcement that important concessions had been made to Sherburne G. Hopkins by the Government of Mexico?

Mr. HOPKINS. No, sir; I do not. I do not believe it. In fact, I know that no such an announcement exists.

Senator SMITH. If the Official Diary does show that fact, would it be true or untrue?

Mr. HOPKINS. Absolutely untrue. It would be a very simple matter to verify that. The copies of that publication can be found at the office of the Pan American Union.

Senator SMITH. Do you know anything about steps being taken to dissolve the company La Aguila Mexicana?

Mr. HOPKINS. I presume you refer to El Aguila Oil Co. (The Eagle Oil Co.), owned by Lord Cowdray.

Senator SMITH. Yes.

Mr. HOPKINS. No, sir; I do not. I never heard of any dissolution or other proceedings.

Senator SMITH. Did you have any part in that?

Mr. HOPKINS. I tried to make it as hot as I could for Lord Cowdray and the Eagle Oil Co.

Senator SMITH. Why?

Mr. HOPKINS. Because I thought they were dishonest; that they had previously debauched officials of the Mexican Government; and I had proof of it.

Senator SMITH. Was that the concern of which Mr. Pearson was the head?

Mr. HOPKINS. Sir Weetman Pearson, afterwards Lord Cowdray, was at the head of it; yes, sir.

Senator SMITH. Were you, or was anybody representing you, paid any money by the Mexican Government through either of the Maderos for the purpose of discharging the obligations of a loan?

Mr. HOPKINS. No, sir.

Senator SMITH. A loan to the revolutionary leaders?

Mr. HOPKINS. No, sir.

Senator SMITH. At the time you were in Mexico did you go there for the purpose of making a settlement of any loan?

Mr. HOPKINS. No, sir.

Senator SMITH. Did you at any time represent Speyer & Co., of New York?

Mr. HOPKINS. No, sir. Speyer & Co. are friends of mine, but I never represented them.

Senator SMITH. You never were their counsel?

Mr. HOPKINS. No, sir. Pardon me one moment, Senator. I should not say that. In one instance I represented Speyer & Co. indirectly in connection with a transaction which had no relation to Mexico at all.

Senator SMITH. To what did that relate?

Mr. HOPKINS. That related to the funding of the debt of Nicaragua. I said "indirectly." I did not represent them directly, but because they were associated with some other bankers for whom my firm were counsel. I never represented Speyer & Co., in Mexico either directly or indirectly.

Senator SMITH. Do you know of the repayment by the Mexican Government to Mr. Madero of revolutionary expenses aggregating upward of $600,000 shortly after the Madero government assumed authority in Mexico?

Mr. HOPKINS. I understand that the de la Barra government reimbursed Gustavo Madero for advances made by him in a sum amounting to $600,000, more or less, Mexican currency, which would amount to about $300,000 American currency.

Senator SMITH. Did you have any part in that transaction?

Mr. HOPKINS. No, sir.

Senator SMITH. And you got none of the money?

Mr. HOPKINS. I do not know whether I was compensated out of those funds or not.

Senator SMITH. What is your best impression about it?

Mr. HOPKINS. Well, to be frank, I believe that I was.

Senator SMITH. To what extent?

Mr. HOPKINS. I was paid a fee of $50,000.

Senator SMITH. Mexican money or American money?

Mr. HOPKINS. American money; which covered the expenses I had incurred by their authority from November 1, 1910, to June 1, 1911.

Senator SMITH. About eight months?

Mr. HOPKINS. Yes.

Senator SMITH. During that time did you assist the Government or any representative of the Government of Mexico in placing any loans?

Mr. HOPKINS. I presume you refer to the period following the fall of Juarez?

Senator SMITH. I do.

Mr. HOPKINS. I did not.

Senator SMITH. Did you after that time?

Mr. HOPKINS. No, sir.

Senator SMITH. Have you at any time?

Mr. HOPKINS. No, sir.

Senator SMITH. Are you cognizant of any money having been loaned by American companies, corporations, or individuals to Mr. Madero or either of his brothers, or any of his family, for revolutionary purposes by Americans, companies or corporations?

Mr. HOPKINS. I know of no such loans.

Senator SMITH. Have you heard of any?

Mr. HOPKINS. No. I think if such loans had been made I would have known of them.

Senator SMITH. Would they have been apt to have been made by you?

Mr. HOPKINS. I would have at least been consulted with regard to the matter, I am sure.

Senator SMITH. You must have done something to have gotten this large fee of $50,000 American money for eight months' services. What did you do?

Mr. HOPKINS. As I said, I was the legal adviser of the revolutionary party in Washington. I spent the most of my time for eight months in giving them the best advice I knew how to give in regard to the best manner of deposing the Diaz government.

Senator SMITH. At whose instance did you give that advice?

Mr. HOPKINS. At the instance of Gustavo Madero, who came to me first. He was followed by others.

Senator SMITH. Did you during this employment have anything to do with or come in contact with Mr. Limantour?

Mr. HOPKINS. No, sir.

Senator SMITH. And you want the committee to understand that you were not acting in a dual capacity at that time—I do not want to use this term disrespectfully—as a go-between between certain financial interests in the United States and their people?

Mr. HOPKINS. Absolutely not.

Senator BORAH. The way that question is asked and the answer made you are asked if you want the committee to understand that you were not acting in a dual capacity, and you said absolutely not.

Mr. HOPKINS. I absolutely did not act in such capacity. I thank you, Senator, for the suggestion.

Senator HITCHCOCK. Can you explain what sort of legal advice a revolutionary party needs, when they have a revolution in progress?

Mr. HOPKINS. Yes. They need, first, to keep clear of the neutrality laws. To give you another idea, as a mere incident among a thousand others. In the first part of November Mr. Sanchez Azcona, whom I regard as one of the most cultured gentlemen in Mexico, who had been with Mr. Madero as a political lieutenant and afterwards as his private secretary, and now, by the way, chairman of the committee on foreign relations of the Mexican House of Representatives, was at a luncheon in this city at a hotel with Gustavo Madero and Mr. Ernesto Fernandez, who is now the Mexican minister to Honduras, when Mr. Azcona was suddenly arrested by a detective assigned to duty with the United States attorney for this district, was taken before the local courts and, at the request of the Diaz government, held for extradition. After the lapse of 40 days, during which he was held in confinement, because in extradition proceedings the courts will not admit to bail, he found out that the Mexican Government charged him with embezzlement of $100, more or less, while managing editor of the paper called the Diario, the crime being alleged to have taken place six years before. He was, at the request of the Mexcan Government, held 15 days longer, when the latter filed the necessary evidence and documents, which were rather voluminous and all in Spanish. It became the duty of my firm to get that man out. To make a long story short, we succeeded. He was immediately discharged by Chief Justice Clabaugh upon a proper showing. There was a peculiar political significance attached to this case.

Senator HITCHCOCK. What interest had the revolutionary party in getting Mr. Azcona out of jail?

Mr. HOPKINS. Because he was the secretary of the mission to Washington and was one of the leaders of the revolutionary party.

Senator HITCHCOCK. Engaged in assisting the revolutionary party in the United States?

Mr. HOPKINS. Yes; he was one of the leaders of the revolutionary party, and the Diaz government, to use a common phrase, simply framed up these charges against him, and for some reason conceived that they had sufficient pull with this Government to obtain custody of that man, whom they wanted very badly.

Senator MCCUMBER. In what way was this man assisting the revolutionary movement here?

Mr. HOPKINS. He was one of the committee.

Senator MCCUMBER. In what way was he assisting?

Mr. HOPKINS. He was, I suppose, in correspondence with his friends in San Antonio and along the frontier and elsewhere, and with his friends in Mexico, endeavoring by this means or by personal contact with the people whom he would meet—influential people whom he met here and in New York and other places—to convince them of the uprightness of the revolutionary cause, and so forth.

Senator MCCUMBER. How would that affect them, just merely convincing them of the uprightness of the cause?

Mr. HOPKINS. To awaken public sentiment by explaining the truth.

Senator MCCUMBER. And back of the public sentiment, to get anything in the shape of assistance, financial or otherwise?

Mr. HOPKINS. No, sir; there was no attempt made to get assistance at that time.

Senator MCCUMBER. He was here simply to create public sentiment?

Mr. HOPKINS. Simply to create public sentiment and to expose the shortcomings of the old Government.

Senator MCCUMBER. And that was what you referred to when you say that he was here to assist?

Mr. HOPKINS. Yes.

Senator HITCHCOCK. And your legal services were employed for the purpose of protecting those revolutionary agents in this country who were engaged in that way.

Mr. HOPKINS. In protecting them, among other things, and guiding them as far as I could in a modest way.

Senator SMITH. Where were you paid this $50,000?

Mr. HOPKINS. In Mexico City.

Senator SMITH. Did you go there for that purpose?

Mr. HOPKINS. No, sir.

Senator SMITH. Your visit was coincident with the payment of this money, was it not?

Mr. HOPKINS. Yes.

Senator SMITH. And of the $300,000 American money that was paid over by the Mexican Government to Gustavo Madero you got $50,000?

Mr. HOPKINS. Yes.

Senator SMITH. Do you know what became of the balance of it?

Mr. HOPKINS. No, sir.

Senator SMITH. Have you any idea?

Mr. HOPKINS. No, sir.

Senator SMITH. Was any of it turned over to you for delivery to certain persons in the United States?

Mr. HOPKINS. No, sir.

Senator SMITH. Companies or corporations?

Mr. HOPKINS. No, sir.

Senator SMITH. And you did not return with any money, or draft, or other evidence of credit, for the purpose of making a delivery of that kind?

Mr. HOPKINS. No, sir.

Senator HITCHCOCK. Have you any knowledge where Madero and his friends and supporters borrowed the necessary money?

Mr. HOPKINS. I do not think they borrowed it. I think they had it.

Senator HITCHCOCK. They did not have the money to pay you until they secured it from the Mexican Government, evidently.

Mr. HOPKINS. They had advanced huge sums out of their own pockets, of which I have personal knowledge. I would not have thought of even suggesting that they should pay me, or even reimburse for my expenses, until the cause in which they were engaged had resulted successfully.

Senator SMITH. As a matter of fact Mr. Hopkins, suits had been begun against the Maderos, and their banking and other interests were seriously jeopardized.

Mr. HOPKINS. In Mexico?

Senator SMITH. Yes.

Mr. HOPKINS. I know all about that; yes, sir.

Senator SMITH. So that they were not in good financial condition?

Mr. HOPKINS. I know what you mean, but there are other things to be taken into consideration in connection with those suits, because they simply represented the purpose of the Diaz government, which was trying to ruin them and to ruin their credit.

Senator SMITH. You considered yourself against Mr. Diaz?

Mr. HOPKINS. Yes.

Senator SMITH. You represented the revolutionary party here?

Mr. HOPKINS. Yes.

Senator SMITH. I want to ask you again whether any officer, director, stockholder, or other person identified with the Standard Oil Co. or any of its constituent companies, or with the Waters-Pierce Co. or any of its constituent companies, at any time, through you or to your knowledge, advanced any money to the Madero people, or anyone representing them, for revolutionary or other purposes in Mexico?

Mr. HOPKINS. Most decidedly, no.

Senator SMITH. You were frequently in consultation with Mr. Madero in New York, were you not?

Mr. HOPKINS. Which one?

Senator SMITH. Was it Ernesto?

Mr. HOPKINS. No, sir; Ernesto was and is the minister of finance, as I have already explained.

Senator SMITH. Gustavo?

Mr. HOPKINS. Gustavo and his father, Francisco.

Senator SMITH. And where did you make your headquarters over there?

Mr. HOPKINS. At that time I stopped at the Hotel Astor and at the St. Regis.

Senator SMITH. Did he stop with you?

Mr. HOPKINS. He stopped at the Hotel Astor; yes, sir.

Senator SMITH. The fact that you had been and were at that time the legal adviser, or one of the legal advisers, of the Standard Oil Co. and of the Waters-Pierce people had no relation whatever to that?

Mr. HOPKINS. I had never been in the employ of the Standard Oil Co. or of the Waters-Pierce Oil Co. at that time, and I have heretofore so stated in my deposition.

Senator SMITH. Or anyone connected with those companies?

Mr. HOPKINS. No, sir; nor anyone connected with those companies. To be more specific: I did not know anyone connected with the Standard Oil Co. or the Waters-Pierce Oil Co.

Senator SMITH. Have you not held yourself out here to others as the representative of the Standard Oil people?

Mr. HOPKINS. Most decidedly, no. On the contrary, I have always been opposed to them. Everybody knows that in Mexico.

Senator SMITH. Who employed you to represent the Waters-Pierce people?

Mr. HOPKINS. Henry Clay Pierce.

Senator SMITH. Where did this employment take place?

Mr. HOPKINS. In Mexico.

Senator SMITH. At what time?

Mr. HOPKINS. It must have been about July, I suppose.

Senator SMITH. What year?

Mr. HOPKINS. 1911; and subsequently, again in January, 1912.

Senator SMITH. Were you consulted by Mr. Pierce prior to the fall of Juarez?

Mr. HOPKINS. No, sir.

Senator SMITH. Immediately thereafter?

Mr. HOPKINS. Some time thereafter.

Senator SMITH. How long?

Mr. HOPKINS. Oh, I presume I was employed or consulted by him one month after.

Senator SMITH. And that was prior to the provisional Presidency of De la Barra?

Mr. HOPKINS. No, sir; during the provisional Presidency of De la Barra.

Senator SMITH. That was prior to the abdication of Diaz, was it not?

Mr. HOPKINS. No, sir; subsequent to the abdication of Diaz—long after.

Senator SMITH. Diaz did not quit the Presidency until after the fall of Juarez?

Mr. HOPKINS. Contemporaneously.

Senator SMITH. It was a number of days after that.

Mr. HOPKINS. Well, more or less, Senator. I am not specifying days and dates. I am speaking generally.

Senator SMITH. Within a month?

Mr. HOPKINS. I mean to say this, that it was some time after the revolution had been successful and Diaz had gone, the old régime had gone out, the cientificos had fled, and the new régime had come in.

Senator SMITH. What were the circumstances under which Mr. Henry Clay Pierce employed you?

Mr. HOPKINS. Mr. Henry Clay Pierce found out that I was after some men who had been engaged in crooked practices there, and he conceived that they should be exposed.

Senator SMITH. What were they?

Mr. HOPKINS. They were the so-called cientificos, who had been juggling with the national railways, engaged in getting graft from various sources.

Senator SMITH. Doing what?

Mr. HOPKINS. Engaged in getting graft from various sources.

Senator SMITH. What sources?

Mr. HOPKINS. Concessions, and from various sources.

Senator SMITH. From whom?

Mr. HOPKINS. From the Government.

Senator SMITH. And running to whom?

Mr. HOPKINS. There were the so-called Pearson oil concessions, for instance.

Senator HITCHCOCK. Was that the oil concern that was in possession of the Waters-Pierce Co.?

Mr. HOPKINS. No. There are two oil concerns down there. One is the Aguila Oil Co., also known as the Eagle Oil Co., which deals in the refined products of oil. The other is known as the Pearson oil concession, belonging to Lord Cowdray, which produces crude oil from the national and other lands. Those are the two interests, both dominated by the same man—Lord Cowdray.

Senator HITCHCOCK. Were they doing business in competition or rivalry with the Waters-Pierce Co.?

Mr. HOPKIN. Yes; one of them is English and the other is American.

Senator HITCHCOCK. They were active competitors?

Mr. HOPKINS. Yes.

Senator MCCUMBER. And the corporation you represented wanted to get rid of the concession of the other corporation?

Mr. HOPKINS. The American corporation, the Waters-Pierce Oil Co., was operating under a great disadvantage, for the simple reason that the Diaz Government had granted these vast oil concessions to Lord Cowdray, and Lord Cowdray was taking advantage of it; and, of course, having such a great concession was a great disadvantage to the American competitors.

Senator HITCHCOCK. Had that been going on for some time?

Mr. HOPKINS. Yes.

Senator MCCUMBER. Lord Cowdray had the concession?

Mr. HOPKINS. Yes; Lord Cowdray had the concession, and that operated against the American competitor, the Waters-Pierce Oil Co., which had no concession and wanted none.

Senator SMITH. What was the name of that oil company?

Mr. HOPKINS. El Aguila.

Senator SMITH. Do you know who are the members of that corporation—the Aguila Oil Co.?

Mr. HOPKINS. Yes; at that time or the present?

Senator SMITH. At that time, who were they?

Mr. HOPKINS. Among them there were Mr. Landa y Escandon, Mr. Enrique Creel, who has just retired from the office of minister of foreign relations——

Senator SMITH. Is he the son-in-law of Luis Terrazas?

Mr. HOPKINS. Yes; the son-in-law of Luis Terrazas.

Senator SMITH. Mr. Limantour?

Mr. HOPKINS. No; Mr. Limantour was not in it.

Senator SMITH. President Diaz?

Mr. HOPKINS. Porfirio Diaz, jr., Luis Riba——

Senator SMITH. Anyone else you can recall?

Mr. HOPKINS. Yes; Pablo Maceo, Luis Elguera.

Senator SMITH. Was that regarded as a strong company?

Mr. HOPKINS. Yes; with the Diaz Government.

Senator SMITH. Did they have important concessions?

Mr. HOPKINS. Yes; as I have stated.

Senator SMITH. Concessions which they had been working for some years?

Mr. HOPKINS. No; only about 2 or 3 years.

Senator SMITH. Had there been any negotiations between your client and this company for this concession?

Mr. HOPKINS. No, sir.

Senator SMITH. Was it understood that in the event that Diaz was overthrown, these concessions would be recalled?

Mr. HOPKINS. No, sir.

Senator McCUMBER. Were they recalled?

Mr. HOPKINS. No, sir.

Senator McCUMBER. Or interfered with in any way?

Mr. HOPKINS. No, sir; unless it should be subsequently shown that they were granted in violation of law.

Senator HITCHCOCK. Did the Waters-Pierce Oil Co. get any concessions?

Mr. HOPKINS. No, sir.

Senator HITCHCOCK. And it has not been benefited, then, by the revolution?

Mr. HOPKINS. Absolutely not.

Senator McCUMBER. Their status has not been changed?

Mr. HOPKINS. It is absolutely unchanged.

Senator HITCHCOCK. You say you were employed to bring about some restraint against certain of these people who were grafting?

Mr. HOPKINS. I was consulted with a view to exposing the graft by means of which Lord Cowdray had attained the degree of influence which he wielded with the Diaz administration.

Senator McCUMBER. But there was something besides that to be obtained; something to follow that, was there not?

Mr. HOPKINS. No, sir; never.

Senator McCUMBER. Why should the company be simply interested in exposing the others, if it was not to affect them in any way or they did not expect any future benefits to arise from that?

Mr. HOPKINS. Because, as I understand it, Mr. Pierce conceived that it would be eminently proper that the public should understand how Lord Cowdray got these concessions and how he had exercised the control which he had exercised over the Mexican Government.

Senator McCumber. How was it to affect his company?

Mr. Hopkins. Incidentally, I was able to prove the number of shares in the Aguila Oil Co. which Lord Cowdray had given to the persons whose names I have mentioned as well as to others.

Senator Hitchcock. What good did that do?

Mr. Hopkins. Because it exposed them to the people of Mexico.

Senator McCumber. I know; but did that exposure benefit the Waters-Pierce Co. in any way?

Mr. Hopkins. I do not see how it could possibly.

Senator McCumber. Why should the company itself, then, employ an attorney to ferret public offenses—a task which is generally left to the Government itself—when no benefit was expected to the company therefrom?

Mr. Hopkins. I do not believe Mr. Pierce conceived that the Government would do it, and it would require to be done by a person outside of the Government.

Senator McCumber. Was it just because of his sense that justice ought to be done that he employed and paid counsel himself?

Mr. Hopkins. That I do not know; sir. The only thing I do know is that I was consulted in regard to the matter, and I advised as to the methods that appeared to me most effective. It is fair to presume that Mr. Pierce desired decent business methods to prevail.

Senator McCumber. You really think he expected to follow that up by some kind of action to secure some beneficial legislation or otherwise, do you not?

Mr. Hopkins. The best proof is that he has not.

Senator McCumber. Yes; but do you not think that that was the expectation at the time?

Mr. Hopkins. I can not say what his expectation was, but I do not believe it, as I understood all that Mr. Pierce wished was fair competition.

Senator McCumber. Let me ask you one question right here, Mr. Hopkins, so that I may understand your position here. Is your confidential relation, either with this company or with Madero or any of the revolutionary forces, your professional relation, such that you do not desire to disclose all matters?

Mr. Hopkins. No, sir; I am perfectly willing to disclose anything within my knowledge.

Senator Hitchcock. Your employment was not by Mr. Pierce personally, but was a corporate employment by the company that was operating down there?

Mr. Hopkins. Yes, sir; that is the idea.

Senator Hitchcock. So it could not have been for any idealistic purpose, or purpose of public benefaction. It must have been for some business reason.

Mr. Hopkins. Of course not altogether, Senator. It was, among other things, to even up conditions.

Senator Hitchcock. You did not get even then?

Mr. Hopkins. Well, I do not know anything about their business affairs.

Senator Hitchcock. You say they have not been benefited?

Mr. Hopkins. I mean in respect to Government protection, assistance, aid, and so forth.

Senator HITCHCOCK. Do you think they may have been benefited?

Mr. HOPKINS. No; I say, not that I know of. There have been no benefits that I know of.

Senator SMITH. Were there to be?

Mr. HOPKINS. Not that I know of. No, sir; I know that there were not to be.

Senator SMITH. How were you compensated by Mr. Pierce for that service?

Mr. HOPKINS. I was given a check for it some six or seven months afterwards.

Senator SMITH. How much?

Mr. HOPKINS. I really do not know, Senator. I think it was perhaps a thousand dollars or something like that. I really do not recollect the amount.

Senator SMITH. Have you been under regular retainer from him since?

Mr. HOPKINS. No, sir.

Senator MCCUMBER. You stated that part of your advice to the revolutionary forces was in reference to the best method of disposing of the Diaz government, or substantially that. Have you any objection to informing us what that advice was, as to the best method of disposing of the Diaz government?

Mr. HOPKINS. That would be a pretty long story, Senator. It would cover the entire period of the revolution.

Senator MCCUMBER. It is rather a long story, anyway, that we are investigating.

Mr. HOPKINS. Yes. I can only say, generally speaking, that my advice to them was to get all the arms and ammunition and munitions of war that they could and, with due regard to the neutrality laws, to get them across the border and organize their movement on the most approved military lines. Then, of course, I saw very plainly that the Diaz government was becoming more unpopular every day, that it was steadily weakening, and I pointed out to them as best I could the lines of least resistance, both in a military and a political sense.

Senator MCCUMBER. But the first advice was to get their war material ready?

Mr. HOPKINS. Yes.

Senator MCCUMBER. And get it across the line?

Mr. HOPKINS. Yes. Not necessarily across the line, but to get it into Mexico, always with due regard for the neutrality laws.

Senator MCCUMBER. Where did most of this war material come from?

Mr. HOPKINS. The United States.

Senator MCCUMBER. Perhaps this is already in the record?

Senator SMITH. No, sir; I am very glad to have this brought out.

Senator MCCUMBER. You say most of it come from the United States?

Mr. HOPKINS. Yes, sir.

Senator MCCUMBER. From what firms?

Mr. HOPKINS. I do not know.

Senator MCCUMBER. Do you know from what part of the country it came?

Mr. HOPKINS. I have understood that it came mostly from New York and St. Louis originally.

Senator McCUMBER. Were those claims that you speak of partly made up of claims for this material?

Mr. HOPKINS. No, sir.

Senator McCUMBER. You say most of the material came from where?

Mr. HOPKINS. There were small amounts. Most of it was for secret-service advances, etc.

Senator McCUMBER. Perhaps you do not understand me. I say most of the war material, the ammunition, guns, etc., came from where?

Mr. HOPKINS. I could not say from personal knowledge, but I have understood that they came from New York and St. Louis.

Senator McCUMBER. Do you know what firms furnished them?

Mr. HOPKINS. I know one firm from whom material was purchased.

Senator McCUMBER. What firm was that?

Mr. HOPKINS. Bannerman.

Senator McCUMBER. At what place?

Mr. HOPKINS. Broadway, New York City.

Senator McCUMBER. What did they furnish?

Mr. HOPKINS. Rifles, cartridges, and machine guns.

Senator McCUMBER. They are not manufacturers, are they?

Mr. HOPKINS. They are the largest dealers, I suppose, in war materials on this hemisphere.

Senator McCUMBER. They are simply dealers and not manufacturers?

Mr. HOPKINS. Dealers and not manufacturers. They do a very large business.

Senator McCUMBER. And their dealing is generally with foreign Governments and not the home Government? They deal on a large scale do they not, with foreign Governments?

Mr. HOPKINS. Yes.

Senator McCUMBER. And in large quantities?

Mr. HOPKINS. Yes.

Senator McCUMBER. And such quantities as necessarily must be sold to Governments rather than to individuals?

Mr. HOPKINS. Yes.

Senator McCUMBER. They therefore had an interest in creating a demand for their material, had they not?

Mr. HOPKINS. No, sir; I do not think so. I think you will find that Alfred Bannerman keeps entirely outside of anything of that sort. In all the experience I have had in such matters I have never known any such thing to be done by Mr. Bannerman.

Senator McCUMBER. Do you know whether they have furnished war material for other Central and South American States?

Mr. HOPKINS. Yes; I know that they have.

Senator McCUMBER. They have been engaged in that business?

Mr. HOPKINS. They are engaged in the traffic of munitions of war; yes, sir.

Senator HITCHCOCK. When did these sales to the Madero party begin?

Mr. HOPKINS. They simply bought one very large lot.

Senator HITCHCOCK. When was that?

Mr. HOPKINS. At the beginning of the revolution.

Senator HITCHCOCK. Can you give the date?

Mr. HOPKINS. No, sir; I can not give the date offhand; the last of October or somewhere along there.

Senator MCCUMBER. Who bought it?

Mr. HOPKINS. Gustavo Madero.

Senator MCCUMBER. Where did they get the money advanced?

Mr. HOPKINS. They had the money.

Senator MCCUMBER. Did they have the money themselves?

Mr. HOPKINS. Yes; they had the money themselves.

Senator HITCHCOCK. Can you tell how much that purchase amounted to?

Mr. HOPKINS. No, sir; I can not.

Senator HITCHCOCK. Approximately?

Mr. HOPKINS. No, sir; I can not.

Senator HITCHCOCK. Either in money or arms?

Mr. HOPKINS. I could not do it; it would be impossible.

Senator HITCHCOCK. You say it was a large lot?

Mr. HOPKINS. Yes, sir; about three carloads.

Senator HITCHCOCK. Enough for 5,000 men?

Mr. HOPKINS. No; that would not be enough for 5,000 men.

Senator MCCUMBER. Do you know what the entire cost of this revolution was?

Mr. HOPKINS. No, sir. I do not think anyone will ever know.

Senator MCCUMBER. Can you give an estimate of the financial obligations that were incurred by reason of it?

Mr. HOPKINS. Obligations of the Maderos?.

Senator MCCUMBER. By reason of the revolution. I suppose there was an organization. That organization had to raise money, and the money had to be paid to carry on this revolution.

Mr. HOPKINS. So far as I know, the revolutionary party in the United States borrowed no money at all from any American interests.

Senator MCCUMBER. That is, not here. You think it was advanced entirely from Mexico?

Mr. HOPKINS. I think it was advanced entirely from Mexico.

Senator MCCUMBER. And within the Mexican border?

Mr. HOPKINS. Possibly there may have been some Mexicans in the United States who contributed, but I meant to say that that revolution was not financed by any American interests. I know that.

Senator SMITH. Do you know Mr. Didapp?

Mr. HOPKINS. Yes.

Senator SMITH. He formerly represented the Mexican Republic in Spain and Turkey.

Mr. HOPKINS. He was a consul at Santander, Spain, and afterwards was consul in Turkey. He is a Syrian.

Senator SMITH. When he was introduced to you in Washington he had four or five talks with you?

Mr. HOPKINS. Yes.

Senator SMITH. And during one of those conversations did you say to him, "Get next to the secretary of the Standard Oil Co. You would have the help of the Standard Oil Co. to overthrow Diaz."

"I told him I did ont know anyone in the Standard Oil Co., and he told me, 'Well, I know the secretary, and I am going to New York, and I will talk the matter over with the secretary of the Standard Oil Co. Then you try and see him.' This was just before the Madero revolution in September, 1910."

Mr. HOPKINS. I never had any such conversation with Mr. Didapp; never mentioned the Standard Oil Co. to him in my life. Mr. Didapp once came to me some time before the revolution and spoke to me voluntarily. He was not introduced to me. He came to me and asked my assistance in procuring the publication of a book that he was to write attacking the government of Diaz. I declined, and told him I could not be interested in any such thing. He came to see me at my office four or five times, and finally I had to dismiss him rather abruptly.

Senator MCCUMBER. Did you have any confidential talk with him at all?

Mr. HOPKINS. Absolutely not. I would not talk confidentially with a man like that. He is a crazy man.

Senator SMITH. Did you ever talk to him about the State Department?

Mr. HOPKINS. Never. In the first place, he is a very, very indiscreet man.

Senator SMITH. But he has represented the Mexican Government in a number of capacities?

Mr. HOPKINS. He has also been dismissed twice for indiscretion. I may say that I saw him again in Mexico City, and he told me he was going to get back into their consular service, and I believed Mr. de la Barra did put him back, but he could not stand prosperity, and he was dismissed within three or four months.

Senator SMITH. He was dismissed by the Madero government?

Mr. HOPKINS. He was put into office again after the Madero revolution had been successful.

Senator MCCUMBER. Dismissed by the same power that put him in?

Mr. HOPKINS. Yes.

Senator MCCUMBER. By Mr. de la Barra?

Mr. HOPKINS. I think he was dismissed subsequently by Mr. Calero, who became minister of foreign relations.

Senator MCCUMBER. As a matter of fact he was dismissed by the Madero people?

Mr. HOPKINS. Yes.

Senator MCCUMBER. And he had been known as a Diaz man?

Mr. HOPKINS. He had been known as both, Senator.

Senator SMITH. He had been appointed to various positions by the Diaz government?

Mr. HOPKINS. Only one, that I know of.

Senator SMITH. And his last appointment came from Mr. de la Barra, the provisional president?

Mr. HOPKINS. Because he had been a great advocate of the revolution.

Senator SMITH. Of the Madero revolution?

Mr. HOPKINS. Yes; although he subsequently turned, and had, as I recall, written a number of articles against Mr. Madero.

Senator SMITH. In order to meet that situation squarely, you say that you had no talk with him about the Standard Oil Co.?

Mr. HOPKINS. I never mentioned the Standard Oil Co. to him in my life, and never had any conversation with him on the subject. The only conversation I did have was relative to the publication of this book, which he said he wished to have published.

Senator SMITH. Did you tell him you were close to the State Department and were watching matters there?

Mr. HOPKINS. Never.

Senator SMITH. As a matter of fact, have you been watching Mexican matters with the State Department?

Mr. HOPKINS. No, sir; never.

Senator SMITH. Have you ever had any conversation with the Secretary about it?

Mr. HOPKINS. No, sir; never.

Senator SMITH. Or any assistant secretary?

Mr. HOPKINS. I did have some conversation frequently with Mr. Dawson, who at that time was resident diplomatic officer of the Department of State, and who was an old friend of mine.

Senator SMITH. You were frequently in conference with him about it?

Mr. HOPKINS. No, sir; I was not frequently in conference. I suppose I spoke to him about the matter three or four times. Mr. Dawson was a gentleman who liked to be accurately informed on both sides of matters, and he used sometimes to ask me privately about the real situation, and I never hesitated to give him any information he desired.

Senator SMITH. That was during the time you represented the Mexican revolution?

Mr. HOPKINS. Yes, sir.

Senator SMITH. Now, coming back to this fee, what did you do with that money when you brought it back?

Mr. HOPKINS. I forwarded it to my firm.

Senator SMITH. What is the firm?

Mr. HOPKINS. Hopkins & Hopkins?

Senator SMITH. Washington?

Mr. HOPKINS. Yes.

Senator SMITH. What was done with it then?

Mr. HOPKINS. It was deposited to the credit of the firm in the Union Trust Co., as I recall. I was not here at the time. I was in Mexico.

Senator SMITH. Was any part of it paid out to any others for assistance?

Mr. HOPKINS. No, sir; it was divided in the firm as usual.

Senator SMITH. Had you made any expenditures of money for the revolution?

Mr. HOPKINS. Only minor advances.

Senator SMITH. Of traveling expenses?

Mr. HOPKINS. Yes.

Senator SMITH. Were you thrown in contact with Mr. Llorente, the Mexican consul at El Paso?

Mr. HOPKINS. No, sir.

Senator SMITH. You say you know Mr. Sommerfeld?

Mr. HOPKINS. Yes.

Senator SMITH. How recently have you seen him?

Mr. HOPKINS. I have not seen Sommerfeld since last January.

Senator SMITH. A year ago?

Mr. HOPKINS. Yes.

Senator SMITH. The repayment of this money by the Mexican Government for revolutionary expenses, $600,000 and odd, was made while you were in Mexico, was it not?

Mr. HOPKINS. Yes.

Senator SMITH. And you were present at that settlement?

Mr. HOPKINS. No, sir. The only way I know of it is that Mr. Gustavo Madero came to me and said he wondered in which bank he had better deposit this. I suggested to him that he deposit it in a branch of the International Banking Corporation there.

Senator HITCHCOCK. In Mexico City?

Mr. HOPKINS. Yes. I happened to be acquainted with the manager of that bank.

Senator HITCHCOCK. Where did Madero keep his funds? You say he and his family had large sums of money at the time the revolution began?

Mr. HOPKINS. Yes; in San Antonio and New York.

Senator SMITH. Was this money deposited in accordance with your recommendation?

Mr. HOPKINS. Yes.

Senator SMITH. As a matter of fact, the Maderos knew as much about the banking facilities of Mexico City as you did, did they not?

Mr. HOPKINS. There was just one reason. We were standing in front of the Banco Nacional, and he said that he would not deposit the money there, because it would take him two hours to make the deposit. He said he thought he would go to a bank where they did banking business in an up-to-date manner.

Senator SMITH. Did he have the money with him at the time?

Mr. HOPKINS. He had the draft with him.

Senator SMITH. Where did you meet him that morning?

Mr. HOPKINS. I think he came to my hotel and got me.

Senator SMITH. After he received this draft?

Mr. HOPKINS. We used to go down town together every morning.

Senator SMITH. This was a particular morning when he had this amount of money?

Mr. HOPKINS. No; it was just the usual morning meeting. This matter had been up before the cabinet for quite a long time, and it had been approved.

Senator SMITH. That is, the return or the repayment of these advances?

Mr. HOPKINS. Yes; and with the accompanying vouchers it had been before the officials of the treasury department, and I suppose the accounting officers of that department, and had been approved by the minister of finance. It had been submitted to the cabinet, approved by the cabinet, and was then approved by President de la Barra.

Senator HITCHCOCK. You say, "With the accompanying vouchers." Was your voucher among those?

Mr. HOPKINS. No, sir; my voucher was subsequently attached. I gave a receipt in duplicate.

Senator SMITH. So that the Mexican Government approved what he paid to you?

Mr. HOPKINS. Yes.

Senator SMITH. They paid the money before it was divided?

Mr. HOPKINS. Oh, the Mexican Government knew about it.

Senator SMITH. They made a voucher to Mr. Madero for this money?

Mr. HOPKINS. Yes.

Senator SMITH. How much?

Mr. HOPKINS. About six hundred and odd thousand dollars.

Senator SMITH. About $650,000, and that amount of money was taken by Mr. Madero and yourself to the International Banking Corporation?

Mr. HOPKINS. Yes.

Senator SMITH. And upon your recommendation was deposited?

Mr. HOPKINS. Yes.

Senator SMITH. To whose credit?

Mr. HOPKINS. To his credit.

Senator SMITH. Then what occurred?

Mr. HOPKINS. Nothing that I know of.

Senator SMITH. Did he give you a check?

Mr. HOPKINS. Yes; he gave me a check.

Senator SMITH. On that bank?

Mr. HOPKINS. Yes.

Senator SMITH. Did he make any other check at that time?

Mr. HOPKINS. No, sir.

Senator SMITH. And you wish to be understood as saying you do not know what disposition was made of the balance of that fund?

Mr. HOPKINS. No, sir.

Senator SMITH. Had you and he come to a settlement regarding your charges?

Mr. HOPKINS. Long before that.

Senator SMITH. How long before?

Mr. HOPKINS. I do not know, Senator. They had expressed their purpose to pay me. They seemed to be very grateful for what they fancied I had accomplished for them, and indicated their purpose to pay me a fee of this amount.

Senator SMITH. Had you loaned them any money?

Mr. HOPKINS. No, sir.

Senator SMITH. As a matter of fact do you not know that they were offering as high as 40 per cent bonus for loans at that time?

Mr. HOPKINS. Never heard of it; I do know that along during the last days of the revolution, when their funds were running very low, some conferences took place relative to obtaining a loan.

Senator SMITH. What conferences?

Mr. HOPKINS. I had a conference with one French banker.

Senator SMITH. Where?

Mr. HOPKINS. In New York, at that time.

Senator SMITH. In New York?

Mr. HOPKINS. Yes; and he absolutely turned the proposition down.

Senator SMITH. What did you ask him?

Mr. HOPKINS. I ask him upon what terms he would make an advance, say of $100,000.

Senator SMITH. What was his reply?

Mr. HOPKINS. He said he would consider the matter; but on the following day, upon some adverse news from Juarez, he informed me that he would not entertain the proposition.

Senator SMITH. Did you see anyone else with a similar purpose?

Mr. HOPKINS. Yes, I did.

Senator SMITH. Who?

Mr. HOPKINS. I discussed the matter with Mr. Charles R. Flint.

Senator SMITH. Who is he?

Mr. HOPKINS. A well-known merchant and banker in New York.

Senator SMITH. Did you ask him to subscribe to this fund?

Mr. HOPKINS. I asked his advice in regard to the matter.

Senator SMITH. Did you make him any tender?

Mr. HOPKINS. No, sir. He was of the opinion that no loan could be procured.

Senator SMITH. Whom else did you talk with?

Mr. HOPKINS. I discussed the matter generally with Mr. William M. Ivins, of New York.

Senator SMITH. Who is he?

Mr. HOPKINS. Quite a distinguished lawyer of that city.

Senator SMITH. Is his office in Wall Street or lower Broadway?

Mr. HOPKINS. His office is in Lords Court Building on William Street, New York City. He was of the same opinion.

Senator SMITH. As a matter of fact, he had some financial transactions with the Government, had he not?

Mr. HOPKINS. No, sir.

Senator HITCHCOCK. What date was this?

Mr. HOPKINS. I believe this was in April or May.

Senator HITCHCOCK. Of what year?

Mr. HOPKINS. 1911.

Senator SMITH. You do not know whether he afterwards advanced any money, and certain drafts were made on him?

Mr. HOPKINS. I know he did not. The only draft that I know of that was ever made which Mr. Ivins's firm had any connection with was a draft for $100 which I authorized to be cashed, and which was drawn against Gustavo Madero at El Paso, which was for a fine that I was paying for one of our men, who had been arrested and pleaded guilty, for transporting cartridges without labeling them as such.

Senator SMITH. Did you make any drafts on Madero through the National City Bank of New York?

Mr. HOPKINS. No, sir; never.

Senator SMITH. Do you know of any one else who did?

Mr. HOPKINS. No, sir.

Senator SMITH. This draft you refer to was made on Madero personally?

Mr. HOPKINS. On Gustavo Madero; yes.

Senator SMITH. And through a bank at El Paso?

Mr. HOPKINS. I presume so; yes, sir. I was not in New York at the time.

Senator SMITH. Was it the Rio Grande Valley National Bank?

Mr. HOPKINS. I was not in New York myself at the time. It was only for $100.

Senator SMITH. Whom else did you see regarding a loan?

Mr. HOPKINS. That is all.

Senator SMITH. Did you have any occasion to see any of the firm of Speyer & Co.?

Mr. HOPKINS. No, sir; never about loans. Messrs. Speyer & Co. were at that time the bankers for the Mexican Government.

Senator MCCUMBER. You stated that you were fairly familiar with some of the financial transactions of the Madero government. Can you give us anything of an idea of what the entire cost of financing this revolution has been?

Mr. HOPKINS. My idea is that it was about 10 per cent of what most people think it was.

Senator MCCUMBER. What do most people think it is, then?

Mr. HOPKINS. I do not believe that the entire revolution cost the Maderos—that is, I do not believe that they spent more than $400,000 gold.

Senator MCCUMBER. Not more than about half as much as it takes to nominate an American President?

Mr. HOPKINS. Yes; just about.

Senator MCCUMBER. If they got $600,000, they must have come out with a profit.

Mr. HOPKINS. That was $600,000 Mexican currency.

Senator MCCUMBER. $300,000 American?

Mr. HOPKINS. Yes.

Senator MCCUMBER. You do not mean to say that would cover the entire expense of carrying on that revolution?

Mr. HOPKINS. No, sir; not at all.

Senator MCCUMBER. You mean that is what the Madero family furnished?

Mr. HOPKINS. Yes. There were lots of other men who took money out of their own pockets and spent it to buy arms and munitions of war.

Senator MCCUMBER. And I suppose the revolutionists helped themselves to money once in awhile, as well as to provisions, and so forth?

Mr. HOPKINS. Oh, yes; I have no doubt they did.

Senator MCCUMBER. But, taking simply the financial part, that must have cost at least several million dollars, did it not?

Mr. HOPKINS. I do not believe in the aggregate there was more than $1,500,000 spent in actual money.

Senator MCCUMBER. Altogether?

Mr. HOPKINS. Yes.

Senator SMITH. American money?

Mr. HOPKINS. I mean that much gold—American money.

Senator HITCHCOCK. And the Maderos put up about one-quarter of that.

Mr. HOPKINS. Yes. That was considerable money contributed from all the cities in Mexico.

Senator MCCUMBER. What is the population of Mexico?

Mr. HOPKINS. About 18,000,000 people.

Senator MCCUMBER. And you think you can finance a successful revolution in a country of that size for less than a million dollars?

Mr. HOPKINS. Yes.

Senator SMITH. As a matter of fact, do you not know that the Orozco revolutionists have spent over $2,000,000?

Mr. HOPKINS. I have heard so.

Senator SMITH. They got $1,000,000 from the city of Chihuahua alone, did they not, through the chamber of commerce, and they have been administering the customs down there and have received at least $100,000 a month, and yet that is not supposed to be a revolution at all.

Senator BORAH. Perhaps its organiaztion was expensive.

Senator HITCHCOCK. Did this firm on Broadway in New York City, which you say sold three or four carloads of war material, equire cash in advance?

Mr. HOPKINS. Yes; always.

Senator SMITH. Mr. Hopkins, are you familiar with the reported statements that upon the return of Mr. Limantour, and his statement to President Diaz that large financial interests in New York had agreed to advance the necessary money to make the Madero revolution successful, Diaz resolved to make no further resistance?

Mr. HOPKINS. No, sir. I do not believe Mr. Limantour ever made such a report, because Mr. Limantour knew better.

Senator SMITH. He had been in New York, had he not, with Mr. Creel?

Mr. HOPKINS. No, sir; he had not.

Senator SMITH. With Mr. Hernandez?

Mr. HOPKINS. No, sir; not that I am aware of. Which Mr. Hernandez do you mean?

Senator SMITH. The one who was afterwards secretary of the interior.

Mr. HOPKINS. No, sir; most decidedly not.

Senator SMITH. Would you have known about those matters?

Mr. HOPKINS. I was in the Hotel Astor at the same time Mr. Limantour was there, and I know exact what took place.

Senator SMITH. Did you have any interview with him?

Mr. HOPKINS. No, sir.

Senator SMITH. Do you know of anyone who did?

Mr. HOPKINS. Yes.

Senator SMITH. Who did?

Mr. HOPKINS. Mr. Francisco Madero, the father of the President, and Dr. Francisco Vasquez Gomez, of the revolutionary committee.

Senator SMITH. Do you know of anyone else who had any interview with him?

Mr. HOPKINS. Yes.

Senator SMITH. Who?

Mr. HOPKINS. I understand he had a conference with Mr. Speyer.

Senator SMITH. Speyer & Co.?

Mr. HOPKINS. Yes. Speyer & Co. were his bankers, the bankers of the Mexican Government at that time.

Senator SMITH. Do you know whether he had any conference with president of the National City Bank?

Mr. HOPKINS. Do you mean Mr. Stillman?

Senator SMITH. Or with Mr. Vanderlip.

Mr. HOPKINS. Mr. Vanderlip is the vice president. No, sir; I am not aware of it. It would not surprise me at all.

Senator SMITH. Do you know whether he had any conversation with anyone else while he was there?

Mr. HOPKINS. No, sir; no personal knowledge.

Senator SMITH. But you do know about these interviews with Speyer & Co.?

Mr. HOPKINS. Yes; that one took place with Mr. Speyer.

Senator SMITH. And these other people you have spoken of?

Mr. HOPKINS. Yes.

Senator SMITH. Did Mr. Madero inform you as to the nature of those conversations?

Mr. HOPKINS. Yes; he mentioned them.

Senator SMITH. What did he say about them?

Mr. HOPKINS. Mr. Madero was very anxious to see the revolution terminated, and I think he tried to persuade Mr. Limantour to see the light of day.

Senator SMITH. Do you know whether he told him that financial arrangements had been made in New York?

Mr. HOPKINS. I do not know, but I am morally certain that he did not.

Senator SMITH. How are you certain that he did not?

Mr. HOPKINS. Because I have never heard of any such thing.

Senator SMITH. I have heard of it a great many times.

Mr. HOPKINS. I have never heard of it, Senator, and I have been right in the midst of it all the time. I have never heard of any such thing.

Senator SMITH. No threats were made, to your knowledge, to Mr. Limantour?

Mr. HOPKINS. No, sir.

Senator SMITH. Did you accompany Mr. Madero at the time of his interview with Mr. Limantour?

Mr. HOPKINS. No, sir.

Senator SMITH. Or at the time of these interviews with those bankers?

Mr. HOPKINS. No, sir.

Senator SMITH. I have been rather impressed with the amount of money you received down there for the service you have described.

Mr. HOPKINS. Perhaps they overpaid me.

Senator SMITH. Do you think they did?

Mr. HOPKINS. Well, they were the best judges of that.

Senator SMITH. No; you are the man who rendered the service.

Senator HITCHCOCK. Was that for eight months' service?

Mr. HOPKINS. Yes.

Senator BORAH. They did not object to the bill, did they?

Mr. HOPKINS. No, sir. In fact, I never rendered any bill. It was a voluntary payment upon their part.

Senator SMITH. But you had agreed upon it some time before this money was repaid?

Mr. HOPKINS. $50,000 was mentioned. Gustavo Madero and the rest of them had voluntarily mentioned it to me, that when the revolution was successful, as they were sure it was going to be, they intended to pay me a fee of $50,000. I said I would be very glad to get it.

Senator MCCUMBER. You did not protest against it?

Mr. HOPKINS. No, sir.

Senator SMITH. When was that conversation?

Mr. HOPKINS. I suppose it was along in January or February.

Senator HITCHCOCK. Let me recapitulate. That $50,000 fee was for services rendered during eight months, for keeping the revolutionary agents in the United States out of prison or getting them out after they got in——

Mr. HOPKINS. Yes.

Senator HITCHCOCK. For advising them to ship arms into the Mexican Republic before the war began, as far as possible, and to get ready for the war?

Mr. HOPKINS. Yes.

Senator HITCHCOCK. And for what else?

Senator MCCUMBER. The neutrality laws?

Mr. HOPKINS. And for advising them as to the methods that they should pursue, and also so as not to come in conflict with the neutrality laws.

Senator HITCHCOCK. This revolutionary party in Mexico was not afraid to come in conflict with the neutrality laws. That was the very thing they wanted to do, was it not? What had they to fear?

Mr. HOPKINS. They had the fear of getting into jail.

Senator HITCHCOCK. Those in this country?

Mr. HOPKINS. Yes.

Senator HITCHCOCK. But I am speaking of the people in Mexico.

Mr. HOPKINS. That is quite different. I was advising them not to run counter to the neutrality laws. When I say that, I am referring to those Mexicans who were in exile here in the United States.

Senator HITCHCOCK. You have only told us of one or two Mexicans in this country who did get into jail.

Mr. HOPKINS. Yes; but perhaps it was due to my efforts that others did not.

Senator HITCHCOCK. It was to keep them out of jail, and that was all the service you rendered for $50,000.

Mr. HOPKINS. Generally speaking, and taking into consideration my previous statements, yes.

Senator BORAH. I suppose, occupying the relation which you did to the movement, your general advice and counsel was sought at all times on these matters, was it not?

Mr. HOPKINS. Every day and sometimes all night.

Senator BORAH. And that covered the whole field of the revolutionary movement?

Mr. HOPKINS. Yes; covered the whole business, including my expenses, which were quite large.

Senator BORAH. But what I mean is, your advice and your counsel were sought upon the whole field of revolutionary action?

Mr. HOPKINS. Yes; every feature of it.

Senator SMITH. They had other counsel?

Mr. HOPKINS. No; not here.

Senator SMITH. In the United States?

Mr. HOPKINS. I think they had in San Antonio and El Paso.

Senator SMITH. Now, I want to go back a little and to ask you if you know anything about the payment of large interest, or the prepayment of large interest, as high as 40 per cent, for the use of money?

Mr. HOPKINS. No, sir; I do not.

Senator SMITH. For the use of money to aid the revolution?

Mr. HOPKINS. No, sir.

Senator SMITH. Did you ever hear of such a thing?

Mr. HOPKINS. No, sir.

Senator SMITH. Would it surprise you if they were called upon to pay large rates of interest?

Mr. HOPKINS. Yes; it would.

Senator HITCHCOCK. Did this fee of yours also include your efforts to secure loans for them in New York?

Mr. HOPKINS. That was hardly very serious. I had very little to do with that. I simply mentioned it to the gentlemen whose names I have mentioned. Of course, it did include that, naturally.

Senator HICTHCOCK. Did they expend any money with anyone else that you know of to procure loans?

Mr. HOPKINS. Not that I am aware of; no, sir.

Senator SMITH. Have you heard of any payment of that kind?

Mr. HOPKINS. No, sir.

Senator SMITH. To anyone else?

Mr. HOPKINS. I never heard of any such payment.

Senator SMITH. You were very familiar with the neutrality laws. Did you render any service in connection with the legislation to amend the neutrality laws?

Mr. HOPKINS. No, sir.

Senator SMITH. Do you know anything about that legislation?

Mr. HOPKINS. Yes.

Senator SMITH. When did you first know about it?

Mr. HOPKINS. I think it was on the 10th day of March, 1912.

Senator SMITH. How did you happen to know about it?

Mr. HOPKINS. I received a telegram.

Senator SMITH. From whom?

Mr. HOPKINS. From my firm.

Senator SMITH. Where were you?

Mr. HOPKINS. At Vera Cruz, Mexico.

Senator SMITH. To what effect?

Mr. HOPKINS. That the passage of a resolution which had been or was to be offered, I think by Senator Root, was imminent. I think it was based upon a message from the President, but I do not remember with certainty about that. I do recall that I received a telegram, I think in Vera Cruz, informing me about the resolution which was afterwards passed; I think on March 12 or 14 was about to be passed.

Senator SMITH. Have you that telegram?

Mr. HOPKINS. I doubt it very much.

Senator SMITH. Will you try to find it?

Mr. HOPKINS. Yes; I will take great pleasure in doing so. I was subsequently notified, I think either at Key West or Palm Beach, that the resolution had been passed. I probably have that telegram.

Senator HITCHCOCK. Was that after the Madero government had been established?

Mr. HOPKINS. Oh, yes; long after.

Senator HITCHCOCK. Your firm undoubtedly have a copy of the telegram that they sent to you?

Mr. HOPKINS. I presume I have the original.

Senator SMITH. Will you try and get that?

Mr. HOPKINS. Yes.

Senator HITCHCOCK. Both of them?

Mr. HOPKINS. Yes.

Senator SMITH. It has been suggested that that legislation originally had its birth in your brain.

Mr. HOPKINS. Why, Senator, I was not in the country at that time.

Senator SMITH. Or of your firm.

Mr. HOPKINS. I was not in the country. I left the United States on the 27th of January. I had to go to Guatemala.

Senator SMITH. You considered it advantageous, of course, to the Madero government?

Mr. HOPKINS. Yes; I not only considered it advantageous to the Madero government, but I considered it, you might say, obligatory legislation on the part of the United States if it desired to perform its duty toward the Government of Mexico.

Senator MCCUMBER. What legislation was that?

Senator SMITH. That was an amendment of the neutrality laws which somewhat radically tightened the regulations regarding the exportation of arms.

Senator MCCUMBER. That was the provision which authorized the President to take possession of any arms that were being shipped across the line?

Mr. HOPKINS. Yes.

Senator MCCUMBER. How was that advantageous?

Senator HITCHCOCK. This was after the Madero were in.

Senator SMITH. After they were in the lines were drawn very tight, and I think Mr. Hopkins will admit that that was very help ful to the Madero government.

Mr. HOPKINS. Yes; very.

Senator SMITH. And rather hostile to the Orozco revolutionists?

Mr. HOPKINS. Yes.

Senator MCCUMBER. This was after the second revolution was being hatched?

Mr. HOPKINS. It had already started.

Senator SMITH. It started, in fact, before they got in.

Senator BORAH. Do you still occupy and hold the relation of attorney to client with these people yet?

Mr. HOPKINS. I should say that I do, but in a personal way only.

Senator SMITH. I should like to have you produce that telegram—the first one you got.

Mr. HOPKINS. I will endeavor to do so.

Senator SMITH. While you were at Vera Cruz you got notice from your office that an important change was to be made in the neutrality laws?

Mr. HOPKINS. I think it was while I was at Vera Cruz.

Senator SMITH. But just what that message said you are unable to state?

Mr. HOPKINS. I am unable to state at the present time.

Senator SMITH. And you have not been able to find the message yet?

Mr. HOPKINS. I have not, yet.

Senator SMITH. But you are going to try to find it?

Mr. HOPKINS. I am; yes, sir.

Senator HITCHCOCK. Would not the telegraph office be able to produce a copy?

Senator SMITH. I think, perhaps, they would.

Mr. HOPKINS. As I understand, they destroy their messages every six months. I will be very glad to write them a letter and ask them.

Senator SMITH. Now, recurring to what was said this morning with reference to your employment by Henry Clay Pierce, you said that when he found you had some information which showed graft on the part of certain people who held an oil concession in Mexico, he employed you to exploit that information?

Mr. HOPKINS. He requested me to see that all possible publicity was given to the wrongful acts of these people.

Senator SMITH. And those wrongful acts consisted in what? I think you said certain stock was given.

Mr. HOPKINS. In accepting shares of stock amounting to more than a million dollars in value—a million and a half in value—while certain of them held public office.

Senator SMITH. And this stock was given by——

Mr. HOPKINS. Lord Cowdray.

Senator SMITH. And the people to whom the stock was given you enumerated this morning?

Mr. HOPKINS. Yes; and there are others whose names escape me for the moment.

Senator SMITH. And that included the son of President Diaz?

Mr. HOPKINS. It did; yes, sir; 200 shares at $1,000 per share, 8 per cent guaranteed preferred stock.

Senator SMITH. Do you know the nature of that company's business in Mexico?

Mr. HOPKINS. I think I do; yes, sir.

Senator SMITH. What is it?

Mr. HOPKINS. I understand they are engaged in the refining and the sale of oil and its products.

Senator SMITH. In that country?

Mr. HOPKINS. Yes.

Senator SMITH. In the United States?

Mr. HOPKINS. No, sir; although the Pearson interests are engaged in the sale of oil in very large quantities. In fact, I have reason to believe that the Standard Oil Co. at the present time has a contract under the terms of which they practically control the Pearson interests and take the entire Pearson output of crude oil.

Senator SMITH. The Pearson Co. is not the same company as the Pierson Co. of Boston?

Mr. HOPKINS. No, sir. Lord Cowdray was formerly Sir Weetman Pearson.

Senator SMITH. They were also interested in the Northwestern Railroad?

Mr. HOPKINS. No, sir.

Senator SMITH. I thought you said so this morning.

Mr. HOPKINS. No, sir; on the directorate of the National Railways.

Senator SMITH. You say you have reason to believe they sell large quantities of oil to the Standard Oil Co.?

Mr. HOPKINS. I know they do; in fact, it is understood that the Standard now owns the Cowdray or Pearson oil interests.

Senator SMITH. How do you know that?

Mr. HOPKINS. From papers that I have seen and statements that have been made.

Senator SMITH. Where did you see them?

Mr. HOPKINS. In Mexico.

Senator SMITH. By whom were they exhibited?

Mr. HOPKINS. They were exhibited to me by a representative of the Waters-Pierce Oil Co.

Senator SMITH. What is his name?

Mr. HOPKINS. I think they were shown to me by J. N. Galbraith.

Senator SMITH. What office does he hold in that company?

Mr. HOPKINS. I think he is general manager.

Senator SMITH. Did you have any conference with him and Mr. Pierce there?

Mr. HOPKINS. I had many conferences with Mr. Galbraith.

Senator SMITH. None with Mr. Pierce?

Mr. HOPKINS. No, sir; I have only seldom conferred with Mr. Pierce in regard to this matter. Most of my conferences have been with Mr. Galbraith.

Senator SMITH. You stated this morning that Mr. Pierce employed you?

Mr. HOPKINS. Yes; exactly.

Senator SMITH. And that you were paid a thousand dollars for that?

Mr. HOPKINS. Yes, sir; something like that, by Mr. Galbraith.

Senator SMITH. Is that company a competitor with the Waers-Pierce Co.?

Mr. HOPKINS. Do you mean Cowdray's company?

Senaor SMITH. Yes.

Mr. HOPKINS. Yes.

Senator SMITH. Then, in your capacity as counsel for the revolutionary party, the Madero house, including all of them, and in your capacity as counsel for the Waters-Pierce Co., you want to be understood as saying that, so far as you know, neither of these people contributed any money toward the revolution?

Mr. HOPKINS. Most positively. That is to say, I mean to assert that I know positively that the Waters-Pierce Oil Co. contributed absolutely nothing toward the revolution; and, as I said before, I do not believe that any other American interests contributed toward the Madero revolution.

Senator HITCHCOCK. What leads you to that belief?

Mr. HOPKINS. Because my relations with them at that time were so close and my knowledge of their finances was such that I certainly would have known it had there been any.

Senator HITCHCOCK. Then could you give the committee a little better idea of their finances? I have not got it clear.

Mr. HOPKINS. That is a little difficult. It has been some time ago, and things were going on a little hastily then. I told you this morning I knew about the amount of money expended, and I know that toward the last they were near the end of their rope.

Senator HITCHCOCK. That was about $400,000?

Mr. HOPKINS. More or less.

Senator HITCHCOCK. And the whole cost of the revolution was a million and a half?

Mr. HOPKINS. Probably.

Senator HITCHCOCK. And the $400,000 they put in was in cash, without borrowing anything?

Mr. HOPKINS. Yes.

Senator HITCHCOCK. Where did the other $900,000 come from?

Mr. HOPKINS. That is impossible for any human being to say, because it came a few hundred dollars here and a few hundred dollars there; a few hundred dollars contributed by this person and that person—all Mexicans.

Senator HITCHCOCK. Why are you positive in saying that they were all Mexicans?

Mr. HOPKINS. Merely because of my very close association with, you might say, the leaders of the revolution, and being in daily correspondence with them and knowing their wants, and knowing their inability to get things that they did want.

Senator HITCHCOCK. Were there regular lists of the contributors kept?

Mr. HOPKINS. That I do not know.

Senator HITCHCOCK. How could you say positively that $100,000 had not been borrowed in the United States?

Mr. HOPKINS. I can not say positively, but I am sure that if it had been I would have known it.

Senator HITCHCOCK. Was any borrowed?

Mr. HOPKINS. Not that I know of. I am positive that there was not any.

Senator SMITH. You tried to make a loan with this French banker?

Mr. HOPKINS. Yes; I sounded him—that is to say. There were never any negotiations. I suggested it.

Senator SMITH. What did you offer him for that?

Mr. HOPKINS. I do not know of anything offered, Senator. There was no security suggested, of course, except the good faith of the revolutionary party.

Senator SMITH. An obligation on the part of the leaders?

Mr. HOPKINS. Oh, of course there would be an obligation. The revolutionary government was represented by what was termed a provisional government.

Senator SMITH. Yes.

Mr. HOPKINS. The headquarters of that government were in Madero's camp.

Senator SMITH. And those were the people that you represented?

Mr. HOPKINS. Those were the people who were to be responsible.

Senator SMITH. For this loan, if you had made it?

Mr. HOPKINS. For that loan, had any loan been made; but my mission was to sound; not to negotiate for or to conclude a loan.

Senator SMITH. You spoke this morning of only going to two other persons for this loan; one was Charles R. Flint and the other was Mr. Ivins?

Mr. HOPKINS. Yes.

Senator SMITH. How did it happen that you did not go to the Waters-Pierce people?

Mr. HOPKINS. I did not know them.

Senator SMITH. You knew of them?

Mr. HOPKINS. Oh, yes; but I did not know them. It would have been very impudent in me to have gone to a corporation of that kind when I had nothing to do with them; was not acquainted with them.

Senator SMITH. You did not know this French banker, did you?

Mr. HOPKINS. Oh, yes; I knew him intimately.

Senator SMITH. How long had you known him?

Mr. HOPKINS. Four or five years. In fact, he had been a client of mine.

Senator SMITH. Had Mr. Flint been closely connected with you?

Mr. HOPKINS. All my life, and my father before me.

Senator SMITH. And Mr. Ivins?

Mr. HOPKINS. Yes.

Senator SMITH. And those were the only people that you attempted to make any loan with?

Mr. HOPKINS. I did not attempt to make loans with them. I simply sounded them to ascertain if in the future a loan could be made. When I mentioned it to this French banker, I simply mentioned $100,000 as a figure.

Senator SMITH. Now, in fact, you were acting for the Madero party in that?

Mr. HOPKINS. Yes.

Senator SMITH. And was that a part of the services for which you were paid $50,000?

Mr. HOPKINS. I presume so; yes. Of course I was paid $50,000 for my entire services as counsel, covering eight months.

Senator SMITH. In gold?

Mr. HOPKINS. In gold.

Senator FALL. Excuse me just a moment. Was this Mexican oil company you are speaking of the Aguila?

Mr. HOPKINS. That is Cowdray's company.

Senator FALL. And the other?

Mr. HOPKINS. Is the Waters-Pierce Oil Co.

Senator FALL. Do you know anything about the Mexican Petroleum Co.?

Mr. HOPKINS. No, sir. I know there is such a company.

Senator FALL. In addition to this $50,000 that you received for your services, did you receive an interest in any concession?

Mr. HOPKINS. No, sir.

Senator FALL. No land or anything like that, no concession?

Mr. HOPKINS. No, sir.

Senator FALL. You are not interested now in any concession in Chiapas?

Mr. HOPKINS. No, sir. May I made a remark there?

Senator FALL. Certainly.

Mr. HOPKINS. I heard through a friend of mine that an article had been published in one of the Mexico City newspapers in which it was stated that Gustavo Madero and some others and myself were interested in a concession in Chiapas. So far as I am concerned, I never heard of such a thing until after my return to the United States, and the statement is absolutely and unqualifiedly untrue. I have absolutely no interest, direct or indirect, in any concession in Mexico or anywhere else.

Senator SMITH. Nor have you had?

Mr. HOPKINS. Nor have I had nor any member of my family.

Senator SMITH. Nor any other person, to your knowledge?

Mr. HOPKINS. Neither directly nor indirectly in any way, shape, or form, contingent or otherwise. I want to make that as emphatic as possible.

Senator SMITH. Now, what is the real title of this national railway?

Mr. HOPKINS. The National Railways of Mexico—the Ferrocarriles Nacionales de México.

Senator SMITH. That does not include the Mexican Central, does it?

Mr. HOPKINS. Oh, yes, sir. It is a consolidation of the old National Railway and the Central and one or two other small roads. They were nationalized about 1907 and consolidated by the Government.

Senator SMITH. You were interested in the railroad aspect of that situation?

Mr. HOPKINS. Yes; I was.

Senator SMITH. How?

Mr. HOPKINS. The leading cientificos had had themselves appointed directors of the National Railways and of course were controlling the policy of that road to suit their own ends; and I had always thought, and Gustavo Madero always thought, and others always thought, that those gentlemen should be gotten rid of as expeditiously as possible; and having the information that I had, they were very anxious to get it and use that in forcing them out, which they did.

Senator HITCHCOCK. In forcing whom out?

Mr. HOPKINS. In forcing them out.

Senator HITCHCOCK. Out of what?

Senator SMITH. Out of the railways.

Mr. HOPKINS. Forcing the cientificos out of the control of the National Railways. They had previously had themselves elected directors.

Senator SMITH. Now, the Government of Mexico owns the stock in those companies, does it not?

Mr. HOPKINS. Yes.

Senator SMITH. Where are the securities held?

Mr. HOPKINS. Principally in the United States and in Europe.

Senator SMITH. Are there not some held in New York?

Mr. HOPKINS. Oh, yes.

Senator SMITH. Who holds them?

Mr. HOPKINS. I suppose Speyer & Co. hold a great many. I suppose Ladenburg, Thalman & Co. and Halgarten & Co. hold a great many. I suppose Mr. Pierce owns some. In fact, he is said to be the largest individual holder.

Senator FALL. He was practically at the head of that road for years, was he not?

Mr. HOPKINS. At the head of the Central.

Senator SMITH. That is Henry Clay Pierce?

Mr. HOPKINS. Henry Clay Pierce; yes. I suppose that Kuhn, Loeb & Co. are also holders. Of course the French and English banks, too, are very large holders.

Senator SMITH. This course that you outlined with reference to those railroads—the policy of Gustavo Madero and yourself—was known to the security holders of these properties?

Mr. HOPKINS. No, sir.

Senator SMITH. It was known to Henry Clay Pierce?

Mr. HOPKINS. Yes; it was afterwards known to him. Pardon me one moment. You asked me if it was known to the bankers? Yes; it became known to them.

Senator SMITH. Yes.

Mr. HOPKINS. Through our acts.

Senator SMITH. That constituted part of the plan to change the management and direction of those roads?

Mr. HOPKINS. Not the management; the directorate.

Senator SMITH. The directorate of those roads?

Mr. HOPKINS. Yes.

Senator SMITH. Of those Mexican roads. And who took that matter up with you first?

Mr. HOPKINS. I think it was Gustavo Madero who first spoke to me about it.

Senator SMITH. When?

Mr. HOPKINS. Here in Washington.

Senator SMITH. How long ago?

Mr. HOPKINS. During the revolution.

Senator SMITH. At about what stage?

Mr. HOPKINS. Probably about the middle of it. We talked it over at great length.

Senator SMITH. Did you have any conferences in New York about it?

Mr. HOPKINS. No, sir.

Senator SMITH. Or anywhere else?

Mr. HOPKINS. No, sir.

Senator SMITH. And was the plan outlined between you and him?

Mr. HOPKINS. No, sir; there was no plan outlined at that time, except that he made the declaration, and it was my understanding that his declaration had the approval of all the other leaders, that the cientificos ought not only to be ousted from the directorate of the Mexican National Railways, but ousted from all other positions held by them. That was a mere incident.

Senator SMITH. What was to become of those railroads; was any plan discussed?

Mr. HOPKINS. No; except they were to be operated more for the benefit of the Government than heretofore.

Senator SMITH. Was there any plan that ever came to your attention that calculated to turn those roads over to the security holders?

Mr. HOPKINS. Never.

Senator SMITH. You simply wanted to change the directorate and control of the properties?

Mr. HOPKINS. Yes.

Senator SMITH. And that met with the approval of practically everyone?

Mr. HOPKINS. Of practically everyone.

Senator SMITH. Of your clients?

Mr. HOPKINS. Yes.

Senator SMITH. Both Henry Clay Pierce and Madero?

Mr. HOPKINS. I discussed the matter with Gustavo Madero at the time. I never discussed the matter with Mr. Henry Clay Pierce until after the revolution was over.

Senator SMITH. Then what did you say?

Mr. HOPKINS. I advised him as to what was on foot, and he was very heartily in favor of it.

Senator HITCHCOCK. What was his interest in the matter?

Mr. HOPKINS. A shareholder.

Senator SMITH. Security holder, was he not?

Mr. HOPKINS. Yes.

Senaor HITCHCOCK. Do you mean he was the owner of stocks or bonds?

Mr. HOPKINS. Both stocks and bonds.

Senator HITCHCOCK. Both stocks and bonds?

Mr. HOPKINS. Yes, sir. He had a very vital interest in the management of the National Railways.

Senator HITCHCOCK. Had the policy of the Mexican Government under Diaz and these cientificos been such as to impair the value of his holdings?

Mr. HOPKINS. I should say that they threatened to impair the value of everybody's holdings.

Senator SMITH. How?

Mr. HOPKINS. By mismanagement in many respects.

Senator HITCHCOCK. Had it occurred?

Mr. HOPKINS. I said it was imminent; the danger was imminent.

Senator HITCHCOCK. What indicated it?

Mr. HOPKINS. We go back to the Tehuantepec National Railway, which was constructed, or reconstructed, by Lord Cowdray—or, rather, by Sir Weetman Pierson, as he was then. The construction of that railway cost the Mexican Government about twice what it was really worth. Lord Cowdray had a contract with the Mexican Government for the management of that railroad as managing partner with the Government, and it has always cost to operate that road probably one-third more than it would have had it been operated otherwise. That is the reason.

Senator HITCHCOCK. That was not one of these railroads?

Mr. HOPKINS. That is not one of the roads in the National Railways of Mexico.

Senator HITCHCOCK. You are referring to these roads that you are speaking of. What was there actually to show that the securities were being impaired?

Mr. HOPKINS. I will show you. It was the case of the National Tehuantepec Railroad. All Cowdray's directors in his Aguila Oil Co. were made directors in the National Railways of Mexico, and certain of the leaders, so I was informed, conceived the idea that objectionable conditions which prevailed in connection with the maintenance and operation of the National Tehuantepec Railway might be applied to the National Railways of Mexico.

Senator FALL. I would like to see if I can get that straightened out so that I can understand it. The National Railway of Mexico for many years was not identical with the National Railways of Mexico as they now stand? The Mexican Central Railway was under the direction of Mr. Henry Clay Pierce for many years?

Mr. HOPKINS. He was chairman of the board of directors, as I understand.

Senator FALL. And a large stockholder?

Mr. HOPKINS. Yes.

Senator FALL. Who ran the National Railway of Mexico, properly speaking?

Mr. HOPKINS. Who was in charge?

Senator FALL. At that time, of the consolidation.

Mr. HOPKINS. Well, I do not know, Senator.

Senator FALL. It was an American, was it not?

Mr. HOPKINS. I do not know.

Senator FALL. After the National Railways of Mexico were acquired by the Mexican Government through this revolutionary party, Madero and others, who was the general manager and the president of the road?

Mr. HOPKINS. I think Mr. Brown was afterwards made president.

Senator FALL. Who is the general manager and president of that road?

Mr. HOPKINS. He is president of the road.

Senator FALL. He is, although it is under the Mexican Railways?

Mr. HOPKINS. Yes.

Senator FALL. Has there been any change in the management of the road that you know of since the time the National Railways took it over, and Mr. Brown being president of it at that time?

Mr. HOPKINS. No, sir; so far as I know there has been no change in the management.

Senator FALL. Then Gustavo Madero must have been mistaken about the impairment.

Mr. HOPKINS. Senator, I referred to the menace.

Senator FALL. They ran it for some time?

Mr. HOPKINS. Yes.

Senator FALL. In fact, Mr. Hopkins, the only change that has been made is that every American in Mexico has been run off the National Railways—every employee?

Mr. HOPKINS. Yes.

Senator FALL. And that incompetent Mexicans have been employed, and it has been almost impossible, even where they have not been interfered with by the rebels, for them to keep the trains running; and President Madero a short time ago issued a proclamation to the Mexican employees to the effect that if they did not take more pains in running these railways he was going to take some steps to find competent employees?

Mr. HOPKINS. I have heard that there were a great many complaints on account of new employees, Mexican employees, who were not properly trained; that is quite true.

Senator FALL. The general management of the roads has remained just the same as it was?

Mr. HOPKINS. Absolutely the same.

Senator FALL. Under the cientificos method?

Mr. HOPKINS. Yes. I think that the consolidated roads were started along right lines. I do not think there is any doubt about that. But, as I repeat, it was the menace of this board of directors.

Senator HITCHCOCK. You were starting to outline what this menace consisted of. I did not quite get that.

Mr. HOPKINS. I say I have to go back to the Tehuantepec National Railway matter, in which it is charged, openly and publicly, and figures have been introduced to prove the statement, that the railroad was constructed for just twice what it was worth.

Senator SMITH. That is a question of construction, and not of management.

Mr. HOPKINS. Well, and it has also been managed from year to year for one-third more than should have been paid for the management; and, of course, by Lord Cowdray. And now Lord Cowdray's directors in his Aguila Co., his supporters, and his business associates, were put as directors on the National Railways of Mexico, in which Lord Cowdray did not own a share, and, of course, many persons feared that the same methods that were applied to the Tehuantepec National Railway would be applied to the National Railways of Mexico.

Senator FALL. Now, for years and years before the National Railways of Mexico had been organized, the railways had been run by this management, and for years and years prior to the acquisition by the Mexican Railways of the Mexican Central?

Mr. HOPKINS. That is right as far as the minor officials are concerned.

Senator FALL. And no change was made even after the National Railways were acquired by the Madero people? Since they were ousted no change has been made in the management?

Mr. HOPKINS. There has been a complete change in the directorate.

Senator FALL. Yes; but the management?

Mr. HOPKINS. The personnel and policy management has been the same.

Senator FALL. Yes.

Mr. HOPKINS. The executive heads of the railroad are identical; most of them are Americans.

Senator SMITH. There was a well-defined plan, according to your testimony, originated either by yourself or some one else, by which Henry Clay Pierce and Gustavo Madero were to reform the National Railways?

Mr. HOPKINS. No, sir; not reform the Nation Railways, but simply to change the board of directors; to put in better men.

Senator SMITH. To get the other fellows out?

Mr. HOPKINS. Yes.

Senator SMITH. To get the Diaz people out?

Mr. HOPKINS. Yes; and to remove the Cowdray menace.

Senator SMITH. And was that at the bottom of your interest in the matter?

Mr. HOPKINS. In what matter?

Senator SMITH. In this railway matter?

Mr. HOPKINS. Yes.

Senator SMITH. You spoke of that early this morning.

Mr. HOPKINS. Yes.

Senator SMITH. That was at the bottom of your plan?

Mr. HOPKINS. Yes.

Senator SMITH. And that had the approval of Mr. Pierce?

Mr. HOPKINS. No, sir.

Senator SMITH. And Mr. Madero?

Mr. HOPKINS. No, sir. This matter was a matter between Gustavo Madero, some others, and myself. Mr. Pierce I did not even know at that time. I never knew Mr. Pierce until after the revolution was over.

Senator HITCHCOCK. Then, to find out what was Madero's interest in it: Was he a stockholder?

Mr. HOPKINS. No, sir; he was a Mexican.

Senator HITCHCOCK. What was his interest?

Mr. HOPKINS. He had simply a patriotic interest in it.

Senator HITCHCOCK. It was pure patriotism?

Mr. HOPKINS. Yes.

Senator SMITH. Was there ever any intention, or did you hear any talk, that these railroads were to be turned over to the security holders?

Mr. HOPKINS. Oh, yes; I read charge after charge in the sensational Mexican papers down there opposed to President Madero that there were schemes on foot of that nature, but I do not think anybody ever paid any attention to them.

Senator SMITH. What do you think of it?

Mr. HOPKINS. I think it is absolutely absurd.

Senator SMITH. You think they are satisfied to get in on the directorate?

Mr. HOPKINS. Yes; to get the objectionable ones off the board.

Senator SMITH. And let the matter rest there?

Mr. HOPKINS. Yes. The bankers are also so well represented on that directorate that I think there would be little chance of a mishap.

Senator FALL. Are any of these security holders interested with the American Fruit Co.?

Mr. HOPKINS. You mean the United Fruit Co.?

Senator FALL. Yes.

Mr. HOPKINS. Senator, the only person that I know of that might have associated between the two would be Mr. Bradley W. Palmer, who is general counsel of the United Fruit Co., and who, I believe, represented some large Boston interests in connection with the consolidation. He was once a director. I do not think, however, that Mr. Palmer has any present interests in the National Railways of Mexico. If he has, I do not know it. Of course, he probably has some interest in the Northwestern Railroad and an indirect interest in the Pan American road which they are building through Chiapas down into Guatemala, because his client, Mr. Keith, has purchased the Northern Guatemala and the Guatemala Central, with which the Pan American is to connect. That is all.

Senator FALL. Do you know whether those people have any idea of connecting the Mexican national lines with those Central American lines?

Mr. HOPKINS. I suppose they will have to be connected, Senator. I do not see any other way than that.

Senator FALL. Do you know whether Mr. Van Horne or Mr. Pearson are interested with them?

Mr. HOPKINS. I do not know, Senator.

Senator FALL. Do you know whether they are interested with them?

Mr. HOPKINS. I understand so. I happen to have been in Guatemala, and I happen to know that the Northern Railway of Guatemala, as you perhaps know, is owned by Mr. Keith, Gen. Hubbard,

and Sir William Van Horne jointly, and they and certain of their associates have recently purchased the road that runs from the capital down to the west coast, which will connect with the Pan American.

Senator FALL. And Sir William Van Horne was interested in the Pearson-Farquhar syndicates and electric light plant in the City of Mexico?

Mr. HOPKINS. Yes; I think so.

Senator FALL. And they also owned the Mexican Northwestern?

Mr. HOPKINS. Yes.

Senator FALL. And he is one of the directors of the Pacific Central?

Mr. HOPKINS. Yes.

Senator FALL. And is it not generally understood that there will be a railroad line extending from Panama to Canada when it is opened up?

Mr. HOPKINS. Yes. You can go by rail to-day from Montreal, Canada, to Guatemala City.

Senator HITCHCOCK. Was D. E. Thompson connected with this Mexican Railroad?

Mr. HOPKINS. Do you refer to the ex-ambassador?

Senator HITCHCOCK. Yes.

Mr. HOPKINS. No, sir; I think he simply acted as an intermediary in the matter of the purchase of one of them.

Senator HITCHCOCK. That is, its sale to the Mexican Government?

Mr. HOPKINS. Yes; to the national railways, under the cientifico régime, and he made a very substantial profit by the transactions.

Senator FALL. Let me ask you again: Do you not think it was really the desire of Gustavo Madero to possibly assist persons who were kind to him, or with whom he was acting, to get rid of the directors of Cowdray's railway—that is, the Pearson syndicate—who were also directors in El Aguila? Some of those were directors also of the Mexican National.

Mr. HOPKINS. Luis Riba, Pablo Macedo, Landa y Escandon, Porfirio Diaz, jr., and other of this group were all Cowdray's friends and supporters; and when through his influence and through their own they were put, you might say, in command of the National Railways, some of the stockholders began to sit up and take notice, as they feared that the same methods that had been applied to the Tehuantepec National Railway would be applied to the National Railways of Mexico and thereby very seriously interfere with the dividends.

Senator FALL. Afterwards the Mexican Central was acquired by the Mexican Railways and Pearson was perfectly satisfied with that arrangement?

Mr. HOPKINS. He had nothing to do with it; that consolidation was made possible and effected through Mr. Pierce.

Senator FALL. As a matter of fact, the Mexican Central Railroad had been paying only a very low price when that arrangement was made?

Mr. HOPKINS Yes.

Senator FALL. And, in fact, after it became a part of the Mexican Railways, it became a paying institution?

Mr. HOPKINS. Undoubtedly

Senator FALL. So that at the time Gustavo Madero was patriotically wanting to get rid of its directorate, the railway was a paying institution, which had not been a paying institution in the past?

Mr. HOPKINS. Yes; thanks to the New York board. It was the menace that stirred the shareholders.

Senator FALL. And Pierce still retained some interest in that road?

Mr. HOPKINS. Oh, yes. I do not think that Mr. Pierce, who was chairman of the New York board, was so alarmed as some others.

Senator FALL. And Mr. Pierce was formerly interested in other business in Mexico?

Mr. HOPKINS. Very materially.

Senator FALL. And Cowdray was interested?

Mr. HOPKINS. Was his competitor.

Senator FALL. Was his competitor; yes.

Mr. HOPKINS. He was.

Senator FALL. As a matter of fact, Cowdray was considered to be the one partner that Diaz had ever had in Mexico?

Mr. HOPKINS. Yes.

Senator FALL. And as a part of Pierce's scheme to down Cowdray thoroughly he was getting rid of Diaz's friends in the Cowdray properties and in the oil company, which was a competitor of Pierce?

Mr. HOPKINS. Yes, sir. He desired, I suppose, to get rid of Cowdray's directors in the National Railways, in which Cowdray did not own a share and in which he, Pierce, was the largest individual security holder. It was a case of protecting himself against piracy.

Senator FALL. And Pierce had sold a road which was not paying to the Cowdray associates, and they had brought it up at that time, and Madero wanted to take the control away from him?

Mr. HOPKINS. That is true only to a limited extent. When Mr. Pierce sold the Central to the Mexican Government his dealings were with Mr. Limantour, and not with Cowdray's associates. At that time the road was, I have understood, on a prosperous basis, and its stock worth four or five times as much as when Mr. Pierce bought it. Cowdray had no interest as a shareholder in this business.

Senator FALL. Then, I do not see where his patriotism came in. That is a matter of judgment, of course.

Mr. HOPKINS. This was not alone the view of Gustavo Madero, but it was the view of everyone connected with the revolutionary movement.

Senator SMITH. What was the motive?

Mr. HOPKINS. The motive was to get rid of the cientificos on the board of directors, who were also political reactionaries and enemies of the revolution.

Senator SMITH. Was not the motive—one of the motives of the revolution—to get control of these properties?

Mr. HOPKINS. No. The proof of it is that they have not taken any special control, except to remove opportunity for graft; they have not taken, certainly, as much control as the Diaz government exercised.

Senator SMITH. That does not quite answer the question.

Mr. HOPKINS. I should say no. I should not say that that was a special motive.

Senator SMITH. It all works out in the wash?

Mr. HOPKINS. I should say that was a mere house-cleaning incident.

Senator HITCHCOCK. Were the directors allowed to remain?

Mr. HOPKINS. No, sir; they were forced out.

Senator HITCHCOCK. They were forced out?

Mr. HOPKINS. Yes.

Senator HITCHCOCK. And new directors were put in satisfactory to Pierce and Madero?

Mr. HOPKINS. No, sir; not satisfactory to Pierce, but satisfactory to President Madero. Mr. Pierce was not consulted. I do not understand that he cared who the new directors were, so long as they were square.

Senator HITCHCOCK. I understood you to say Madero and Pierce were operating together?

Mr. HOPKINS. No, sir; I said that their views were harmonious about getting rid of objectionable characters.

Senator HITCHCOCK. And Madero was actuated by patriotism?

Mr. HOPKINS. Absolutely and entirely, and I can tell you that it is susceptible of proof that the Government of which Mr. Madero is president did not consult Mr. Pierce when the new directorate was selected. Furthermore, the bulk of changes were not made until the annual meeting of stockholders in October, 1911, and then in the manner prescribed by law.

Senator HITCHCOCK. You say that Madero and Pierce operated together?

Mr. HOPKINS. No, sir; I repeat that their views were harmonious. There was absolutely no connection. I also repeat that I did not even know Mr. Pierce; I did not know anyone connected with him, and I had never spoken with anyone acting for him until the revolution was over.

Senator HITCHCOCK. You spoke of being retained by him.

Mr. HOPKINS. Not long after the revolution, but after the revolution had ceased.

Senator HITCHCOCK. To assist in getting them out?

Mr. HOPKINS. To assist in giving due publicity——

Senator HITCHCOCK. In getting out those directors that Madero wanted to get out?

Mr. HOPKINS. Yes; only Mr. Madero did not have to cooperate.

Senator HITCHCOCK. So that both Pierce and Madero were cooperating, and you were acting for both of them?

Mr. HOPKINS. They had ideas in common. But Mr. Madero as president could have removed any director whenever he wished, but refrained from such a radical course. I was not acting for Mr. Madero naturally at this time.

Senator SMITH. That was the first connection that you admitted this morning, was the railway aspect of it?

Mr. HOPKINS. Yes.

Senator SMITH. As a matter of fact, it is rather an incident, if you may treat it as such——

Mr. HOPKINS. Yes. It is an incident.

Senator SMITH (continuing). Of the revolution. This evolution of the railroad properties down there is all an incident to the revolution, of course. It could not have occurred if Diaz had remained?

Mr. HOPKINS. You mean the directors would not have been forced out if Diaz had remained?

Senator SMITH. I mean these changes would not have taken place?

Mr. HOPKINS. No; probably not.

Senator SMITH. But you went down there to bring these weaknesses to the attention of the Mexican people?

Mr. HOPKINS. Yes.

Senator SMITH. With a view to bringing about just what has taken place, did you not?

Mr. HOPKINS. Yes.

Senator SMITH. That has been a part of your service?

Mr. HOPKINS. Yes.

Senator FALL. Mr. Hopkins, of course, you were here, I presume, and not at Juarez, when the attack was made at Juarez which was finally successful?

Mr. HOPKINS. I was in Washington.

Senator FALL. But you are very familiar, of course, with what was done there?

Mr. HOPKINS. Yes; very familiar.

Senator FALL. Why was it that Madero did not want Juarez attacked at the time it was attacked, and why was it he ordered his troops out?

Mr. HOPKINS. There have been many explanations made of that.

Senator FALL. Do you know his father?

Mr. HOPKINS. Yes, sir; very well, indeed.

Senator FALL. His father, who was on here and in New York and in Washington?

Mr. HOPKINS. Yes.

Senator FALL. His father was not originally in favor of the Madero revolution, was he?

Mr. HOPKINS. That is true, sir, as I have understood it.

Senator FALL. That he was not?

Mr. HOPKINS. Yes, sir; his sympathies, I have heard, were very doubtful before the outbreak.

Senator FALL. He came on here. Were you with him in New York?

Mr. HOPKINS. Yes. I saw him there.

Senator FALL. At the Belmont Hotel?

Mr. HOPKINS. At the Belmont and at the Astor.

Senator FALL. Was José Y. Limantour with him at the Belmont at the time?

Mr. HOPKINS. No, sir; he came to the Astor afterwards, where a special suite of rooms had been prepared.

Senator FALL. Mr. Limantour was at that time what we know as the secretary of the treasury, was he not?

Mr. HOPKINS. The minister of finance.

Senator FALL. And he was also a director in this oil company, was he not, of Cowdray?

Mr. HOPKINS. No, sir; he was one of the few men among the cientificos whose skirts were clean.

Senator FALL. Was he not a director in the Mexican National Railways?

Mr. HOPKINS. As minister of finance he was, ex officio, a director,

Senator FALL. And was a special appointment made, and was there a conference between Madero, sr., and Mr. Limantour?

Mr. HOPKINS. And also Dr. Francisco Vasquez Gomez.

Senator FALL. That was immediately upon Limantour's return from France, was it not?

Mr. HOPKINS. Yes; a little prior to going to Mexico.

Senator FALL. Do you remember a newspaper report of an interview with Mr. Limantour, just as he was leaving France?

Mr. HOPKINS. Yes; very well.

Senator FALL. With reference to Mexican affairs?

Mr. HOPKINS. Very well.

Senator FALL. Do you remember that Mr. Creel issued a denial from Mexico City that any such report could have any authenticity?

Mr. HOPKINS. Very well.

Senator FALL. In that interview Mr. Limantour practically stated that Diaz ought to get out of the presidency.

Mr. HOPKINS. Quite true.

Senator FALL. And then Limantour went to New York and had there a conference with Francesco.

Mr. HOPKINS. Yes.

Senator FALL. Don Francesco, sr., then went down to San Antonio, and afterwards followed his son in the field with Orozco, followed his son down into the camp, and came back with him a portion of the way, at least, up to Juarez. Now, do you know whether the negotiations then pending between José Limantour and Francisco, sr., had anything to do with the orders issued by Madero, now Presi- of Mexico, to Orozco and others, not to attack Juarez?

Mr. HOPKINS. Yes.

Senator FALL. May I ask the source of your information?

Mr. HOPKINS. From the very first I have not fallen back at all on my right to decline to answer.

Senator SMITH. No; you have been very good.

Mr. HOPKINS. And I am not going to do it now. My source of information was Dr. Francisco Vasquez Gomez and José Vasconcelos.

Senator FALL. Do you know what the purport of those negotiations had been between Limantour and the elder Madero, news of which was carried to Francisco Madero, now president, and which pending negotiations caused him, or were purported to have caused him, to order Orozco not to make an attack on Juarez?

Mr. HOPKINS. Let me answer that. I want to answer it a little more in extenso.

Senator FALL. Yes.

Mr. HOPKINS. Those negotiations, the pendency of those negotiations, and the apprehension with which Francisco Madero was inspired that any attack by him on Juarez, and which might lead to casualties on the American side, might be followed by intervention on the part of the United States.

Senator FALL. Well, these negotiations which occurred in New York, and a report of which was taken by Francisco Madero, sr., to Francisco Madero, jr., had nothing to do with the fear of casualties on this side.

Mr. HOPKINS. No, sir; they were two separate and distinct points.

Senator FALL. What were those negotiations?

Mr. HOPKINS. They were negotiations looking to a compromise.

Senator FALL. Was any money offered?

Mr. HOPKINS. Not that I know of.

Senator SMITH. Did you hear of any?

Mr. HOPKINS. No, sir. Of course, I read the usual rumors in the newspapers, but that is all I ever heard.

Senator FALL. Now, you got your own knowledge from these parties, either of them we have been talking about, these revolutionists, or from Mr. Limantour, and of your own knowledge, then, you do not know whether Limantour at that time offered certain financial inducements which caused Mr. Francisco I. Madero to order a retreat of his forces from Juarez?

Mr. HOPKINS. No, sir.

Senator FALL. Did you ever, from any source of information, learn what report, if any, Limantour made to President Diaz in the City of Mexico, with reference to the revolution?

Mr. HOPKINS. No, sir; I never learned.

Senator FALL. Do you know whether any information was conveyed by himself or by any representative of President Diaz, with the knowledge of any of the revolutionists or of yourself, to President Diaz, as to what might occur in the event the revolution went on, with reference to the possibility of American intervention?

Mr. HOPKINS. I can not say that I have any such knowledge, personally.

Senator FALL. Do you know anything about the financial condition of the house of Madero at the time of the outbreak of this revolution?

Mr. HOPKINS. No, sir.

Senator FALL. Do you know anything about any judgments which were of record in various cities in Mexico against the house of Madero and individual members of the family?

Mr. HOPKINS. Do you mean judgments which were rendered by the courts subsequent to the outbreak of the revolution?

Senator FALL. Well, at the time, and——

Mr. HOPKINS. I have understood that parties were encouraged to bring suits against them, and that various judgments were rendered against individual members of the family, and that the Government sought to intervene in the affairs of the Bank of Nueva Leon for the purpose of injuring them as much as possible, and that agents of the Government were sent down to Nueva Leon for the purpose of taking charge of their affairs.

Senator SMITH. Do you mean these claims were fictitious?

Mr. HOPKINS. Not necessarily fictitious.

Senator SMITH. Annoying?

Mr. HOPKINS. Yes.

Senator SMITH. Do you mean that the whole power of the Government was being exerted to enforce the collection of those claims in a very onerous way?

Mr. HOPKINS. Yes.

Senator FALL. You do not know, of yourself, as to whether those judgments were obtained upon genuine claims, or, as some of them claim, upon fictitious claims?

Mr. HOPKINS. No, sir; I do not; though I heard that they were framed up like the case against Mr. Sanchez Azcona.

Senator FALL. Do you know Mr. Moir?

Mr. HOPKINS. No, sir.

Senator FALL. Do you know anything about the rubber business of the Madero family?

Mr. HOPKINS. Only in a general way.

Senator FALL. You had nothing to do with financing their affairs?

Mr. HOPKINS. I had absolutely nothing whatever to do with their affairs at all.

Senator FALL. I did not know whether you had been their financial agent in any way.

Mr. HOPKINS. No, sir; nothing of that sort.

Senator FALL. Do you know whether Gustavo Madero, in the city of El Paso, received money from the Continental Rubber Co.?

Mr. HOPKINS. No, sir; I do not; and I doubt it very much, for the reason that I know that Gustavo was about at the end of his bank account at that time and that the capture of Juarez and the consequent ability of the revolutionists to enjoy the receipts of the customhouse rendered his official position much easier.

Senator FALL. Do you know whether, immediately upon the capture of Juarez, Gustavo Madero made and secured the cashing of drafts on banks in the City of Mexico to the amount of $150,000?

Mr. HOPKINS. No; I do not know anything about those operations at all.

Senator FALL. Do you know where Gustavo Madero is now?

Mr. HOPKINS. He was in Mexico City the last that I knew.

Senator FALL. Did you have anything to do with the purchase of any arms or ammunition here for the revolutionists?

Mr. HOPKINS. No, sir; I never purchased any. Except during the Spanish War, when I was concerned in the purchase of some materials of war for our own Government, I never purchased a gun in my life—that is, personally.

Senator SMITH. You knew they were purchased here?

Mr. HOPKINS. Yes.

Senator FALL. You knew who purchased them, did you not?

Mr. HOPKINS. Yes.

Senator FALL. I do not want to appear to be contentious. Certainly I am not asking anything that I intend to be in any objectionable way; but you, as a matter of fact, have had a good deal to do with revolutions, have you not?

Mr. HOPKINS. I have had, Senator, something to do with them; yes, sir; also in maintaining certain constituted governments.

Senator SMITH. You knew that Zelaya was going to be put out of the Presidency of Nicaragua some time before he was?

Mr. HOPKINS. Yes, sir.

Senator SMITH. And you imparted your knowledge to people in Europe, did you not?

Mr. HOPKINS. Yes. I imparted the information to a friend of mine named Otto Fuerth, whom I had known for a number of years and who had vital interests in that Republic, and I did not want to see him make a loss, and I gave him a little quiet information.

Senator SMITH. Your information was in the nature of rather positive information, coming direct, as to what was going to happen?

Mr. HOPKINS. I knew exactly what was going to happen. I knew that nothing could save Zelaya.

Senator SMITH. That came directly from our Government?

Mr. HOPKINS. I should not say directly from our Government, Senator. I knew what was going to happen before our Government did, and stopped Zelaya's loan from going through. I am also free to say that I received a great many hints that things were going to happen. I knew the sentiment in the Department of State and elsewhere, and felt that if a revolution once started on the east coast of Nicaragua Zelaya was lost.

Senator FALL. A copy of that letter, or what purports to be a copy of that letter, is in the hands of this committee by a very peculiar incident.

Mr. HOPKINS. I do not believe there is anything in the letter that I should be ashamed of.

Senator FALL. I do not mean that to be assumed, at all. I have not a transcript of the matter here before me, but it showed you were familiar with revolutions.

Mr. HOPKINS. I was. I am free to admit that I did everything I could to drive both Zelaya and Madriz out of Nicaragua. I do not think I ever worked any harder in my life than I did on that case. This pair both sought the hospitality of the cientificos in Mexico upon their overthrow.

Senator FALL. And you say you do not know the Mexican Petroleum Co.?

Mr. HOPKINS. I know the name of the Mexican Petroleum Co. I think there is a Mexican Oil Co. and a Mexican Petroleum Co., but I do not identify them particularly.

Senator FALL. Do you know Ed Doheney?

Mr. HOPKINS. I know who he is.

Senator FALL. And Mr. Canfield, his partner?

Mr. HOPKINS. Now, if you will pardon me, the Mexican Petroleum Co. is Doheney's company, which is, I think, a very large exporter of oil, and the understanding is that they have arrived at an understanding or something more with the Standard.

Senator FALL. That the Mexican Government have certain concessions?

Mr. HOPKINS. I do not know anything about that.

Senator FALL. Do you know about what is known as the Adler concession, a pipe-line concession in Vera Cruz?

Mr. HOPKINS. Yes. I can assure you that the Adler concession is not worth the paper it is written on, and Mr. Madero has so indicated. As soon as he found out what——

Senator FALL. But Mr. Madero himself made a personal request of the Congress that the pipe-line concession should be granted.

Mr. HOPKINS. It could not have been that pipe-line concession. I do not think Mr. Madero ever made such a personal request. I think your information is in error in that respect. The Adler pipe-line concession was first obtained from the Legislature of the State of Vera Cruz, and was subsequently confirmed by the Federal Government, and as soon as the matter was brought to the attention of Mr. Madero, I think the word went out that the concession would not be worth much.

Senator FALL. It was, however, confirmed after his accession?

Mr. HOPKINS. Oh, yes.

Senator HITCHCOCK. How could the word go out that it would not be worth anything?

Mr. HOPKINS. I understood that the declaration was made by a member of the cabinet, which indicated to all persons——

Senator SMITH. A member of the cabinet of the Mexican Government?

Mr. HOPKINS. Yes. That indicated to all persons interested in the shipment of oil that this concession would never be of much value to anyone.

Senator HITCHCOCK. What did that mean?

Mr. HOPKINS. Exactly what the language implied.

Senator HITCHCOCK. That the Government would repudiate it?

Mr. HOPKINS. Not that the Government would repudiate it, but that the Government would not regard with favor its carrying out.

Senator HITCHCOCK. What is the difference?

Mr. HOPKINS. Almost any construction can be placed upon it. I do not think it is President Madero's idea, and I do not think it is the idea of the present administration of Mexico, to issue any concession which could be called monopolistic. I do not think it is the idea of Mr. Madero's Government to invite into Mexico any corporations who have any such ideas or principles; and I think it was in harmony with that policy that this hint was given out. I am giving you this information purely by hearsay.

Senator SMITH. They granted it in the first instance right after they came into power?

Mr. HOPKINS. Yes. It was granted under a misapprehension.

Senator SMITH. They granted it after they came into power?

Mr. HOPKINS. The State of Vera Cruz granted that concession as one of our States would grant a permit or franchise, and then it had to be confirmed by the Federal Government, and it was confirmed by publication in the Diario Official.

Senator FALL. El Aguila was the Cowdray Oil Co.?

Mr. HOPKINS. Yes.

Senator FALL. Madero went to work to do all he could to break down the Cowdray influence in Mexico?

Mr. HOPKINS. He has followed the law, and I have heard of none of the Cowdray concessions having been forfeited or repudiated.

Senator FALL. Then the Mexican Petroleum Co. did get very valuable pipe-line concessions, exclusive concessions?

Mr. HOPKINS. No, sir; the Mexican Petroleum Co. did not get the Adler concessions, although it may have obtained one to pipe its oil from its wells to tidewater.

Senator FALL. Well, allied interests?

Mr. HOPKINS. As I understand it, the Adler pipe-line concession was the only large concession granted for piping oil down there. As I understand it, that concession has never been transferred; and as I further understand it, it has practically lapsed by limitation and about ceased to exist.

Senator FALL. The Mexican Petroleum Co., at any rate, is now doing a large business in Mexico?

Mr. HOPKINS. Yes; very large with the Standard.

Senator FALL. You keep fairly posted with reference to the stock market, and things of that kind, in Mexico?

Mr. HOPKINS. I do in regard to some of the very large companies.

Senator FALL. Do you know what the shares of the Mexican Petroleum Co. were worth before the Madero revolution became successful?

Mr. HOPKINS. No, sir; I do not.

Senator FALL. Do you know what they are worth now?

Mr. HOPKINS. The last I saw, they were worth seventy-odd.

Senator FALL. I think 85 was the last quotation. There has been a very large increase from what they were?

Mr. HOPKINS. A very large increase. That increase has taken place since the Mexican Petroleum Co. arrived at an understanding with the Standard Oil Co.

Senator FALL. Yes.

Mr. HOPKINS. And, as I understand, it is the Standard Oil Co. money that has enabled the Mexican Petroleum Co. to strengthen itself there.

Senator FALL. Yes; and do you know whether Doheney and Canfield are interested in the Mexican Petroleum Co., or whether it is practically owned by the Standard Oil Co.?

Mr. HOPKINS. They still manage it, I may say. According to common report, however, this company is controlled, if not owned, by the Standard Oil Co. I know on one occasion they were a little hard up for money, and all they had to do was to go to No. 26 Broadway, where they got $400,000 within a few minutes.

Senator SMITH. To the Standard Oil Co.'s offices?

Mr. HOPKINS. Yes. Will you permit me to insert something in the record?

Senator SMITH. Yes.

Mr. HOPKINS. I should like it to be distinctly understood, since my name has been mentioned in connection with the Waters-Pierce Oil Co., that that company is not a Standard Oil Company, and has used every endeavor at its command to divorce any interests which it might have had in common from the Standard; that the Waters-Pierce Oil Co. has done more than anyone else to keep the Standard out of Mexico, and has been and is its greatest enemy in that country. I just want to get that in the record.

Senator HITCHCOCK. Will you state when that divorce began?

Mr. HOPKINS. Yes.

Senator FALL. And state how long that fight has been going on?

Mr. HOPKINS. I can tell the whole story.

Senator HITCHCOCK. Just state its beginning.

Mr. HOPKINS. I do not know that I can state the date of its beginning with absolute accuracy, but it was long before the revolution broke out.

Senator SMITH. How long?

Mr. HOPKINS. At least two or three years.

Senator SMITH. Yes.

Senator HITCHCOCK. At that time did not the Standard Oil Co. control a majority interest in the Waters-Pierce Co.?

Mr. HOPKINS. The Standard Oil Co. obtained, surreptitiously, some outstanding stock in the Waters-Pierce Oil Co., which gave it a control. Then it attempted to exercise that control; but, as I understand it, Mr. Henry Clay Pierce was enabled to balk the Standard,

not only in Missouri but in Texas, and as the result the Standard was driven from Texas as well as from Missouri. At the present time Mr. Pierce has all the stock of the Waters-Pierce Co. The Standard Oil Co. has none.

Senator HITCHCOCK. I thought the Standard Oil Co. controlled the Waters-Pierce Co.?

Mr. HOPKINS. Mr. Pierce has compelled the Standard Oil Co. to sell its stock, and he owns it outright now; he and his friends, of course. The Standard Oil Co. owns nothing in the Waters-Pierce Co.

Senator HITCHCOCK. Did not the Standard Oil Co. own a controlling interest of the Waters-Pierce Co. at the time the Mexican revolution broke out?

Mr. HOPKINS. Yes; and under a decree of the Supreme Court of the State of Missouri the Standard Oil Co. was enjoined from exercising any control over the Waters-Pierce Oil Co. or its business, or doing any business with the Waters-Pierce Oil Co., or doing any business in the State of Missouri.

Senator HITCHCOCK. Yes; but this is the point: If the Standard Oil Co. controlled the Waters-Pierce Oil Co. at the time the revolution broke out, does it not then follow that anything done by the Waters-Pierce Oil Co. at that time was practically done by the Standard Oil Co.?

Mr. HOPKINS. No, sir; because the Standard Oil Co. did not control the Waters-Pierce Oil Co.

Senator FALL. You mean, did not control the management, do you not?

Mr. HOPKINS. Did not control the management, business, or policy. The only connection that the Standard Oil Co. had with the Waters-Pierce Oil Co. was that it owned stock in it. It had absolutely nothing to do with the Waters-Pierce Co. That was the great bone of contention.

Senator FALL. It controlled the stock but not the management?

Mr. HOPKINS. Yes.

Senator FALL. And, as a matter of fact, the fight between the two companies in Mexico was a fight between the parent and child? Henry Clay Pierce wanted to keep control of that territory in which his company had been organized?

Mr. HOPKINS. Yes; and as a result the Standard Oil Co. has what we may call an arrangement with the Cowdray interests and with the Doheney interests, and has made contracts with them, as a result of which the Standard Oil Co. to-day practically controls the entire output of crude oil in Mexico, a very serious thing, that will doubtless, in due course, receive proper consideration.

Senator FALL. Pierce, then, was not successful in his fight with them down there since the revolution?

Mr. HOPKINS. Not yet. Furthermore, I think, since this subject has been touched upon, I may add that the Standard Oil Co.—that is, John D. Archbold, Teagle, Folger, and the crowd at 26 Broadway—organized in Texas some time ago, keeping their interest secret, of course, a company called the Magnolia Petroleum Co., as the result of which they are now under indictment by a Federal grand jury for violation of the Sherman Act, and, according to Attorney General

Wickersham, will be reindicted next month and tried in February. About four months ago—of course this was before they were found out—that company purchased some 400 acres of land, surreptitiously, at Tampico, and the Standard Oil Co. sent down its own men to go over the land and survey it and purchase it for the Magnolia Co., all the while denying they had any interest in it. They were to erect, and will erect, on that land an immense refinery, and with that as a base and with the possible consolidation with the Aguila Oil Co. they will endeavor to monopolize the oil business in Mexico, precisely as they did in this country until recently; all of which I think will be very bitterly opposed by the Madero administration and the Federal Government of Mexico.

Senator SMITH. You speak of their going to the Standard office and getting a check for $400,000.

Mr. HOPKINS. Yes; Mr. Doheney, whose Mexican petroleum company is now controlled by the Standard.

Senator SMITH. How did you know about that?

Mr. HOPKINS. I was informed of it the same day.

Senator SMITH. By whom?

Mr. HOPKINS. The information came from a man in the office of the Standard Oil Co., and was communicated to a gentleman who informed me. I really do not think it is proper that I should mention his name, unless there is some urgent necessity for it.

Senator SMITH. Was it Mr. Pierce?

Mr. HOPKINS. No, sir.

Senator SMITH. Was it Gustavo Madero?

Mr. HOPKINS. No, sir. This was in the summer of 1911—in August or September, I think.

Senator SMITH. It was not the secretary of the president?

Mr. HOPKINS. No, sir. This was in New York; this took place in New York, while I was in New York myself.

Senator SMITH. I understand.

Mr. HOPKINS. On the same day that it happened.

Senator SMITH. I was just wondering how you happened to get that information so promptly.

Mr. HOPKINS. That was the way.

Senator SMITH. I suppose others wondered at the same thing.

Mr. HOPKINS. Yes.

Senator FALL. There is a little information that I might like on behalf of the committee from Mr. Hopkins later. I do not know of anything just now, but I have some documents I want to look over for some names. If the committee will send for him in future, at some time that suits his convenience, I would like to reserve the right to ask him a few questions at that time.

Mr. HOPKINS. Any time, Senator, I am at your service.

Senator SMITH. Senator Hitchcock, do you want to ask any questions?

Senator HITCHCOCK. No; I do not think so.

Senator SMITH. Judging from all you have said, Mr. Hopkins, your familiarity with the Waters-Pierce interests and the fight they have been making in Mexico and your intimate relations with Mr. Madero, you have not been paid any very large sum for what you have done for them

Mr. HOPKINS. I was paid a fair fee by the Government for what I did during the revolution.

Senator SMITH. Yes; and that was not supposed to cover your services to Mr. Henry Clay Pierce, was it?

Mr. HOPKINS. Oh, of course not.

Senator SMITH. Are you receiving a salary now?

Mr. HOPKINS. No, sir.

Senator SMITH. Are you from the Mexican Government?

Mr. HOPKINS. No, sir.

Senator SMITH. That has been stated. That is the reason that I asked you the question.

Mr. HOPKINS. No, sir; I am not.

Senator SMITH. Going back to the question of your original employment, I think you said to Senator Hitchcock that at the time this revolution began the Standard Oil Co. had a very large interest in the Waters-Pierce Co.?

Mr. HOPKINS. Yes.

Senator SMITH. And practically acquired control of its stock—a majority?

Mr. HOPKINS. They had a majority holding.

Senator SMITH. Yes.

Mr. HOPKINS. But they did not control the company.

Senator SMITH. Through any agency of the Waters-Pierce Co., or anyone else, did you ever perform any service for the Standard Oil Co.?

Mr. HOPKINS. Under no circumstances whatsoever. I have never had a thing to do with the Standard Oil Co., either directly or indirectly.

Senator SMITH. That is, knowingly?

Mr. HOPKINS. Knowingly. I know positively that I have not.

Senator SMITH. Then what you did for the Waters-Pierce Co. would not inure to their benefit?

Mr. HOPKINS. On the contrary, everything that I did for the Waters-Pierce Co. was against the interests of the Standard.

Senator HITCHCOCK. The Standard had stock in it?

Mr. HOPKINS. It had stock in it; but it was quite willing to sacrifice its stock interest to destroy the Waters-Pierce Oil Co., because they saw what was coming, and that the Waters-Pierce Oil Co. would be able to so establish itself that it could withstand any attack.

Senator SMITH. In Mexico?

Mr. HOPKINS. Everywhere; in Mexico and in the Middle West.

Senator FALL. How could they do it in Mexico unless they could get some such law, some such decision, as was obtained in Missouri and Texas?

Mr. HOPKINS. That is what they have obtained now.

Senator FALL. But they had to get something of the same kind in Mexico in order to succeed?

Mr. HOPKINS. No; they organized under the laws of the State of Missouri, and they are doing business under that charter in Mexico.

Senator FALL. That is, Mexico has recognized their charter as it does a Mexican charter?

Mr. HOPKINS. Yes; and, as I say, the Standard Oil Co. is out of it. They do not own a share of stock in the Waters-Pierce Co.

Senator FALL. That is, now; but at the time they did own it and were doing business in Mexico, the Standard Oil Co. actually owned it?

Mr. HOPKINS. Yes; the stock.

Senator FALL. And the only way that they could be compelled to divorce themselves in Mexico would have been by some such decision as that in Missouri and Texas, rendered in Mexico?

Mr. HOPKINS. That is quite true; but the Standard Oil Co. was not keen to meddle in Mexico until they began to have this relationship with Cowdray & Doheny.

Senator HITCHCOCK. Do the Cowdray companies still enjoy the benefits of their concessions there?

Mr. HOPKINS. Yes, sir.

Senator HITCHCOCK. And the Standard Oil Co. is simply a purchaser of their products?

Mr. HOPKINS. No one knows, Senator, exactly the nature of the interest that the Standard Oil Co. has in the Cowdray properties; but we all know that they do have an interest, and control them, because the Standard Oil Co. steamers are there at Tampico every day getting oil from the Cowdray & Doheney companies.

Senator FALL. A half ownership of the Cowdray company, of that scheme, of that whole business, was in the Mexican Government?

Mr. HOPKINS. No, sir.

Senator FALL. Practically so?

Mr. HOPKINS. No.

Senator FALL. And in the Aguila, what we call the Aguila down there?

Mr. HOPKINS. There were vast personal holdings of some of the leading men of the Mexican Government.

Senator FALL. Was it not a Government property?

Mr. HOPKINS. Not of the Government.

Senator FALL. Was it not?

Mr. HOPKINS. That is true of the Tehuantepec Railway across Tehuantepec, which Cowdray operates for the Government.

Senator FALL. Yes.

Mr. HOPKINS. That is also true of the interest which the Mexican Government has in the American-Hawaiian Steamship Co.

Senator FALL. But it is not true of the oil business?

Mr. HOPKINS. No; but it is true of the land concessions.

Senator FALL. I am speaking now of the oil business.

Mr. HOPKINS. The Mexican Government participates in that only to the extent of receiving a royalty from oil taken from the National lands, over and above a certain number of barrels.

Senator FALL. Cowdray was interested in getting rid of the Cientifico directors, and putting his own directors in there, the Government still enjoying its rights?

Mr. HOPKINS. The Government has no directors in Cowdray's company.

Senator FALL. I understood you to say that the Cientificos crowd, who were partners or directors with Cowdray, Madero wanted to get rid of?

Mr. HOPKINS. No; I was speaking of wanting to get rid of them in the National Railways.

Senator FALL. How about El Aguila; as a matter of fact, were they not forced out of El Aguila?

Mr. HOPKINS. No, sir; that is a corporation entirely separate and independent of the Government. The Government has no control over it any more than over any other corporation.

Senator FALL. And the same directors who were directors before Madero took charge there, are they now the directors?

Mr. HOPKINS. No, sir; most of them have fled.

Senator FALL. And Madero has his own directors?

Mr. HOPKINS. No, sir. Mr. Madero has nothing to do with it; that is for Lord Cowdray alone. It is a corporation distinct from Government control.

Senator HITCHCOCK. Do you know whether the Cowdray Co. named the new directors?

Mr. HOPKINS. That is an oil company that is owned by Lord Cowdray and associates. Naturally they name the directors in their own company.

Senator HITCHCOCK. I thought you were speaking of the railroad.

Mr. HOPKINS. No, sir.

Senator FALL. I may be entirely wrong. I engaged in operations in Mexico sometime ago, in a turpentine company. I had relations with the oil companies, because they were largely purchasers of my product, and I had personal relations with men who were directors after the El Aguila was formed. I must say that my understanding was that El Aguila was a governmental concern, Lord Cowdray putting in certain properties and holding his interest, and the Government enjoying, the general understanding was, one-half of the profits.

Mr. HOPKINS. No; I can assure you that your understanding was wrong.

Senator FALL. I may be wrong.

Mr. HOPKINS. Because I have read the articles of incorporation very carefully; I know perfectly well the conditions.

Senator FALL. Mr. Creel was a director of El Aguila?

Mr. HOPKINS. Mr. Creel is now president of the El Aguila Oil Co.

Senator SMITH. Did you ever have any dealings with that bank that you spoke of this morning, where Gustavo Madero deposited six hundred and odd thousand dollars?

Mr. HOPKINS. The International Banking Corporation?

Senator SMITH. Yes.

Mr. HOPKINS. I have only had to deal with them in a friendly way, because my firm are counsel for the two great banks of the Far East; that is, the Hongkong & Shanghai Banking Corporation and the Chartered Bank of India, Australia, and China. The International Banking Corporation was organized originally to enter the far eastern field, and in that connection I have been brought frequently in contact with a good many of their officials.

Senator SMITH. Is that the reason you suggested that the money be deposited there?

Mr. HOPKINS. Yes; I knew it to be a very solid institution.

Senator SMITH. Had you ever had any money deposited with them there?

Mr. HOPKINS. No, sir.

Senator SMITH. Have you since?

Mr. HOPKINS. Never.

Senator SMITH. It seemed to be perfectly agreeable to Mr. Madero to put it there?

Mr. HOPKINS. Yes; he knew the stability of the institution.

Senator SMITH. It gives you rather an intimate acquaintance with the financial operations of Mr. Madero?

Mr. HOPKINS. Yes; I had opportunity to learn a good deal. I did not learn as much as I might have, however, if I had been a little more inquisitive.

Senator FALL. The two great banks in the City of Mexico are the Banco Nacional and the Banco de Londres?

Mr. HOPKINS. Yes.

Senator FALL. The Banco Nacional is practically a Government institution, is it not?

Mr. HOPKINS. Yes.

Senator SMITH. Is this International Bank a private institution?

Mr. HOPKINS. Organized, I believe, under the laws of the State of New York.

Senator HITCHCOCK. Where does it do business?

Mr. HOPKINS. All over the world.

Senator HITCHCOCK. It has branch offices in Washington?

Mr. HOPKINS. Its head office is in New York.

Senator HITCHCOCK. It has an office in Washington?

Mr. HOPKINS. No, sir.

Senator HITCHCOCK. It did have?

Mr. HOPKINS. Yes; it did have.

Senator HITCHCOCK. And one in Mexico City?

Mr. HOPKINS. It has one in Mexico City and one in Panama, and, of course, all the cities of the Far East.

TESTIMONY OF JUNIUS ROMNEY.

Junius Romney, being first duly sworn by the chairman, testified as follows:

Senator SMITH. Where do you live?

Mr. ROMNEY. I live at Colonia Juarez, Chihuahua, Mexico.

Senator SMITH. Are you an American citizen?

Mr. ROMNEY. Yes.

Senator SMITH. Where is your American home; in what State?

Mr. ROMNEY. I have been in Mexico so long that I really have no home here. I was born in St. George, Washington County, Utah. I have lived also in St. John, Ariz.

Senator SMITH. How old are you?

Mr. ROMNEY. I am 34 years old.

Senator SMITH. What is your business?

Mr. ROMNEY. I am at present the legal and ecclesiastical representative of the Mormon colonies in Mexico. I am a bookkeeper by profession.

Senator SMITH. You speak of being the ecclesiastical representative. What function does that indicate?

Mr. ROMNEY. I am president of the stake. The church organization is divided into districts. The country where the people live is divided into districts or sections, and each section is called a

stake. I am presiding officer in that stake. In this instance it comprises all the localities where our people are located in Mexico.

Senator SMITH. Are they Mormons?

Mr. ROMNEY. Yes.

Senator SMITH. How many Mormons are under your jurisdiction?

Mr. ROMNEY. Approximately 4,000. I think the last census showed 4,030, as I remember it. In round numbers it is 4,000.

Senator SMITH. Have they gone into Mexico for the purpose of residing there permanently?

Mr. ROMNEY. Yes; that was our intention.

Senator SMITH. Are they landowners there?

Mr. ROMNEY. Yes.

Senator SMITH. Cultivating the soil?

Mr. ROMNEY. Yes.

Senator SMITH. Are they engaged in trade and commerce in any way?

Mr. ROMNEY. Yes.

Senator SMITH. Do they have stores?

Mr. ROMNEY. We have stores, gristmills, and sawmills.

Senator SMITH. Any factories?

Mr. ROMNEY. Yes; a shoe, harness, and saddle factory and a canning factory, not on an extensive scale, however.

Senator SMITH. When did this exodus occur?

Mr. ROMNEY. I am not able to give the date of the exodus of the women and children without reference to my notes, but it was in the neighborhood of a week prior to the exodus of the men, and that occurred on the 2d day of August, 1912. It was the 28th of July when the exodus began. It consumed several days before we could get transportation, and some of the colonies farther from the railroad were two or three days in reaching the railroad.

Senator SMITH. How long had these people been in Mexico before they took their leave?

Mr. ROMNEY. As I remember it, we began the establishment of those colonies in 1885. I am not entirely positive as to the exact date of the first entrance into Mexico, but it was about 1885.

Senator SMITH. Was that about the time of the passage of the Edmunds law?

Mr. ROMNEY. I am not conversant with those facts.

Senator SMITH. You were not taking an active part at that time?

Mr. ROMNEY. No, sir; I was a small boy.

Senator SMITH. And they have been colonizing in Mexico since that time?

Mr. ROMNEY. Yes.

Senator SMITH. Until they now represent about 4,000 people?

Mr. ROMNEY. Yes.

Senator SMITH. Do they practice polygamy there?

Mr. ROMNEY. They do not practice it at present, except as in the United States. The same conditions prevail there as in the United States.

Senator SMITH. There are no plural marriages being solemnized at present?

Mr. ROMNEY. No, sir.

Senator SMITH. But those that were previously performed——

Mr. ROMNEY. They are supporting their families; yes, sir.

Senator SMITH. But you do not know of any polygamous marriages being solemnized now?

Mr. ROMNEY. There are none. I am in a position to know that there are no such marriages being performed.

Senator SMITH. Did most of these Mormons come from Utah?

Mr. ROMNEY. The majority came from Utah and Arizona, some from Idaho, and from any localities where there are Latter Day Saints.

Senator SMITH. How did they happen to go there?

Mr. ROMNEY. We have a good country there at present, and we have established a most excellent school system. The climate can hardly be beaten, and they have gone there because, on account of the climate and other conditions, they thought it a desirable place to live. The social conditions were very excellent in our colonies and financial opportunities were good. It is a new country, and land is very cheap compared with the same quality of land in the United States.

Senator SMITH. Is there any more latitude in Mexico than in the United States for the views entertained by the Mormons?

Mr. ROMNEY. We have never had any restrictions there. All the restrictions have come from our presiding officers in the church.

Senator SMITH. Voluntarily?

Mr. ROMNEY. Yes; voluntarily on the part of our leaders. Any restrictions in that regard have come from them. The Mexican Government has never interfered in our social conditions in any way.

Senator SMITH. In that respect they are much easier with you than they are in Utah?

Mr. ROMNEY. I do not know that it has been called to their attention. I do not know that their laws would be any different than they are in the United States. I do not know how that would be, but I am only speaking of our experiences.

Senator SMITH. How many people are under your direction in El Paso at the present time?

Mr. ROMNEY. I am not as well qualified to answer questions of that kind as some of my assistants would be who have been in direct charge here. You understand I remained with the people at home until the last ones came out, and since then I have been back there to investigate conditions; but I think that in the neighborhood of perhaps 1,500 people are at present here in El Paso. I should like to have you bear in mind, however, that I am not in a position to give you exact statistics. In a general way I should say about 1,500, from what I have heard my assistants say and the knowledge that I have of those who are with me.

Senator SMITH. Do you have any part in administering the funds for their entertainment?

Mr. ROMNEY. Nothing, except that when I was here recently a small amount of money was placed to my credit by Mr. A. W. Ivans, who was here representing the people, in order that I might have funds to defray my personal traveling expenses and to render limited aid in some extreme cases. Do you mean in regard to the fund so far as their food supply is concerned, and so on?

Senator SMITH. Yes; the Government fund?

Mr. ROMNEY. I have no direct part in that. They recognize me as the head, but there are other men appointed who have direct charge of that business and also of the transportation.

Senator SMITH. Is it your understanding that these Mormon colonists who have been driven out of Mexico are being maintained and supported in El Paso out of the Government fund?

Mr. ROMNEY. It is my understanding that the Government furnished them tents, in which to live, and that they made an appropriation for food for them.

Senator SMITH. And transportation?

Mr. ROMNEY. And that something was placed at their disposal for transportation; yes.

Senator SMITH. Are these people, as far as you know, availing themselves of that privilege?

Mr. ROMNEY. Yes; I think they are.

Senator SMITH. Have they any other sources of supply?

Mr. ROMNEY. None other except purely charitable means. Do you mean whether they have any other sources of support?

Senator SMITH. From having brought means with them or anything of that kind?

Mr. ROMNEY. Absolutely none.

Senator SMITH. Their property is all in Mexico?

Mr. ROMNEY. Every dollar. They came here practically penniless. In fact, everything that we have is in Mexico. We went to Mexico poor people, and every dollar we have has been applied there. We believe in public improvements and good schools and homes; and, not supposing we would be disturbed in this way, we have built good homes and bridges and school buildings and public improvements of that kind, besides planting good trees and getting improved breeds of stock and horses into the country. We had no bank accounts and no other interests in the United States.

Senator SMITH. All of your interests were in Mexico?

Mr. ROMNEY. All of them.

Senator SMITH. And all of these improvements to which you refer are permanent in their character?

Mr. ROMNEY. Yes. They are there to show for themselves.

Senator SMITH. So that these people have brought no money out with them?

Mr. ROMNEY. None at all, with the exception of a few dollars that some of them may have had.

Senator SMITH. In your capacity as the general representative of the church—I suppose I am correct in saying that you represent the church, am I not?

Mr. ROMNEY. Yes; that is correct.

Senator SMITH. You made it your business to go among these colonists and advise them what to do?

Mr. ROMNEY. Do you mean when they were in Mexico?

Senator SMITH. In Mexico.

Mr. ROMNEY. Yes; I advised them.

Senator SMITH. Was it upon your advice that they came out of Mexico?

Mr. ROMNEY. Yes; it was on my advice—not my advice alone, however; I did not assume all the responsibility. It was in keeping

with my advice, and I viewed it as necessary, if that is what you mean.

Senator SMITH. In the exercise of your office you took the responsibility, wherever necessary, of advising them that they get out of Mexico and come to the United States?

Mr. ROMNEY. Yes; I assumed the part of the responsibility that belonged to me. Of course, it does not all fall on me.

Mr. SMITH. I suppose most of the people are in the same general condition as yourself—they have left everything down there, so that they have no other homes?

Mr. ROMNEY. That is the condition; yes. They have lived down there so long that they have no other homes.

Senator SMITH. Did you ever exercise the right of voting in Mexico yourself?

Mr. ROMNEY. No, sir.

Senator SMITH. In local affairs?

Mr. ROMNEY. We have never had any elections in which I voted. I have expressed opinions regarding local officials who had immediate jurisdiction over us.

Senator SMITH. Some of your people voted, I suppose?

Mr. ROMNEY. I should explain to you that all officers who have presided over us have been appointed. We have had opportunity at times to express a choice, or perhaps not a choice, but to make a recommendation, and it has been listened to. We have had some views in that respect, and the person of our choice has at times been appointed to office where he had jurisdiction over us.

Senator SMITH. Do most of your Mormon people live in a limited area in the Republic of Mexico?

Mr. ROMNEY. Yes.

Senator SMITH. In what States?

Mr. ROMNEY. In the State of Chihuahua we have seven colonies, and the State of Sonora we have three.

Senator SMITH. Have you any colonies in any other Mexican State?

Mr. ROMNEY. No, sir.

Senator SMITH. You have 10 colonies altogether in Mexico?

Mr. ROMNEY. That is all in the way of any organization. Of course there are a few people who have gone on their own responsibility into other sections in a speculative way, but they have no organization.

Senator SMITH. How many people are represented in a colony?

Mr. ROMNEY. They vary in their population from, I should say, 250 to 1,100 people in a colony. There is one colony smaller than 250.

Senator SMITH. What is the future of these colonies now? What is going to become of these people?

Mr. ROMNEY. If you want an opinion from me, I think I could tell better a year from now. I would hardly dare to guess at this time.

Senator SMITH. Do they expect to go back to Mexico?

Mr. ROMNEY. Yes. We have our home there. Everything on earth that we own is there. That is the reason why the people have lingered here. If the conditions were stable, so that they would permit of their going back, they would go back immediately to their homes.

Senator SMITH. Have these colonies passed out from under the control or direction of the Mormon Church of America?

Mr. ROMNEY. No, sir.

Senator SMITH. They still adhere to that organization?

Mr. ROMNEY. Yes.

Senator SMITH. Is that the dominant organization in these colonies?

Mr. ROMNEY. In an ecclesiastical sense it is. Of course it does not supersede the Government, either in this country or in Mexico. It exercises no functions of that character. It is merely ecclesiastical, but in that sense they adhere to the same organization.

Senator SMITH. Have you received any advice from the head of the Mormon Church as to what course you ought to pursue?

Mr. ROMNEY. Yes; to this effect, to attend strictly to our own affairs and not to be mixed with either side of the controversy—not to take sides with either party in the controversy.

Senator SMITH. Was the head of the church consulted as to the movement of these refugees?

Mr. ROMNEY. No, sir; there was not time to consult anyone.

Senator SMITH. They acted upon their own initiative?

Mr. ROMNEY. We had to act upon our own initiative. If you desire an explanation of the conditions that made it necessary, I can give it to you.

Senator SMITH. I should like to have you do it.

Mr. ROMNEY. Do you want me to go back a little and explain the conditions during the revolution prior to the latter part of July?

Senator SMITH. Yes; I should like to have that.

Mr. ROMNEY. During the latter revolutions, as during the Madero revolution, our attitude has been one of strict neutrality.

Senator SMITH. You are speaking from personal knowledge?

Mr. ROMNEY. Yes; from personal knowledge, because I was in charge of affairs and know what I am talking about. Our position was one of strict neutrality. Our relationships with the Mexican people had always been friendly with all parties and factions of the people. We had taken no part in their politics, and our desire was to benefit them; and when the revolution began it was our policy to be strictly neutral, to take no part. During the other revolution some efforts were made by local officers to draw us into the federal ranks. They made some requests that we help them, but we made known our position and maintained it, and it was not long until they respected our position. In fact, developments showed them that it was the wiser course for us to keep out of it, and they seemed to appreciate that; and we also made known out attitude to the revolutionary faction, and they approved of it.

When this last revolution was hatched and developed in our immediate section we thought it wise to continue the same policy that we had pursued before, and so, when it was necessary, we announced our attitude to both parties and appealed to them in every instance to give us protection, explained to them that all we asked was to be left alone in our business, not to have our property rights interfered with, and we stated that we would keep strictly out of it, that we would not render any assistance to either party, but would attend to our own business and not mix in it. We also received a suggestion

from the United States to that effect—that is, I mean from our people in the United States.

Senator SMITH. From the church?

Mr. ROMNEY. Yes; and I think perhaps there had been some suggestion given to them—perhaps I had better say nothing about that, though, because that would be a supposition and not my own knowledge. I will say that we had received from our ecclesiastical leaders a suggestion to continue that same policy.

Senator SMITH. A policy of neutrality?

Mr. ROMNEY. A policy of strict neutrality. I will explain that when we went into Mexico it was a wild country, and we had taken firearms with us. Almost every man took some sort of firearms with him for the defense of his family. The Apaches inhabited that country when we first went in there. The Mexicans did not dare go where our colony was established because of the presence there of the Apache Indians. We took along firearms when we went in there and we acquired them gradually until we had quite a number of firearms which were the personal property of the individuals. We had no military organization, but we had them in our homes for our protection, and, as I said before, we were in perfect harmony with the people there. We received kind treatment from both the revolutionary party and the Federal Government, with the exception of the stealing that was done by the revolutionary party and their followers and sympathizers.

Of course, matters gradually grew worse, because of the unstable conditions in the country, and people who were that way inclined took advantage of the situation and cut pasture fences and stole horses wherever they could get them, and stole cattle for beef; and then a habit grew up among the revolutionary people of exacting from us things that they claimed to need in the way of horses.

Senator SMITH. You are speaking now of the Orozco revolution?

Mr. ROMNEY. Yes; both of them. It had also been more or less the custom in the Madero revolution to make exactions upon us, and for leather goods and things of that kind, but they had always given us receipts, and our attitude in regard to that was that we would not fight them. We would protest and use every peaceable and pacific means of avoiding giving anything to them; but when they would come and make demands and threats if we did not give them certain things, our policy was to give them as little as possible and get them to give us a receipt. In a few instances we got those receipts applied on our taxes, but a good many of the people hold those receipts at present and have never realized anything on them.

Senator SMITH. Were those receipts agreements to reimburse you?

Mr. ROMNEY. In case the revolution triumphed; that was about the way of it.

Senator SMITH. Was the form of receipt about the same on both sides?

Mr. ROMNEY. The Federal Government never exacted anything from us. It was only the revolutionary party that made any exactions.

Senator SMITH. I mean both the Madero and the Orozco revolutions.

Mr. ROMNEY. Yes; just about the same. We had these friendly relations with them—even with Orozco and Salazar.

I will say that conditions finally grew a little more strained, and shortly after this last revolution began they made up their minds to disarm us, and they sent a force of 35 men in Colonia Juarez, under the leadership of Enrique Portillo. Salazar had taken possession of Casas Grandes, and had demanded our arms and ammunition. There were not a great number of them then, and we did not feel justified in giving up our arms; and, in fact, the American consul, Mr. Edwards, has approved of our refusing to give them up. So we told them they could not have any of our guns, and that if it came to a matter of choice between using our guns or giving them up to them, we would use them, and that was our determination, because we felt we were not justified in giving them up to that small number of men. They arrested one man because he refused to give up his gun, prior to this. Before we gave them this ultimatum they had already arrested one man, and had written out a receipt for another gun and pistol, and then an armed body went to the houses where a Mexican had told them there was a gun and a pistol. The owner had slipped away. So then we gave them the ultimatum, and Portillo went back to Casas Grandes. I followed them up next morning to see Salazar and tell him the same thing. I took two or three men with me. We went down there to talk it over with them and have an understanding with them, and they decided to leave us alone, and not to interfere with our guns; said they did not want any trouble with us, and as long as we continued to be neutral they would respect our rights and would not interfere with us. Conditions continued that way. We have many written guaranties from Salazar and from Orozco and from various others, given at various times; but conditions kept getting worse, until finally, just two or three weeks before this final trouble came on, two of their federals went down to Colonia Diaz and made a demand for the guns there, and I went myself in the night to tell Salazar of the trouble at Colonia Diaz, and ask him to forestall it. They had given them until 10 o'clock the next morning to send in their arms.

Salazar complied with my request, but in our conversation he let drop a remark that gave me to understand that he intended to make a demand a little later. Of course, he did not say so directly, but in his conversation he said they had no business to deviate from their written orders—"not yet." Then he seemed to catch himself up, as though he had let slip something he did not want to, and went on discussing the situation; but we secured the order and forestalled that trouble.

Later I came out to El Paso with Salazar. He happened to be on the same train. He wanted me to take the matter up with the United States Government and let them import arms and ammunition. He told me that the people of the United States were the ones that were killing them off by taking sides with Madero. He said they were supposed to be neutral, but that they had taken sides with Madero, and because of their attitude and because of his being unable in consequence to get ammunition the United States were killing them off without taking any risks; and he said he intended to force the issue. to force the United States to get out and fight, because they could not kill them any worse than they were doing, and then the United States would be taking their chances along with them.

I went back to Casas Grandes and back to my home in Colonia Juarez, and I should judge along about the 25th or 27th of July, in

the latter days of July, Salazar sent for me at Colonia Juarez to come over the next day and see him. I went over with Mr. Bowman.

Senator SMITH. Who is Mr. Bowman?

Mr. ROMNEY. He is one of our colonists who resides at Colonia Dublan. He is manager of the largest mercantile institution there. He had come over to Colonia Juarez during the night to bring the message that Salazar wanted to see me. When we called out Salazar he was very much wrought up and told me that he had sent for me to tell me that they had withdrawn all kinds of guaranties from our people; that they would not give us any kind of protection, either for our lives or our property. I called his attention to the fact that he had given me written guaranties and verbal guaranties and that I had always felt that they were good, that we had relied on him to make good on them, and he replied in Spanish, saying. "Those are words," and intimated that they could be changed at any time he wanted to.

He then told me that they had made up their minds in consultation with Orozco to take from us all our guns and ammunition. I told him that we did not feel justified in giving them up, but he insisted that we must do it. I asked him then for sufficient time to bring our women and children out. There were then approximately about 2,000 rebels right there in the neighborhood of Casas Grandes, and they had five of six cannon. They were in the outskirts of Dublan, at the stockyards near Dublan. They had several rapid-fire guns. I asked him for time to remove our women and children before giving him a reply. He refused to grant that request. He said we would be a menace to them if we got our women and children out first, and that there was just one thing to do, that we must deliver those guns and ammunition immediately.

After arguing with him in every possible way that I could, we discussed the situation; and when he seemed to be a little convinced in his own mind, he and Demetrio Ponce would go out and talk a little while about it in another room, and then he would come back and say, "Anyhow, it is just a superior order that I have got from Orozco, and I have no authority except to comply with my orders." Then I asked him to give me time to see Orozco, and he said, "No; we have been acting the fool by giving guaranties to you people as long as we have. This thing has got to be done right now. Anyhow, we can not permit Americans to have arms in our territory, because intervention is now an established fact." He said that in Spanish. I am giving you his words as nearly as I can give them to you in English.

Senator SMITH. Did he not recognize your Mexican citizenship?

Mr. ROMNEY. I did not have any Mexican citizenship.

Senator SMITH. I mean the Mexican citizenship of the people.

Mr. ROMNEY. There were not very many who were Mexican citizens. There were very few who had ever become naturalized in Mexico. He repeated what he had said to me before, that the United States had taken sides with Madero, and he said if we wanted any protection to apply to Madero or to the United States Government.

When I could not get any permission to get away the women and children before we replied, I said, "Well, I will go and consult with the people and see what they say about giving up their guns." He said, "No; you can not leave here until that order is complied with.

You remain right here until that is complied with." I said, "Then that means that we are prisoners, does it?" He said, "Yes; you can not leave here until that order is complied with." I said, "Then, I will be with you a long time, because I do not think it will be complied with. I could not give any order to the colonists to bring in their guns and deliver them. We have no military organization. What few guns there are belong to the individuals. They have brought them in and paid for them themselves. They are their own property. I have no authority to order them to bring them in."

Then they went out and discussed it a little longer, and Demetrio Ponce said, "Well, you can make a suggestion to them to do it, and if you do that, they will bring in the guns. That is what we want them to do." I said, "I will not make any such suggestion, and I will not issue any such order from Casas Grandes, because if I did my people would regard me as a traitor. They would think I had been in league with you, and I have told them all the time of these guaranties you have given. When you have demanded a list of the guns, I have told them that you have given your word of honor that you would not interfere with the guns; and I can not issue any such order and do not intend to. I will stay with you, and you can do as you please with me." I happened to tell him in that conversation that I was not afraid of him and was not afraid of what he could do to me, and it made him angry, and he said, "Well, you can go home to the colonists; neither am I afraid of you. I will come and get the guns, no matter where I have to go for them."

I said, "Do you mean to say you would invade our homes and take our guns by force?" He said, "We will take the guns wherever we have to go to get them. If you want to deliver the guns as gentlemen, you can do it, but if you do not, we will proceed against you just as we do against the federals. We will consider you our enemies and we will declare war on you immediately."

You could not just thoroughly understand our situation unless you were down there and saw our houses. You can understand something about it when you think of the American style of buildings. Our houses are of inflammable material. They are built of brick and lumber, and some of them are rustic buildings, and they are very scattered, one on a city lot or two on a city lot, and so on. Of course, our families were in these various colonies, and we had no opportunity to do any fortifying. We had been pursuing a course to maintain peace with them and friendly relations, and to have made any preparations for war would have been equivalent to a declaration of war, and, of course, they would have immediately taken issue with us, so we were in a very delicate position. We could not make a hostile demonstration of any kind. We could not even throw up a wall of dirt to get behind or anything. Then when they came on us suddenly there we were, men at work in the fields with their guns in their homes. Our wives and daughters were there exposed to that mob.

So I went down to Dublan and discussed the matter. They sent 50 armed men right along with us; never left us at all without armed men in reach. When we got down to Dublan there were three or four hundred of them just across the river at San Jose; and there were a large number of them—I should say a hundred of them—who

were just helping themselves to the merchandise in the Union Mercantile right in the town. These 50 came right along and surrounded the house where we were. I called in a number of colonists to discuss the situation. They surrounded the house almost immediately. We asked them to wait just a few minutes while we discussed it, and they did, and we decided that the only thing that we could do was to deliver our guns.

We sent out word to the colonists of what we had decided, and we got permission to bring our guns and deliver them at a certain place in the town which they designated so that they would not go into our homes. Of course, men used their own judgment somewhat. We just told them the situation—told them we could not see anything else to do. Of course, under those conditions, knowing that we could not get our families out, they reluctantly gave up their guns. Some brought them and some did not. Some who had more than one gun brought one. They brought the poorer class of guns.

They collected quite a number of guns and quite a considerable amount of ammunition, but only a small part of what we had at Dublan. Then they sent these same 50 men over to Colonia Juarez next. We had consulted over the matter there, and had decided that we could not do anything else except the same way, and we delivered to them some guns. They did not get all there were at Colonia Juarez, not as large a percentage as they had gotten at Dublan. We had a little more time to consider it, individuals did, and they did not give them up as freely at Juarez as they had done at Dublan.

Then they went on in a few days to Colonia Pacheco. We began immediately to ship our women and children out. We felt as though we were in imminent danger. The women and children thought it was no place for them.

Senator SMITH. You acted upon your own initiative?

Mr. ROMNEY. Yes; because we had no time to consult anybody. The demand was made for the guns, and they went right along, as I have explained to you; and having retired all guaranties in such a way as he did, we did not feel that Salazar's guaranties were worth much. He said, "You did not need to take your women and children out. We will not bother them."

I told him, "Mr. Salazar, we have had your written guaranties, and we have had your verbal guaranties, but you have withdrawn them. What security do you think the people will feel if I go and tell them now that you say you will not bother the women and children?" Before we had given up the guns I asked him if they would permit us to take the women and children out immediately, and he said, yes, if we wanted to we could take them out. "But," he said, "you do not need to go"; but he said afterwards, "Well, you had just as well go if you want to. It is probable that the exit of that many people in a body will bring about intervention anyhow, and that is what we want." So we began immediately to send the women and children. We got transportation the best we could and sent them out here, and enough men to take care of them and organize them, so that they would not come without any kind of direction. We sent out the older men and a few able-bodied men to look after them, but kept most of the men there to look after the property.

From then on they began making things a little tighter and a little tighter, and they began looting in Dublan.

A few guns were given to them at Pacheco and at Garcia, but by the time they had gotten over to Chuichupa the people there had decided not to give them any guns. I will say right there that by the time they got to Colonia Juarez they had added a condition to their previous order for guns and ammunition, and they demanded every horse and saddle in the colonies. Of course, they had stolen hundreds of horses from us already, and I talked them out of taking the horses at Colonia Juarez until they should return from the mountains.

Senator SMITH. Did they make any demand for men?

Mr. ROMNEY. No, sir.

Senator SMITH. Or any draft for men?

Mr. ROMNEY. No, sir. When they reached Chuichupa the men there had decided not to give up their guns and ammunition, and they moved out of their town into the mountains west with their horses. They learned of the approach of these rebels, so that when the rebels reached Chuichupa the men had vacated the town and gone into the mountains. At Dublan they went down there en masse and looted, I should judge, some dozen homes at Dublan with the men present and pleading for them to spare their property and to respect their rights. They looted the home of Ammon Tenney. They looted the home of Alexander Jamison while we were still there, and I think it was on the evening of August 1, after having previously taken different amounts from the stores at Dublan, for which they had given receipts, they took between $30,000 and $40,000 from the Union Mercantile, the soldiers helping themselves in some instances, and for this they refused to give a receipt.

Senator SMITH. Under whose personal direction was that taken?

Mr. ROMNEY. Demetrio Ponce was there, but Salazar, of course, was the man in charge. He was in general charge, but I do not know whether he was there in person during the time of this raid on the colony or not.

I want to say that during this looting of the homes they would poke the owners around with the points of their guns—with their guns cocked—and they held pistols in the faces of the men, and made threats that if they even did not cease their pleadings for their property, they would shoot them. They told Mr. Tenney that.

Senator SMITH. Did they make any demonstration of that kind against you?

Mr. ROMNEY. No, sir; not against me personally. I have Mr. Tenney's affidavit, if you care to see that. I have several affidavits, if they are of interest to you, showing those conditions to have existed. Right while they were disarming us and saying they would protect us, there were other soldiers from different commands that were about the towns then, holding up people on the streets, and especially was this the case at Colonia Juarez.

Senator SMITH. Did they hold any individuals for ransom?

Mr. ROMNEY. Not at that time.

Senator SMITH. Men, women, or children?

Mr. ROMNEY. No, sir. While they were taking our arms at Colonia Juarez there were three Mexicans who came up from Pearson to

Colonia Juarez, and on the road they held up each outfit that they met going out with the women and children, and they stole the money that they had, en route to Pearson, to ship the women and children out.

Senator SMITH. Tne money with which they intended to ship them to El Paso?

Mr. ROMNEY. Yes. Then they came up to Colonia Juarez, and while they were taking our guns they went to the home of an aged widow there, about 84 years old, and they ransacked her house completely in search of money, found money in two places aggregating about $40, and this they took. It happened that as these bandits went down the street they met some of the native residents who had come in. One of them had on a new hat, and one of these rebels rode up to him and took his hat off and put his old one on, and slapped him in the face with it and insulted him. The name of this man was Juan Tredizo. He went and complained to Llano Ponce, who was in charge of the party collecting the guns; and thinking it was one of Ponce's soldiers, Ponce asked him if he could identify the man. He told him he could, and he waited a while until this soldier came along, and then he pointed him out to Mr. Ponce, who had the man arrested, and having punished him and disarmed him, they were holding him there, and these accounts began to come in of the robberies that had been commtted.

Senator SMITH. Do you know of any cases where the women and children in your colony were insulted or asaulted?

Mr. ROMNEY. No, sir; not by these rebels at that time. I know of other earlier cases of rape.

Senator SMITH. By banditti, or by others?

Mr. ROMNEY. By banditti. These evidences began to come in until it was fully established that this man had been carrying on a regular campaign of loot, and they finally executed him.

Senator SMITH. Where?

Mr. ROMNEY. Near Colonia Juarez.

Senator SMITH. By shooting him?

Mr. ROMNEY. They shot him; yes sir.

Senator SMITH. Was that execution unusual?

Mr. ROMNEY. That is the only case of an execution that we know of in our neighborhood.

Senator SMITH. Was he executed by the rebel soldiers?

Mr. ROMNEY. Yes; he was executed by the rebel soldiers. The reason I am telling this is that about the 1st day of August the band to which this soldier who was exected belonged came into Colonia Juarez, about 75 in all, and asked if the Mormons had executed any more of their soldiers, or if the guard had executed any more of their soldiers, and the guard replied that they had not. The rebels said that it was a good thing they had not, that they were not satisfied with the execution of that man. He said that whenever the Mormons wanted to get a man executed, they just worked up a charge against him and brought about his execution, and they were going to get even with them, they were going to get revenge on the Mormon people for the execution of this rebel. That was one of the things that led up to this exodus. They took possession of our town and demanded feed for their horses.

We took into consideration the different developments in Dublan, and the looting, and the threats that had been made against our lives, and the continued less favorable attitude of the rebels, and the fact that they had required all kinds of guaranties and had taken our arms, and this new development in Colonia Juarez, showing how absolutely prejudiced they were against us, and Salazar's oft-repeated threat that he would bring intervention at any cost, and we concluded that it would be impossible for our people to remain in the colonies and witness the wholesale destruction of their property, which was the accumulation of years. We fully expected an attack to be made upon us, and reprisals to be made for the execution of that man, which had been done by another faction of their own party without our having had anything to do with it, other than to bring the evidence before them of the criminality of the man.

So on the morning of the 2d of August we evacuated the colonies. We left Colonia Juarez on the night of the 1st of August, and I sent couriers to Dublan telling them of the conditions prevailing at Colonia Juarez, and suggesting that they meet us at a designated point in the mountains, and also sent couriers to the mountain settlements to do the same thing.

Senator SMITH. Have you had any special instructions from any official or member of the church in Utah regarding your moves?

Mr. ROMNEY. No, sir; not to vacate. I have had no instructions to do that.

Senator SMITH. Have you had any other instructions of a character that would be interesting for us to know?

Mr. ROMNEY. Only in the way I have indicated—to do the very best we could, but by all means to take no part in the controversy, maintaining a strict neutrality, and to avoid anything that would bring about international complications. That seemed to be the thing they were most interested in.

Senator SMITH. Was there any money tribute demanded of you as a consideration for exemption?

Mr. ROMNEY. Yes; there were demands made upon us. One written order that was sent to me by a colonel in the army demanded money, as I remember it.

Senator SMITH. Did it fix any amount?

Mr. ROMNEY. No; no specified amount; any amount that we had; money, merchandise, horses, saddles, guns, and ammunition. That was prior to my consultation with Salazar.

Senator SMITH. Has there been any demand made upon the parent church in Utah for money?

Mr. ROMNEY. None that I know of.

Senator SMITH. Or for ransom of any kind?

Mr. ROMNEY. Not that I know of.

Senator SMITH. Has there been any correspondence or talk between yourself and the general officers of the church regarding that matter?

Mr. ROMNEY. No, sir; only in this way: That it was suggested that rather than fight we make peace with them, and take receipts for our property and give them whatever we had, in order to prevent a crisis of this kind or anything that would bring on international complications. That was the burden of our instructions—to find a way to get through it without doing that.

Senator SMITH. Can you say with perfect candor that the Mormon colonies did not take part in the revolution against Diaz?

Mr. ROMNEY. Yes; I can say with perfect candor that they took part in neither revolution.

Senator SMITH. And that they have taken no part and are taking none against Madero?

Mr. ROMNEY. And they are taking absolutely no part.

Senator SMITH. Do you know of any American sources or foreign sources of encouragement or support of any kind for the revolution?

Mr. ROMNEY. Nothing except rumors and newspaper talk. All I know in regard to that is what I have heard.

Senator SMITH. Do you mean rumor passing from the mouth of one person to another?

Mr. ROMNEY. Yes; I heard a rumor some time ago.

Senator SMITH. How long ago?

Mr. ROMNEY. I do not know whether I can recall the period. I think it was during the Madero revolution. I am not certain. It was either the latter part of the Madero revolution or early in this revolution that I heard a rumor. I guess you would call it a rumor. An individual who had been down in the interior over this way and told me it was understood that some corporation in the United States were backing the revolution, but I regarded it simply as a rumor. I do not know anything about it.

Senator SMITH. Did he mention the name of the corporation?

Mr. ROMNEY. He mentioned the Standard Oil Co.

Senator SMITH. Any other?

Mr. ROMNEY. No, sir. That is the only one I have heard mentioned, and I would like it distinctly understood that that was simply a rumor. I do not know anything about it, further than the newspaper talk I have read.

Senator SMITH. Were any sums of money mentioned?

Mr. ROMNEY. No, sir; just the mere statement that that was the reason the revolution had been able to be carried on.

Senator SMITH. Do you know any corporation in Mexico owned by American citizens that have been exempt from attack or destruction because of the payment of money?

Mr. ROMNEY. No, sir.

Senator SMITH. Or any transportation company?

Mr. ROMNEY. I do not know of any that have been exempt at all. I know that the property of the Northwestern people has been attacked, and values have been extorted from them, as they have from us. That is, I know that by hearsay. I have never been present when it was done, but I have understood that.

Senator SMITH. Have you had any talk with Orozco or Madero in person?

Mr. ROMNEY. I have never met either one of them. I have met nearly all of the other leaders, but I have never met either of them.

Senator SMITH. You have never been in conference with anybody with reference to the plans of the revolutionists?

Mr. ROMNEY. No, sir. As far as possible we avoided any discussion of them, because of our position of neutrality, other than to inquire for information that would affect our welfare in the way of the movement of their troops.

Senator SMITH. Have you ever been invited to any conference with them?

Mr. ROMNEY. No, sir; never.

Senator SMITH. Do you know of any other people in your colonies who have?

Mr. ROMNEY. No, sir; I do not think there is anyone who has had any part with them. There may have been people who were unwise, individual cases, as there always are, unofficial acts that were not as wise as they ought to be, but there has been no authorized action of that kind.

Senator SMITH. I assume from what you say that you are yourself a member of the Mormon Church?

Mr. ROMNEY. Yes.

Senator SMITH. And a man of family?

Mr. ROMNEY. Yes.

Senator SMITH. Have you more than one wife?

Mr. ROMNEY. No, sir.

Senator SMITH. Is your office a salaried office?

Mr. ROMNEY. No, sir.

Senator SMITH. What compensation do you receive?

Mr. ROMNEY. I get some assistance, but not any salary. We are not paid a salary.

Senator SMITH. A commission?

Mr. ROMNEY. No; not a commission. Some help has been extended to me in the discharge of my duties. I have expenses that I am assisted in defraying.

Senator SMITH. You seem to have considerable responsibility.

Mr. ROMNEY. Yes, sir.

Senator SMITH. That is the result of your devotion to the church, I suppose?

Mr. ROMNEY. Yes; absolutely.

Senator SMITH. Can you think of anything else that would throw any light on our inquiry to ascertain whether or not this revolution has been fomented, aided, or encouraged by Americans, companies, or corporations, or people resident in our country?

Mr. ROMNEY. No, sir. There is just one thing I would like to ask, with your permission, in case this is considered a statement of our attitude. I should just like it understood why we came to the border without any fight. We went into the Sierra Madre for our own protection. The revolutionists claimed they supposed that we had given up all our guns. As soon as the people left Colonia Dublan they fired on them. They pursued them toward the mountains and opened fire on them. Finally a spent bullet struck one of the boys on the leg, and the bullets were striking all around in their ranks, and they detailed a number of the boys to stay behind and stop the advance.

Senator SMITH. Were there women and children?

Mr. ROMNEY. No, sir; these were the men.

Senator SMITH. And these men were headed toward the Sierra Madre Mountains?

Mr. ROMNEY. These men were headed toward the Sierra Madre Mountains. So they fired a volley or two at the revolutionists who were firing at them, and the revolutionists afterwards told some of

our colonists that they now considered us as their enemies, that we had taken up arms against them. They said we had gone to join Blanco, who was then at Ojitas.

Senator SMITH. Who is Blanco?

Mr. ROMNEY. He is a federal officer, and he and Sanjinez were stationed at Ojitas with federal troops making an advance on these rebels; and as we retired to the Sierra Madre Mountains to the west they said we had gone to join the federals and that while we pretended to be neutral we were not; and they said they found out that we had guns. They seemed to blame us considerably that we had not given up all our guns under those condtions, and they said they were our enemies and they would wreak vengeance on us because we had joined the Federal Government. We had declared ourselves as being neutral, and we had understood that that was the desire of the United States, that we should remain neutral, and it had been the expressed will of the ecclesiastical authorities, and we felt that we wanted to avoid any kind of a fight with these people. They said they had discovered when they fired on Dublan that we had guns, and long-range guns, too, because of the volley that our men had shot at them.

Senator SMITH. When you speak of the United States, what information have you about that?

Mr. ROMNEY. We had talked with Consul Edwards. Of course, we have always kept in touch with him.

Senator SMITH. He is the American consul at what point?

Mr. ROMNEY. At Ciudad Juarez; and we understood it was agreeable to the United States that we should not mix up in that thing or do anything to bring on any kind of complications. Afterwards, when they declared that we had gone to join the federals, they moved their own force up into our mountain colonies, right up in the vicinity of where we were, and we knew that to remain there meant to fight; and we thought that to fight meant to bring on other complications that were not desirable, and we decided that the only thing to do to establish their error in saying that we had gone to join the federals was to come out here and show that we were not taking sides with either party and bring the guns that we had to the border and not use them. We remained there until our colonists could get together and we could defend our lives. Then we marched direct to the United States border. We felt that was the proper course to pursue, and we acted according to our best judgment of what our duties were.

Senator SMITH. Is there anything further you care to say, to throw any light on the purposes of our inquiry?

Mr. ROMNEY. I do not think so, Senator. I think that is about as much as I know about it. If there is any other information you think I have that you would like to have, I shall be glad to tell you.

TESTIMONY OF ADOLPH KRAKAUER.

Adolph Krakauer, being first duly sworn by the chairman, testified as follows:

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Mr. KRAKAUER. It may have no particular reference to the investigation, but it may serve some purpose. I want to be understood that I personally have always been a Diaz man. All our people in Chihuahua have been. We have nothing but good to say of the Diaz

Government. They have protected us at all times. The country, as you know, has prospered under the Diaz administration. We have paid our taxes. We are not Mexican citizens. We have paid our taxes, and whenever we have been called on to pay any extra contributions, we have paid them. We were protected in our business and we thought that we owed allegiance to the existing government, whichever it was.

I was very much surprised that the Madero revolution was successful; never believed that it could be. I do not believe it could have been except for some wild dare-devils who came around here and joined the Madero army. But for that I do not believe they ever would have succeeded in taking Juarez. I do not believe Madero would have been known but for that.

Furthermore, if the United States Government had adopted the same stringent measures last year, during the Diaz régime, as they adopt now, I do not believe Madero would have been heard of; and the world at large, the United States especially, and various places in the Republic of Mexico, would have been better off. That is my opinion.

Senator SMITH. That is very interesting.

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Mr. KRAKAUER. I have heard on good authority—the trouble was just this: That the sympathies of the people in the Madero revolution were with Madero, especially on this frontier. The people in the interior of the United States, in the East and West, they do not care. They do not know anything about this revolution now, so far as that is concerned. But the sympathies of the Texas people on the Mexican border were with Madero, there is no question about that; and I am reliably informed, by people who were very near Diaz when the Madero revolution started, that Diaz asked "How do the people of the United States feel about this?" and that ment old him that the sympathies of the Texas people were with Madero, and right then and there he said "I am gone. If Madero can get all the arms and ammunition he wants, smuggled over, I am gone. I can not hold out"; and that he made up his mind at that time.

As far as that is concerned, I suppose you know that this revolution was started by Orozco and a few of his men in the mountains of Chihuahua. That was a local grievance against the Chihuahua State government conducted by Creel, who was at one time ambassador from Mexico to Washington, and a very nice man. It was a grievance against the Terrazas family, of which Creel was a member. These mountain people undoubtedly had grievances against that government. They were oppressed, and their crops failed. They did not want to pay the taxes. They wanted to get time and it was not granted, and they had all sorts of grievances. The revolution was started against the Creel and Terrazas régime. When that revolution assumed larger proportions, then Madero thought "Here is my chance to get in," and he did.

AFFIDAVIT OF INEZ SALAZAR.

THE STATE OF TEXAS, *County of El Paso:*

Before me, the undersigned authority, on this day personally appeared Inez Salazar, who, upon oath first duly made, deposes and says: That he is a native and citizen of the Republic of Mexico, having been born 34 years ago in the

town of Sabinal, and State of Chihuahua, and Republic of Mexico; that he is at present temporarily in the city of El Paso, El Paso County, Tex.; that he held the position of commandante in the revolutionary army of Francisco I. Madero, having enlisted in said army on the 4th day of December, A. D. 1910, and having retired from same in April, 1911; that during the period of time between said dates he was in command of revolutionary troops operating in the State of Chihuahua and Republic of Mexico in the interests of the revolutionary party and in opposition to the Federal or Diaz régime; that he had from 35 to 400 men in his immediate command; that his command operated in various portions of the said State, and that in so operating it was necessary for he and those under his command to seize and forcibly take possession of property belonging to various individuals, American citizens as well as citizens of Mexico, for the commissary of his soldiers; that in pursuance of the directions received by him from his superior officers he did from time to time seize and possess himself of articles of merchandise necessary for his said command.

That on the 26th day of December, A. D. 1910, at the town of Sabinal, in the State of Chihuahua and the Republic of Mexico, he seized goods, wares, and merchandise belonging to and being the property of D. C. Sutton, said property being of the value of $7,000 Mexican currency, and having been taken by affiant, as commandante in said army and under his direction, from the store of said Sutton.

That on the 8th day of March, A. D. 1911, in the town of Sabinal, the State of Chihuahua and the Republic of Mexico, affiant, as commandante of said file of revolutionary soldiers, did seize and possess himself of goods, wares, and merchandise of the value of $6,035.50 Mexican currency from the possession of D. C. Sutton and from the store of the said D. C. Sutton at said place and at said time.

That on the 23d day of January, A. D. 1911, your affiant, acting in the said capacity of commandante in the revolutionary army, did seize and possess himself of certain goods, wares, and merchandise of the value of $8,070 Mexican currency, said property being taken from the possession of D. C. Sutton and from the store of said D. C. Sutton at said place and at said time.

That your affiant seized said property belonging to the said Sutton, amounting in the aggregate to $21,105.50 Mexican money. That he seized same and used same for the benefit of the revolutionary army under Francisco I. Madero; that said property was utilized for the benefit of said revolutionary army in sustaining the soldiers actually engaged in operating actively in the field; that affiant, upon seizing said property, gave to the said Sutton his receipts for same, signed by affiant as commandante; that in so seizing and possessing himself of said property said affiant was acting under the orders and directions of his superior officers, and especially so of the chief of the revolution, Francisco I. Madero.

That affiant has no interest in the claim to which the above testimony relates, and that he is not the attorney or agent of any person having such claim, or in any way connected therewith; that affiant is voluntarily giving this testimony for the purpose of doing justice to Mr. D. C. Sutton in the loss sustained by him, the said Sutton, because of the operation of the said column of revolutionary soldiers in the vicinity of Sabinal, Mexico.

Wherefore affiant verifies.

INEZ SALAZAR.

THE STATE OF TEXAS, *County of El Paso:*

I, E. M. Marteeny, a notary public in and for El Paso County, Tex., do hereby certify that the above and foregoing instrument was subscribed and sworn to before me by Inez Salazar, the affiant, on this the 4th day of October, A. D. 1911.

I further certify that I am a notary public in and for the county of El Paso and the State of Texas, and am authorized by law to take depositions and administer oaths; and that I have no interest in the claim to which the above testimony relates; and that I am not the agent or attorney of any such person having such a claim, or in any way connected therewith.

I further certify that I am personally acquainted with Mr. Inez Salazar, the affiant.

I further certify that the above and foregoing instrument was reduced to writing in my presence, by myself as a stenographer, and that the same was carefully read to the affiant by me before being signed by him.

Witness my hand and seal of office this the 4th day of October, A. D. 1911.

[SEAL.] E. M. MARTEENEY,
Notary Public in and for El Paso County, Tex.

STATEMENT OF MARGARET CARLIN.

Senator FALL. I introduce the following affidavit of Margaret Carlin for the purpose of showing that even the revolutionists in Chihuahua have made statements corroborative of the evidence of Mr. McCormick, the United States attorney, and of Mr. Robinson, his assistant at Los Angeles, concerning the socialistic doctrines which have been promulgated among the Mexicans:

STATE OF TEXAS,
County of El Paso, ss:

Margaret Carlin, being duly sworn, on oath says that both she and her husband are citizens of the United States, she being a native of Wisconsin and her husband having been born in Canada, but a resident of Wisconsin since he was a little boy. That affiant and her husband have three children, and that her husband has been residing in Mexico for six years, in the employ of the Pearson Co. and in business for himself, having for the last year been engaged in raising cattle and in farming.

That for the past year they have made their home about 2 miles from Colonia Dublan, in the State of Chihuahua, but though living in proximity to the Mormon colony at that place they are not Mormons, and have at all times since their residence in Mexico claimed their American citizenship, lived and conducted their lives according to the best standard of their home people; that they have taken no part in the troubles in Mexico, affiant remaining at home with her children and husband, taking care of the same, and the husband taking care of his farming business and keeping aloof from both sides of the revolutionary trouble.

Affiant says that about the middle of last July their home was visited by three Mexicans, claiming to belong to the revolutionary bands in that vicinity, at a time when affiant's husband was away and she was alone with her two children. At such time three of these so-called soldiers drove into the yard around the house and demanded to be admitted to the house; that affiant protested, and thereupon one of them leveled his gun upon affiant and threatened her if she did not permit them to come into the house without resistance, but that affiant had her son tell them that she had locked the door and that she was armed, and that they could not get in without meeting with resistance. At this time they cursed affiant and abused her greatly and threatened her with bodily harm, and that they would break into the house, but that affiant had secured arms on the inside and was determined to resist their coming in, and so they finally concluded they had better not attempt it and went away.

About two weeks after the occurrence above stated, a large number of such soldiers came to affiant's house when affiant was again alone with her two boys, her husband being away at work on the ditches, and demanded admission.

And affiant here continuing this narrative in the first person says:

After the occurrence above stated we padlocked the gate, and about the 27th of July a large body of soldiers, about 150 in all, passed the place, 40 or 50 stopping and demanding that if I did not unlock the gate they would break it open. I had the little boy then tell them Mr. Carlin had the key and as soon as he came he would unlock it. Mr. Carlin saw them and came down as quickly as possible and went to the gate, trying to talk them out of coming in, telling them that we had nothing, but at this they leveled their guns at him, telling him they would kill him if he did not open the gate. This frightened me and I told Mr. Carlin he had better let them in. He unlocked the gate and they all came in; that is, between 40 and 50 of them. I then locked our living-room door and they demanded to enter there and threatened to kill Mr. Carlin on the outside, pounding him against the door. He said to me, "Maybe you had better open the door," and I opened it, and they all rushed in the living room and I had put the two rifles under the bed clothes as they came in, and the first thing they made a rush for the rifles. Mr. Carlin protested when they took the second rifle and they cursed him and said they would kill him, and one raised his gun and with the heavy end of the gun tried to strike him across the head, and in warding off the blow Mr. Carlin threw his hand up and they struck him across the wrist with a severe blow. Then they searched the house for money and ammunition, but they did not find any ammunition. Then they went to my wardrobe looking

for money. They tore my clothes out of the wardrobe and threw them on the floor and trampled on them. They took our field glasses and one of the common soldiers slung them across his shoulder. When I protested about trampling my clothes they shoved me across the room, cursing me at the same time. Then they picked up bridles, etc., and everything they saw which took their fancy. At the time they struck my husband I tried to ward off the blow and threw my hand up and got a portion of the blow across my hand.

After having taken all they could they finally left, cursing the Americans as they went. After this band left others came, two of them demanding to enter, but when we told them that the others had taken all we had they were quite decent and one man talked very good English. He said the reason they were treating Americans this way was because the United States allowed Madero to go over and get all the ammunition and guns he wanted and would not let them. He said they were going to treat the Americans as mean as they could and with as much contempt, so that it would bring on a revolution, which they very much desired. One of them also said that they were going to go into the United States and all the socialists of the United States were going to join them and they were going to have a socialistic revolution in the United States—the poor against the rich.

He also said: Why should they care anything about protecting the American colonists in Mexico, as your own people in the United States do not intend to protect you?

This band went away and several others came, and when they found out the others had taken everything they also went on. On the 28th I abandoned everything and left on the first refugee train for El Paso, where I am now. Mr. Carlin stayed at the colony, and I expect him out in a day or two with the rest of the colonists.

MARGARET CARLIN.

Subscribed and sworn to before me this 12th day of August, A. D. 1912.

[SEAL.] W. M. JOHNSTON, *Notary Public.*

Senator FALL. I introduce a number of other affidavits which are cumulative testimony as to the conditions in Mexico. We have had a great deal of testimony on this point, but still I introduce these:

AFFIDAVIT OF NIELS LARSEN.

STATE OF TEXAS, *County of El Paso, ss:*

Niels Larsen, being duly sworn, on his oath says that he is a citizen of the United States, but has been residing in Mexico temporarily for the past year, and last October, together with his partner, Mr. Bowman, under the firm name of Bowman & Larsen, engaged as grade contractor for the construction of the railroad grade with Mr. L. E. Booker, who at that time commenced to build a railroad from Pearson to Pacheco, in the State of Chihuahua, and as such contractor has been actively in charge on the ground of the teams and employees used by the firm of Bowman & Larsen in performing such contract; such firm having themselves about 200 employees, and having control over the employees of subcontractors under them to the number of about 200.

That in performing such work it was necessary that affiant and his partner should, and they did, obtain and use on such work large numbers of work animals in teams and otherwise, and wagons, plows, scrapers, and other machinery and property usual to that class of work, and that they also kept a large commissary supply on such work for the furnishing of their own and the employees of their subcontractors, so that the said Bowman and affiant had an investment in all such property of the cost to them of more than seventy thousand ($70,000) dollars, representing actual cash by them laid out and expended; that affiant and his partner were tendered and accepted such work at a time when they had no reason to believe that it was dangerous or risky to be in that part of Mexico, but subsequent to the Madero revolution and when all was peaceful; that they were assured of every protection and of the right to proceed with the work peacefully, and rested upon that assurance at the time of commencing the same. Affiant says that they were not interfered with to any appreciable extent in the prosecution of their work until the month of February, 1912, when the rebel forces under Orozco came into their camps and demanded arms and ammunition in such a way as to compel affiant and his employees to

furnish the same to such defendants; that about the 1st of July, 1912, that section of country was overrun by the rebel soldiers under Orozco's general control, he being represented by a superior officer who styled himself Gen. Salazar. This general made his headquarters at Casas Grandes, about 25 miles from affiant's principal camp, and the soldiers of Gen. Salazar commenced immediately to overrun that section of country from its general headquarters; that the first visit that these soldiers made resulted in their taking forcibly some commissary supplies from affiant, amounting, perhaps, to about $200, and a few days afterwards about 40 of them came and compelled affiant to turn his firm's horses out of the corral for them and put the rebels' horses in their place and feed them well, which demand affiant complied with, because of the evident danger he would be in if he refused to do so. They also compelled affiant to have supper provided for some of their officers and went into the commissary and took about $150 worth of supplies for their men without pay therefor, and the next morning they seized five head of affiant's horses and took them away without any pay therefor, by force, and from that day forward nearly every day these rebel soldiers were on the line of work taking from affiant whatever they wanted, whether it was commissary supplies or horses or personal property belonging to affiant or his employees, which they were able to do by threat of danger to the lives of affiant and such employees if any resistance was made to their demands, and this went on from day to day, gradually becoming worse each day, and more dangerous to the lives of all the Americans, until affiant and the other Americans were compelled to abandon the camp and flee for their lives, which they did on the 31st of July.

That previous to the 30th of July these outrages had become such that it was perfectly apparent that no American's life was safe, Gen. Salazar having told all the Americans that their lives would be taken if it was necessary to take the same, and that all their property would be taken which the rebels desired to take without any protection being given to them. This information was given by Gen. Salazar to representatives of the Americans, and, among others, to affiant's partner, Mr. Bowman, who went to Gen. Salazar in their own names and as representatives of the other Americans to protest, and they returned with directions from Gen. Salazar to scatter the news amongst the Americans that this was the way they were going to be treated, and after this information was brought to affiant, amongst others, it was apparently evident that it was genuine and represented the true intent of such rebel commander and his soldiers.

On July 30, previous to the Americans concluding it best to abandon the work and get away as soon as possible, visits were made to the camp by various bodies of rebel soldiers, who seized affiant and other people in such camp and compelled them to pay money for their liberty, affiant being arrested and compelled to pay over one hundred ($100) dollars in order to be released, and that and other amounts being secured from other persons under affiant's employ or contracting for affiant in the same way; that the news was brought to affiant on the night of July 30; that on the following day another raid of a similar kind was going to be made, and that all the Americans from whom the money could be extorted were going to be subjected to the same process, and that they would not get off as easily the second time as they had the first time. Not only was affiant and the other Americans in fear of their lives by the conduct of these soldiers, but the attitude of some of the Mexican employees changed to one antagonistic to the life of Americans engaged on such work, without any cause whatever, except the general hatred which had become instilled in these people through what was said was President Taft's policy in opposition to the revolution, and almost daily in camp it became apparently evident that bitter hatred of Americans was being inspired by all who were in sympathy with the Orozco movement, and insults to the face of affiant and other Americans and personal threats of bodily danger and destruction of property had become a daily event and was expected and feared whenever affiant came into the presence of that class of people in that vicinity.

That affiant and all of the Americans tried to avoid all trouble, behaved themselves in an entirely peaceable and conciliatory way, and did everything possible to prevent the necessity of abandoning their property, and tried to secure justice and protection, until it became dangerous to remain. This was amply proven by the fact that at the time affiant escaped he had to give up his horse and make his way from the immediate vicinity of the camp with his loaded weapons in hand and ready for instantaneous use, a large party of rebels being in the camp, seizing all horses and other material belonging to

affiant which they desired at the time of affiant's escape, and affiant being compelled to hide behind a tree to protect himself from capture at such moment.

Affiant says that he left camp on the afternoon of July 31 and joined a party of about a dozen, including Mr. Atwood, chief engineer for L. E. Booker, upon such work, all of the party escaping through the mountains and taking circuitous and unknown trails and routes in order to escape observation, and riding for five days, a distance of about 175 miles, being at one time in the saddle for 36 hours, until they reached the United States at a remote boundary point, and that if they had not left at the very time they did it would have been impossible for them to have escaped.

Affiant says that in leaving the camp and the work being constructed they had to abandon all of the supplies and property to whatever wreckage and looting thereof such rebel soldiers and the other antagonistic elements chose to make of such property; that much of it had already been taken before affiant's flight, and much of it was being taken at the time affiant left, and affiant has no idea but what all of it that they can use in any way, and especially all of the teams and commissary supplies, were taken within the day of or a very short time after such flight, although affiant is as yet not actually informed, as he has not been able to get any word up to the present as to the condition of affairs in that vicinity.

Affiant says that in leaving such property he did not act precipitately, but as a man would act who has had much border experience and who is not afraid to face such difficulties wherever there was a possibility of being able to preserve his life and hold on to his property; that the whole situation was such that it was clearly imminent that the Americans who did not leave would be killed or subject to great danger, and that it was simply foolhardy to stay or try to protect himself or his property an hour longer.

Affiant further says that there were included in the property which he was compelled to so abandon, including what was taken by such rebels a few days before his escape, the following list of property and the value thereof, as near as affiant can approximate the same:

Commissary supplies	$25,000
700 sacks of corn	3,500
20 tons of alfalfa	1,000
300 boxes dynamite	6,000
600 kegs black powder	3,000
Office, commissary buildings, shops, barns, and corrals	2,000
130 small tents	1,600
Cook tent and kitchen outfit	500
3 wagons	600
35 carts	5,000
35 sets cart harness	1,400
18 sets harness	900
3 B. S. outfits	1,000
5 tons steel	2,500
500 shovels	750
650 picks	1,000
250 wheelbarrows	2,500
5 fresnos	200
8 slips	100
1 railway plow	100
60 horses and mules	12,000
Total	70,650

And further affiant saith not.

NIELS LARSEN.

Subscribed and sworn to before me this 10th day of August, A. D. 1912.

W. M. JOHNSTON,
Notary Public.

AFFIDAVIT OF BARNETT SMITH.

STATE OF TEXAS, *County of El Paso, ss:*

My name is Barnett Smith, and I was born in Alaculsey, Ga., in 1859, and was raised in Ocoee, Tenn. My father and mother reside there now. In Sep-

tember, 1909, I moved to Mexico and bought farming land near Colonia Dublan, in the State of Chihuahua, and settled upon the same and commenced business of farming. Colonia Dublan is the headquarters town for a lot of Mormons, but there are other Americans in that vicinity also who are not Mormons. I am not a Mormon. I have pursued the occupation of farming on that land and of building up my place since that time, having 65 acres of land in cultivation and having the ownership of a good lot of farming animals, a farmhouse, where my wife lives with me on the place. She is an American also, a native of Pennsylvania, where she has been for about six months. On July 20, 1909, while I was at the office for mail a rebel soldier came to my place and took one of my horses. I followed his trail for 2 miles and found my horse tied in a man's yard. I asked why my horse had been taken, and he replied that a rebel soldier had brought the horse there; and when I asked that my horse be delivered to me, he untied him, and I took the rope in hand, and the rebel soldier came out and seized a sword and insulted me with many abusive words, drew the sword and said he would kill me; but I led the horse away, when he said that he would visit me that night with a company of men and they would take my life, but I was not molested again until the 27th of July, when a large number of rebel soldiers came to my place and asked for water and food, which I freely gave. They bid me good-by without molesting me, but a few minutes later about 40 more entered my yard, demanded the keys to unlock my horses, but I refused to grant their request, stating that they were my farm horses and that I could not do the work of farming without them. They then took a pick and sledge hammer, broke the locks and chains with which my horses were confined, and led them into the yard and demanded the key of my house, which I also refused to give. Then they heaped indignities upon me, threatening to kill me, stating that they would drive all Americans out; that Mexico was for Mexicans, and, if necessary, they would raise a revolution against Americans and drive them out. They still demanded entrance into my house, and when I refused to open the door they thrust me twice in the abdomen and struck me three heavy blows across my back with a saber. They drew a gun and threatened to shoot me, but a question which arose among them over the possession of my horses attracted their attention, and when they turned from me I walked away, leaving them to break into my house, which they did, and took therefrom practically all valuable articles, leaving me absolutely helpless so far as my business was concerned. I went to Colonia Dublan, leaving there on the 30th of July when I came to El Paso, and am still here with other refugees from the community in which I lived.

BARNETT SMITH.

Subscribed and sworn to before me this 10th day of August, A. D. 1912.

W. M. JOHNSTON, *Notary Public.*

AFFIDAVIT OF H. E. BOWMAN.

STATE OF TEXAS, *County of El Paso, ss:*

H. E. Bowman, on his oath, say that: I am 54 years of age; a citizen of the United States; and have resided for the past 10 years in Colonia Dublan, Chihuahua, Mexico, under the guarantees given to all colonists in that section; that during such time I have been engaged in general merchandising, and for the past eight years have been general manager of the Union Mercantile, a corporation engaged in general merchandising; that said corporation owned real estate to the value of forty thousand ($40,000) and carried a stock of general merchandise in Colonia Dublan of about $160,000 and an additional stock of about $30,000 in our branch store at Colonia Diaz.

That since the close of the Madero revolution we have been doing an excellent business and have enjoyed full protection in our property until about the 1st of February, 1912. At this time Gen. Salazar made his headquarters at Casas Grandes, recruiting troops, which later came under the general direction of Pascual Orozco; that during the sojourn of Salazar at Casas Grandes we were compelled to furnish supplies amounting to about $1,500, which Gen. Salazar promised to pay for, but never did. The rebel troops left our neighborhood, and we again enjoyed peace and a prosperous business until they returned from their defeat at Bachimba, about July 1. From then on we were compelled to contribute supplies almost daily, but always in an orderly manner, we consenting to their demands and receiving receipts for what they took, always, however, protesting and furnishing as little as possible.

During this time Gen. Salazar gave me a written guaranty of protection and prohibiting any of his troops from molesting us or taking any property without a direct order from himself. Gen. Salazar repeatedly, on various occasions, assured me that they would take as little merchandise as possible from our store and that they would not molest our horses or other property, and especially would allow us to retain our arms to protect our families from disorganized and irresponsible parties. This promise and assurance was made not only to myself, but to others of our leading men, and especially Junius Romney, in my presence.

On July 26, 1912, I was present in Gen. Salazar's headquarters in Casas Grandes when L. P. Atwood requested the return of horses and other property which had been taken from his camp, and heard what Salazar said to Mr. Atwood. At the same time Salazar informed me that he desired the presence of Junius Romney and myself at his headquarters the following day at 10 a. m. We went there and were informed by Salazar that he had just returned from a conference with Pascual Orozco, and, acting under orders from him, required us to come there to inform us that all promises and guaranties formerly given were withdrawn; that they proposed to take our horses, saddles, merchandise, and all property whenever and wherever they wished; and, further, that we must surrender all of our arms and ammunition. Our conference with Salazar lasted about one hour, during which we argued the question over from every standpoint and tried to make terms with him by the surrendering of property on condition we would be allowed to retain our arms. He absolutely refused to consider any of our propositions, or to let us remove our families before surrendering our arms. In fact, stated that we could consider ourselves prisoners until the arms were forthcoming, and demanded that we send out an order to our fellow colonists to bring in their arms. We stated that the arms were personal property of each individual; that we had no military organization, and no authority to give orders to anyone, but each person must act for himself. During the course of our conference Salazar was very bitter in his denunciation of what he called the Taft government, stating that they had had to fight two governments and would have overcome the Madero government long ago had they received the same treatment at the hands of the Taft government that had been accorded the Madero government. He claimed that not only had they been prevented from obtaining arms and ammunition, but that Madero had been allowed to recruit troops on American soil. We explained to him that we were not responsible for the policy of Taft's administration, but that we ourselves had been neutral, had made our homes among them, and had done much for the betterment of their people. He replied that we must either repudiate the Taft government and join them or be responsible for what the Taft administration had done and take the consequences.

He stated while it was not their purpose to take our lives if we conceded all their demands, still he had no guaranty of protection to offer, and we must look to Taft or to Madero for protection. He finally stated that if we would give up our arms we could remove our families in peace, and if we would do so at once could go ourselves if we desired.

We left Casas Grandes about 11 a. m. and went direct to Colonia Dublan and informed our fellow colonists there of what had happened. After a consultation of about 20 men, in the presence of a large body of Salazar's troops, who were surrounding us, we decided to recommend that the colonists surrender their arms, as a result of which about 100 rifles and ammunition were turned over at Colonia Dublan. During this time, and commencing at about 10.30 a. m. on this date, July 27, a large force of Salazar's men were helping themselves to merchandise in the Union Mercantile store. I was requested by the principal citizens of Dublan to go to El Paso and arrange for transportation for our women and children to El Paso, and that in the meantime runners would be sent to Colonias Diaz, Juarez, Pacheco, Garcia, and Chuichufa to recommend them to do the same, Salazar having already dispatched his troops to disarm them also.

I reached El Paso at midnight. The next morning I made arrangements with officers of the Northwestern to put all of their available rolling stock at our disposal, and I at once made the best arrangements possible to provide temporary quarters for women and children when they arrived. The first train reached El Paso at 1 a. m. July 29, and one to two trains daily arrived until about 2,000 women and children reached El Paso, and I am informed about 500 reached Hachita, N. Mex., going overland in wagons. Since that time I have

been busy as chairman of the committee, with headquarters in the American National Bank Building, caring for these refugees.

On leaving Colonia Dublan I left three of my sons and other parties in charge of our store and home. According to authentic information the Union Mercantile store was looted daily, and on August 1 two box cars were stopped in front of the store and entirely filled with dry goods and other merchandise which was of no value to the troops; that these cars were run to Casas Grandes and Pearson and the merchandise distributed among the common people. According to information the condition became so tense on August 2 that the men left in charge of property in all the aforementioned colonies were compelled to flee for their safety, and are still somewhere in the mountains trying to make their way to the American border.

Since that date our homes and all property have been at the mercy of not only the soldiers but the surrounding population without any caretakers whatever. In addition to our mercantile business above mentioned the Union Mercantile owned a large blacksmith and repair shop, with gasolene engine and machinery, and a large stock of material worth about $20,000. I personally left a home worth $25,000, with 5 acres of orchard and garden heavily loaded with fruit and all kinds of vegetables, also one other city block with orchard and growing crops, and 20 acres of alfalfa.

During the 10 years I have lived in Mexico I have broken no law, have always been a law-abiding and industrious citizen, and have paid large sums to the Mexican Government in taxes. I have not taken any part in their political affairs and have always been subject to their officers. All I have desired or contended for is the peaceable possession of my property and the protection guaranteed by the civilized nations. I have abandoned everything I possess in the world in Mexico, am indebted to various firms and banks in the United States and elsewhere for large sums of money borrowed and for merchandise not paid for. It is my purpose and desire to return and save what is left of my property and occupy my home in Mexico just as soon as it is safe to do so.

And further affiant saith not.

H. E. BOWMAN.

Subscribed and sworn to before me this 10th day of August, A. D. 1912.

[SEAL.] W. M. JOHNSTON,
Notary Public.

AFFIDAVIT OF L. P. ATWOOD.

STATE OF TEXAS, *County of El Paso, ss:*

L. P. Atwood, on his oath, being duly sworn, says that he is 39 years of age, a citizen of the United States, and resident of El Paso, Tex.; that since October, 1911, he has been employed as chief engineer in the construction of a railroad by L. E. Booker, from a connection with the Mexico & Northwestern at Pearson, in the State of Chihuahua, Republic of Mexico, to Pacheco, in such State, about 30 miles from Pearson, and during such period of time has had under his superintendence and direction a large number of native laborers and 15 or 20 Americans, mainly engineers, the grading work being under the charge of Messrs. Bowman & Larsen, American contractors.

Affiant says that the enterprise referred to was owned by L. E. Booker and his associates in the United States, Mr. Booker himself personally being a resident of El Paso, Tex., and a citizen of the United States; that at the time of the commencement of such enterprise, in October, 1911, the Madero revolution had triumphed, there had been a peaceful election of Mr. Madero as the successor of President Diaz, and there was no military trouble or outlawry of any kind in the general section of country around Pearson and the enterprise was inaugurated and commenced under entirely peaceful conditions, was welcomed by the people in that section, who all flocked in to get work, which conditions continued until in February, 1912, at which time the Orozco revolution started.

That almost from the time of the start of the Orozco revolution the situation in and around Pearson and Pacheco more or less became embarrassing with reference to the prosecution of the work, but it had progressed so far at that time and it seemed so probable that the troubles might be overcome and the loss would have been so great if the work stopped that it was thought conservative to continue the same, and the said Booker and affiant and all of the men under affiant's general direction and control, particularly all the Americans,

were charged with the duty of being careful and politic, so as not to excite any enmity or to enrage any of the people that were in authority or to stir up trouble, and the enterprise worked along on this plan during the entire time that it progressed; but subsequent to last February affiant and all other men in authority on such work from time to time were annoyed and their rights more or less violated by the Orozco soldiers and officers in that they could never hold any teams or saddles or personal property or goods in stores provided any of the troops desired the same, and since about the 1st of July, A. D. 1912, when the Orozco troops retreated into that section, this course of conduct has been almost continuous and more aggravated conduct indulged in toward such Americans and such enterprise.

That beginning along about that date the soldiers have almost continuously been in and upon the work being prosecuted, and each day, more or less, one or more bands did some riding up and down the line, taking whatever they wanted, whether of work animals, commissary supplies, or other property; that beginning about such date, too, their conduct became of a more violent character, with a constant threat of personal violence in their attitude toward the Americans, including affiant and toward the enterprise.

That on the 26th day of July, 1912, shortly after a raid had been made by some of Salazar's soldiers and several horses taken away from camp, belonging to the said Booker and to the subcontractors, affiant went in person, accompanied by Mr. H. E. Bowman, to Casas Grandes, which was Salazar's headquarters, for the purpose of protesting against such robbery and general course of conduct, and demanding the return of such horses and other property, affiant stating that such property had been taken to Casas Grandes, and was then at such place.

That affiant was granted an interview by the said Salazar, at which the said Bowman was present, the room being full of soldiers at the time.

Upon affiant stating the course of conduct which had been pursued by Salazar's soldiers and asking for return of the property and for guaranty against such conduct, he was promptly informed by said Salazar that all guaranties which formerly the said Salazar had promised to affiant and other Americans were withdrawn, to take effect the next day, and that thereafter all the Americans would have to protect themselves. He gave as his reasons for this that President Taft's administration had been favoring Madero in the revolutionary troubles and had been opposing him and the Orozco revolutionists, and because of this the Americans in the country would have to take care of themselves, and they would not hesitate to take anything which belonged to them when they wanter to do so, and that they would take everything from affiant's enterprise that they wanted, and would take life if there was opposition. He sneeringly told affiant that he, affiant, might take his rifle and protect himself if he could, and thereupon affiant said substantially, " I brought no rifle into this country with me. I did not come here to fight, but to work and prosecute this enterprise, and in coming I depended upon the protection of the authorities here, and I shall still rely on my right to that protection," but Salazar concluded his interview with affiant in the same way, that affiant or any other American should receive no protection whatever from their hands, but must look to President Talft or Gen. Huerta, of the Mexican Army, or get out of the country, and the interview ended in this same spirit on his part. During the course of the interview Salazar constantly brought up the policy of the present administration of the United States as being one directly in opposition to the Orozco followers, and that their attitude in persecuting the Americans in Mexico was due to resentment over that policy, and affiant was given to understand straight out that the Orozco people would take out their resentment against President Taft's policy on the Americans in that section of Mexico.

Affiant further says that, as stated above, there were a large number of Mexican soldiers in the room where this interview occurred and a considerable number standing around the doors and outside of the doors listening to what was said, and it was very evident that Gen. Calazar was making an opportunity out of the interview and what he should state therein for the purpose of impressing all of these soldiers as to what the spirit of the revolution was to be with reference to Americans, and they all listened intently to what was said. The interview lasted between 10 and 15 minutes, and throughout the same Gen. Salazar spoke in a loud and offensive tone, and the atmosphere changed during the interview so that it became on the part of Gen. Salazar and the listeners a very offensive and antagonistic one toward Americans.

Affiant fully realized and appreciated at the conclusion of the interview that every American who longer remained took his life in his hands, and left the interview with that conclusion and undertook to make his way back to where the construction work was going on, in doing which he stayed all night in Colonia Dublan, at which place on the following day a large bunch of Orozco's soldiers surrounded the store of Mr. Bowman, affiant being in the same at such time, and looted the same, taking from the same all that each one of them individually wanted and without leaving any account of it or being possible to take any account thereof.

Affiant understands that it was afterwards estimated that about $2,000 worth of stuff was taken by these soldiers. At first these looters came in in little bunches under the control of officers, who compelled the clerks to give them whatever they desired, but in the course of an hour all pretended control was relinquished by the officers and the looters swarmed in in numbers without any discipline or control.

Affiant returned that day to the work that he was engaged in prosecuting and conferred with some of the American contractors with reference to the situation and learned that the same had been growing very intense on the work, due not alone to the soldiers, but to the antagonistic sentiments which had been spread against the Americans, so that some of the Mexican employees themselves had become ugly and in a threatening attitude, and such things had occurred in the way of robbery and interference with the Americans that it seemed to be the conservative conclusion of all that it was either abandon all work and get out in a day or two or take great risk of their lives and that there was no hope but that all of their property was going to be confiscated, but it was thought best to hold on for a day or two longer, which they concluded to do, and the following day they tried to prosecute their work the same as usual; that by nightfall, however, it was evident that any American from whom money could be procured by threat or violence would undoubtedly be taken in charge or their money extorted, and that night affiant was compelled, in order to protect his own safety, to sleep out in the mountains, which he did, there being a bunch of soldiers in possession of the camp that night; that the next day affiant left his horse and saddle in the mountains and prepared in person to escape from that section of the country, which he did on the next night by riding out, abondoning his work entirely, going out with a party of nine, being practically all the Americans left, riding overland from camp to Hachita, N. Mex., a distance of about 175 miles across the mountains.

Affiant says that all of the Americans in such party found it necessary to conceal their intention and their acts in leaving; that the whole atmosphere was one of insult and threats of danger from both the soldiers and a part of the Mexican employees on the work for several days before this party left; and the day before it left the Mexican soldiers had commenced extorting money from the Americans on the work, affiant giving out that one gentleman, Mr. Larsen, had been held up, and being well aware that it was true that he was to be treated in the same manner, affiant being informed that it was talked around through the camp that affiant was considered a representative of big interests and that he was to be compelled to pay several thousand dollars for his liberty. Affiant further states that this party was compelled to travel over the mountains in this way in order to get out, because it would not have been safe for them to have gone through the regular avenues of travel to the railroad about 15 miles away.

Affiant says that in leaving at such juncture he was compelled to abandon to such people, entirely free from any protection of care, property of the company which he represented of great value, and that while he has not been able to hear from there since, the situation is such that it is highly probable that practically all of it had been seized, taken, or destroyed, and that such property was of general description as follows:

	Approximate value.
1 sawmill, complete, with blacksmith shop and 9 or 10 logging wagons	₱10,000
Lumber on yards	150,000
Headquarters camp equipment, houses, bedding, furnishings, etc	4,000
Stock of commissary supplies	5,000
Corn and hay	700
18 freight wagons	5,000
60 sets of harness	6,000
90 head of mules and horses	18,000

	Approximate value.
Saddles	₱750
2 cows with calves	150
3 hogs and 6 small pigs	300
Bridge camp equipment, commissary supplies, with tools and equipment and rigging	4,000
4 engineering instruments, with tools and equipment, tents, and commissary supplies	4,000
Total	207,900

In conclusion, affiant desires to say that the attitude of the Mexican soldiers in that section of Mexico is that the Americans have no business in the claim of ownership to property; that it doesn't make any difference what their titles are, "Mexico belongs to Mexicans," and the Americans should be forced to get out. This was plainly stated to affiant at one time by one of the Mexican officers, Maj. Gutierrez, to whom affiant had complained of the outrages of some of his troops, such officer stating in so many words to affiant that Mr. Booker had no right to claim any titles or property, that he was an American, and that all lands in Mexico belonged to Mexicans.

And further affiant saith not.

L. P. ATWOOD.

TESTIMONY OF ELLA STEVENS.

Ella Stevens, being first duly sworn by the chairman, testified as follows:

Senator SMITH. Where do you live?

Miss STEVENS. Colonia Pacheco, Chihuahua, Mexico.

Senator SMITH. Do you consider yourself a citizen of the United States?

Miss STEVENS. Yes, sir.

Senator SMITH. Where did you live before you went to Mexico?

Miss STEVENS. At Holden, Miller County, Utah.

Senator SMITH. I want you to tell where you were and what you were doing at the time you were interfered with by the revolutionists. I assume they were revolutionists:

Miss STEVENS. Yes, sir.

Senator SMITH. Tell it in your own way, and do not omit anything important.

Miss STEVENS. We were picking berries above our orchard. We heard a dog bark, and looked up and saw a man standing there.

Senator SMITH. What day was this?

Miss STEVENS. It was August 26, 1912.

Senator SMITH. Who was this man you saw standing there?

Miss STEVENS. He was a Mexican. He was standing at the foot of the blackberry patch. We went on picking, and in a moment looked up again and saw another one coming up out of the brush behind the first one. When the second one came up to the first one they stood as though they were counseling over something. Of course we could not hear what they were saying.

They went on down toward the foot of the patch and down toward the main road, and we supposed they were going farther on down toward our home. The place where we were picking the berries is just over a low ridge, and the men passed along a lower part of the ground, where they were out of our sight. We were looking for them to come up again into sight over a little rise. Instead of seeing them there we saw them creeping up in the bushes toward us, and when they were nearly to us they stood up and looked over the bushes.

Senator SMITH. Did they motion to you?

Miss STEVENS. No; one of the men spoke in English, and said "Come here." He went around to head us off from our main road, but we went through some brush by a roundabout way and escaped them. They were in the bushes and did not see us when we escaped them, for we went around them into the main road. We looked back and saw them and they saw us at the same time.

The blackberry patch was above the upper orchard, and when we came down to the upper orchard we decided to go down the road in the orchard and continue picking fruit; but we saw them following us, and so I said to my sister, "Let one of us go down and tell father. You go and tell him and I will stay here and watch and see what they are up to." She suggested that we both go to the house. So we thought we would walk along toward the house and pick fruit as we went so we would have that much more done. We looked and saw the men coming toward us and so we went on toward the house.

When we reached the house our mother and other sister were in the lower orchard picking fruit. We inquired for our father and found that he had gone out to the field. While we were waiting for him to come—while one of the children had gone for him—we picked fruit there in the lower orchard by the house. We heard their dog bark again, near the bottom of the upper orchard, so we knew the Mexicans were still following us. Just at this time we went into the house, and our mother called out to our father and told him what had happened.

Senator SMITH. Had anything happened up to that time more than you have told us?

Miss STEVENS. We just told him that the Mexicans were there and how they were heading us off and following us up, that they had spoken to us, and that they were still following us, and that as we had hurried they had seemed to hurry also.

Senator SMITH. How far away were they from you at the time you first saw them at the lower end of the patch?

Miss STEVENS. About 60 yards.

Senator SMITH. Did they get any closer to you than that when they came to speak to you in the bushes?

Miss STEVENS. They were then about the distance of six rows of trees. The rows are about 2½ yards apart.

Senator SMITH. They were then about 15 yards away. Were they close enough so that you knew they were trying to overtake you?

Miss STEVENS. Yes. When the second one came up he had a dagger in his hand. I omitted to state that.

Senator SMITH. You said your father came to the house.

Miss STEVENS. He came in and took his shotgun and went out to the side of the lower orchard. My sister Emma suggested that we go up and finish the picking of the fruit while father was there. So we two and my sister Abbie started up there. As we were up at the top of the lower orchard we saw father at the upper orchard, going on the north side of the patch. He was about 30 yards up the row. The two Mexicans were ambushed there and came out as he was going between the rows. They came out onto him. He went out behind them and we saw them coming down in front of him, and my sister said, "It looks like father is driving them." They walked

a few steps ahead of him and then one of them turned quickly and stabbed him. We heard him call, but could not tell what he said. We hurried up there to him as fast as we could run, and while we were running up we heard two shots.

Senator SMITH. Was there any shooting before he was stabbed?

Miss STEVENS. No, sir.

Senator SMITH. How far were you from your father when he was stabbed?

Miss STEVENS. He was in one orchard and we were at the top of the other, about 100 yards away.

Senator SMITH. Had he overtaken the two men or had they circled around him?

Miss STEVENS. He was going up through the orchard and they came out of the bushes.

Senator SMITH. You say they were "ambushed." What do you mean by that?

Miss STEVENS. They were hidden in the bushes.

Senator SMITH. After you saw your father was stabbed, then what occurred?

Miss STEVENS. The rows of trees hid them from our view when we were running. We heard two shots while we were running.

Senator SMITH. Then what happened?

Miss STEVENS. Next, we saw the fellow that was running, with his left hand over his right side. At the end of the third row of trees we saw father and the other Mexican the length of their guns apart, and they went into the ditch and went out of our view. As soon as we came to them, the Mexican was lying in the ditch, and father was trying to take the knife from him. The Mexican was across the gun and father was sitting on him, and hold of the hand that held the knife. The Mexican was trying to stab him again, and father was holding the knife and trying to take it from the Mexican when we came up. We both went toward the Mexican, and I took hold of father's hands, and my sister took hold of the blade of the knife, and we both arose at the same instant. While we were going up there I picked up an oak stick about 4 feet long. I laid this down just before going to take hold of the hand to help take the knife away. I stepped around on the other side of them and took hold of the gun and worked it out from under them, and my sister picked up this stick and hit the Mexican in the face with the stick. At this he made an extra move and father at this moment fainted from loss of blood and fell over on the ground. The Mexican arose and came at my sister. I pulled her back, and picked up the gun, and he thought I might shoot.

Senator SMITH. Did you put it to your shoulder.

Miss STEVENS. No; I held it in my hand. It was quite muddy and I was trying to work it, and he, seeing that I was getting it ready, began to go away. I followed him a few steps, and watched him until he went out of sight around the next row of trees, and then we paid our attention to our father, who was lying on the ground, and we did not see either of the Mexicans after this.

Senator SMITH. Was the first Mexican apparently wounded?

Miss STEVENS. Yes.

Senator SMITH. When he went away?

Miss STEVENS. Yes.

Senator SMITH. You never saw him again?

Miss STEVENS. No, sir.

Senator SMITH. Had the second one been shot—the one that you saw there with your father?

Miss STEVENS. We do not know. He walked away slowly. We do not know whether he was wounded or whether he did not know whether to go on or to come back. We wondered why he left so slowly, as if he was afraid, or waiting to see what we would do.

Senator SMITH. Did you take your father to the house?

Miss STEVENS. While I was walking a few steps toward the Mexican my sister went to my father, and he was on his elbows and knees, with his head bowed, and he soon lay down on the ground. She took his head in her lap, and she was sitting there when I came back to them. She went after some water and bathed his face, and while we were moving him a step or two he gave a faint groan, and that was the last.

Senator SMITH. He died?

Miss STEVENS. Yes; he died at that time; and we carried him into the house and laid him on the bed.

Senator SMITH. Did either of these Mexicans lay hands on you or your sister?

Miss STEVENS. No, sir. He came within 2 feet of her with the knife, but I pulled her back in time to keep her from being stabbed with the knife.

Senator SMITH. Do you think that is what he intended to do?

Miss STEVENS. Yes; he came at her with his knife ready.

Senator SMITH. If you had not held the gun, you think he would have stabbed her?

Miss STEVENS. Yes. Just as I took the gun up and pulled her back, he hesitated an instant, and then he decided to take a step backward, and he then turned and walked away.

Senator SMITH. You say this Mexican and your father both went into the ditch?

Miss STEVENS. Yes.

Senator SMITH. Was there any water in the ditch?

Miss STEVENS. No, sir.

Senator SMITH. Your father was on top of him?

Miss STEVENS. Yes.

Senator SMITH. Sitting on him, holding him down?

Miss STEVENS. Yes.

Senator SMITH. By force, or was the man apparently injured?

Miss STEVENS. We do not know whether he was injured or not.

Senator SMITH. But your father was evidently able to master him in that situation, even after he had been stabbed?

Miss STEVENS. Yes; until father fainted. When we saw them, it appeared that the Mexican had rushed upon him to stab him again, and he was trying to protect himself. It looked as if they both went down on the ground, and he had managed to get on top.

Senator SMITH. Your father had?

Miss STEVENS. Yes.

Senator SMITH. Where did this Mexican stab him?

Miss STEVENS. In the right side.

Senator SMITH. Was this the first time you had ever been molested?

Miss STEVENS. Yes.

Senator SMITH. State where your place is located, with reference to some town or village.

Miss STEVENS. It is located about three-quarters of a mile north of Colonia Pacheco.

Senator SMITH. Was either of these Mexicans in uniform?

Miss STEVENS. No, sir.

Senator SMITH. In your opinion was either of them a soldier?

Miss STEVENS. The insurrecto soldiers are never in uniform.

Senator SMITH. Were there any soldiers in the vicinity of your house at that time?

Miss STEVENS. Yes; there were a few rebels around there that we know had deserted from the bunch. They passed right by us as they came back. The army had gone by.

Senator SMITH. Were these a part of that band?

Miss STEVENS. We could not say whether they were a part of that band or whether they were some that were following the rebels and stealing what they could. After the rebels got what they wanted these other men would come and get what was left.

Senator SMITH. Have you told everything that transpired from the time you saw these men until they went away? Did they make any physical attack on you other than you have stated?

Miss STEVENS. No, sir.

Senator SMITH. Did they grab you by the arms or attempt to drag you away?

Miss STEVENS. No, sir.

Senator SMITH. From the time you first saw them until you went to the ditch where the Mexican and your father were you were some little distance from them?

Miss STEVENS. Yes.

Senator SMITH. And the only overtures they made to you were from the bushes when they called to you?

Miss STEVENS. Yes. They were quite near us then.

Senator SMITH. How near? As near as across this room?

Miss STEVENS. A little farther than that.

Senator SMITH. Fifty feet away?

Miss STEVENS. About 15 yards away.

Senator SMITH. Have they attempted any harm either to yourself or your brother or your mother since then?

Miss STEVENS. No, sir.

Senator SMITH. Had they before?

Miss STEVENS. No, sir.

Senator SMITH. What happened after that?

Miss STEVENS. We left the next day. There were two other men in Colonia Pacheco, and they were sent for, and the next morning we came down to Juarez, and we have not been back there since.

Senator SMITH. What is your sister's name?

Miss STEVENS. Her name is Emma.

TESTIMONY OF EMMA STEVENS.

Emma Stevens, being first duly sworn by the chairman, testified as follows:

Senator SMITH. Is your version of this matter the same as your sister's?

Miss STEVENS. Yes.

Senator SMITH. Entirely?

Miss STEVENS. Yes.

Senator SMITH. When you struck this Mexican with that stick, was he lying on his back or his side?

Miss STEVENS. He was lying on his back, with his hand holding the knife toward father's face. He was trying to strike father in the face with the knife. When I struck him, he fell back in the ditch. His head was raised from the ground. He fell back, and that prevented him from striking father again.

Senator SMITH. You finally got the knife away from him?

Miss STEVENS. No, sir; we tried to get it, but we did not succeed.

Senator SMITH. Did he take it away with him?

Miss STEVENS. Yes.

Senator SMITH. Do you know whether he struck your father more than once with the knife?

Miss STEVENS. I think not. Father only had one wound, with the exception of cut fingers.

Senator SMITH. And in all respects your statement would be the same as the one which your sister has made?

Miss STEVENS. Yes.

TESTIMONY OF WALTER J. STEVENS.

Walter J. Stevens, being first duly sworn by the chairman, testified as follows:

Senator SMITH. Where were you the day your father was killed?

Mr. STEVENS. I went out to look after cattle and horses in the mountains. We had been hiding out some of our horses, and I went to look after the horses.

Senator SMITH. So that you were not there at the time this happened?

Mr. STEVENS. No, sir.

Senator SMITH. You did not see these men at all?

Mr. STEVENS. No, sir; I saw the Mexican that was killed. We found him in the orchard dead, afterwards.

Senator SMITH. On your place there?

Mr. STEVENS. Yes; about 150 yards from where father was killed.

Senator SMITH. He had been shot by your father?

Mr. STEVENS. Yes; he was shot with a load of buckshot. He was so close that the buckshot all went in at one hole in his right breast at about the same place where father was stabbed. The shot did not scatter at all.

Senator SMITH. Miss Stevens, did you see the body of the Mexican?

Miss ELLA STEVENS. No, sir; we left the next morning.

Mr. WALTER J. STEVENS. We did not find the body until the next day, and our attention was attracted by the fact that their dogs did

not go away, but stayed there. Part of the time they would be by this man's hat, and part of the time they were up there at the body. We noticed that they stayed right there in the field, and two of the boys went up to see if they could find anything, and they found this Mexican's body about 150 yards from where the trouble occurred.

Senator SMITH. Was there anything on the body to show who the man was, to identify him?

Mr. STEVENS. I never examined his body myself. There were officers sent up from Pearson, and they examined his body. He had a belt and a knife scabbard, but no knife.

Senator SMITH. Any cartridges?

Mr. STEVENS. No cartridges. He was dressed in a yellow suit, with a pair of calf half boots.

Senator SMITH. Is that all you know about it?

Mr. STEVENS. That is all I know about it.

Senator SMITH. Was any attempt made to collect any money from you?

Mr. STEVENS. No, sir.

Senator SMITH. Or from your father, to your knowledge?

Mr. STEVENS. No, sir.

Senator SMITH. By either the revolutionists or the federals?

Mr. STEVENS. No, sir. Four rebels came there and got three guns.

Senator SMITH. Took them out of your house?

Mr. STEVENS. I was not there. I was out with the horses. I would go about twice a week and look after the horses. We had to keep them down in a deep canyon, to keep the rebels from running onto them, and I would go about twice a week and look after the horses. The time before this, while I was out there, the four rebels came there and demanded our guns. We gave them three guns. One of them belonged to them, and one of them a Mexican left there in our charge, and the other was one of our own guns. They demanded the shotgun, and we said they could not have that, that we were not going to be left there with a family without something for our protection.

Senator SMITH. Did you see any Americans among these revolutionists?

Mr. STEVENS. No, sir.

Senator SMITH. Have you ever seen Americans among the revolutionists, in either party?

Mr. STEVENS. Do you mean in the Madero revolution?

Senator SMITH. Yes.

Mr. STEVENS. I do not think I ever saw an American with them at all at any time. I have seen men with them, just as I have been with them myself, as I happened along with them at times, and talked with them for a little while, but I never saw any Americans who were following them.

Senator SMITH. When was it that they took the guns?

Mr. STEVENS. It was the 21st of August, so my sister says.

Miss EMMA STEVENS. It was the 21st of August.

Senator SMITH. About what time of day was it?

Miss EMMA STEVENS. About 1 o'clock.

Senator SMITH. You are here now in El Paso with this colony?

Miss ELLA STEVENS. Yes.

Senator SMITH. You are being cared for out of the United States Government funds?

Miss ELLA STEVENS. Yes.

Mr. WALTER J. STEVENS. We left two brothers down in Colonia Pacheco to look after things, to see if they could save anything down there. Our crop had not been disturbed this year.

Senator SMITH. When was this?

Mr. STEVENS. The 26th of August, 1912.

Senator SMITH. I would like to ask Miss Stevens this question: Did you feel that these Mexicans were intending to do you bodily harm when you first saw them?

Miss EMMA STEVENS. Not when we saw the first one.

Senator SMITH. After they spoke to you?

Miss EMMA STEVENS. Yes; then we did.

Senator SMITH. And you moved away from them because you feared them?

Miss EMMA STEVENS. Yes.

TESTIMONY OF H. O. HARRIS.

H. O. Harris, being first duly sworn by Senator Fall, testified as follows:

Senator FALL. What is your business?

Mr. HARRIS. I am a railway conductor.

Senator FALL. On what road are you running?

Mr. HARRIS. On the Mexico Northwestern.

Senator FALL. In the Republic of Mexico?

Mr. HARRIS. Yes.

Senator FALL. Where were you about August of this year?

Mr. HARRIS. I was working in the district between Pearson and Madera.

Senator FALL. Were the principal points along on that road occupied by the federal troops or by rebels?

Mr. HARRIS. The federal troops came in and took charge in that month and were supposed to be in charge of it?

Senator FALL. Where were they?

Mr. HARRIS. They were stationed at Aguaje and Madera and Pearson.

Senator FALL. You did not run up as far as Casas Grandes?

Mr. HARRIS. I was up at Casas Grandes during that time, but not regularly.

Senator FALL. Were the federals also at Casas Grandes?

Mr. HARRIS. Yes, sir.

Senator FALL. How far is Cumbre from Madera or from Pearson?

Mr. HARRIS. It is 77 kilometers south of Pearson, toward Madera.

Senator FALL. How many kilometers is it from Madera?

Mr. HARRIS. It is 168 kilometers.

Senator FALL. I know all the trails in that country, but I have not been there since you have completed the road. Was there any particular incident that occurred in connection with yourself or your train in August, after the federals had occupied these places you mentioned?

Mr. HARRIS. Yes. As I was coming north with a mixed train between Madera and Pearson they began firing on the train on the south side of the continental tunnel, which is at Cumbre. They fired several shots on the train on the south side. As we came out on the north side of the tunnel they began firing again. We had merchandise and passengers for Cumbre. It was a mixed train. We did not stop, as it is a very dangerous hill. We pulled out of Cumbre and stopped on a curve so that they could not see us from Cumbre and made the train safe and came down the hill with retainers and hand brakes.

When we got to Aguaje the Federal troops that were there could examine the train and see how it was, but instead of that they cut the train all to pieces, pulled all the pins in the train, so that we were delayed quite awhile. We found that the caboose was hit once. The coach next to the caboose was hit six times or seven times, and the car next to the coach was hit twice. The engine was hit four times.

Then we came on into Pearson with the same train.

The next day we started out of Pearson south with a mixed train, six cars of coke, a coach, and a caboose. We got to Aguaje. The general there began to load his women, dogs, and chickens, and all such stuff as that for fighting, and his artillery, to go to Cumbre and fight. He was going to take myself and the engineer as prisoners back with him to Cumbre to go within 2 kilometers of Cumbre and cut the engine off and go up to Cumbre with the engine and train crew to see if it was safe to take his army to Cumbre. That was the Federal general.

Senator FALL. Who was that?

Mr. HARRIS. His name was Pina. Instead of doing this I made a stand on him. I think if he had been a rebel he would have shot me. I do not know whether he would or not. I made a stand on him, pulled up and set out the cars of coke I had on the sidetrack. I intended to get away from him with the coach and caboose, and as we had a chance we backed away from him, backed down the track about 4 kilometers, put up a telephone and got train orders and came back into Pearson and left him up there with his artillery loaded.

Senator FALL. You speak of his artillery. Did he carry any artillery?

Mr. HARRIS. Oh, yes; they had plenty of artillery. They had plenty of guns and ammunition, but they took more pains to load the chickens and dogs and squaws than they did the guns and ammunition.

I went on into Pearson and reported this to Gen. Blanco, and he took it up with Supt. Marcello, and he thought we did a very rotten piece of business by not taking the company to Cumbre.

Senator FALL. And then going ahead and scouting for them?

Mr. HARRIS. Yes. I have handled rebels considerably, and have been out with them as much as three weeks at a time, without handling anybody but rebel soldiers, but I can say on oath that I have never been mistreated a particle by rebels. I have had them hold us up, and tell us what to do, and what they wanted, and we have never resisted; but there was never anyone of them who wanted us to do any scouting for them.

I was getting stuff out of Juarez here a few days ago. It was the same day that the Arroyo Seco Bridge was burned. At the time that

was burned I went as far as Guzman, and we stopped at Guzman. There was a work train came in from San Pedro, and they told us there was trouble on the line, and they had come in to get away from the trouble. They understood that the rebels had held up the passenger train near Arroyo Secco, and we came north with the equipment. Guzman is filled with federal soldiers. I had a train of three cars of merchandise and some coal and coke. So I went and set out my coal and coke and hung onto the three cars of merchandise. The brakemen and train crew were up on watch all night. The federal soldiers at Guzman went and hid their guns and crawled into all the corners, wrapped up in their blankets, for fear the rebels were coming. They had no intention of fighting at all. I got very little sleep that night. I got up and looked around for their guns. If I had found them, I was going to load them up and get away with them.

Senator FALL. They were so well hidden you could not find them?

Mr. HARRIS. If I had had moonlight I would have found them, but I would not run around with a lantern looking for them. Those were the brave federal soldiers.

Senator FALL. Just go back for a moment, you say that on this occasion when you were fired into at Cumbre you went on and found the federals at Aguaje?

Mr. HARRIS. Yes.

Senator FALL. How far is Aguaje from Cumbre?

Mr. HARRIS. Twenty kilometers by rail, but only about 12 kilometers across country.

Senator FALL. So that if the federal soldiers there had desired to catch the rebels at Cumbre, they could have gone over the trails 12 kilometers?

Mr. HARRIS. Yes; in about four hours.

Senator FALL. Or they could have commandeered your train and gotten on that and gone back to Cumbre. How long would that have taken?

Mr. HARRIS. I could have put them back to Cumbre in three hours from the time I was shot at. I tried to take them back there when I got out to Aguaje.

Senator FALL. You tried to take them back?

Mr. HARRIS. I told them I would take their cars behnd the engine and shove them up the hill.

Senator FALL. What did they say?

Mr. HARRIS. They would not go. They did not want to leave Aguaje.

Senator FALL. Have you noticed the federal soldiers who have been out on this Northwestern Road, as to their method of traveling, and what encumbrances they have in traveling, and also in the towns and camps where they are stationed?

Mr. HARRIS. Yes; considerably.

Senator FALL. What is their custom in reference to carrying other people, animals, and various articles along with them?

Mr. HARRIS. They carry everything that they can make a pet out of, it does not make any difference what it is, anything that can crawl, climb, or jump.

Senator FALL. Did they have women and children along with them?

Mr. HARRIS. Yes; all the time. They are never without them. They take everything that they can get into the cars, with the exception of cattle. I have never seen any cows along with them, but they have pigs, sheep, chickens, dogs, pet crows, poll parrots, and all such stuff as that. If you ever start out of a station and leave one of those creatures, you have got to stop and back up and get it. I have had them stop me and back me up to get them after they had started out of a station.

Senator FALL. And their women and children?

Mr. HARRIS. Yes.

Senator FALL. Have you ever observed how they are fed and who does the cooking? Do they have a regular commissary where they all go and eat?

Mr. HARRIS. No, sir; when they stop—just as soon as you stop the train anywhere, it makes no difference whether for one minute or an hour, they will unload and start cooking right there, and when you get ready to go you have got to wait until they load up again. They will unload and build a fire right by the side of the car and start cooking.

Senator FALL. Who does the cooking?

Mr. HARRIS. They generally have their squaw out there with a pot of beans.

Senator FALL. You mean the women?

Mr. HARRIS. Yes; the Yaqui Indians are the only ones who do not take their women along with them.

Senator FALL. The women start to cooking beans?

Mr. HARRIS. Yes. They are already cooked, but they make them hot again, and if you stop along where there are Mexican camps they will run to the camp to get tortillas or whatever else they need in the way of cooking supplies, or will run to the commissary car that they have on the train to buy supplies.

Senator FALL. They carry a commissary car along with them and sell the food from that car to the soldiers?

Mr. HARRIS. Yes. Almost every train of soldiers has a commissary car.

Senator FALL. And then the soldiers have their own women, whom they carry along with them everywhere to do the cooking?

Mr. HARRIS. Yes, sir.

When the Yaqui Indians went to Cumbre they met up with the same gang that did the shooting at Cumbre and had a fight with them at Los Pomas, and the Yaquis followed the rebels six hours after they were called back that day. They have been picking up dead rebels down in the canyon ever since. Nobody knows how many were killed, but all the Yaquis came back. Instead of waiting for the train, the Yaquis waded in the water all night.

Senator FALL. Do the Yaquis carry any women with them?

Mr. HARRIS. No; they carry nothing but Mausers and belts of ammunition, and when they get hungry they shoot the first thing they see and eat it. The Yaquis are soldiers.

I was with the train that was burned the other night, on which Mr. Rupert was the engineer. The bunch of rebels in between Sabinal and Casas Grandes told us not to come back; that they were going to kill everybody who did come back.

Senator FALL. Was that the train that was stopped by the four men?

Mr. HARRIS. Yes; there were only four there, but there were others close by.

Senator FALL. Who was the man who was doing the talking? Was he a major?

Mr. HARRIS. No; he was in charge of a little gang. I suppose you might call him a major. He was one of the Mascereñas family. Mascereñas was the provisional governor of Sonora, and this was one of the same family, a younger man. I had seen him several times.

Senator FALL. Do you believe you had better stay out of Mexico?

Mr. HARRIS. Yes; I have that much confidence in him, the way he talked to me and told me to inform the others.

Senator FALL. Mascereñas is a gentleman?

Mr. HARRIS. I believe he is. He was in the caboose with us, and he did not interfere with a thing that we had there. As far as guns and ammunition were concerned, I had a mighty good gun myself, and he did not ask me a question about it. If he had, I would have given it to him.

STATEMENT OF LEWIS E. BOOKER.

Senator FALL. Mr. Booker, where do you live?

Mr. BOOKER. I live in El Paso.

Senator FALL. Have you interests in the Republic of Mexico?

Mr. BOOKER. I have.

Senator FALL. How long have you been interested there?

Mr. BOOKER. For 12 years.

Senator FALL. Have you devoted much of your personal attention to business in Mexico?

Mr. BOOKER. Almost exclusively.

Senator FALL. Of what do your interests there consist?

Mr. BOOKER. Ranches, live stock, and timberlands. And just at the present time we are constructing a little railroad.

Senator FALL. Your interests lie principally in the western part of Chihuahua, do they not?

Mr. BOOKER. Yes, sir.

Senator FALL. Particularly along the line of the Northwestern Road, and west and south?

Mr. BOOKER. Yes, sir.

Senator FALL. What generally are the conditions existing in the portion of Mexico with which you are familiar with reference to investments and property rights of foreigners at this time?

Mr. BOOKER. There is no protection whatever to foreign interests, especially Americans, and I consider that the property of Americans in northwestern Chihuahua is absolutely in the hands of the revolting Mexicans.

Senator FALL. Are there federal troops in that neighborhood?

Mr. BOOKER. Yes, sir.

Senator FALL. Are they attempting to protect American and foreign interests there?

Mr. BOOKER. They seem to be inactive.

Senator FALL. Have you lost any stock or horses from your ranches there recently?

Mr. BOOKER. They rode up to our hacienda there and shot down about 35 milch cows. Outside of that we have not lost anything that I know of, except what they killed for meat.

Senator FALL. How about saddle horses, mules, and harness?

Mr. BOOKER. Where I am building the railroad, west of Pearson, they came in and took about 200 horses and mules, about 80 sets of harness, and about $5,000 worth of commissary supplies. They also took quite a number of wagons, but we got most of the wagons back.

Senator FALL. Have you ever discovered any of your stock since they were taken? Do you know into whose hands any of them have fallen?

Mr. BOOKER. We have found some of them in the hands of the federals.

Senator FALL. Have you been able to secure the return of your stock from the federals?

Mr. BOOKER. I have not. Their requirements are such that I can not comply with them to get them.

Senator FALL. You have offered proof of ownership such as has always been recognized in Mexico?

Mr. BOOKER. Yes.

Senator FALL. And they refused to recognize it and to restore your property that you found in their hands?

Mr. BOOKER. Yes, sir.

Senator FALL. Do you remember the recent occasion when the federal Mexican troops were allowed to go through the United States from El Paso to Douglas?

Mr. BOOKER. Yes, sir.

Senator FALL. Did they have any horses with them at that time?

Mr. BOOKER. I was informed that they had four or five of my horses with them at that time.

Senator FALL. Do you know where they got these horses or any other horses which they brought?

Mr. BOOKER. They brought them from the vicinity of Casas Grandes.

Senator FALL. Had you heard that the federals themselves had rounded up horses down there and taken them?

Mr. BOOKER. Yes.

Senator FALL. And you were told by some one who knew your horses or horse brands that these federals had at least some four or five of your horses with them when they went through the United States?

Mr. BOOKER. Yes; and confiscated horses belonging to other settlers down there.

Senator FALL. In your opinion are the conditions, since the federals have taken charge of the different places which they have garrisoned along on the Mexico Northwestern, better now, and is property better protected than it was when the federals were not in that country, or are the conditions worse?

Mr. BOOKER. They are worse. The rebels operate right around the camps of the federals.

Senator FALL. Practically with impunity, or do the federals undertake to capture and punish them?

Mr. BOOKER. With impunity. At Sabinal we have a little mine called the Central mine. Salazar personally came in there with

three men and held up our superintendent, and told him he wanted him to pay $4,000. He said he could not do it. Salazar put him on a horse and said to him, "How much money can you get me by going to El Paso?" He said, "I can get you one month's wages gold." He said, "You go to El Paso and get it." The superintendent went from there 3 miles to the federal troops and told them about his experience. Salazar was over there, and was supposed to have 300 or 400 troops, and the federals had 700 to 900. When the superintendent told the federals about it, they told him that they knew that Salazar was over there.

Senator FALL. Did they go after him?

Mr. BOOKER. No, sir.

Senator FALL. Prior to the Madero revolution, how were Americans and foreigners in Mexico treated by the Mexicans, both of the lower and the higher orders, with whom they came in contact?

Mr. BOOKER. With the greatest respect and consideration.

Senator FALL. How are they treated now?

Mr. BOOKER. They are treated with contempt.

Senator FALL. Do you recall any instance which will illustrate the difference?

Mr. BOOKER. One of the men in the engineering camp down on the road told me that when the rebels came in there one of them stepped up to one of the engineering corps who had a new Stetson hat. The Mexican took off his old slouch hat, with holes in the top and the rim torn, and put it on the head of this member of the engineering corps and pulled it down——

Senator FALL. Put it on the American's head?

Mr. BOOKER. He pulled it down on the American's head and said, "Say thank you."

Senator FALL. Did he keep the Stetson hat himself?

Mr. BOOKER. Yes. It simply shows that they have lost all respect for Americans, and they feel that they can treat them as they please with impunity.

Senator FALL. Did the proclamation of the President of the United States, which was construed generally as ordering the Americans out of Mexico, affect the conditions there as to the treatment of Americans at all; and if so, why?

Mr. BOOKER. Personally I felt that that order said to me, "Sacrifice your property and get out." That is the way I felt about it. That order seemed to be issued without respect to the fact that there were thousands and thousands of Americans who had lived in the Republic of Mexico for years, and had accumulated property and made homes, and were comfortable there, and the order meant, "Leave your earnings for 25 years and get out of the country and sacrifice everything you have there."

Senator FALL. Have you any opinion or information as to the effect of that order upon Mexicans in Mexico?

Mr. BOOKER. I do not know at that particular time, but subsequently it had its effect. I have not been living in Mexico myself since then.

At 12 o'clock noon the committee adjourned until Saturday, October 12, 1912, at 11 o'clock a. m.

EL PASO, TEX., *Saturday, October 12, 1912.*

The committee met at 11 o'clock a. m.

Present: Senator Fall.

STATEMENT OF CHARLES SMITH.

Senator FALL. Of what country are you a citizen?

Mr. SMITH. Of the United States.

Senator FALL. Where are you residing now?

Mr. SMITH. At Trinidad, in the district of Sahuaripa, State of Sonora, Republic of Mexico.

Senator FALL. How long have you been in Mexico?

Mr. SMITH. I have been in Mexico off and on for 32 years.

Senator FALL. Do you speak the Spanish language?

Mr. SMITH. Yes, sir.

Senator FALL. Are you familiar with the Mexican people?

Mr. SMITH. Yes, sir.

Senator FALL. What has been your business in Mexico?

Mr. SMITH. Principally mining.

Senator FALL. Where have you lived in the United States?

Mr. SMITH. I have lived in Wyoming. I came to Wyoming in 1873, to California in 1876, and to Arizona in 1880.

Senator FALL. What has been your business principally in the United States?

Mr. SMITH. Mining; and I have also been in the Government service.

Senator FALL. What positions have you occuplied in the Government service?

Mr. SMITH. I was inspector of customs during Harrison's administration in Nogales, Ariz. When Cleveland was elected of course we had to pack our duds and get.

Senator FALL. How long have you been at Trinidad?

Mr. SMITH. Next month it will be five years that I have been there.

Senator FALL. What is Trinidad?

Mr. SMITH. It is a mining camp.

Senator FALL. What position have you had there?

Mr. SMITH. I have charge of the Trinidad property.

Senator FALL. Also the Trinidad ranch property?

Mr. SMITH. Also the 50,000 acres of land belonging to it.

Senator FALL. Remaining there in charge of the ranch and property?

Mr. SMITH. Yes, sir.

Senator FALL. How far is the camp of Trinidad from the line of Chihuahua?

Mr. SMITH. Do you mean directly in an air line?

Senator FALL. Yes; approximately.

Mr. SMITH. Perhaps about 40 miles.

Senator FALL. How far approximately from the line of the next State south?

Mr. SMITH. I will say about 100 miles from Sinaloa. It is farther than that the way you go around.

Senator FALL. How far is Trinidad from any line of railroad?

Mr. SMITH. About 55 or 56 miles. It is 18 or 19 leagues.

Senator FALL. What is the station on the railroad to which you come in coming out from Trinidad?

Mr. SMITH. La Dura and Tonochi. They are both about the same distance.

Senator FALL. What is La Dura?

Mr. SMITH. La Dura is a mining town and a kind of distribution station for freight into the mountains.

Senator FALL. Have you been in Mexico, at Trinidad or in that neighborhood, during the last two rebellions in Mexico?

Mr. SMITH. Yes.

Senator FALL. That is to say, first the Madero rebellion against Diaz, and later on the so-called Orozco and Zapata rebellion against Madero?

Mr. SMITH. Yes, sir.

Senator FALL. What has been the general condition of the country down there in that neighborhood? Have business conditions been disturbed or has everything been quiet and peaceful?

Mr. SMITH. It has been very much disturbed, especially under this latest revolution.

Senator FALL. Have you see any Federal soldiers there lately in your neighborhood?

Mr. SMITH. No, sir.

Senator FALL. When did you see or know of any Federal soldiers being in that neighborhood?

Mr. SMITH. We are talking about regular soldiers now. There have not been any there for over two years. There has only been one party there, and that was under Col. Matthews during the Madero revolution.

Senator FALL. Do you know anything about the recent movements of the rebel army, the soldiers or bands under Rojas, El Toro, Fernandez, Cheche Campos, and others?

Mr. SMITH. Yes, sir; I do.

Senator FALL. Did they or any of them pass through your country?

Mr. SMITH. Yes; they all passed.

Senator FALL. Recently?

Mr. SMITH. A force passed through there on the 28th of July under Escandon and Dr. Huerta.

Senator FALL. About how many did they have?

Mr. SMITH. They had about 40 when they came through.

Senator FALL. Did they cause you any trouble at Trinidad?

Mr. SMITH. No; they passed through, but they did not cause me any trouble personally. They took away our guns and provisions and everything they could get from the people around there.

Senator FALL. Since that time have there been any rebels through there?

Mr. SMITH. Yes, sir

Senator FALL. Go ahead and state what you know about the rebels in there recently, in the last two months.

Mr. SMITH. There are towns near me, where they commit a great many depredations. When Escandon's party struck Jecodi, which is 15 miles from Trinidad, east of there, they committed a great many depredations there, stealing mules, breaking up the houses, stealing

grain and money and clothing, and, in fact, every thing they could get hold of.

Senator FALL. Go right ahead as to their movements there and what occurred, whether there was any attempt on the part of the authorities to stop them or not.

Mr. SMITH. No; there was no authorities there to stop them. Then the next outfit that came through was that of Fernandez. He had perhaps a few more than 500 men with him. I think they came through on the 3d of August. They also came in from the Jecori country.

Senator FALL. In which direction did they go?

Mr. SMITH. They went west toward La Dura. They were a tough outfit. I ought to state how they got away. They did a whole lot of depredations around the Jecori country, and then they struck Mr. Harding, a consulting engineer of the Republique mine. When they struck Jecori they met Mr. Gordon Harding and four or five other men, including the foreman of the mine and the pump man, and they took away all their guns and ammunition, and were going to take away their riding animals, but they finally persuaded them to allow them to keep the riding animals.

I talked to Mr. Harding when he passed through Trinidad from Jecori, and he told me this Fernandez was coming and to look out for him, that his men had taken everything he had.

Senator FALL. I wish to state here that Mr. Gordon Harding, who is mentioned by the witness, called on me in Washington and stated that he had communicated to the State Department at Washington the facts which this witness has just stated.

Mr. SMITH. I went up to the house then. I had a little bag of what they call pinole, or parched corn cracked, with a little salt, and a little provisions fixed up in a sack, and I got on my horse and hit the road in high places, but when I got to the house they commenced coming down. That was about half-past 10 o'clock in the morning. They stopped me and asked me if I had any guns. I had my guns hidden, all except the shot gun. They wanted to take it. I stood and argued with them for quite awhile expecting some of the officers would come along. Finally the officers came along. One of them was Col. Herrera, who used to work for the Corralitos Co. when I worked there, and he helped me out, so they did not take my arms. Afterwards Fernandez and a number of other officials, among them the secretary, stopped there with me for three or four hours, and I fed them. They had some women with them that they put in the kitchen to cook. The women that the rebels were carrying with them told the American women at the house that if it was not for them the rebels would ravish the American women that they found there.

As I say, they stayed at the house three or four hours, and they had chickens cooked and had a fine meal there. Finally they left. Of course in the meantime the soldiers searched the house everywhere and took everything they could, broke down fruit trees, killed chickens and dogs, and anything that they could find. Along about 3 o'clock the officers left for Santa Rosa, 5 miles from Trinidad, where they were going to make their camp that night. If there had been any Federals there I could have taken 25 men and destroyed the whole outfit. They camped in bunches of 5, 8, 10, 20, and so on scattered along.

Senator FALL. This was a part of the same outfit?

Mr. SMITH. Yes.

Senator FALL. That was a part of the same band who had left Madera or Pearson and that portion of Chihuahua when Gen. Huerta's Federal troops came into Pearson?

Mr. SMITH. Yes.

Senator FALL. And into Madera?

Mr. SMITH. Yes. The last bunch that came here started from Trinidad about 7 o'clock in the evening. It was quite dark. When they got down below Trinidad about half a mile they came to where there are two Mexican families living. I had let these families have a little piece of land to plant a little bit of corn, perhaps covering as much ground as two of these city buildings, and they were living in a little jacal above the creek on a little mesa. When the last bunch got down there one of them said, "We must go up and kill them fellows up there."

Jose Rubiana was one of the men who lived there, and he said to his wife, "Get the children and run for the mountains." So the woman took one baby in her arms, a little thing about 9 months old, and rushed off in the brush, and one of the larger boys took the other kid and ran off. It was pitch dark. There was no moon. There was a dog that barked, and they shot and broke the dog's leg and fired three or four shots at Rubiana. He had nothing with which to defend himself, and he ran out in the brush. There was a captain among these rebels, because the women that were with him said, "Captain, don't disturb them poor people"; but he said he was going up and kill them anyway.

There was another man living about 100 yards from there, and his name was Alberto Encinas. He had a little patch of corn. They shot three shots at his house. It was too dark to see the man, but they shot through the house, and his wife and he picked up the children and ran for the mountains, and stayed there all night, up in the mountains.

Senator FALL. These were Mexican people that they were shooting at?

Mr. SMITH. They were poor Mexican people. I am the only American in there. You can see how they treat the poor Mexicans. Then they went into the little jacals and took what poor little clothes they could find there, that the kids had, rags that I would not wipe my gun with, but it was all they had, and they had about 25 or 30 pounds of corn and about a pound of coffee, and they took that and threw it out on the ground. Then they went down into the little cornfield and turned their horses loose in the little cornfield, and seven of the rebels slept there all night. In the morning they left for Santa Rosa, where the other parties were. There was nothing more left for them to destroy. Then they went on in the direction of La Dura.

A couple of days afterwards I went down to Santa Rosa. There is one American living there, an old man by the name of Francisco Carlton. He is a man about 70 years old. About 40 years ago he used to have charge of the Trinidad mines. I had just got down to Santa Rosa and chatted a few minute with Francisco Carlton when a messenger came in and said there were a lot of "Colorados," or

Reds, coming. I got on my horse immeditely and started back for Trinidad, thinking perhaps it was Fernandez's outfit that possibly had run across some federals, as there were federals at that time in Sahuaripa, 60 miles from there, which is the capital of the district.

I had got about a quarter of a mile from Santa Rosa, just got over a hill, when I saw them coming down into Santa Rosa like ants, and it was the outfits of Cheche Campos, Emilio Campa, and El Toro.

Senator FALL. Do you know the name of that leader whom they call El Toro?

Mr. SMITH. I do not know his name. "El Toro" means "the Bull." And there were also Antonio Rojas and Col. Ramon Valenzuela.

I started back toward Trinidad, as I stated before, to notify the people that there were some rebels coming. In going up the canyon toward Trinidad I did not expect to meet any rebels, but Escandon and Huerta had made a circle and come back between Jecori and Trinidad, and I met them about a mile from Trinidad, in a very narrow canyon, and did not see them until they were within 30 feet of me. There was no show either to run or to fight, so I rode right in among them. They wanted to take my horse, saddle, gun, and pistol.

The bunch that I first met had a jefe, or officer, Jesus Ramirez, and I talked to him, and argued with them until finally they let me keep my horse and saddle, but wanted me to give up my gun and six-shooter and belt. I told them that of course there were too many of them for me, that I could not resist them, but that I would not give them up—that they would have to disarm me themselves. So they took my Winchester and my six-shooter and unbuckled my belt, and in a few minutes Escandon and Huerta came along. I had met Escandon before. He told me to come back with him and he would get me my arms. We overtook them, and they returned my rifle and my belt, but would not give up my six-shooter. They joined the forces of Cheche Campos and those various jefes that I mentioned before, at Santa Rosa, and with them they went through the different little towns, and robbed and destroyed as they went.

In the neighborhood of La Dura they separated. Cheche and El Toro and Fernandez went in the direction of Nuri, where they robbed all the stores. There are two grist mills there, and there is a great deal of wheat farming. They took all the wheat and started the people to grinding flour, and in the meantime killed the cattle, and in fact committed all kinds of depredations. From there they went on to Alamos and to Cedros. At Cedros they took 600 head of mules and horses and all kinds of provisions.

En route from Trinidad to La Dura the rebels stopped the mail carrier and destroyed the mail and cut up the mail sacks.

Antonio Rojas and Emilio Campa left this band that went to Alamos and went to a town called Onavas, situated about 7 or 8 miles from La Dura, up the river. There they crossed the Yaqui River to the west side. The river was very high. They had to cross in a small boat, a few at a time, and the animals had to swim the river. It took them from 3 o'clock in the afternoon until the next day about 12 o'clock to pass over. That bunch had about 800 men with them. In

the meantime there were in the neighborhood of 1,000 federals, or rather nacionals or federal militia, at La Dura, Col. Kosterlitzki among them. They knew that this party of rebels were crossing at Onavas. It was reported to me that they wanted to start after them, that Kosterlitzki wanted to go and take them, but the general in command would not let him.

They were also 400 or more federals near Onavas in sight of them when they crossed and they never attacked them. I get this right from the men who lost the mules. Emilio Campa gave them $20 apiece for every mule, and the men said the federal soldiers were up on a hill in sight of them.

Senator FALL. It was reported in the newspapers about that time and given out, I believe, from El Paso, Tex., that there had been severe fighting there at La Dura and Onavas, and in that section of country, that the federals had attacked the rebels as they crossed through that country, and that there was fighting for two or three days. Was there any fighting there?

Mr. SMITH. That was a little scrap there. There was 50 of them went into La Dura, and they started to rob the company's store of some saddles and a little stuff, and the federals fired at them from the other side of the river, and these 50 went away and joined the other bunch, but there was no fighting to speak of.

Senator FALL. The federals made no attempt to catch them or surround them and take them prisoners?

Mr. SMITH. Twenty-five men could have kept them from passing that river. Just think of it for yourself. The Yaqui River was over 100 meters wide there, and it was high flood, and they had a little boat in which you could not put over 8, 10, or 12 men at a time. I could have kept them from crossing myself. I could have knocked them over as fast as they got into the boat.

Senator FALL. Emilio Campa and Rojas are the men who have been up in Sonora since that time, burning bridges on the Southern Pacific Railroad?

Mr. SMITH. Escandon was with them also at the time, along with that outfit.

Senator FALL. Burning bridges and destroying the Southern Pacific Railroad property and committing other depredations in the State of Sonora?

Mr. SMITH. Yes.

Senator FALL. Those were the same men?

Mr. SMITH. Yes; Emilio Campa and Rojas. Then on the road Ramon Valenzuela burned some bridges also between La Dura and Corral.

Senator FALL. What class of troops and from whence recruited are the so-called federal troops who were in that neighborhood, at La Dura and Sahuraipa, when these rebels were crossing there?

Mr. SMITH. They are mostly recruited from the penitentiaries, a great majority of them. That is a noted fact everywhere. They are given their choice either to serve in the penitentiary or in the army; of course, not all of them; there are probably some of them who are not, but the great majority of them are recruited from Belem and from the different big cities and they are not used to the moun-

tains. A man raised in the city would have a nice time climbing the hills.

Senator FALL. The rebels move slowly backward and forward through that country.

Mr. SMITH. Yes.

Senator FALL. And the federals stay in Sahuaripa for days at a time?

Mr. SMITH. Yes; and let the rebels go as they please, without going after them. They were scattered around there for miles. If I could have done it, I would have left the federals in town and taken the Nacionals, who can ride horseback and climb the hills. The majority of these poor federals can not ride horseback.

Senator FALL. Are there any rebels in that neighborhood now, or were there when you came out?

Mr. SMITH. The only ones that were there were a few with Ramon Valenzuela. They were petty well scattered.

Senator FALL. Were there any federals there when you left?

Mr. SMITH. No; there were no federals. The nearest place where there were any federals was at Tonichi, about 60 miles from there.

Senator FALL. From your knowledge of Mexico and of the people and the conditions there, gained by thirty-odd years of experience and knowledge of the language, and so forth, what is your judgment of the possibility of the present Government being able to restore peace, order, and law in Mexico?

Mr. SMITH. I do not think they ever will.

Senator FALL. In your business there you are in the habit of paying taxes on mining property and the land and the municipal taxes to the State and Federal Governments and to the municipal authorities, are you not?

Mr. SMITH. Yes; I have some receipts with me, too—the last ones.

Senator FALL. In your business there, and particularly at Trinidad, in charge of the property, you have had dealings with the courts and the State officials and district officials and municipal officials, have you?

Mr. SMITH. Yes.

Senator FALL. What is the condition there now in that country, in the Sahuaripa district, and in that entire country of which you have personal knowledge, with reference to the enforcement of law through the courts, through the officials, or otherwise?

Mr. SMITH. In my neighborhood it is very bad. They sell mescal everywhere nearly. Everybody who wants to can sell mescal. There is no restriction. They do not pay any license. It is very much a go-as-you-please.

Senator FALL. Are there frequent changes in the personnel of the State, district, and municipal officials and federal officials there?

Mr. SMITH. No; about the same. They have been there for some time.

Senator FALL. Are they able to enforce their orders or the orders of the court or the orders of the State, federal, and municipal officials?

Mr. SMITH. If they are able, they do not do it, anyway. That is one thing certain. They seem to let things go until this trouble gets over in some way or other. Of course, to come right down to it,

they could do it, but they do not. There are no schools there. Ever since Diaz resigned there has not been a school.

Senator FALL. Prior to the resignation of Diaz were the schools kept up?

Mr. SMITH. Yes; there were schools in Trinidad, in Santa Rosa, and in all the little villages.

Senator FALL. Were the laws enforced?

Mr. SMITH. Yes.

Senator FALL. Did peace and order reign and were life and property secure?

Mr. SMITH. Yes; just as secure as they were in the United States. The criminals were prosecuted and the laws were obeyed, and if they were not, the offenders were punished.

Senator FALL. Then, from your knowledge and information, the rebels in that neighborhood appear to have no regard for the property of Mexican citizens or any other citizens?

Mr. SMITH. No; and less for American citizens that for any others.

Senator FALL. Less for Americans?

Mr. SMITH. They even told me themselves, the officers to whom I talked—and I know how to talk to them—they told me to hide myself, that they did not respect the Americans. I said to them, "Why?" The reply was, "They will not let us bring over ammunition and guns. They let Madero bring over ammunition and guns, and why should they not let us? We are fighting against Madero because he did not comply with the program," or whatever arrangements they had made, "and the United States Government is helping him." I told them, "That is none of my fault or of those of us who are here in this country. We have nothing to do with the actions of the United States Government." This man said they knew that, but that they could not control the soldiers. In a general way they have got it put down that the Americans and the American Government outside of Texas will not fight. The lower classes in Mexico do not consider that Texas belongs to the United States. They will say, "He is not an American, he is a Texan." Of course they respect a Texan, because he knows how to handle a gun. They respect anybody who knows how to handle a gun. They do not bother the English so much. There is an English ranch about 30 miles from Trinidad, owned by a family by the name of Walker. They never went there at all, never disturbed them, although through a mistake they took away 11 mules belonging to them, when the forces went through there. They happened to be in town when they went through, and took 11 mules. Three of their mules came back. They are still out eight.

AFFIDAVIT OF P. H. CARLIN.

STATE OF TEXAS, *County of El Paso, ss:*

P. H. Carlin, being duly sworn on his oath, says: I am a citizen of the United States and my former home was in Wisconsin, but I have been living for the last five or six years in the State of Chihuahua, in Mexico, where I have been working in the capacity, first, as general manager of the Murphy interests, then later I was general woodsman for the Madero Co. For the last year or so I have been engeged in stock raising and farming for myself near Colonia Dublan, which is a Mormon colony. I am not a Mormon. My wife and family resided with me on my farm near Dublan at the time of the Mexican troubles breaking out. There was considerable trouble and danger in

the vicinity of my farm for several weeks before we finally deserted it. My house had been visited two or three times and robbed and looted by what was generally called the Orozco soldiers. They did this by breaking into the yard and house in open daylight, and when I resisted to the extent I did I was pretty badly used and handled, punched in the ribs, struck and shoved from one side to the other of the house, and given to understand that I would be killed if I made further resistance. Vile language and threats of death were showered on me, loaded guns were held upon me, and I was struck over the head with the same. We were told by these soldiers that they were going to run all the Americans out of the country; that they were going to make all the Americans get out and, if they resisted, they would kill them; that this was done for the purpose of bringing on intervention and for the purpose of supplying themselves with whatever they desired—the talk being common and open amongst them that the Americans had no right in the country and were not entitled to stay there and own property. There were very few Americans in that section of the country, and we were powerless to resist, except occasionally some small bands. My house was finally pretty thoroughly robbed and looted in open daylight on or about two weeks before I left there, but shortly thereafter I managed to get my wife and smaller children out of that section of the country, and remained to take care of our property the best I could myself in company with other American men, though all the others did the same as I did, and got their women and children out about the 28th of July, 1912, the most of them being sent to El Paso.

After they were sent away the situation became more threatening still, and dangerous, and it was a question whenever you met any of these so-called soldiers whether you could escape with your life.

On or about July 27 these soldiers placed three rapid-fire guns, generally called Gatling guns, at one end of the town of Dublan and two at the other, and it was evident that they had determined to carry out some design against the people of that town. At that time they demanded and we had to turn over to them a lot of guns and ammunition. In fact, they got all except what we hid and concealed from them. After this for two or three days it rapidly grew worse, until finally, on the evening of August 1, they placed three bodies of troops at about one and the same time on three different sides of the town, so placed as to enable them to massacre the town if that was their intention, and that night runners came in from Colonia Juarez with the information that that colony, which was about 15 miles from Dublan, had also been surrounded in the same way on that day and that the intention was to do bodily harm to the people in the two colonies, the soldiers claiming that they intended to demand 10 citizens, who were to be killed, besides the head of the Mormon Church, because a rebel soldier had been executed by the authorities at Colonia Juarez some time since, which execution they were revengeful over.

After we had succeeded in getting the women and children out of Dublan and the other near-by colonies, we had a general agreement or understanding that if we were compelled to leave the country we would act together in self-defense in getting away, and the runner above spoken of came in from Colonia Juarez because of this understanding. We determined that night that we would desert our homes and make our escape before morning, as we heard it everywhere, from what seemed to be very reliable sources, that whatever they intended to do with us was going to be done the next day. So about 4.30 a. m. on the morning of August 2, 87 of us, mounted and armed, had managed to get together at the rendezvous agreed upon and managed to get out of the town by going over the back ways, cutting wire fences, and passing between rebel forces that had been so disposed as to guard the highways that we were expected to travel. Our escape was not observed by the soldiers until the next morning about 8 o'clock, when they started in pursuit. There was apparently three columns of them pursuing us, but we were in the mountains, where the trails were very difficult, and were able to keep ahead of them. They fired several volleys at us at various times, but without effect, except that a bullet struck, but did not seriously injure, one boy in the crowd. We were able to stand them off by having a rear guard drop back when this boy was shot, and scared them with a volley from long-range guns. There was no question about their intention in that pursuit to kill us, and it was only by taking to the difficult mountain passages and by having long-range guns superior to theirs that we were able to get away.

The pursuit continued for several miles. We passed by Colonia Juarez about 4 or 5 miles away and called a halt about 15 miles to an agreed rendezvous with

the Juarez colony, at a place known as the "Steps" in the mountains. During the day some of the scouts from the American colony at Juarez reached this rendezvous, and we learned from them that other people from that colony were about halfway between this rendezvous and Juarez, endeavoring to make their way thereto, but that Juarez had been invested with troops the day before in the same way that Dublan had been, and a great many of the people had not been able to make their way out of the colony, but were hiding at various places therein. We spent that night and the next night in getting all of these people together and getting them out of this colony, nobody daring to speak or move in the daytime. The people in this colony had been preparing for such an emergency for several days and had been "cacheing" provisions, ammunition, stores, etc., as they had the opportunity. Our party from Dublan had no provisions, and only got sufficient to exist on from the supplies which these people at Juarez had cached. We also sent runners to Pacheco, Garcia, Chuichupa, all of which were colonies a few miles apart. Chuichupa was the farthest away. We stayed in the mountains and held the places which we had occupied while our runners worked back and forth between these mountains and the other colonies, gradually gathering in at nighttime through the mountain passes and defiles all people from such colonies, and found when they got together that their colonies also had been invested on the same day with rebel troops placed in positions to prevent their escape, if possible, from such towns, and that in every instance the citizens of such colonies, acting individually, had during the night after such investment of the town, escaped into the hills and mountains near by. It took five days to get all these people from the various colonies together, and on the 7th of August we had gotten them all in, except the people from Chuichupa, but our runners reported that these people, they thought, had gone another route than the one we were proposing to go, so on the last-named date we took up our march toward the United States, which we reached about August 12 without further mishap; but in order to get through safely, the whole country being filled with soldiers, we kept in the difficult mountain passes and away from all traveled roads, thus making a circuitous and very difficult journey, passing between the federal and rebel armies, and arrived in the United States on August 12. While we were camped at the rendezvous and were engaged in getting the citizens out of Juarez and other colonies some of our scouts went back at nighttime to see what destruction had been committed of our homes and what was being done by the soldiers. They reported to us that they found all of our homes which they had visited as having been ruthlessly robbed and pillaged and much wanton destruction done, such as smashing the windows, breaking of furniture, cutting up the carpets, and similar conduct, and that this was very general.

When we reached the border of the United States we found about 15 United States soldiers in camp at a rock corral. They took us for rebel soldiers, and were preparing to defend themselves when they ascertained that we were Americans. They stated that they were expecting trouble with the Mexican soldiers, since the latter had sent threats to them that they were coming up there to clean out the camp and take everything that the soldiers had. There were about 225 or 230 of us in this party, and by the route we traveled it was 150 miles. We had very scant provisions, but all of us arrived in El Paso safely.

And further affiant saith not.

P. H. CARLIN.

Subscribed and sworn to before me this 16th day of August, A. D. 1912.

[SEAL.] JOHN D. MASON, *Notary Public.*

AFFIDAVIT OF HENRY BECKER.

THE STATE OF TEXAS, *County of El Paso:*

Before me, the undersigned authority, on this day personally appeared Henry Becker, to me well known, who, being by me first duly sworn, on his oath deposes and states as follows:

My name is Henry Becker; I am an American citizen, having been born in New York City on the 7th day of November, 1855; I have lived in the Republic of Mexico for nearly 20 years. In about 1903 I started a general merchandise store in Asientos, State of Aguas Calientes, Mexico, and I conducted that business until May 6, 1911. On that date a crowd of revolutionists came into the

town; they entered my store and demanded ₱2,000 upon penalty of taking me out and shooting me if I refused. I told them that I could not possibly give them the money, as I did not have the same; thereupon they took what money I had and looted my store. When I remonstrated and told them that I was an American citizen they swore and told me that they did not care. I could do nothing to protect myself, as they placed a rifle at my breast whenever I objected to anything, and used the vilest language to me. My wife and children, fearing for my safety, would not leave me, and they had to share in this vile treatment.

They came into my store in twos and threes, taking whatever they wanted. Again, about May 20, 1911, another band of rebels came to my town and again looted and destroyed, taking from me whatever they wished. They disregarded my protestations that I was an American citizen, and threatened to kill me if I said anything to them. I had to send my family to Aguas Calientos for safety. They entered my home by force, drank and caroused therein, and threatened to burn same. They called all Americans the vilest names.

Americans in my town in Mexico and in many other places have been flagrantly insulted and abused. Their citizenship is disregarded by the Mexicans and treated with contempt. I could cite the instance of many Americans who have been injured and abused by Mexicans, without any protection from the American Government.

After my store was destroyed I put in my claim with the American consul at Aguas Calientos, and then upon his advice, with the American ambassador. Since then I have presented same to our State Department, but I have had no real help that I can see, and at present I have no assurance of any settlement. This has been the experience of most Americans who have been injured and whose property has been destroyed in Mexico.

I can truthfully say, from my experience and observations during 20 years' residence in Mexico, that Americans are more the object of mistreatment and insult in Mexico than are the citizens of any other nation on the face of the earth. This is particularly true of the past year or year and a half. Our Government is slow in protecting us in any way, and hence we are held in shameful disrespect by most Mexicans, and consequently subjected to more indignities.

HENRY BECKER.

Sworn to and subscribed before me by said Henry Becker this the 25th day of July, 1912.

[SEAL.] ROBT. T. NEILL,
Notary Public in and for El Paso County, Tex.

TESTIMONY OF E. L. CHARPENTIER.

Senator FALL. Please be sworn. Do you solemnly swear that the testimony you shall give in this matter shall be the truth, the whole truth, and nothing but the whole truth, so help you God?

Mr. CHARPENTIER. Yes.

Senator FALL. Of what country are you a citizen?

Mr. CHARPENTIER. France.

Senator FALL. How long have you been away from France?

Mr. CHARPENTIER. My most recent visit was six years ago.

Senator FALL. Where have you been living?

Mr. CHARPENTIER. In different parts of the United States and Central America.

Senator FALL. You are confined in the jail in El Paso under a charge of violating the neutrality laws, smuggling arms, or something of that kind? What is the charge against you?

Mr. CHARPENTIER. The charge appears to be conspiracy to violate the neutrality laws.

Senator FALL. Have you had anything to do with either of the recent revolutions in Mexico?

Mr. CHARPENTIER. I believe I took an active part in both revolutions.

Senator FALL. Where were you at the time of the capture of the city of Juarez by the revolutionary forces who were in revolution against Diaz?

Mr. CHARPENTIER. I was in command of Madero's artillery and took an active part in the fight all the way through.

Senator FALL. Where did you get your artillery?

Mr. CHARPENTIER. Such as it was, we constructed it from the axle of a railroad engine at Madera.

Senator FALL. That is a lumber camp of the Mexico Northwestern, or Madera Co.?

Mr. CHARPENTIER. Yes.

Senator FALL. You constructed your artillery from the axle of an engine?

Mr. CHARPENTIER. Yes.

Senator FALL. Who did the constructing? Who made it?

Mr. CHARPENTIER. There were several of us, among them Gen. Garibaldi, myself, and four or five other companions. We all worked on it.

Senator FALL. What part did you take, if any, during the present revolution, which commenced about March 1 of this year?

Mr. CHARPENTIER. At the time I was living in Chihuahua, and had opened up a brokerage office, intending to handle mining properties down there, and among the Orozquistas down there—that is, the men who turned against the Government—were several companions of mine during the former revolution. They came to me several times with propositions to join them, to help them make cannon, and so forth, and handle their artillery, knowing that I had had artillery experience and was an artillery man. I refused all their offers, and got into a violent quarrel one night about it. I was associating very frequently with some of Gov. Gonzales's friends, and the remark was made several times in my presence that I was a Madero spy. They came to me again with the same proposition, offering me land and money, and so forth, and I refused, and told them that I preferred to remain entirely neutral in the matter; that in the former revolution it was a personal grievance with me; that I was not fighting for money; that I could make it otherwise.

On going home that night about 7 or 7.30 o'clock I was shot at several times. In fact, one of the bullets tore the padding from my coat. So I decided to leave. On Sunday morning Villa and Orozco had had their little skirmish. On Sunday night I decided to leave, and I procured a horse and saddle. As I was trying to go by the outposts I had the horse shot, and I made my way back into town by foot. That was on the 4th. On next day I met Thomas Fountain——

Senator FALL. The same man who was afterwards shot by Salazar at Paral?

Mr. CHARPENTIER. Yes. I had seen him quite a number of times, but had never spoken to him, and through conversation then, speaking of the revolutionary trouble, which seemed to be the main topic at the time there, we got into conversation, and he told me that he had to leave, as they were watching him, and I expressed myself the same way. So we decided to leave together, and my intentions were to go to Torreon, going south instead of coming north. Know-

ing so many revolutionists, I did not feel like making the ride to border; I felt that it was safer to make the ride to the south.

We left on the night of the 6th of March—either the 5th or 6th, I am not positive which—and we rode out, and after getting a short way we had a skirmich with a band coming into Chihuahua, and two days later we joined Villa. In the meantime we had had several skirmishes.

Senator FALL. You mean Pancho Villa?

Mr. CHARPENTIER. Yes.

Senator FALL. Did you go with him to Paral?

Mr. CHARPENTIER. We first went to La Boquilla, where we engaged the enemy. At the time we were about 225 strong; but myself, Fountain, and 11 men practically engaged the enemy of 250. We defeated them. The other men had deserted us. Their reenforcements came in and drove us out, and we took to the mountains. We were out of ammunition, and finally made our way to Paral, where Soto opposed our entering the town, saying we were bandits. We had then again recruited about 80 men, who composed our forces.

Senator FALL. Was Villa with you?

Mr. CHARPENTIER. Yes; Villa sent in messages to Soto, stating that if he was not allowed to enter peacefully he would do so otherwise; that he thought Soto was a traitor. We finally entered the town about 8 o'clock in the evening.

On the following morning I expressed my wishes to Villa to continue on to Torreon, as I did not care about taking part in the fighting, and he asked me to remain with him until some of the Federals would arrive and see if I could not help him to make some artillery to defend the place with so that I could remain with him. At that time I was not receiving any money or anything of that sort from them. I was paying my own expenses. I started to make two cannon. Fountain was assisting me, though he knew absolutely nothing about artillery.

Senator FALL. When you left Chihuahua with Fountain did either of you have a pass from Orozco?

Mr. CHARPENTIER. Yes; I believe Fountain did have a pass. I did not see it, but he said he had a pass.

Senator FALL. Go ahead.

Mr. CHARPENTIER. Before the first fight at Paral I had quite a talk with Fountain in regard to fighting. I explained to him that it was a case of fighting until the finish—that is, we practically agreed never to surrender, to be shot rather than surrender, knowing that we would be executed anyway if we were caught.

Senator FALL. You spoke of a second fight.

Mr. CHARPENTIER. The second fight had not taken place yet. This was before the first fight.

On the 2d of April Campa attacked us, and Fountain and myself and nine men held the position known as Sierra la Cruz. I captured a mounted gun and the tripod and one machine gun and seven prisoners. That was the part that I took in that particular fight. We had considerable trouble with Villa to keep him from executing the prisoners, and it was stated to him that the men were prisoners of war and should be treated as such. I was opposed to executing them; so he delayed the execution, saying he would send them on to Mexico City.

On the afternoon of the 4th of April Salazar came and attacked us. I used the gun against them there. The others had not been made yet. I used the piece I had captured, and placed Fountain with the machine gun about 200 yards from my position, and instructed him not to use his gun until they were at least within 1,000 yards or closer, and when he was finally compelled to retreat, to retreat to my position, and we would pick up our horses and take to the hills.

I stayed on the hill and fought until after dark. I have since been informed that Villa and the majority of the men retreated before it was dark, I should judge about 4.30 o'clock.

Finally I was compelled to retreat from the hill, as I was alone at the time. Most of my men had either been killed or had deserted. I had two 6-shooter shells remaining. I had been waiting for Fountain to join me. The enemy were only about 30 or 40 feet from me when I left my position.

From there I went on down the hill to Casa Fuentes, to a hotel there, and attempted five times during the night to make my escape in woman's dress, but was unable to do so, as they fired on everything that moved.

The next day I was on the roof of the building, and looking over I saw Orozco's men shoot a little child about 8 years old for hollering "Viva Madero."

I remained hidden during the day. I had a 6-shooter, with two shells. I remained hidden in a room which was dark, expecting to shoot anybody who came in, or as many as I could with two shells. They had come to the house several times looking for me. As soon as it became dark I changed my clothes to civilian clothes, went up to the American consulate, and asked the assistance of the American consul—not as a citizen of the United States, but as a man; explained my predicament to him and asked him if he could assist me in making my escape, as it meant certain death to me if I was caught.

The American consul told me that officially he could not assist me, but as a friend he would do what he could. He instructed me to go to the Palmilla Mines and that I would receive assistance there. Thanking the consul, who wished me Godspeed, I left the consulate, passed through the sentries' lines of the rebels, and finally made my way to the railroad tracks, which I found about 2 miles from La Palmilla.

I was stopped by the rebel outposts, who challenged me, and I refused to answer the challenge. The challenge was "Quien vive?" I refused to say "Viva Orozco." They approached me, threatening me with their guns cocked, saying that it was a gringo, and to shoot him. Knowing that my only course was to bluff them, I laughed at them. So they began to search me for arms. After searching me thoroughly and finding none, one of them thrust his hand in my pocket and took out $140 Mexican money, and another one took off my watch and chain. I objected to this, and one of them insisted upon my identifying myself. I told them that it was impossible, and for them to come with me to Palmilla mine. They insisted upon taking me to the camandante. Knowing that if I went there I would be identified by Salazar, whom I know personally, and that I would be executed, I told them that they had already robbed me and

insulted me, and that if they carried on their actions any further I would object to the consulate, not stating which consulate I would object to. One of them insisted upon shooting me, and his companions had considerable trouble in keeping him from shooting me. They were all drunk. I finally walked past them and arrived at the Palmilla, where I remained one day and two nights. I was there furnished with a horse and saddle, for which I gave a bill to the company, and rode to the mountains.

Approaching the top of a mountain, I noticed I was being followed by a band of 15 or 18 men, who called to me to halt. Knowing that they were rebels, I kept on. They fired upon me and killed the horse, and in falling the horse broke three of my ribs on my right side. I kept on going, and at the top of the hill there was a horse saddled, with no one present. The rider evidently had just gotten off or had been off for some time. His rope was on the ground. I crawled up to the horse and mounted, and rode off to the top of other mountains, and remained there for three days and nights without food or water, as I was unable to ride, owing to the injury to my side.

AFFIDAVIT OF J. S. M'CRANIE AND J. D. KENNEDY.

EL PASO, TEX., *August 3, 1912.*

On May 11, 1911, we were conductor and engineer on passenger train No. 236 between San Luis and Anguas, and were caught by a bunch of Maderistas at Pena Blanco, and were forced to back up to Salinas. Before backing up to Salinas the Maderistas robbed all the passengers, abusing them and poking them with rifles, making them halloo "Viva Madero." I, the conductor, was robbed and called all the vile names in the Spanish language, and also spit on. After backing up to Salinas the soldiers all went over to the town of Salinas and got drunk, sent over a bunch of from three to five men about every 15 or 20 minutes, who would call us out, punch us in the ribs with rifles, hit us with machétes, make us halloo "Viva Madero," and then take us between horses and run us for about 100 yards. Treated the passengers in the same way. They also shot the train all to pieces. There were about 14 American men on this train. We got loose on the morning of May 13 about 9.30 a. m.

On May 12 Conductor Kane was running train between Silo and Guanata with Engineer McFarland. A rail was taken out by a bunch of rebels; the rebels held this train up; robbed passengers and all people on it. After Conductor Kane had given them everything he had and the brakeman was begging for his life—as Conductor Kane could not speak Spanish they shot Conductor Kane in the mouth and then shot the brakeman through the arm for begging Kane's life, also beat the engineer with machétes. This I did not see, but did see and help take Conductor Kane to the hospital on his arrival and ours. Also was told by people coming in that there was a lady on the train that they laid in the middle of the aisle and beat her on her feet with machétes trying to make her give up some diamonds and jewelry that they supposed she had. This was April 11, 1912.

Also Supt. Hamilton, superintendent of the Guggenheimer mines at Sandhill, was beat up by a bunch of rebels in May, 1911, until he couldn't sleep on his back for a week; abusing Mrs. Krutchniett, also Mr. Krutchniett and the rest of the Americans that were at the camp. This information I got from Mr. Hamilton before his back was well from the bruises.

J. S. MCCRANIE,
Conductor.

J. D. KENNEDY,
Engineer.

Subscribed and sworn to before me this the 3d day of August, A. D. 1912.
[SEAL.] H. E. CHAINIE,
Notary Public in and for El Paso County, Tex., United States of America.

[Translation.]

THE SAN LUIS POTOSI PLAN.

PLAN.

First. The elections for President and Vice President of the Republic, magistrates of the supreme court of justice of the nation, and deputies and senators, held in June and July of the current year, are declared void.

Second. The present Government of Gen. Diaz is not recognized, as well as all the authorities whose power ought to emanate from the popular vote, because, besides not having been elected by the people, they have lost the few titles of legality they might have by committing and supporting with the elements the people put at their disposal for the defense of their interests the most scandalous electorial fraud recorded in the history of Mexico.

Third. In order to avoid, as far as possible, the upheavals inherent in every revolutionary movement, all the laws promulgated by the present administration and their respective regulations, except those that are manifestly repugnant to the principles proclaimed in this plan, are declared to be in force, with the reservation to amend, in due time, by constitutional methods, those that require amendment. Likewise the laws, decisions of tribunals, and decrees that approved the accounts and management of funds by the functionaries of the Porfirist administration in all its departments, are expected; for as soon as the revolution triumphs the formation of investigating commissions will be initiated for the purpose of reporting as to the liabilities incurred by the functionaries of the federation, of the States, and of the municipalites.

In every case the obligations contracted by the Porfirist administration with foreign governments and corporations prior to the 20th proximo will be respected.

In abuse of the law on public lands numerous proprietors of small holdings, in their greater part Indians, have been dispossessed of their lands by rulings of the department of public development (fomento) or by decisions of the tribunals of the Republic. As it is just to restore to their former owners the lands of which they were dispossessed in such an arbitrary manner, such rulings and decisions are declared subject to revision, and those who have acquired them in such an immoral manner, or their heirs, will be required to restore them to their former owners, to whom they shall also pay an indemnity for the damages suffered. Solely in case those lands have passed to third persons before the promulgation of this plan shall the former owners receive an indemnity from those in whose favor the dispossession was made.

Fourth. Besides the constitution and existing laws, the principle of no reelection of the President and Vice President of the Republic, governors of the States, and municipal presidents is declared to be the supreme law of the Republic until the respective constitutional amendments are made.

Fifth. I assume the character of provisional President of the United States of Mexico, with the necessary powers to make war on the usurping government of Gen. Diaz.

As soon as the capital of the Republic and more than half of the States of the federation are in the power of the forces of the people the provisional President will issue a call for extraordinary general elections one month thereafter, and shall deliver the power to the President who is elected as soon as the result of the election is known.

Sixth. The provisional President, before delivering the power, shall make a report to the congress of the union of the use he has made of the powers the present plan confers upon him.

Seventh. The 20th day of the month of November, after 6 p. m., all citizens of the Republic will take up arms to remove from power all the authorities who now govern it. (The towns which are at distance from means of communication will do so the day previous.)

Eighth. When the authorities offer armed resistance, they shall be compelled by force of arms to respect the popular will, but in this case the laws of war shall be rigorously observed, attention being especially called to the prohibition against the use of expansive bullets, nor shall prisoners be shot. Attention is also called to the duty of every Mexican to respect foreigners in their persons and interests.

Ninth. The authorities who offer resistance to the realization of this plan shall be put in prison, to be tried by the tribunals of the Republic when the

revolution is ended. As soon as each city or town receives its liberty the principal officer in command shall be recognized as the provisional legal authority, with power to delegate his functions to any other prominent citizen, who shall be confirmed in his office or removed by the provisional governor.

One of the first measures of the provisional government shall be to put all political prisoners at liberty.

Tenth. The appointment of the provisional governor of each State that has been occupied by the forces of the revolution shall be made by the provisional President. This governor shall be under strict obligation to issue a call for election of the constitutional governor of the State as soon as may be possible in the judgment of the provisional President. From this rule are excepted those States that have within two years had democratic campaigns for change of government, since in those States the person who was the candidate of the people will be considered as the provisional governor, provided he adheres actively to this plan.

In case the provisional President has not made the appointment of governor, this appointment has not reached its destination, or the person appointed does not accept for any reason, then the governor shall be designated by the vote of all the commanding officers who operate in the territory of the respective State, on condition that his appointment be ratified by the provisional President as soon as may be possible.

Eleventh. The new authorities will dispose of all the funds found in the public offices for the ordinary expenses of administration and for the expenses of the war, keeping accounts with due scrupulousness. In case the funds are not sufficient for the expenses of the war they shall contract for loans, either voluntary or forced, these latter only with citizens or national institutions. Of these loans scrupulous account shall also be kept and receipts in due form shall be given to the parties in interest, to the end that when the revolution triumphs the amounts loaned may be returned to them.

Transitory.—(*a*) The officers of the volunteer forces shall assume the grade that corresponds to the number of the forces under their command; in case military and volunteer forces operate together, the officer of the higher grade shall have the command of them, but in case both officers have the same grade the command shall belong to the military officer.

Civil officers shall have said grade while the war lasts, and, once it is ended, those appointments, on application of the parties in interest, shall be revised by the war department, which shall ratify them in their grade or reject them, according to their merits.

(*b*) All officers, civil as well as military, shall enforce the strictest discipline over their troops, and they shall be responsible to the provisional government for the misdeeds committed by the forces under their command, unless they show it was impossible for them to restrain their soldiers and that they had inflicted on the guilty the punishment they deserved.

(*c*) If the forces and authorities that sustain Gen. Diaz shoot prisoners of war, not for that reason nor by way of reprisal shall the same thing be done with theirs who fall in our hands; but, in exchange, the civil or military authorities in the service of Gen. Diaz who, once the revolution is started, have ordered, in any manner disposed, transmitted the order, or shot any of our soldiers shall be shot within 24 hours and after a summary trial.

Not even the highest functionaries shall be exempted from this penalty. The only exception shall be Gen. Diaz and his ministers, on whom the same penalty shall be inflicted in case they order said executions or permit them, but after having been tried by the tribunals of the Republic, when the revolution has terminated.

In case Gen. Diaz orders that the laws of war be respected and that the prisoners who fall in his hands be treated with humanity, his life shall be spared, but in every event he must answer before the tribunals as to how he has managed the funds of the nation and as to how he has complied with the law.

(*d*) As an indispensable requisite in the laws of war that belligerent troops wear some uniform or distinguishing mark, and as it would be difficult to uniform the numerous forces of the people who are going to take part in the conflict, a tricolored ribbon on the hat or on the arm shall be adopted as the distinguishing mark of all the liberating forces.

Fellow citizens, if I call upon you to take up arms and overthrow the government of Gen. Diaz, it is not only because of the unwarranted act he committed during the last elections, but to save the country from the gloomy

future that awaits it under his dictatorship and under the government of the nefarious scientific oligarchy which, without scruple and in great haste, are absorbing and wasting the national resources, and, if we permit him to continue in power, in a very short time they will have completed their work; they will have led the people into ignominy and will have degraded them; they will have sucked all their wealth and left them in the most absolute misery; they will have caused the bankruptcy of our finances and the dishonor of our country which, weak, impoverished, and manacled, will find itself without arms to defend its frontiers, its honor, and its institutions.

In so far as concerns me, I have a tranquil conscience, and no one can accuse me of promoting the revolution for personal ends, for it is within the knowledge of the nation that I did everything possible to reach a peaceable arrangement and was disposed even to resign my candidacy, provided Gen. Diaz had permitted the nation to designate, although it be the vice president of the Republic; but, dominated by incomprehensible pride and unheard-of haughtiness, he did not heed the voice of the fatherland and preferred to precipitate it into a revolution rather than yield a point; rather than return to the people an atom of their rights; rather than comply, even at the end of his life, with a part of the promises he made at Noria and Tuxtepec.

He himself justified the present revolution when he said, "Let no citizen impose and perpetuate himself in the exercise of power, and this will be the last revolution."

If the interests of the fatherland had had greater weight in the mind of Gen. Diaz than the sordid interests of himself and his advisers, he would have avoided this revolution by making some concessions to the people; but, since he did not do so * * * so much the better; * * * the change will be more rapid and more radical, since the Mexican people, instead of lamenting like a coward, will accept the challenge like a brave man, and now when Gen. Diaz proposes to rely on brute force to impose an ignominious yoke upon them, the people will have recourse to the same force to shake off that yoke, to eject that woeful man from power, and to recover their liberty.

FRANCISCO I. MADERO.

SAN LUIS POTOSI, *October 5, 1910.*

WASHINGTON, D. C.,
Thursday, December 12, 1912.

The committee met at 2 o'clock p. m.

Present: Senators Smith of Michigan (chairman) and Fall.

TESTIMONY OF H. S. STEPHENSON.

H. S. Stephenson, a witness previously sworn, being recalled, testified as follows:

Senator SMITH. I want to ask you first to tell the committee about the ransom which had been exacted since you gave your last testimony.

Mr. STEPHENSON. I can not give the exact date.

Senator FALL. Just approximate it.

Mr. STEPHENSON. I went to Lordsburg on the 15th of October. It was on or about the 15th of October, 1912.

Senator SMITH. How much did you pay?

Mr. STEPHENSON. Five thousand dollars.

Senator SMITH. For what purpose?

Mr. STEPHENSON. It was paid for the release of Arthur McCormick, our superintendent.

Senator SMITH. To whom was it paid?

Mr. STEPHENSON. It was paid to Capt. Pedro Galvan and Lincho Miranda. It was paid to them in gold.

Senator SMITH. Who are they?

Mr. STEPHENSON. Galvan is a captain in the revolutionary army.

Senator SMITH. And this money was paid in the State of Chihuahua?

Mr. STEPHENSON. It was paid in the State of Chihuahua, about 15 miles south of Monument 60 on the international boundary.

Senator SMITH. I believe you received a letter from Gen. Salazar?

Mr. STEPHENSON. Yes. I have here the letter which I received.

Senator SMITH. I see he signs himself commander in chief.

Mr. STEPHENSON. Yes. The letter is as follows:

A translation of this letter is as follows:

[Translation.]

EL PALMAR, *November 18, 1912.*

To the MANAGER OF THE NOGALES CO.

MY DEAR SIR: From this date on all ranches or farms, which are found to be defended by the forces of the Autocrat Madero, shall be destroyed in accordance with my order, and with greater reason when we take them with blood and fire.

On no account will you be permitted to continue operations without previously consulting the government emanating from the revolution.

INEZ SALAZAR, *General in Chief.*

P. S.—None of your employees nor you yourself may enter Mexican territory without my permit. Farewell.

REPORT.

WASHINGTON, MARCH 1, 1913.

To the SENATE COMMITTEE ON FOREIGN RELATIONS:

Senate resolution 335, Sixty-second Congres, second session, provided that the Committee on Foreign Relations or a subcommittee thereof should be authorized and directed to inquire, investigate, ascertain, and report whether any persons, associations, or corporations domiciled in or owing allegience to the United States, have heretofore been or are now engaged in fomenting, inciting, encouraging, or financing rebellion, insurrection, or other flagrant disorder in Cuba or Mexico against the lawfully organized Government of this country.

The committee was directed to report the result of its investigation and inquiry to the Senate during the first month of the next session of Congress.

In accordance with the directions of the Senate, Hon. William Alden Smith, William E. Borah, Porter J. McCumber, Benjamin F. Shively, and Gilbert M. Hitchcock were appointed a subcommittee to conduct the investigations directed. Later, by a resolution of the Senate, Senator Albert B. Fall was added to this subcommittee.

Upon the organization of the committee a resolution was adopted providing that any two members should have authority to conduct hearings, take testimony, etc. Senators Smith of Michigan, and Fall, of New Mexico, proceeded to the Mexican border, and committee hearings were opened on September 7, 1912, at El Paso, Tex. Such hearings were continued from time to time at El Paso, Los Angeles, San Diego, New Orleans, and other points on the border and in the United States, and finally in Washington, D. C.

It was never possible to secure the attendance of more than two members of the committee, that is to say, Senators Smith and Fall, until certain hearings were held in Washington in December, 1912. No meeting of the committee was ever held for the purpose of arriving at any conclusion as to the findings of facts, or general report

either to the Committee on Foreign Relations, or to the Senate of the United States. Finally during the third session of the Sixty-second Congress, the testimony taken by the committee and the different members thereof, was printed for the information of the Senate and this printed report of testimony contains 918 pages, including indexes.

In the investigation of the main question at issue, it became necessary for the committee to go into conditions existing at the time of the hearings and prior thereto, from about the commencement of the Madero revolution against Diaz as tending to throw light upon the sources from which was obtained the necessary funds with which to finance that revolution, as well as the revolution against the Madero Government. In other words, in examining witnesses the committee proceeded to the best of its ability, to ascertain the sources from which the different revolutionists obtained their funds, as well as to ascertain directly whether any persons or corporations domiciled in or owing allegiance to the United States, had contributed thereto.

It is apparent from the general tenor of all the evidence taken, that as to the Madero revolution against Diaz, while there were very many rumors afloat throughout Mexico and on the border within the United States as to the source of the funds with which the revolution was being conducted, as a matter of fact, very few persons had any definite knowledge upon the subject.

The Madero family as is often the case in Mexico, owned very large land interests, were producers of Guayule rubber, owned Guayule lands, were interested in banks, owned smelters, etc. The head of the family was Don Evarlisto Madero, and the family consisted of sons and grandsons and relatives, included among whom was Francisco I. Madero, jr., the leader of the successful revolution against Diaz. The Madero family generally was known as is customary in Mexico, and did business largely, as "the house of Madero."

Under ordinary circumstances and in ordinary times the Madero family would have been able to raise, if acting together, large sums of money. It is claimed, and the evidence seems to show, that other members of the family, with the exception of Gustavo and one or two brothers of Francisco I. Madero, jr., did not originally take part in inciting the revolution, and it is claimed, in fact, that many members of the family, including the heads, were never in sympathy with the revolution until after the capture of the city of Juarez and the overthrow of the Diaz administration.

It seems to be established by the evidence that a local outbreak having occurred in the State of Chihuahua under the leadership of Pascual Orozco, jr., against the State authorities, a coalition was made between Francisco I. Madero, jr., and Pascual Orozco, jr., through which coalition Orozco's armed forces were to some slight extent, at any rate, furnished with funds with which to purchase arms and ammunition.

Zapata, in the southern part of Mexico, had through various bands, all proclaiming him as the general leader, raised a so-called revolution about the same time and was harassing the authorities in several different States, as were Orozco and others in the northern States.

It appears that in some of the newspapers in Mexico prior to the capture of Juarez, as well as in the camps and councils of the revolutionists in the field, the question of the source of funds, which funds appear to have been limited, was discussed to a greater or less extent. There seems to have been a rumor about this time, more or less discussed, to the effect that the commercial rivalry between conflicting oil interests in Mexico was resulting beneficially to the cause of the revolutionists from a financial standpoint.

Subsequent to the capture of Juarez, and at various times during the administration of De la Barra, and later during the administration of Madero, and prior to March 1, 1912, the assertion was openly made in some of the newspapers in Mexico and by numerous Mexicans that American oil interests had assisted in financing the Madero revolution against Diaz.

Just before the Orozco revolution, which began about March 1, 1912, one Enrile undertook to have printed and circulated one or more circulars to the Mexican people, charging among other things that the Waters-Pierce Oil Co., had furnished the money with which the Madero revolution was conducted.

After the outbreak of the Orozco revolution these charges were repeated and were the subject of considerable discussion in Mexico, as it was claimed that the Madero family were favoring the Waters-Pierce and Standard Oil interests against those of the English syndicate headed by Sir Weetman Pierson (Lord Cowdray), and the Mexican Oil Co., known as El Aguila, in which Lord Cowdray was largely interested. These rumors were so persistent that very many people in this country, as well as in Mexico, were convinced of the fact that there was more or less truth in the statements, and many believed positively that the Madero revolution had been incited and fomented by the American oil interests, and had, in fact, been financed by the same interests.

As a matter of interest, I may state that long before the capture of Juraez; in fact, just after the outbreak of the Orozco revolution, as I knew many of the revolutionists, including Orozco himself, and was to some extent interested in the Guerrero district where the revolutionists made their headquarters, I sent a confidential man to Orozco's camp, with instructions to ascertain and report to me what his purposes were and where he was getting arms and ammunition, if it were possible to obtain such information. This man whom I sent, was not able at that time to meet Orozco, whom he knew personally very well, but asked the plain question of some of his officers: Where are you getting your money for arms and ammunition? Who is financing you? and while no direct reply was made, one of these officers in the presence of others, said, "So long as the oil companies are fighting there will be plenty of money for our purposes."

Just prior to September 7, when the committee began taking testimony, articles appeared in the newspapers in the United States, as well as in Mexico, reiterating the old statements as to the American oil companies having furnished funds for Madero.

Juan Didapp, who had been a Mexican consul in Spain, and again had worked in connection with the revolutionary junta or committee at the outbreak of the Madero revolution, in various interviews published in the United States made the statement, as of his own personal

knowledge, that H. Clay Pierce, of the Waters-Pierce Oil Co., and the Standard Oil had furnished the funds through which the Madero revolution was financed. The Waters-Pierce and Standard Oil Cos. were spoken of generally in Mexico and until recently as the same concern.

The testimony of Juan F. Didapp, taken by the committee under oath, and set forth on page 458, etc., of the committee report, will show what this statement was as made by Mr. Didapp to the papers and repeated to the committee, and will give the general idea of the rumors and statements which have been published and made, as I have stated, although Didapp claimed to have more personal knowledge than did any other witness who testified upon this subject.

The testimony of J. Garcia Cuadra, page 292, and of Manuel Lujan, page 293, etc., and that of various other witnesses, as shown in the record, corroborate the statements made by my informant at the outbreak of the original revolution against Diaz—that the general rumor was in circulation that the American oil companies were inciting the Orozco-Madero revolution against Diaz.

Shortly after the taking of the testimony by the committee began statements were published broadcast with the press of the United States that the committee, or at least myself as one of the committee, had declared that the evidence showed that the American oil interests had financed the Madero revolution. These statements were not correct and the published statement in an authorized interview by myself in the Los Angeles Examiner, received no such wide publicity as was given to the statement which my interview endeavored to correct. In this interview which I authorized, I stated that evidence had been offered to the committee to show the connection of the American oil interests with the fomenting of the Madero revolution, and more evidence to the effect that the Madero Government had extended favors to the American oil interests, or at least had favored these interests as against the English oil companies.

I stated further that the evidence was certainly by no means conclusive, and that even if it were shown by conclusive evidence that moneys had been advanced to the Madero government or members of the Madero family after the capture of Juarez by any American interest, it might well be that such moneys were furnished for the protection of existing interests in Mexico.

In addition to the testimony taken as shown by the report I conducted a very thorough investigation of my own, which necessarily was of a private nature, and through such investigation and in connection with the testimony as taken by the committee I became convinced that the rumors as to the American oil companies, or Mr. H. Clay Pierce, having furnished any funds with which to incite or foment the Madero revolution against Diaz was concerned, that such rumors were without foundation in fact and could not be substantiated by any credible testimony.

I may say that some of the sources of my information were from Mexicans thoroughly conversant with public affairs of that country during the Diaz régime, and later during that of De La Barra and Madero.

From one or more persons who were in thorough sympathy with the Diaz government and close followers and personal and family

friends of President Diaz, I became convinced that the money with which the Madero revolution was incited and brought to a successful conclusion came from another source entirely, that any American interests, from subscriptions made by various parties in the Republic of Mexico who were opposed to the Diaz government, and that the revolutionists largely supported themselves by killing and rustling cattle and sheep, by looting stores, and by securing forced contributions.

I have not been and am not at liberty, even in a confidential report to the Senate committee, to give the names of my informants, including those who were bitterly opposed to the Madero family personally and to the Madero government.

Recently, however, a statement has been published in the public press of Mexico, purporting to be a full disclosure of the sources from which the funds were obtained by the Maderos with which to conduct the preliminaries to and later the actual revolution against the government of Diaz. This story as published in El Paes, one of the principal papers of Mexico City, under date of Wednesday, May 21, 1913, contains the circumstantial account of what purports to be the true facts with relation to the financing of the Madero revolution. The story is told by Engineer Marcelino Velasco, a translated summary of which is as follows:

During the last years of the Diaz administration an American by the name of Cooper obtained a concession to build a railroad from Camacho, a station on the Mexican Central, to Mazapil, passing through Bonanza, all in the State of Zacatecas. Shortly afterwards Cooper transferred his concession to Gustavo A. Madero, and, on April 26, 1910, at Monterey, Gustavo A. Madero, Rafael F. Urbina, Alfonso Madero, and Francisco Madero, sr., organized the "Mexico Central Railroad Co.," the articles of incorporation being modified October 23, 1911, Monterey being designated as the domicile of the company, but later changed to Mexico City.

The original federal concession was dated May 6, 1907, and was modified by decrees of April 21, 1908, and November 20, 1909. The local concession from the State of Zacatecas was dated April 7, 1910. The federal concession was again modified May 21, 1912, by President Madero fixing June 12, 1917, as the time by which the road must be finished.

The capital of the company was 3,000,000 pesos, divided into 30,000 shares of 100 pesos each. Of these 25,000 were nonassessable and 5,000 assessable. The 25,000 nonassessable shares were given to Gustavo Madero in payment for the two concessions, federal and state, and for his labors in negotiating the sale of the provisional certificates of the mortgage bonds through the Franco-Spanish Bank of Paris. The other shares were subscribed as follows: Gustavo A. Madero, 3,900; Francisco Madero, sr., 500; Alfonso Madero, 500; and Rafael F. Urbina, 100, 10 per cent being paid in and deposited by the treasurer, Gustavo A. Madero, as declared by him, but in reality the 10 per cent was neither paid in nor deposited.

The Zacatecas State concession guaranteed 5 per cent interest on 18,000 pesos for each kilometer of road constructed, its date being April 7, 1910. In June, 1910, the interest on 26,000 pesos per kilometer constructed was guaranteed and authority given to issue provisional certificates or mortgage bonds of 100 pesos each to the number of 27,000 and later 12,000 additional certificates without other conditions than the subscription of 300,000 pesos for the construction and exploitation of the road.

The provisional certificates were issued and contained the statement that they were guaranteed by mortgage on the road. Of these certificates 27,000 were sold to the Franco-Spanish Bank of Paris at 72½ per cent of their nominal value, the contract being signed in Paris May 24, 1919, by Gustavo A. Madero, representing the Mexico Central Railroad and A. Manigne for the bank. The 12,000 additional certificates were sold to the same bank the following month. In this way the company raised 2,872,500 pesos, which the company obligated itself to the bank to use in building the railroad.

April 21, 1910, Gustavo A. Madero, Primitivo Gil Vega, Francisco Beltram, and Rafael F. Urbina organized a construction company, Gustavo A. Madero being the principal stockholder and supervisor (comisario), and on April 27, 1910, Gustavo A. Medero, as manager of the railroad company, signed a contract with Francisco Beltram, representing the National Construction Co. of Mexico, S. A., for the construction of the road, agreeing to pay the latter company 2,000,000 pesos or 10,000 pesos per kilometer.

The capital of the construction company was never paid in nor even subscribed.

Notwithstanding, Gustavo A. Madero and his father, Francisco Madero, sr., took 700,000 pesos of the funds of the company and used them to promote the revolution of 1910. The father withdrew the money from the Banco de Nuevo Leon and sent it to his son, Gustavo A. Madero. This is their own statement when the asked the Madero government to return the money to them. The federal district court in Monterrey issued a warrant for their arrest for this abstraction, but it could not be, or was not, served because the revolution won with Francisco I. Madero as its head. These 700,000 pesos were returned to them by the government, but only 350,000 pesos were restored to the company, the balance being retained by Gustavo A. Madero as commissions claimed by him.

There was a serious row in the Madero family over the disposition of these 700,000 pesos, and it was not until Ernesto H. Madero, then secretary of the treasury, intervened that the 350,000 pesos were turned over to the company October 8, 1912.

In the meantime, at the beginning of 1911, Gustavo A. Madero made a contract with Carlos A. Carbonneau for half of his interest in the railroad and construction companies and authorized him to proceed with the construction as he, Gustavo A. Madero, was occupied with the revolution. Carbonneau spent 459,260 pesos, how, is not known, except that a large part of this sum was given to Gustavo A. Madero, so that the company is out 1,159,260 pesos.

The organizers and managers of both companies were all members of the Madero family, and no work whatever has ever been done on the road.

Th concessions have passed to Engineer Marcelino Velasco and he has furnished the above data from the books and papers of the company, which is trying to recover the money and also save the concession for the French stockholders.

Long prior to this publication and from the information obtained from the private sources referred to, I became convinced of the truth of at least the statement that Gustavo Madero had obtained and used for revolutionary purposes the sum of something more than 700,000 pesos from the funds of a railroad company, which funds were furnished by certain foreigners. This was the amount, or the approximate amount, which was paid over to Gustavo Madero out of the public treasury during the De La Barra administration, through Ernesto Madero, the secretary of finance, and the amount so paid over to Gustavo Madero was supposed to be for the purpose of replacing in the treasury of this railroad company the amounts which he had taken from such treasury to use in carrying on the revolution.

Many rumors of the facts in this case have been in circulation for a year or more in Mexico, but no detailed statement such as this published in El Paiz has ever been given to the public.

I long since became convinced that while the American oil interests in the United States might not have been at all pleased with the favors shown by the Diaz administration to the Lord Cowdray Oil Syndicate, that yet they had not sufficient confidence in Madero's ability to overthrow the Diaz administration to justify them in advancing money for such purpose, even had they displayed any desire, of which I find no evidence whatsoever, to precipitate the revolution and overthrow Diaz.

My own conviction is that while Americans doubtless looked after their interests in Mexico during the Madero administration, and in doing so possibly conferred favors upon members of the Madero family at times, they did nothing more than to protect and promote their interests in a legitimate way, and that they should be exculpated of the charge that they incited or promoted the revolution against the Diaz government.

I have felt impelled to convey this conviction to the Senate by a sense of official duty to be performed, as well as by a sense of justice to American interests which have been attacked.

I have no method of knowing what the convictions, if any, of the members of the committee are upon this subject, but as I was appointed a member of this investigating committee by the Senate itself and not by the Committe of Foreign Affairs, of which I am not and have not been a member, while regretting that it was not possible for the committee of investigation to make a report of their findings, I have concluded to submit in this informal way my conclusions in the premises.

Respectfully,

ALBERT B. FALL.

[S. J. Res. 127, Sixty-second Congress, second session.]

In the Senate of the United States. July 29, 1912. Mr. Fall introduced the following joint resolution; which was read the first and second times and by unanimous consent, considered, read the third time, and passed.

JOINT RESOLUTON Authorizing the Secretary of War to supply tents and rations to American citizens compelled to leave Mexico.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he hereby is, authorized and directed to cause to be supplied, through the proper military officers at El Paso, Texas, all necessary tents, together with temporary rations, for the care and relief of American citizens who have been compelled to remove and are yet removing from threatened danger in the Republic of Mexico, and who are seeking refuge in El Paso, Texas, and adjacent portions of the United States.

[S. J. Res. 129, Sixty-second Congress, second session.]

In the Senate of the United States. August 2, 1912. Mr. Bailey introduced the following joint resolution; which was read the first and second times by unanimous consent, considered, read the third time, and passed.

JOINT RESOLUTION To provide transportation for American citizens fleeing from threatened danger in the Republic of Mexico.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he hereby is, authorized and directed to furnish transportation from El Paso, Texas, to such place in the United States as each shall elect, those American citizens fleeing from the Republic of Mexico who are now or who may hereafter be temporarily supplied with shelter and sustenance, in whole or in part, by the Government of the United States in or near El Paso, Texas.

SEC. 2. That for the purpose of carrying out the provisions of this joint resolution the sum of one hundred thousand dollars, or so much thereof as may be necessary, is hereby appropriated, out of any moneys in the Treasury of the United States not otherwise appropriated, to be expended under the direction of the Secretary of War, upon vouchers to be approved by the commander of the United States forces at Fort Bliss, Texas.

[S. J. Res. 133, Sixty-second Congress, second session.]

In the Senate of the United States. August 10, 1920. Mr. Smith, of Arizona, introduced the following joint resolution; which was read the first and second times and, by unanimous consent, considered, read the third time, and passed.

JOINT RESOLUTION Appropriating the sum of twenty thousand dollars, out of money appropriated by Senate joint resolution No. 129, for subsistence of American citizens now in Arizona fleeing from threatened danger in the Republic of Mexico.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That out of the money appropriated by Senate joint resolution No. 129, providing transportation for American citizens fleeing from threatened danger in the Republic of Mexico, the sum of $20,000 is hereby appropriated for the subsistence of such American citizens as are now in Arizona, with no home except in the Republic of Mexico and from which they have been driven to the United States.

UNITED STATES—MEXICO—LABOR—THEIR RELATIONS.

(By Samuel Gompers.)

* * * * * * *

Individuals in the American labor movement who had encountered either Mexican fugitive labor organizers (so-called revolutionists) or who had been forced to see the danger to American workers through the masses of Mexican workers—who, because of their enforced low standards and their lack of information, were the agency by which American employers hoped to club their workers into submission—began to appreciate how closely the problems and welfare of the workers of the two countries were identified.

It was not the fault of the Mexican workers that they were pawns in the hands of employers. It was their lack of opportunity and information. That opportunity came as the result of years of agitation. Many a leader on both sides of the border had battled in vain against organized tyranny and oppression, but there was not an effort that was without influence. Out of it all there came the hope that freedom could be achieved.

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THE REVOLUTION.

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For years the liberal elements in Mexico were generally united in the Liberal Party, which had for its chief purpose the reestablishment of the constitution of 1857. As that constitution provided rights and opportunities for the people, those who were seeking freedom in all lines were in sympathy with the effort to restore it. Because it had an appeal for the workingmen as well as for other groups of citizens, workingmen, both in the United States and Mexico, gave aid and indorsement to the leaders of the Liberal Party, who were termed revolutionists by the Mexican Government and persecuted as political offenders. Often these men escaped across the border line for refuge.

The Mexican Government did not relinquish its persecution at the border line, but worked out methods whereby it pursued progressive Mexicans even in their political asylum in the United States. They endeavored to secure the extradition of fugitive Mexicans on criminal charges. The Mexican Government retained the services of detective agencies that were to seek out fugitives. When found the fugitives were arrested, put into jail, where they were held until the charges were either dismissed as groundless or evidence could be manufactured. Just as soon as the prison doors opened for these victims they were rearrested upon other trumped-up charges and again confined. Kidnaping was not uncommon.

POSITION OF A. F. OF L.

The persecution of these men aroused the sympathy of the members of the organized labor movement. The Denver, 1908, convention of the A. F. of L. adopted the following resolution:

Whereas Ricardo Flores Magon, Antonio I. Villarreal, Librado Rivera, and other members of the Mexican Liberal Party, were arrested in Los Angeles,

Calif., August 23, 1907, at the instance of the Mexican Government, and have since been detained in prison while extraordinary effort has been made to extradite them; and

Whereas the Mexican Government, as prosecutor, has succeeded in inducing the American authorities to hold them on varying criminal charges, ranking from petty larceny to that of murder; and

Whereas the several charges, in turn and of necessity, have been abandoned when fully refuted by legal testimony, and the one active charge remaining is that of endeavoring to invade Mexico with an armed force, all of which proves by court records that these men are not criminals in any sense—if offenders at all, political offenders only: Therefore be it

Resolved, That the A. F. of L. extends its earnest sympathy to the aforesaid Magon, Villarreal, Rivera, et al., and commends to all affiliated organizations the consideration of proper means for their defense.

WASHINGTON, D. C., *September 22, 1915.*

SIR: In accord with the direction of the executive council of the American Federation of Labor, the following is respectfully submitted to you and which we hope will commend itself to your favorable consideration and action.

There has been going on just across our southern boundary a battle which is part of the world-old struggle for freedom. Although that struggle may be associated with many things that are not in accord with our ideals, yet I am sure you recognize that these things are the first crude efforts of a people long acccustomed to despotism and denial of the rights of free citizens to realize ideals of freedom. Nations, as well as individuals, as you well know, can not at once assume wisdom in the exercise of freedom. They must learn to be free. They have the right to this freedom without unwarranted outside interference even from those who seek their welfare.

The revolt of the people under the leadership of Madero against the Diaz government was an effort to realize ideals. The support given to the ideals of Madero was a proof that national virility and resourcefulness had not been crushed out by the rule of despotism. It was a proof that there were yet ideals and yearnings for the opportunities that rightfully belonged to citizens under a free government.

Under the Madero government there were beginnings of a labor movement and an effort of the workers to organize for the realization of their ideals and for the betterment of themselves and their fellow-workers. This hope was overshadowed by the barbarism of Huerta, but again grew strong and steady when Carranza asserted himself as the leader of the people.

Gen. Carranza is recognized as the friend of the working people and the real leader of the people generally of Mexico. He has granted to the wage earners the right of organization and has secured them opportunities for carrying out the legitimate purposes or organization. He has been thoroughly in sympathy with the ideals of greater opportunity and freedom of the masses of the people. The working people have been supporting him. They have adjourned as lodges and trade-unions to enlist in the Carranza army, with their union officials serving as the officers of their regiments.

The workers of Mexico have tried as best they could with the resources available to present their request and their right to be allowed to work out their own problems. They asked you and our Government for a little more patience and a little more time to prove that the Carranza government really represented the people of Mexico. You granted that request, and time has proved that Gen. Carranza is really the representative of Mexican democracy—that he represents their efforts to establish a government of the people and for the people. Gen. Carranza has demonstrated his sympathy with the ideals for which Madero gave his life, and has refused to compromise these ideals with Mexican revolutionists who were seeking their own personal interests. He has endeavored to secure for the Mexican Republic the dignity and the respect that ought to be accorded to any sovereign government.

The sympathies of the workers of the United States have been very deeply touched by the struggles of our fellow workers of Mexico. As recent events have drawn all of the countries of the two American continents more closely together, so the workers of these various countries have been more thoroughly aroused to the common interests and the common welfare of the wage earners who are citizens of the countries.

It is with the desire that we Americans, who have so much liberty and so much of opportunity, should use our influence to aid those who are less fortunate,

that as representatives of the labor movement of America we urge upon you recognition of Gen. Carranza as the head of the Mexican Government.

The matter, we know, is receiving your most earnest and most conscientious consideration, and we are sure that your sympathies are very strong for any genuine effort to secure larger liberty for the people; therefore we wish you to have the assurance that the course we, as the representatives of the organized labor movement of America, urge upon you has, we are sure, the hearty approval and indorsement of the great rank and file of the citizenship of our country.

Very sincerely, yours,

SAMUEL GOMPERS,
President American Federation of Labor.

Hon. WOODROW WILSON,
President of the United States,
White House, Washington, D. C.

On October 19, 1915, the United States Government notified the representative of the de facto Mexican Government in the United States that it would be pleased to receive formally in Washington a diplomatic representative of the Constitutionalist Government. The Carranza government was recognized.

MEXICO-UNITED STATES LABOR CONFERENCE.

The concessionaries, the American trusts in Mexico and the foreign capitalists who had invested money there became increasingly disturbed, as the Carranza government continued its program. They were in danger of losing the privileges that they had secured in devious ways. As these foreigners owned 75 per cent of the capital and land of Mexico, they saw no benefit to be secured through indemnities, for indemnities would be the result of taxation of Mexican property, the property to which they claimed title, consequently indemnities meant they themselves must pay.

Then began an effort on a gigantic scale to create "public opinion" for American intervention in Mexico. Nor were these efforts confined to press publicity. President Wilson, in a public statement, declared that interests hostile to international peace were inciting trouble along the border line between Mexico and the United States.

One of the most conspicuous of these efforts was the expedition sent from California into Lower California, Mexico, headed by Mr. Chandler, son-in-law of Gen. Otis, of the Los Angeles Times. Gen. Otis owns about 64.000 acres in Mexico, which was virtually an extension of the great Imperial Valley of California. Gen. Otis, as all the world knows, is actuated by far from idealistic purposes. The conditions connected with this expedition were brought to the attention of the grand jury of California. Indictments followed, and some of the men concerned in the expedition were sentenced to terms in the penitentiary. However, the men who planned the expedition and were to profit by it have so far escaped punishment. This case is known as California *v.* Chandler, Abilez et al.

When conditions became critical, in the name of the workers of the United States, the president of the American Federation of Labor sent the following letter to the Casa del Obrero Mundial of Mexico:

WASHINGTON, D. C., *May 23, 1916.*

Secretary CASA DEL OBRERO MUNDIAL,
City of Mexico.

DEAR SIR AND BROTHER: Permit me, on behalf of the American Federation of Labor, to send fraternal greetings to the Casa del Obrero Mundial, to the entire labor movement of Mexico.

The labor movement of North America has seen with what splendid courage organized labor in Mexico has, from the time of the presidency of the late Francisco I. Madero, demanded and obtained recognition for the cause of labor and justice in our sister Republic.

From time to time the American Federation of Labor has received confidential reports from delegates duly accredited by your organization and others who came to Washington in behalf of the Mexican labor movement and the Mexican cause. From these delegates the executive council of the American Federation of Labor has learned how deeply the spirit of international brotherhood has guided all your struggles in Mexico. We learned with intense interest of the

historic agreement between the Casa del Obrero Mundial and the Constitutionalist government and signed on behalf of that government by Rafael Zubaran Co.

We have learned with what bravery and determination the Mexican miners in the State of Arizona organized and struck work with their brother Americans of the north and won advancement for themselves and the cause of international solidarity.

All these facts point to the necessity of a still closer understanding between the workers of all the Americas, particularly in this crisis in the world's history. To this end and to propose a practical method of mutual cooperation between organized labor in Mexico and in the United States, I suggest that, at a date to be agreed upon, representatives from the Casa del Obrero Mundial and as many other of the labor organizations in Mexico as possible meet for a conference in El Paso, Tex., with representatives of the American Federation of Labor. Matters for the mutual welfare of the sister Republic could then be discussed and a future cooperative policy outlined.

With you I agree that the future peace of the world rests in the hands of the wage earners, and this is most cogently expressed by the organized-labor movement of each and all countries.

I hope to hear from you as soon as possible as to the actual conditions of the Mexican-labor movement at the present time, and a reply to the suggestion I have made herein.

Fraternally, yours,

SAMUEL GOMPERS,
President American Federation of Labor.

Copies of this letter were sent to President Wilson and to each member of his Cabinet and to the officers of the constitutionalist Government in Mexico, as well as to a number of governors of Mexican States, who were in a position and who would probably be disposed to give general publicity to the letter among the workers of Mexico.

Within a very short time there came telegraphic response from the labor organizations of Mexico heartily indorsing the holding of a labor conference and suggesting an immediate date. Within brief time came further telegraphic information stating that the labor organizations of Mexico City had elected delegates, who were instructed to proceed at once to the border to hold a conference on June 25. As June 26 was the date that had been set for the meeting of the executive council of the American Federation of Labor in Washington and not sufficient time was allowed for communicating with the workers of Mexico, it was impossible to have a time mutually agreed upon for the conference before these workers started for Eagle Pass, Tex. Immediately upon their arrival in Eagle Pass the delegates telegraphed to Washington. There were 20 representatives of various trade organizations in this delegation. The suggestion was made that the delegates who had come to Eagle Pass should proceed to Washington, which was considered a better place for a conference, in addition to affording an opportunity for the delegates to meet with the executive council of the American Federation of Labor. Conditions on the border were such as to make a labor conference there ill-advised.

The Mexican delegation elected two of their number to come to Washington. They were Luis N. Morones, an electrical worker, of Mexico City, and Mr. Salvador Gonzalez Garcia, a machinist. Both of these workers represented the Casa del Obrero Mundial.

In the meanwhile the Confederacion of Sindicatos Obreros had again sent their labor representative, Edmundo E. Martinez, to the United States and commissioned him to bring to the executive council of the American Federation of Labor a gold medal expressing the appreciation of the Mexican workers for what the American-labor movement had done for them in their struggle for liberty. This medal was formally presented in the conference which the Mexican delegates had with the executive council.

The State of Yucatan now has as governor Salvadore Alvarado, a man who has some understanding of the labor movement and is in sympathy with its needs and purposes and has done much to better conditions in Yucatan. It must be remembered that less than a year ago the workers of Yucatan were peons—slaves. In a brief while the revolution has given them a chance to be freemen, and they have used that freedom as best they could under the circumstances. What they have done at present in the way of industrial organization is perhaps not the ideal thing, but it represents their first efforts to bring about changes in the oppressive conditions that have so long prevailed.

However, democracy can not come in a year, but the people of Yucatan will learn democracy, and will gradually supersede autocracy, whether political or industrial. The governor of Yucatan believed so strongly in organized labor that he commissioned two representatives of the workers to come to the United States bringing an appeal from the workers of Yucatan. This appeal was for the purpose of establishing better relations between organized labor of Yucatan and the United States and all Pan American countries. These two delegates from Yucatan participated in the Mexican conference: They are Baltazar Pages, editor Voice of the Revolution, and Carlos Loveleira, chief of the department of labor. They had credentials signed by the following labor organizations of Yucatan: The Society of Dockers; the Syndicate of Machinists, Blacksmiths, and Boiler Makers; Union of Railway Men of Yucatan; Society of Sailors; Syndicate of Waiters and Assistants of Restaurants and Saloons; Syndicate of Carpenters; Syndicate of Mechanical Electricians; Clerks' Headquarters of Yucatan; Syndicate of Bakers; Syndicate of Molders; Syndicate of Coach Drivers; Mutual Beneficial Society of Truck Drivers; Syndicate of House Tenants.

The representatives of the Casa del Obrero Mundial had credentials from that organization and asserted that they represented 100,000 organized workers.

The purpose of this conference was the consideration of ways and means for the establishment of closer relations between our respective labor movements, in order that there might be better understanding and better cooperation. It was in recognition of the fact that their economic interests were identical and that there must be permanent relationship established between the economic organizations.

All parties to the conference agreed upon the principal of action, that the economic movement is the fundamental agency for the warfare of the workers, and that the economic movement must be made the instrumentality for establishing their freedom and promoting all of their interests.

As a result of the conference held in Washington the following declaration was formulated and signed:

WASHINGTON, D. C., *July 3, 1916.*

The undersigned, the E. C. of the A. F. of L., and the representatives of the organized labor movement of Mexico, express our deep gratification in the consummation of this conference, which we hope and believe has laid the basis for better understanding and has welded ties that shall bind together the workers of our respective countries.

We are confident that personal conferences of the workers of the United States and of Mexico will be a constructive force in bringing about understanding necessary for better relations between our coutries and for maintaining peace founded upon a proper regard for the rights of all. It is our opinion that this conference should be followed by another, in which the workers of both countries shall be more generally represented, for the purpose of agreeing upon plans for maintaining permanent relations and for the federation of the labor movement of all of the countries of the two Americas.

In view of the present relations between the United States and Mexico, we are of the opinion that such a general conference is for the present untimely, and we express the judgment that the holding of such a conference should be deferred until later in the year. However, in the event of an emergency which would make a general conference of advantage in averting an international crisis, such a conference could and should be called for the earliest time mutually agreeable. To carry this plan into effect, a joint commission shall be chosen, to consist of two members from both labor movements, to remain in Washington until the present crisis is passed, the said joint commission to have the power of calling a general conference if necessary.

We hold this to be fundamental: No relations between our countries can be permanent that are not based upon the will of the masses of the people and in accord with their concepts of justice.

We deem it an essential step toward democracy and justice that there shall be established for the masses who have hitherto been without regular agencies for expressing their views and desires opportunities that will enable them to have a voice in helping to determine international affairs.

The labor movements of the various countries constitute the instrumentalities that can best accomplish this purpose and give expression to national ideas and convictions that have been too long inarticulate and impotent.

We direct that the president of the American Federation of Labor and the official representatives of organized labor of Mexico should keep in touch

through correspondence, and that they be authorized to carry out the purposes specified in this declaration.

In joint conference as the representatives of the workers, the masses of our respective countries, we urge upon our Governments to adjust existing differences without war and to establish conditions conducive to permanent peace with justice.

We appeal to the workers and all of the people of the United States and of Mexico to do everything within their power to promote correct understanding of purposes and actions, to prevent friction, to encourage good will, and to promote an intelligent national opinion that ultimately shall direct relations between our countries and shall be a potent humanitarian force in promoting world progress.

It is an unavoidable conclusion that present differences between our countries are the result of misunderstanding growing out of inadequate or incorrect information; that the unfortunate consequences of past relations between the United States and Mexico have formulated a national attitude that questions the good faith of our Governments; that existing agencies and methods of reaching an adjustment of these differences are unsuitable for dealing with those problems which are fundamentally humane problems; and that the relations between our countries ought not to be directed in accord with abstract standards of justice, but ought to be keenly sensitive and responsive to the human interests and moral forces. Therefore, we, the representatives of the organized workers, having the right to speak for all of the workers and in the interests of all of the people, urge upon our Governments the appointment of a commission to be composed of high-minded citizens, fully representative of our nations, to consider differences that have brought our nations to the verge of war, and to make such recommendations for adjustment as shall fitly express the highest ideals of the great rank and file of the citizenship of our two countries.

We direct that copies of this declaration shall be presented to the President of the United States, Hon. Woodrow Wilson, and to the First Chief of the Constitutionalist Government of Mexico, Gen. Venustiano Carranza, and that it be given the widest publicity among the workers of our respective countries.

For the organized workers of the United States:

Samuel Gompers, President; James Duncan, First Vice President; James O'Connell, Second Vice President; D. A. Hayes, Third Vice President; Joseph F. Valentine, Fourth Vice President; John R. Alpine, Fifth Vice President; H. B. Perham, Sixth Vice President; Frank Duffy, Seventh Vice President; Wm. Green, Eighth Vice President; John B. Lennon, Treasurer; Frank Morrison, Secretary.

For the organized workers of Mexico:

C. Loveira; Baltazar Pages; L. N. Morones; S. Gonzalo Garcia; Edmundo E. Martinez.

LABOR'S EFFORTS TO PREVENT WAR.

While the conference was in progress an actual clash between the American troops in Mexico and the Mexican Army had taken place, in which some American soldiers were killed and some were imprisoned and held in jail. The President of the United States issued an ultimatum demanding the immediate release of the American soldiers. No word was received from the Mexican Government as to their intentions in the matter, public opinion was aroused to fever heat, and it seemed as though war was inevitable.

In this great anxiety an appeal came from the Mexican governmental representatives in this country to the president of the American Federation of Labor, asking him to send a personal appeal to Gen. Carranza for the release of the American soldiers.

On the afternoon of June 28, about half past 2, the following telegram was sent:

[Telegram.]

WASHINGTON, D. C., *June 28, 1916.*

Gen. VENUSTIANO CARRANZA,
First Chief Constitutionalist Government,
Mexico City, Mexico:

In the name of common justice and humanity, in the interest of a better understanding between the peoples and the Governments of the United States and

Mexico, for the purpose of giving the opportunity to maintain peace and avoid the horrors of war upon the grounds of highest patriotism and love, I appeal to you to release the American soldiers held by your officers in Chihuahua.

SAMUEL GOMPERS,
President American Federation of Labor.

On the evening of that same day extra papers on the streets announced that Gen. Carranza had just issued an order releasing the American soldiers.

On the following day was received from Gen. Carranza this:

[Telegram.]

MEXICO, *June 29, 1916.*

SAMUEL GOMPERS,
President American Federation of Labor, Washington:

In replying to your message dated yesterday, I would state that the Government in my charge has ordered the liberty of the American soldiers whom the Mexican forces took as prisoners in Carrizal. Salute, very affectionately.

V. CARRANZA.

The executive council, which was at the time considering Mexican affairs, authorized the sending of the following:

[Telegram.]

WASHINGTON, D. C., *June 30, 1916.*

Gen. VENUSTIANO CARRANZA,
First Chief Constitutionalist Government,
Mexico City, Mexico:

Your telegram of June 29 received and laid before executive council of the American Federation of Labor, in session at Washington, and we express to you our appreciation of your order releasing the American soldiers and thus helping to clear the way for a mutually honorable settlement of any differences between the Governments of the United States and of Mexico.

SAMUEL GOMPERS,
President American Federation of Labor.

THURSDAY, APRIL 29, 1920.

UNITED STATES SENATE,
SUBCOMMITTEE ON FOREIGN RELATIONS,
Washington, D. C.

Testimony taken at Washington, D. C., April 29, 1920, by Francis J. Kearful, Esq., in pursuance of an order of the subcommittee of the Committee on Foreign Relations of the Senate.

TESTIMONY OF MOTHER ELIAS DE STA SACTO.

Mr. KEARFUL. You may give your name.

Mother ELIAS. My name is Mother Elias de Sta Sacto. My family name is Maria Thierry. The Spanish name in the order is Maria Elias del Santissimo Sacramento.

Mr. KEARFUL. What is your age?

Mother ELIAS. Forty-one.

Mr. KEARFUL. What is your nationality?

Mother ELIAS. Mexican.

Mr. KEARFUL. Are you a member of a religious order?

Mother ELIAS. Carmelite, Discalced Carmelite.

Mr. KEARFUL. Known in English as "Barefooted Carmelite?"

Mother ELIAS. Yes, sir.

Mr. KEARFUL. Were you connected with that order in Mexico?

Mother ELIAS. Yes, sir. I was living in the City of Mexico. From there we went to Queretaro.

Mr. KEARFUL. Were you there during the time of Porfirio Diaz?

Mother ELIAS. Yes, sir.

Mr. KEARFUL. And later during the time of Madero?

Mother ELIAS. Yes, sir. I was in the convent when Madero came in. I was already 15 years in the convent.

Mr. KEARFUL. Were you there at the time of the revolution of Carranza?

Mother ELIAS. Yes, sir; until six years ago we left.

Mr. KEARFUL. Did you have any trouble during the time of Porfirio Diaz or Madero?

Mother ELIAS. During the time of Porfirio Diaz we really did not have any, because his wife was a Catholic, and he did not care. He did not do anything against the Catholics.

Mr. KEARFUL. Were you molested during the Madero rule?

Mother ELIAS. No, sir; really not. He only passed through the place where we were. He passed through Queretaro, but he did not trouble us.

Mr. KEARFUL. When did your first troubles begin?

Mother ELIAS. I think in 1914, or 1913. We had to leave the convent, because we were sent away at that time for precaution. We had the sisters there, and I said, "Well, mother, it is better to leave the convent and go in small houses," and when we left the convent, in a few days after that they came and took possession of the convent.

Mr. KEARFUL. You mean the Carranza soldiers?

Mother ELIAS. The Carranza soldiers; yes, sir.

Mr. KEARFUL. What do you know about the reported desecration of churches by the Carranza soldiers at that time?

Mother ELIAS. Well, at that time, I, myself, saw many things they did. We had to go from place to place, in caring for the nuns, to keep them from taking the nuns up in the hills with the soldiers. Of course, we did not want to give up the nuns. We used to move from place to place.

Mr. KEARFUL. You were hiding from the Carranza soldiers; moving from place to place, were you?

Mother ELIAS. Moving from place to place, because they used to come through the roof, instead of entering through the door. I remember I spent 22 nights taking care of the nuns.

Mr. KEARFUL. What have you seen about the desecration of the churches and the holy sacrament?

Mother ELIAS. Well, I have seen several things. In the first place, when they took possession of a city, right away they took the keys of the churches, and they said the Government was the owner of the churches, and that the cities, and the holy communion would belong to the people. As soon as the Carranza soldiers entered the city they seized the keys of the churches, so the priests could not come from the houses and take care of the tabernacles and leave them empty. The soldiers took the ciboria and emptied the contents, which was the sacred Hosts, into the oats for the horses.

Mr. KEARFUL. Please proceed with your story.

Mother ELIAS. Many times the Catholic ladies used to come to me and say, "Mother, would you mind to go out with me? They have emptied the ciboria to give to the horses." I did not believe it. Surely, I could not believe such a thing. But I went with them, and we tried to find out. So I saw them trying to destroy them.

Mr. KEARFUL. What was your purpose in entering?

Mother ELIAS. To save the blessed sacrament from the profanation, you know. Of course, they left them there for profanation; gave them to the horses. We find many cases like that. They would take the vestments and put on the horses' necks, and different profanations like that.

Mr. KEARFUL. You mean they used the sacred vestments for saddle blankets?

Mother LLIAS. Yes; and shot the tabernacles in almost every church.

Mr. KEARFUL. The tabernacle is the receptacle in which the sacred Host is kept?

Mother ELIAS. Yes, sir. There was no place, no town, where there was not that kind of profanation, in every place, everywhere. Then I saw many times how they burned up the confessional. I was going

down to Mexico, and we had to stop many times on the way, and I saw in a church where the blessed sacrament was exposed, and hundreds of men came and shot the ostensoria, and then disappeared.

Mr. KEARFUL. What did they do, if anything, with the chalices and other vessels?

Mother ELIAS. Several times widow women used to come to our door, because they knew we were nuns, and used to bring the chalices there to sell them. Many times they said, "Sister, will you buy a chalice?" I bought it sometimes for 10 cents, because there were places they used to drink from the chalices and the ciboria, and then threw them down in the street.

Mr. KEARFUL. You mean the soldiers stole the chalices from the churches and sold them to people for what they could get?

Mother ELIAS. Yes, sir; and they would drink in them.

Mr. KEARFUL. Then they would be offered to you for sale by women on the street?

Mother ELIAS. Yes, sir; in the house in Mexico we have some chalices that we bought at that time.

Mr. KEARFUL. According to the doctrine of the Catholic Church is it permissible for one other than a Catholic priest to touch the sacred Hosts?

Mother ELIAS. No, sir.

Mr. KEARFUL. Is it considered the worst crime that can be committed by any person who violates those holy things?

Mother ELIAS. Yes, sir; it is sacrilege.

Mr. KEARFUL. Is that the way that the Mexican members of the Catholic Church feel about it?

Mother ELIAS. Well, you know soldiers are so ignorant. They do what they are told to do.

Mr. KEARFUL. I mean apart from the soldiers, the inhabitants of the towns and members of the churches; is that the way they feel about the sacredness of those things?

Mother ELIAS. Of course, everybody thinks that way.

Mr. KEARFUL. What do you know about the violation of the sisters, members of the order?

Mother ELIAS. When I was going down to Mexico to get my sisters—my younger sisters, Carmelite nuns—that I divided among their own families—when I was going down to Mexico to advise them how long I had to be absent from them—on the way I met with six or more of women who said they were sisters, and they said, "Have mercy on us." They said they were sisters. They said they spent two years up in the hills with the soldiers, and they did not know where to go; they could not find any convent or place to stay. They said they were about to become mothers. Of course, I did not know whether to believe it or not. I said to them, "Well, you had better go to some place, some maternity house, and pray to God and have more faith, because it is not your own fault." I did not see them any more. But afterward I went to the City of Mexico and saw a big crowd on the Calle de Berlin, in the Colonia Roma. When I saw so many people there I tried to find out what it was, and I saw imitation nuns, sisters, and priests, some of them wearing the sacred vestments. I never could believe they were real priests; but one of the ladies who was there said to me, "Don't you believe them when they say they are priests. They are just trying to make fun. That

is the way they slander the priests, because they say the priests do nothing but drink and dance with the nuns."

Mr. KEARFUL. Is that true?

Mother ELIAS. I saw that.

Mr. KEARFUL. I mean is it true that the priests do those things?

Mother ELIAS. Indeed, no. You find in every place all kinds of people, but I can say that we have hundreds and thousands of good priests, very holy and very clever ones. This lady told me they were not good women, but they tried to dress in the sisters' dress to blame the priests.

Mr. KEARFUL. I understand the natural disinclination you would have to relate incidents of this kind, and I will ask you if you wrote a letter addressed to the archbishop of New Orleans, while you were in Habana, Cuba?

Mother ELIAS. Yes, sir; I did.

Mr. KEARFUL. November 4, 1914?

Mother ELIAS. Yes, sir.

Mr. KEARFUL. Did you write that letter in English or in Spanish?

Mother ELIAS. I wrote it in Spanish.

Mr. KEARFUL. I have here what purports to be a translation in English, and I will read that portion of it and ask you whether the statements in that letter are correct.

Mother ELIAS. Yes, sir.

Mr. KEARFUL (reading):

Since Francisco Madero declared war on Porfirio Diaz until the present day we have not had a moment of peace. Following Madero's example many others have arisen, some worse than others, and have attacked on all sides, so that not a single State in the Republic but is the victim of horrible outrages.

The Catholic church is attacked by the revolutionaries. They have closed the temples and prohibited the sacraments to the extent of shooting the priest who dares to hear confession or to administer the sacraments. The confessionals and some images of the saints have been burned in the public squares to the accompaniment of bands of music and impious speeches.

They have profaned the churches, entering them on horseback, smashing the images, treading the relics under foot, throwing the Hosts about the floor and even giving them to the horses to eat with the fodder. In some churches the Carrancistas themselves have pretended to say mass and have seated themselves to hear the confessions of a multitude of people.

Mother ELIAS. Yes, sir; the place I saw that was in the church of Santo Domingo, in the City of Mexico. I saw that myself.

Mr. KEARFUL (reading):

Dressed as priests they have heard the confessions of sick people and then in derision have revealed what they had heard in the confession.

Mother ELIAS. Yes, sir.

Mr. KEARFUL (reading):

All this I have seen with my own eyes. The most beautiful temple in the Republic, the Church of San Antonio in Aguascalientes, has been converted into the legislative hall.

Mother ELIAS. Yes, sir; that is true.

Mr. KEARFUL (reading):

The Church of San Jose in Queretaro is now a public library.

Mother ELIAS. Yes, sir.

Mr. KEARFUL (reading):

Our great convent of the Carmelites in Queretaro they seized and ejected the Christian Brothers who had a beautiful school and who lost over 50,000 pesos which they had spent in alterations, the total loss being over 500,000

pesos. The colleges of the Reverend Jesuit Fathers, and many others, have perished. The property of the church has been seized and some of the ecclesiastical archives have been burned. All the communities of nuns have been expelled from the entire Republic, being given but a half hour to leave and not allowed to take with them a change of clothes, and in many cases not even a breviary to pray. Many sisters have been taken to the barracks and police stations where their vows of chastity were in great danger. The furnishings of the Catholic schools and colleges have been stolen and in them have been planted the mixed lay schools with boys and girls together, from which there may be expected nothing but corruption and evil.

Immorality has increased to such a degree that they have profaned not only virgins but have violated nuns, carrying them away by force where they now suffer horribly.

To the great suffering of my soul I have seen in Mexico the sad and lamentable fate of many sisters who have been victims of the unbridled passions of the soldiers. I found many bewailing their misfortune and that were about to become mothers, some in their own homes, others in maternity hospitals. Others unable to flee from despair have surrendered to a life of evil and, filled with desperation and shame, have complained against God, declaring that He has abandoned them.

I have seen many sisters of different orders, dressed in the latest style, showing themselves on the balconies, losing the little spirituality remaining to them, and singing and playing the piano all day, saying that it is dissimulation to hide the fact that they are nuns for fear that they be carried away by Carranzistas, or Zapatistas, or Villistas, etc. Some priests, deserving of confidence, have told me that in a hospital near the ——— (I will give you the name in confidence) there are 50 sisters that had been seized by the soldiers, of whom 45 are about to become mothers, although they have religious vocations and are bound by vows.

In the ——— in Mexico and in the Hospital de Jesus there are others in the same condition. The Carranzistas deny this, saying that they went with them voluntarily because they were held in the convents by force. In Celaya and in Mexico I have seen others whom they have compelled by force to enlist in the Red Cross, and under this pretext holding them as slaves to serve them as though they were their own women, and if many look after the sick there are also others who have lost their chastity. In general, many young girls, after having been forced to live with them, have been thrown out, and many have been killed in the streets as though they were animals.

Do you remember that you wrote that letter?

Mother ELIAS. I wrote all that.

Mr. KEARFUL. And it is all true?

Mother ELIAS. Yes, sir. I wrote that when I was in Cuba. When I went back to Mexico they took me prisoner. They took me off of the train, and they said, "Are you the superior of the Carmelite Order?" Of course, I didn't deny it. I said, "I don't know what you mean." I didn't deny it. I didn't say, "I am not," but I said, "I don't know what you mean." They said, "Are you a sister? How many sisters have you?" "I have no sister." Of course, I meant to say my own sister. I was dressed with a dress like a widow. I was taken in a dark room with a novice, and we promised to each other we would not separate from one another. At 2 o'clock in the morning they called me and said, "Now, ladies, it is your last chance. Where is the money?" "What money," I said. They said, "The dowers of the sisters." I said, "I haven't any." "Well, how many sisters have you in your house?" "I haven't any." "Are you the superior of the convent?" "I am not." Because I resigned my office. I was not the superior at that time. They said, "Well, would you like something to save your life?" I said, "I would not do anything. You would make me happy if you kill me, because my husband died long ago." I meant our Lord Jesus Christ. "And sure I want to meet Him."

Well, they didn't know what to do with me, because they could not scare me.

We were left alone without eating anything, and the next day at 12 o'clock in the evening they called again, and said, "Now, ladies, this is your last chance." I said, "I hope it will be for good. Will you please finish now?" He said, "Well, there are some questions." They asked me the same questions about the money and the sisters, and I repeated over what I said before. Then they called the soldiers around me with their guns and told us to knell down, and we knelt down. The novice was so scared, and I said, "Make up your mind to die. What is the use to get scared? It is better to die now than to be like the other sisters," because we knew that some sisters were in the same place. The same questions were asked, and I gave the same answers. So the men shot like they would kill me. I was scared, but I didn't die.

The next day they called me again, the same questions, and the same answers. Then an Indian came to me and said, "Little sister, do you want to be free?" I said, "Why do you call me sister?" He said, "You have a mark on your forehead like every sister has, and you can't deny that you are a sister." Well, I didn't say anything more. He said, "Do you want to be free to-day?" I said, "I don't believe you. I don't trust anybody." He said, "I will open the door for you if you will give me some money." I said, "I have no money to give you." I had in my clothing about $1,400 to bring the sisters, to pay the expense of the sisters to bring them to the United States. So he opened the door for me, and we left.

Another Indian offered me a horse in order to run away. Well, I never did ride a horse, but I had to learn it that day. And then it started to rain so hard we could not see the way any more, but at last we reached the railroad, and we went into the City of Mexico about 3 o'clock in the morning. That was the last thing happened to me.

Mr. KEARFUL. That was before you went to Habana?

Mother ELIAS. After.

Mr. KEARFUL. After you wrote this letter in Habana?

Mother ELIAS. Yes, sir.

Mr. KEARFUL. You returned then to Mexico with money to bring the other sisters out?

Mother ELIAS. Yes, sir.

Mr. KEARFUL. Were you successful in getting them out?

Mother ELIAS. Yes, sir; I got all of them.

Mr. KEARFUL. Where are they now?

Mother ELIAS. In Grand Rapids, Mich. We have a house there.

Mr. KEARFUL. They have not returned to Mexico?

Mother ELIAS. I had to send four about two months ago, because they got consumption in that place, because they came from a very hot place, and on account of the cold they got consumption, and we sent four to Mexico. They are in a secure place.

Mr. KEARFUL. Are they in hiding?

Mother ELIAS. No, sir; they have a convent and a church. Right now they don't do anything. They are afraid. There is a funny thing that this morning I was telling to Monseigneur Kelley. The Indians are so simple and so ignorant.

The people was on the outside would scream, and they would say, "Kill the clergy." And the Indians said to kill them. Then they would say, "Kill the priests." The Indians said, "No, no; don't

kill them." They are so ignorant, you know. They said, "Kill the clergy," but they would not say, "Kill the priests."

Mr. KEARFUL. The idea being that they were in favor of the cry "Death to the clergy"?

Mother ELIAS. Yes, sir.

Mr. KEARFUL. But not "Death to the priests"?

Mother ELIAS. No, sir; not to the priests.

Mr. KEARFUL. They did not know what "clergy" means?

Mother ELIAS. Yes, sir; that is it. I remember when Francisco Madero was in the City of Mexico, in order to please the people he brought thousands of pictures of our Lady of Guadalupe, and made the soldiers wear them on their hat in front, so the people would believe in them. They were taught to persecute the rich. Once when I was passing by I saw one of them trying to break a frame of our Lady of Guadalupe, because it was gold. I said to him, "Man, what are you doing?" He put it on the floor and stepped on it. I said to him, "What are you doing?" He said, "Well, I am trying to kill this lady." I said, "Don't you have that lady on your hat?" He said, "Yes; but that one is poor and this one is rich. I am going to kill this one." They deceived the poor Indians, because they could not speak the Spanish language well. They speak the Mexican or Indian language. There is only a few words they can say. That is what they mean, to kill all the rich. That is why they do that way.

Mr. KEARFUL. That is what they are taught, to kill the rich?

Mother ELIAS. Yes, sir; to kill and persecute the rich.

Mr. KEARFUL. Do you consider it safe for you to return to Mexico now?

Mother ELIAS. I have been to Mexico twice, because I disguised myself in different ways, so I am not afraid.

Mr. KEARFUL. Would you feel secure to go there openly, without disguise?

Mother ELIAS. No, sir; we can not. We have to disguise ourselves before crossing the river. I never take the habit. I put another dress on. That is the way we do. Six weeks ago I was coming from Mexico on the train with another dress on. Archbishop Orozco was on the train, and there was about 3,000 people clapping their hands and saying, "Viva Archbishop," and the Carranzistas were on the train. They didn't pay any attention. They couldn't do anything with the people. The people mean to be Catholic. They could not do anything.

My fear is this, that when the priests and archbishops are back in their places, they will have the houses burned again, and they will take them prisoner again and sell them as they used to do, because they many times sold them for a hundred thousand pesos.

Mr. KEARFUL. What do you mean by their being sold?

Mother ELIAS. They took them prisoner and would offer to deliver them for many thousand pesos.

Mr. KEARFUL. You mean they were holding the priests for ransom?

Mother ELIAS. Yes, sir; for many thousand pesos in order to gain their release.

Mr. KEARFUL. Do you think that after the nuns and sisters have reestablished themselves there that they are likely to have the same troubles that they had before?

Mother ELIAS. I am sure they will have them again, because they have no schools now, only the public schools, and the revolution has been going on 10 years. What will become of the boys who were then 10 years old, who now are men of 20 years? They will get worse and worse. That is what I think.

Mr. KEARFUL. Will you please explain more fully how the priests were held and money was extracted from them, and how the money was secured?

Mother ELIAS. I was in Zacatecas, when I came in contact with a lady who was my friend, and was a sister of one of the priests. She said, "What do you think? My brother is in prison to-day, and he is an old man of 65 years, and he has got to go to-day and beg for 100,000 pesos, otherwise he will be killed. He will be killed this afternoon, together with 14 other priests." They were sent out to beg, and about 5 o'clock they came back with 20,000. The men said, "It is not enough. Go and beg again." They had to go and beg again. They came back about 8 o'clock with some more money. That was not enough. They told them to go and beg again. The rest I do not know anything about, because I had to take my train to leave, but I heard that much.

Mr. KEARFUL. I believe that is all I wish to ask you. I am very much obliged to you.

AFTER RECESS.

At the expiration of the recess the following further proceedings were had:

TESTIMONY OF FRANCIS P. JOYCE.

(The witness was duly sworn by Mr. Kearful.)

Mr. KEARFUL. You may state your name.

Father JOYCE. Francis P. Joyce.

Mr. KEARFUL. And your occupation?

Father JOYCE. Chaplain, United States Army.

Mr. KEARFUL. To what church do you belong?

Father JOYCE. The Catholic Church, sir.

Mr. KEARFUL. Were you chaplain in the Army with the American troops when they landed at Vera Cruz in 1914?

Father JOYCE. Yes, sir.

Mr. KEARFUL. Did you have occasion at that time to learn anything about the treatment accorded the priests and nuns and sisters in Mexico by the Carranza army?

Father JOYCE. Yes, sir.

Mr. KEARFUL. Will you please relate that?

Father JOYCE. Sir, at Vera Cruz, during the summer of 1914 and immediately after the abdication of Huerta, there were between 600 and 700 sisters, refugees, in Vera Cruz, some clothed in the habit of the religious order, others in various disguises. I sent cablegrams to the cardinals, to the board of archbishops, to the Federation of Catholic Societies, to the Church Extension Society, and to Mr. Flaherty, of the Knights of Columbus, asking that aid and transportation be furnished to religious people who were then refugees in Vera Cruz. Besides the sisters there were many priests who

were refugees also. These men were working in various places. Some were waiting upon tables at restaurants, others were working on the docks, all trying to earn enough money to get out of the country. There were also seven bishops and archbishops in Vera Cruz at that time.

When the church authorities in the United States received my telegram, I understood that they wired Mr. Tumulty, Secretary to the President, to know if my reports about the condition of these people were true, and that Mr. Tumulty informed them that there was nothing on record in the State Department that such a condition as I reported existed. Father Kelley, of the Church Extension Society, now monseigneur, wired me to prove my reports by getting affidavits from these women relative to church persecutions inaugurated by Carranza and Pancho Villa. Many of these women, although they had been outraged, were timid to sign their names to any history of any excesses committed by the revolutionists. There were no notaries public who could take the affidavits, but through the assistance of a military judge advocate, Lieut. Prosser, still in the service, we obtained affidavits from a great number of these religious women, and I sent them to Father Kelley, of the Church Extension Society, who published a good many of them, I afterwards learned.

Father Kelley was the only one who gave any assistance financially to these people in Vera Cruz, when he sent down $800. Mr. Flaherty cabled me that my reports were not believed, and, if true, to give name and history of every priest, sister, and bishop refugee in Vera Cruz. I wired back that the American forces were about to leave Vera Cruz; that many of these people had been scattered and lost track of; that I was not a census taker; that it was too late to do anything.

During this time I called on Mr. Silliman, personal representative of President Wilson to Carranza. I visited him in the office of Consul Canada, and asked that he take it up with the State Department and obtain a boat to ship these people out of the country. He said, "On what grounds?" I said to him, "If not on the grounds of religion, at least on the ground of humanity. These are women. The priests are men and will have to make shift for themselves." He then stood up and said, "It is generally admitted by everybody that the worst thing in Mexico, next to prostitution, is the Catholic Church, and both must go." To prevent a fight I was hustled out of the consul's office, and reprimanded in a military way for some words I had with Mr. Silliman.

During this time the poor regular soldiers organized a Holy Name Society whose object was through that organization to secure contributions from the forces then occuping Vera Cruz on each successive pay day to help defray expenses for shipping out as many sisters as possible.

Previous to the departure of the American troops the family of Senora Saturni, on the Calle Cincode Mayo, offered gold to an American Army officer to marry her beautiful daughter, in the hope that as the wife of an American officer she could secure safe conduct out of Vera Cruz.

Mr. KEARFUL. Was that daughter one of the women who had been outraged?

Father JOYCE. No, sir. She was said to be the most beautiful woman in the State of Vera Cruz. When that marriage did not materialize, I afterwards learned that when Candido Aguilar came into Vera Cruz as military governor he kidnapped this girl, and afterwards married the daughter of Gen. Carranza.

Mr. KEARFUL. Did Silliman take any steps to give any assistance to these refugees?

Father JOYCE. No, sir.

Mr. KEARFUL. Did he make any representations to the Washington Government in that respect?

Father JOYCE. Not that I know of, sir. Consul Canada tried to help them, I understood at that time, but was unable to do much.

Mr. KEARFUL. You say there were refugees in Vera Cruz. What was the reason for their taking refuge at that particular place?

Father JOYCE. Because the Americans were there.

Mr. KEARFUL. Where did these refugees come from?

Father JOYCE. From various parts of Mexico.

Mr. KEARFUL. What story did they relate as to the treatment they had received from the Carranza Government?

Father JOYCE. That some of them had become mothers; that others were about to become mathers; that many of them were diseased.

Mr. KEARFUL. From your observation of them at that time you believe that those statements were true?

Father JOYCE. Yes, sir.

Mr. KEARFUL. You have no doubt of it?

Father JOYCE. No, sir.

Mr. KEARFUL. What was the attitude of Gen. Funston and his staff with respect to these refugees?

Father JOYCE. Sympathetic, sir.

Mr. KEARFUL. Did he do anything to help you?

Father JOYCE. No, sir. He told me that he was unable to get any permission from the State Department to secure a boat.

Mr. KEARFUL. It has been stated that Gen. Funston deliberately delayed his departure from Vera Cruz in order that some of these refugees might have an opportunity to get away. Do you know whether that is true or not?

Father JOYCE. I do not, sir. The big mistake was made when our Government failed to recognize Huerta, who was the hope of Mexico.

Mr. KEARFUL. What knowledge have you of Mexico, besides that which you gained as chaplain at Vera Cruz?

Father JOYCE. I was with the Pershing expedition, sir.

Mr. KEARFUL. Do you know Mexico in any way apart from those two experiences?

Father JOYCE. Yes, sir; previous to that, but that was a long time ago.

Mr. KEARFUL. That was in the time of Porfirio Diaz, was it?

Father JOYCE. Yes, sir.

Mr. KEARFUL. What were you doing in Mexico then?

Father JOYCE. I was sort of prospecting, sir.

Mr. KEARFUL. For minerals?

Father JOYCE. Yes, sir.

Mr. KEARFUL. About what time was that; what year or years?

Father JOYCE. In 1904.

Mr. KEARFUL. What were the conditions of the country as to security of life and property and travel throughout the country at that time?

Father JOYCE. At that time it was all right, the little I saw of it.

Mr. KEARFUL. That was it later?

Father JOYCE. As a man in vaudeville lately said, it turned out to be no longer a country, but a sort of shooting gallery.

Mr. KEARFUL. Why did you say the great mistake was made when this Government failed to recognize Gen. Huerta?

Father JOYCE. Because I knew Huerta and was his confessor. He was, I believe, the ablest soldier Mexico ever produced. He was scholarly, was an engineer, and for years had been in the mining-contracting business. He was a Catholic in a Catholic country, and a man I learned to esteem highly. His wife was my idea of what the Madonna might be like. She was a daily communicant, and, after his death suffered intensely, and is now, I understand, in poverty and ill health in Habana.

Mr. KEARFUL. Many statements have been made in this country attacking the moral character of Huerta. What can you say about that?

Father JOYCE. As far as I know, sir, like the charge that he killed Madero, much is untrue.

Mr. KEARFUL. What do you think about the charge that he killed Madero?

Father JOYCE. I think Huerta was innocent of the charge.

Mr. KEARFUL. Do you remember the circumstance of Huerta's return to this country from Spain?

Father JOYCE. Yes, sir.

Mr. KEARFUL. Did you meet him here after his return?

Father JOYCE. Yes, sir. He was put in arrest in El Paso.

Mr. KEARFUL. What kind of treatment did he receive from the American authorities on that occasion?

Father JOYCE. Very discourteous treatment, to say the least. He was thrown into the common jail, with negroes, drunks, and disorderly people, and left there, I think, over five days, at El Paso.

Mr. KEARFUL. What was the charge against him?

Father JOYCE. As far as I could understand, he was charged with an attempted breach of neutrality.

Mr. KEARFUL. What was done with him afterwards?

Father JOYCE. He was afterwards put under $38,000 bond, which his wife furnished, a cash bond, and was sent out under guard of five civilian secret-service men to Fort Bliss. His prison there was cold and he became sick. I then wired the Department of Justice that he had a bad cold and was a pretty sick man, and I feared he would get pneumonia and die where he was. I asked that he be permitted to go down town and have the care of his family at the home which his wife had rented for herself and children on Stanton Street. That permission was granted. A few nights later Huerta sent for me and told me that a Mr. Dubose, whose office was in the Federal building, had visited him and said that he wanted $5,000 or he would have Huerta returned to the prison at Fort Bliss.

Mr. KEARFUL. Who was Dubose?

Father JOYCE. Dubose, I think, was chief of the civilian secret service in that district at that time.

Mr. KEARFUL. That secret service was under the Department of Justice, was it?

Father JOYCE. I think so. I told Huerta that Dubose could not do that, and Huerta said, "I don't want to be sent back to that place, but I haven't $5,000 to give him."

Mr. KEARFUL. You did not believe that Dubose would do such a thing?

Father JOYCE. No, sir. The next night Huerta sent for me again and said Dubose had again sent word that his price had been raised to $8,000, and if the money was not handed him the following day by 5 o'clock, he would send Huerta back to the prison at Fort Bliss. Again I told Huerta they were just teasing him, and was surprised the next evening to learn that Huerta had been sent back to Fort Bliss. I visited him there and told one of his guards, a civilian secret service man, to call up Dubose and have Huerta moved back to his home, where his wife could give him some care, otherwise I would endeavor to bring up charges for extortion against Dubose. Huerta was immediately returned to his home.

Some nights later his wife sent for me and said that she believed he was dying. She said the previous night at a late hour a man who spoke excellent Spanish and had whiskers, who said he was a physician and a great admirer of Huerta, visited him, examined him, and told him unless he underwent an operation immediately he would be dead in 24 hours. He alarmed Mrs. Huerta so much that she consented with Huerta to the operation. He said he had no anesthetic, and made some abdominal incisions in Huerta without administering any anesthetics. I went back to Fort Bliss and asked two medical officers, Maj. McAndrew and Dr. Norman, to come with me to see Huerta. That was the night after the operation. They examined him and said that the operation had been unnecessary; that if it had been sewed up immediately afterward, he would have lived, but now complications had set in and they gave him two days to live.

Mr. KEARFUL. How long did he live?

Father JOYCE. About three days after the operation, sir. The last he said was, "Help my wife to recover our properties in Mexico, and if she wins, remember that everything is for the poor." The bond that he was under has been lost to her.

Mr. KEARFUL. What was the amount of that?

Father JOYCE. Of the $38,000 which she deposited Lee, Thomason & McGrady, a firm of attorneys in El Paso, pretended that $7,500 of it was theirs; Hosea Hattner, now in New York City, whom the banks considered a bona fide agent of the widow, secured $17,400; and the remainder, around $13,000, was lost in favor of the Government of the United States.

Mr. KEARFUL. What became of Mrs. Huerta?

Father JOYCE. She, with the children, is in Havana, destitute, ill, and broken hearted. She thinks that they have been maliciously persecuted, unjustly.

Mr. KEARFUL. Do you think she is correct in that?

Father JOYCE. Yes, sir.

Mr. KEARFUL. Who do you think is responsible for it?

Father JOYCE. As a soldier, sir, I don't know.

Mr. KEARFUL. Did you meet John Lind in Vera Cruz?

Father JOYCE. I may have met him. I met so many there, I can not remember.

Mr. KEARFUL. Did you learn the opinion of people in Vera Cruz as to what the attitude of John Lind was toward the Catholic Church in Mexico?

Father JOYCE. The story was, sir, that John Lind said, "The thing wrong with Mexico is the Catholic Church, and they should keep the Catholic schools and the Catholic churches closed for a generation and they will be rid of the church in Mexico."

Mr. KEARFUL. Did you have any conversation directly with John Lind, that you remember?

Father JOYCE. I have forgotten, sir. It has been a long time ago.

Mr. KEARFUL. What do you think personally about the charge that the Catholic Church is responsible for the ills of Mexico?

Father JOYCE. Nearly 70 years ago the Catholic Church was despoiled by Juarez in various parts of Mexico. Sisters were forbidden to wear their garb in public. It was forbidden to hold Catholic services in the open air. It was likewise forbidden for priests to wear any sort of religious garb in public. The mysterious hatred that crucified Christ, that persecuted the martyrs in the arena, that same hatred followed and still follows the Catholic Church in Mexico.

Mr. KEARFUL. You know something about the so-called reform laws instituted under the rule of Juarez, do you?

Father JOYCE. No, sir; not much.

Mr. KEARFUL. What is your understanding in regard to the extent of the political influence that has been exerted by the church since the time of Juarez?

Father JOYCE. They have a Catholic party in Mexico, but I understood that it was not powerful. I don't know much about it.

Mr. KEARFUL. Do you think that the priests and other dignitaries of the church in Mexico have oppressed and mistreated the Mexican peons?

Father JOYCE. I do not think so. Not to my knowledge. Rather, it was the one influence for good left in Mexico.

Mr. KEARFUL. Another question about those refugees. Did they finally escape from Mexico?

Father JOYCE. When the Americans evacuated Vera Cruz, I understood that more than 400 of the sisters were left behind. Afterward I was told that Carranza and Villa's army tried to have one prostitute to every four soldiers, and that many of these sisters were impressed as camp followers for Carranza's army.

Mr. KEARFUL. Do you know Mother Elias, who testified yesterday? Did you meet her?

Father JOYCE. I don't remember, sir. I met a good many.

Mr. KEARFUL. What was the necessity to solicit funds for the benefit of these people?

Father JOYCE. To feed them and to pay their expenses on the ship. But the Catholic Church authorities failed to give the necessary assistance when it was most needed. Outside of $800 that Father Kelley sent, we received no other money, and there was no

fund in the Catholic Church on which we could draw to pay these expenses.

Mr. KEARFUL. The Catholic Church in Mexico has been reputed to be quite wealthy. Did they not have enough money for those purposes?

Father JOYCE. It was not wealthy. I had to pay out of my own pocket transportation for the Bishop of Sinaloa and his two elderly sisters. The church was poor, I understood, ever since the days of Juarez. Bishop Valdespino, of Aguascalientes, was destitute in Vera Cruz, without a cent in his pocket. The Bishop of San Luis Potosi, whom I assisted to Vera Cruz, got to Habana, and was robbed there of the few pesos in his possession. Had the Knights of Columbus been organized at that time, as they now are, in welfare work, they might have succeeded in accomplishing much that was left undone at that time.

Mr. KEARFUL. You had your ordinary duties as chaplain to perform yourself at that time?

Father JOYCE. Yes, sir.

Mr. KEARFUL. You could not devote your time exclusively to that work?

Father JOYCE. I did all I could, sir. We obtained rations from the Red Cross for many of the sisters, took up collections from the soldiers, and bought supplies for them. In one adobe building we had 30 Army cots furnished by Gen. Funston, but there were more refugees there than we could get cots to supply, and they had to take turns sleeping on the same cot.

Mr. KEARFUL. What were the accounts given by these refugees as to the desecration of churches and the use of sacred things in churches by the Carranza soldiers?

Father JOYCE. That Carranza at his banquet board supplied each guest with a chalice for a wine cup; that vestments were used as saddlecloths by the revolutionists; that churches were used for dance halls and barracks; that statues were taken down from their high places and nude women put there; that tabernacles were shot open and the sacred Hosts trampled upon; and that the furnishings of gold and silver and jewelry were stolen; that men were shot for no other reason than that they were Catholics; that it was commonly reported at the time that Huerta was told if he would renounce his Catholic faith his government would be unmolested.

Mr. KEARFUL. When you were in Vera Cruz do you remember in particular a certain train coming into Vera Cruz loaded with sisters and what happened to the train?

Father JOYCE. Many times sisters were taken off the trains and never reached Vera Cruz. I remember receiving a telegram from the mother superior of the Good Shepherd Sisters, at St. Louis, asking me to meet and safely conduct eight American sisters of the Good Shepherd Order through Vera Cruz. I met the train frequently, but the sisters never arrived.

Mr. KEARFUL. You say these were American sisters?

Father JOYCE. Yes, sir.

Mr. KEARFUL. Citizens of the United States?

Father JOYCE. I suppose they were, sir.

Mr. KEARFUL. Were there among the refugees that went through Vera Cruz any Americans?

Father JOYCE. A good many Americans, mining men, oil men.

Mr. KEARFUL. I mean among the priests and sisters?

Father JOYCE. Oh, were there many Americans?

Mr. KEARFUL. Were there any Americans?

Father JOYCE. Oh, I don't remember, sir.

Mr. KEARFUL. They appeared to you to be Mexicans, as a rule, did they?

Father JOYCE. A good many of them spoke English. I don't know what nationality they were. I suppose they were various nationalities.

Mr. KEARFUL. Is there anything that occurs to you along the line of my questions that have been asked that you would care to state?

Father JOYCE. No, sir.

Mr. KEARFUL. Then I thank you.

(Whereupon, at 3.45 p. m., the committee adjourned, to meet again on Saturday, May 1, 1920, at 10 o'clock a. m.)

SATURDAY, MAY 1, 1920.

UNITED STATES SENATE,
SUBCOMMITTEE ON FOREIGN RELATIONS,
Washington, D. C.

Testimony taken at Washington, D. C., May 1, 1920, by Francis J. Kearful, Esq., in pursuance of an order of the subcommittee of the Committee on Foreign Relations of the Senate.

TESTIMONY OF FRANCIS C. KELLEY.

(The witness was duly sworn by Mr. Kearful.)

Mr. KEARFUL. Please state your name.

Monsignor KELLEY. Francis C. Kelley.

Mr. KEARFUL. And your place of residence?

Monsignor KELLEY. Wilmette, Ill.

Mr. KEARFUL. Please give your office address.

Monsignor KELLEY. One hundred and eighty North Wabash Avenue, Chicago.

Mr. KEARFUL. What is your profession?

Monsignor KELLEY. Clergyman and journalist.

Mr. KEARFUL. To what church do you belong?

Monsignor KELLEY. Catholic.

Mr. KEARFUL. What is your official position with the Catholic Church?

Monsignor KELLEY. President of the Catholic Church Extension Society of the United States of America.

Mr. KEARFUL. What title do you have?

Monsignor KELLEY. Prothonotary Apostolic to His Holiness. The common title is monsignor.

Mr. KEARFUL. What is and has been your connection with the Mexican situation?

Monsignor KELLEY. My first connection with the Mexican situation was in relief work for the exiled clergy, who began to come out of Mexico a short time after the beginning of the Carranza revolution. I started to collect a fund for the purpose of helping these exiles, and succeeded in getting together about $75,000 collected from all parts of the United States. That money was used to clothe and feed these exiles, send them to their destination in the United States, and take out a number of the seminarians, who were studying for the priesthood, from the seminaries that had been closed or destroyed; and later for establishing a theological seminary in the United States,

where they might continue their education. That seminary was continued for about three years. We staffed it by using the exiled professors who were driven out of the religious colleges and schools of Mexico.

Mr. KEARFUL. Did you give the date of the beginning of these activities of yours?

Monsignor KELLEY. No; because it is a long time ago and I do not know the exact date. I said about the time of the beginning of the Carranza revolution.

Mr. KEARFUL. Very well.

Monsignor KELLEY. About 100 of these students were received into the seminary, which was located at Castroville, Tex., and as a consequence about 100 hundred Mexican clergymen to-day are working in Mexico who have graduated from that American institution.

I then took up the work of trying to inform the American people of the truth about church conditions in Mexico, and acted also in some matters as the representative of the exiled Mexican bishops. The first part of my work brought me into contact with public men in an effort to have them understand that all the church in Mexico wanted was liberty of conscience as it exists in the United States, the general feeling being that the church in Mexico wanted special concessions; there being also a general idea that Mexico had had a union of church and state. That about covers the field.

Mr. KEARFUL. What did you find to be the condition of those you referred to as the refugee clergy during the Carranza revolution?

Monsignor KELLEY. Practically every one of these priests and religious people came into the United States quite penniless, some of them in rags and tatters. The archbishop of one of the greatest sees in America, which happened to be in Mexico, came across the northern desert disguised and dressed as a peon. Some of the bishops came in wearing mustaches, which is a perfect disguise for a bishop. Some of them were in such a condition that when they arrived in San Antonio their own schoolmates and college friends were unable to recognize them. Two archbishops who were very close friends were talking to one another quite a while in San Antonio before they knew one another, they were in such a miserable condition.

In spite of the reports that these men were rich I had to go to a wholesale store in San Antonio, and later to a wholesale establishment in Habana, and buy clothing, complete outfits for a great number of them. In fact, most of the money in the beginning was spent for clothing. Later on we arranged so that each of the exiled priests would have enough money to pay his board, with a few dollars a month extra for his little wants, and while they were here they depended absolutely on the money that was given to them regularly from Chicago.

Mr. KEARFUL. Did you make an investigation of the reasons why they were exiled from Mexico, and if so, what was the result of it?

Monsignor KELLEY. Many of these men were driven out of Mexico by force. Some of them had come out voluntarily, but they had left Mexico, not because they wanted to leave, or in order to avoid persecution, but simply because they were being used to extort money from the people. For example, a certain archbishop—in-

deed, two or three archbishops—were sent from door to door, with soldiers beside them, to tell the people that they were going to be executed unless they raised a very great amount of money. When the revolutionary authorities believed they had raised all they possibly could, they were sent out of that town and word was dispatched to the next large place to look out for them. On arriving at that place they would be rearrested, again fined a large amount of money, and sent out with soldiers to collect. That was a common practice, and after it had been done two or three times the archbishops decided to leave, because they did not want the poor people robbed out of pity for their chief pastors and to save their lives.

Mr. KEARFUL. What did you learn about the persecution of the sisters and nuns in Mexico?

Monsignor KELLEY. There were very few nuns who came to the United States. I never knew the reason for that until I heard Capt. Joyce's testimony yesterday, though I suspected that they were scattered around Mexico. A few communities like that of the Carmelite Sisters, of which Mother Elias was the head, came to the United States and received some help from us. Two or three communities settled down and opened schools or other institutions in the southwest. The Carmelites came north, and though they were absolutely penniless, Mother Elias succeeded in securing a foundation at Grand Rapids, Mich., where a house was given through the charity of the bishop and priests. Her community has prospered and she has now a number of American sisters and is opening a new house in Buffalo. Most of the other sisters, I understand, are teaching.

Mr. KEARFUL. What did you learn in reference to the financial condition of the refugees who passed through Vera Cruz, and the efforts of Capt. Joyce to assist them?

Monsignor KELLEY. When I got word from Capt. Joyce of the number of priests and sisters at Vera Cruz, I started from Galveston to go there, to get a boat for that part of Mexico, but I received a telegram, I think from Capt. Joyce himself, telling me that the refugees were leaving and that I would probably find them in Habana. I went to Habana and found those who came out of Yucatan, and who had been expelled by Gen. Salvador Alvarado, who closed, I understand, every church in Yucatan.

The refugees from Vera Cruz, however, went for the most part to the United States. I began to meet them in New Orleans on my return from Habana. The first one I met was the bishop of Campeche. He was penniless, and I gave him assistance right on the street. I met a number after that. There were over 100 of these refugees, if my memory serves me right, and I do not think there was an average of $3 apiece among them.

Mr. KEARFUL. Did you learn what assistance they received in Vera Cruz?

Monsignor KELLEY. At Vera Cruz Capt. Joyce interested himself in them. I inquired about his work there, and was informed that he had spent all the money he had and had gone into debt to take care especially of the poor nuns. I understood that the American Army officers gave them cots, that some of the clergy slept on the balcony of some public building. I also learned that Gen. Funston was particularly kind. But everything depended upon Capt. Joyce. In

fact, the money which he mentioned my having contributed was really returning what he himself had either spent or had borrowed. Although we were organized for Mexican relief at that time, we knew nothing about conditions at Vera Cruz until we got the telegrams from Capt. Joyce, and as he was the only American priest on the ground, it was up to him to do the best he could, which he certainly did.

Mr. KEARFUL. What do you know about the vicissitudes of Mother Elias, who testified the other day, and as to her financial condition and as to those under her charge.

Monsignor KELLEY. I met Mother Elias in Habana. She told me the same story that she told under oath the day before yesterday to this committee. She was in a Carmelite convent in Habana, where the sisters gave her shelter. She had one companion with her. I do not know if there were any others, but I do not think there were The sisters of her community in Mexico were scattered. She wanted to go back to get them. I remember trying to dissuade her from making the attempt, but it was quite useless. She had no money and she would be arrested and expelled on sight in Mexico.

Mr. KEARFUL. If recognized?

Monsignor KELLEY. If recognized; yes. I did not know that she had actually been arrested until I heard her testimony here. It is true that I gave her the money to go back to get her sisters. I did so with some misgivings, because I feared for herself if she returned to Mexico, but at the same time I felt it my duty to rescue the sisters if I could. Mother Elias was a very brave woman, and her successful foundations in the United States are very well deserved.

Mr. KEARFUL. Does she or her institutions have any endowment?

Monsignor KELLEY. No endowment of any kind.

Mr. KEARFUL. Have they any money on deposit or property that they can resort to?

Monsignor KELLEY. No; not a cent.

Mr. KEARFUL. Did they have in Mexico?

Monsignor KELLEY. Whatever they had in Mexico, of course, was taken from them. Religious orders in Mexico are not supposed to have property. In fact, religious orders are not supposed to exist, so that the Carmelites can have no property in Mexico. I understand that Mother Elias has a house rented there for four of her sisters who could not stand the rigors of the northern climate and became consumptive. She sent them back to Mexico, and as a consequence of that and other sicknesses she is about $3,000 in debt.

Mr. KEARFUL. Are you prepared to give the committee the benefit of your investigation and knowledge with reference to the basic causes of the troubles in Mexico?

Monsignor KELLEY. My judgment as to the basic causes of the Mexican trouble will perhaps be a surprise to you. Most people claim that the cause of revolution in Mexico is either social or economic.

It is my judgment, based on a study of Mexican history and the information that I have received from learned men from Mexico, that the seat of Mexico's difficulty is anticlericalism, which has resulted in a denial to the people of liberty of conscience. There has been no liberty of conscience in Mexico since the constitution of

1857, and particularly the laws of reform. For the constitution, I understand Juarez was responsible; for the laws of reform, Lerdo.

The reason that I believe anticlericalism is at the root of Mexico's difficulties is because of the dissatisfaction of the people, who have been deprived of their religious rights. Mexico is only a democracy and a republic in name. The only honest election I ever heard of in Mexico was the one at which Francisco Madero was the successful candidate for the presidency, and even in that election the Catholic candidate for vice president was arbitrarily set aside, although he had received a large majority of the votes.

Now, in a democracy religious liberty is a necessity. In a letter written to me by Mr. Bryan, on March 20, 1915, on the Mexican situation, a letter which I was told was really dictated, if not written, by the President himself, I find these words:

> Above and beyond all, the full flower of democracy lies religious freedom, the principle which the builders of our own republic made the crown of the whole structure. To this freedom political freedom has seemed, at many of the most important crises of history, to be only the handmaiden and servant.

That is the American view. The constitution of 1857 and the laws of reform, diametrically opposed religious liberty, suppressing religious institutions, closing religious schools, taking away even the liberty of men and women to wear a religious dress, forbidding all religious services of every kind outside of churches. It descended to such pettiness that even bishops have been arrested for laying a cornerstone, and a Protestant American railroad man in Monterrey told me that a bishop there was arrested by Gov. Reyes for presiding at a Christmas tree festival for poor children which the American had arranged at his own expense. It appears that the bishop had worn his house cassock and his sectoral cross. It would take a long time to go into the consequences of this, but as a detail I may mention that it would be against the constitution of 1857 and the laws of reform to hold religious services in graveyards, and therefore, unconstitutional for a clergyman of any denomination to wear any distinct garb, or even in his street clothes, to carry out a burial service. Of course, the Salvation Army would have no chance whatever for a street service in Mexico, if the constitution were inforced. Clergymen are even barred from all public institutions, thus depriving inmates of hospitals, asylums, barracks, and other such places, of the consolation of religion when sick or dying. Only people of wealth and influence could procure access to even sick for the clergy.

Mr. KEARFUL. What is the religious sentiment of the mass of the people in Mexico? Is it Roman Catholic?

Monsignor KELLEY. Luis Cabrera, who is no friend of the church, stated himself that practically all of the people were Catholics.

Mr. KEARFUL. In view of that fact, how do you account for the persecution of the church, beginning, as you say, with the constitution of 1857 and the so-called laws of reform?

Monsignor KELLEY. The first reason for the persecution of the church in Mexico was because of the adoption, by the politicians of Mexico chiefly, of the principles of the French Revolution.

That revolution had its effect in every Latin country. It was decidedly antireligious, and as the Catholic Church was the only church they knew anything about its sympathizers vented their

hatred on her. Then the difficulty was helped along by a misunderstanding on the part, first of Juarez, and later of other upholders of the succeeding revolutions, as to the attitude of the people of the United States. They looked upon the American Republic as a consequence, not so much of the desire of the people for freedom from Great Britain, as of the ideas of the French revolution. They believed that the same principles were at the bottom of it, as of the outbreak in France. They thought that America was a Protestant country, and that Protestants hated Catholics. They supposed that anything they could do against the Catholic Church, even to the extent of murdering the priests and outraging the nuns, would gain sympathy for them in the United States. The fact that the United States did help Juarez seemed to confirm the so-called Liberals of Mexico in their error. As a matter of fact every time there has been an anticlerical outbreak, some people in the United States have always been careful to keep the rioters fed up with that idea. For example, a court of the Guardians of Liberty down on the Texan border passed a wonderful series of resolutions commending Gen. Villa because of what he had done in the way of torturing priests and nuns. Later on the general justified their confidence in him by invading the United States and proceeding to enlarge on his assassinations so as to include American soldiers.

Mr. KEARFUL. What motive, if you know, politically or historically was behind the hatred that you speak of against the church on the part of politicians in Mexico?

Monsignor KELLEY. I am glad that you said "politicians." The people of Mexico do not hate the church. They love the church. The Mexican people attend church as well as any people in the world. They are a pious people. The church has existed since 1857 on their charity and their little offerings. The church has practically had no real donations, never made a drive for millions of dollars. The church has existed in reality on the pennies of the poor. When we opened schools they were always too small. That certainly proves that the people of Mexico do not hate the church, but the politicians do, simply because from the beginning the church has stood out against looting and murder and such like. The politician fears the church. He wants to make a living through politics. He can not keep himself in power by constitutional means, because elections are a joke. He intends to appeal to arms and stir up revolution. The power that could destroy him is the power of the church, if the church descended to his kind of tactics; so he fears the church as the one thing that is stronger than himself, if she exerted her power in ways she abhors.

Mr. KEARFUL. Do you believe that if the church in Mexico were left unhampered to pursue its course under a democratic constitution, that the result would be beneficial to the people and democratic government?

Monsignor KELLEY. I certainly do. I believe that if Mexico had religious liberty as it exists here, and honest and fair elections, Mexico's troubles would be at an end, and the soldier politician would be out of a job.

Mr. KEARFUL. Do you think that would result in a union of church and state, so that the church would be in control of the state?

Monsignor KELLEY. No; because the church does not ask for such a union. Leaving principles and theories aside, practically, unions of church and state have not frequently been successful, except for the state. They seem to work out in the same general way, putting affairs of the church under the control of the state, and thereby injuring the church. I have spoken to all, or practically all, of the exiled bishops of Mexico, and I have asked every one what he thought would be the result of the adoption by Mexico of religious liberty as it exists here. Without exception they said that the idea was so good that they could not even hope for it. It was too much to hope for.

Mr. KEARFUL. We have often heard in this country that the trouble with Mexico was it has been priest-ridden. What can you say in reference to that?

Monsignor KELLEY. The best answer to the charge that Mexico is priest-ridden is to give the figures. Some of them were given by Navarro y Noriega, published in the Buletin de la Sociedad Mexicana de Geografia y Estadistica, 2a Edoca, volume 1, pages 290–291. He places the number of clergy in Mexico in 1810 as 7,341. Of that number 3,112 belonged to orders devoted to teaching, hospital, and other public service. There were 2,098 sisters, most of them teachers. The Mexican population in 1810 was 6,122,354. The proportion of the clergy to the population was then 1 to 834.

Now, in 1917, according to the account of the United States Census Bureau, the number of Catholic clergymen in the United States was 20,287, and the Catholic population was 15,742,262, a proportion of clergy to population of 1 to 776. But in the whole United States in 1917 there were 191,722 clergymen of all denominations, and 42,044,374 church members. So that in the United States in 1917 there was a clergyman to every 219 church members, while in Mexico in 1810 there was only one clergyman to 834 of the entire population. If you consider only the clergy of the United States other than Catholic, the proportion is one clergyman to every 153 church members, and in some of the non-Catholic bodies the clergy are as numerous as 1 to 35. Of course, these latter are very small denominations.

Mr. KEARFUL. Have you later figures for Mexico than 1810?

Monsignor KELLEY. I have used 1810 because I think that year saw the largest number of clergy in Mexico. It has diminished since that time. The clergy were relatively more numerous then than at any other period. The number has now declined to about 5,000, which gives a relative proportion to population of one priest to every 3,000 people in Mexico. That is my answer to your question.

Mr. KEARFUL. We have also sometimes heard of the inordinate wealth of the church in Mexico. What about that?

Monsignor KELLEY. I saw no evidence of wealth in those priests who came here, and I have had considerable to do with what business some of the Mexican bishops had in the United States since their return. Although I am not authorized to speak about their business affairs, nevertheless, I feel that it is only a matter of justice to them to say, that the church of Mexico has practically no endowment and no wealth. When charges were made that the church in Mexico was wealthy, these charges usually hark back to Spanish times.

I have here in my hand part of the manuscript of an unpublished book by Mr. Eber Cole Byam, who happens to be a non-Catholic and a Free Mason. Mr. Byam has made a study of the religious question in Mexico, and will shortly publish his book on that subject. I would like to read a few things on that point in reference to Spanish times into the record:

The main sources of church income were the tithes, interest from invested funds, and rentals from productive real estate. The productive real estate consisted of rented city properties and farms, and the funds were "laid out," as Humboldt says, "on farms of small cultivators." He further says: (1822 edition, vol. 3, p. 102) "These capitals are usefully directed and increase the productive power of the national labor." These loans drew 5 per cent and so long as the interest was paid there was no concern about the principal.

Dr. Mora, an apostate priest, who sought the confiscation of all the church property, says of this wealth (Mexico y sus Revoluciones, vol. 1, p. 121) that it formed a character of loan bank which contributed greatly to the development of agriculture and the prosperity of the country.

Ramos Arizpe, a radical, a York Rite Mason, and Secretary of State for Victoria, made a report to the Mexican Congress in 1826 in which he said of the clergy and these funds: "Limited in numbers, select in origin, and most moderate in the acquisition of large country estates, without compare they devoted the greater part of the riches that piety had placed in their hands to the purpose, and in a manner, of public benefit for the encouragement of agriculture, commerce, and every industry." (Boletin, etc., la Epoca, vol. 1, p. 137.)

Another writer, José Guadalupe Romero (Boletin, etc., 2a Epoca, vol. 3, p. 556), says, in 1860, regarding the church, the clergy, and the funds handled by them: "They formed a perennial loan bank for agriculture and commerce. There has not been in the Republic a laborer or worried capitalist who has not remedied his needs or increased his business with the capitals of the church loaned at so moderate a charge that, while these funds existed, the loan sharks were unable to effect a rise in the rate of interest."

Matias Romero tells us that "The wealth of the church was loaned out at a moderate rate of interes * * *, and to its credit be it said was not at all usurious, exacting only a fair rate of interest, and being hardly ever oppressive in dealing with delinquent debtors." (Mexico and the United States, p. 93.)

And this is what Juan A. Mateos had to say:

"In the days of the old régime, when the clergy possessed a great number of city and country properties, year after year went by without the shameful evictions to which so many poor families are the victims to-day. The sordid avarice of the landlords of to-day has no compassion in contrast to the clergy who, animated by a spirit truly Christian, overlooked and excused. The church loaned its capital at a low rate of interest, 4 per cent, 5 per cent, or at 6 per cent, which was called the legal rate, a rate unknown to-day. Very rarely was a foreclosure notice published against a property pledged for a loan from these funds. For this reason I proposed, at the time of their confiscation, that a bank for the poor be established from the millions of the clergy, but my voice was drowned in the midst of the tumult of passions of the revolution. Because of this, the selfish interests and exactions of to-day have left homeless the many families who formerly enjoyed the tolerance and charity of the clergy." (From a speech by Juan A. Mateos in the Mexican Chamber of Deputies on the 20th of October, 1893.)

The invested funds of the church amounted, in 1804, to $44,500,000 and consisted of what were known as "capellanias" and "obras pias." The capellanias were chaplaincies supported by donations amounting on the average to about $3,000 each and returning $150 yearly in interest. (Mora. Mex. y sus Rev. vol. 1, p. 121.) The chaplain benefited thereby was usually employed by some institution or by some wealthy family, which thus found a place for some poor relation who, in many cases, acted as tutor to the children of the family. On the death of the beneficiary the fund often passed to some pious work or obra pia. The obra pia was a fund that accomplished any good purpose other than the support of a chaplain.

From these funds a large number of pupils were supported in boarding schools, where the cost averaged about $100 per year. In other words, a great many of these funds were in reality scholarship foundations.

The funds were therefore trust funds administered by the clery as trustees in conformity to the wishes of the donors who had placed them in their hands to be used for specific purposes, mostly educational and charitable.

Taking Mr. Byan's figures, the wealth of the church at that time was about $44,500,000.

Mr. KEARFUL. At what time?

Monsignor KELLEY. That was about the time of the first or partial confiscation, in 1804. The confiscation by Juarez deprived the people of their loan banks. Our own Federal farm loan arrangement is an attempt by our Government to give to the United States what the church gave to Mexico without cost. Here in the United States we have come to the very thing that the Mexican clergy gave the people long years ago. The confiscation of that money gave the loan sharks an opportunity in Mexico. So they proceeded to gouge the natives, and that practically caused the economic ruin of the country.

It has been ascerted by biased writers that the clergy of Mexico exacted great fees. I again quote from Mr. Byan:

The fees which the clergy generally were permitted to receive for marriages, baptisms, burials, and masses were fixed, and those accepting anything in excess of the sums allowed were fined double the sum accepted. These fees varied with the pomp of the ceremony desired, nothing for the simple ceremonies for the poor, and graded to suit the purses of the well-to-do. The fees also varied with the diocese. In that part of Mexico one peso was allowed for baptism. Marriages performed in the parish church occasioned no fees whatever. If the priest performed the service elsewhere he was permitted to accept 4 pesos. For burials no fees were accepted unless accompanied by cremonies requiring extra services. The Indians paid no fees for any of these services unless extra ceremonies were desired, and then the fees were expressly stated to be the half of those accepted from the Spaniards.

In addition to the foregoing the laws of the Mexican Church expressly prohibit exacting any fee whatever from the Indians for any religious service."

Dr. Mora was, as I have already pointed out, one of the enemies of the church. In 1833 Dr. Mora estimated the wealth of the church at as high as $179,163,754, but he figured it out in a very peculiar way. From his own works we find out his method. He stated that the amount of the tithes collected in 1829 was $2,341,152. He multiplies that by 20 and charges the product to the church as capital, capital which, of course, never existed. Then he assumes that every parish priest collected $600 a year in fees, and charges that to an income account. He multiplies the grand total by 20 and charges that up to the church as capital. Then he submits the alms received to the same process, and so on down the line, which certainly is an original way of finding out what an institution is worth. Imagine the figures for the United States with the small incomes of over 100,000 clergies is figured into capital by the Mora method.

Divesting Mora's tabulation of its fictitious values we have left less than $100,000,000 for all properties, both productive and unproductive. According to Mora, the unproductive properties amounted to some $50,000,000. Mora gives the church income as $7,465,593. Divesting his figure of its fictitious values, we have a remainder of $4,782,153. Nearly half of this was the tithing. When the various educational and other beneficient enterprises are considered it will be seen that the Mexican clergy accomplished remarkable results with the money available.

Mr. KEARFUL. What became of the actual property that was confiscated?

Monsignor KELLEY. In 1866, when the confiscation was practically complete, the State recorded the receipt of property worth $62,365,516.41. Instead of establishing loan banks with that property, as had been suggested by Mateos, the "patriots" were permitted to browse in the green fields and pastures new. One great "patriot" bought 50 houses in Mexico City worth $525,528 for $1,832.42 in cash, and Government due bills which had cost him $40,077.90. That was the foundation of one of the largest fortunes in Mexico. The only reason why I do not mention the name of that family is because it has become so distinguished in Mexico, and there is no particular reason for selecting one family when so many of the members of the liberal party received fortunes through the same dubious means.

The buildings of public benefit, such as schools, colleges, academies, and such like, were turned into city halls, court houses, barracks, stables, and jails. All the property of the church confiscated in France within this generation produced nothing but a couple of million of francs, with some prison sentences for those who handled the confiscation. The same statement applies in Mexico.

Mr. KEARFUL. Except as to the prison sentences?

Monsignor KELLEY. Except as to the prison sentences.

Mr. KEARFUL. Do you desire to make a statement contrasting the present wealth of the church in Mexico with similar institutions in this country?

Monsignor KELLEY. I would like to do that. I have some figures here that are very interesting, but when I select one Protestant denomination in America for the comparison I did not mean to be at all discourteous. I had to take one prominent Protestant religious denomination, and I selected the Baptist because I happen to have the figures from their yearbook for 1916; and the church wealth in Mexico can best be appreciated by comparing it with that of a religious body in the United States which has approximately the same number of adherents. That happens to be the Baptist. I take the figures from the yearbook mentioned.

Baptist adherents in 1916 were 6,107,686 in number, which closely approximates the estimated population of Mexico in 1810, which was 6,122,354. I again call your attention to the fact that I am taking the year 1810 because at that time the clergy were most numerous in Mexico. The Baptists in 1916, according to the figures given, had 6,107,686 adherents in the United States; Mexico, in 1810, had a population of 6,122,354. Baptist churches, 1916, in the United States, 51,248; Catholic churches in Mexico, taking the figures in 1889—which were the only figures that I could get, but when the population was still greater than in 1810—10,112. Baptist ministers in 1916, 36,926; Mexican priests in 1810, 7,341. Invested funds and productive Baptist property of the United States in 1916, $98,453,844; for Mexico I have had to take the figures of 1804, six years before 1810, which are $72,873,473, and include several millions of unproductive properties, the population about the same. The annual income of the Baptist Church of the United States in 1916, probably including everything, was $43,055,067; Mexico,

in 1810, $7,692,807. Church values, Baptists, $173,705,800; Mexico, $30,031,894. The Baptist income, it should be noted, is largely through contributions, which takes the place of the Mexican tithes, which are voluntary donations.

Now, it must be remembered that Baptist properties and income accumulated as a result of a little more than 100 years of work. In 1812 there were only 173,072 Baptists in the United States. Even in 1906 the figures are only a little more than half the figures for 1916. The church in Mexico was a going and prosperous concern when Roger Williams fled to the wilderness, and it took nearly 300 years to accumulate its property.

The exact figures to-day are not available, but in round numbers they will closely approximate the following: Clergymen, Baptist, in the United States, 50,000; Mexican, 5,000. Baptist churches, 60,000; Mexican, 10,000. Baptist income, $50,000,000; Mexican, very small. Baptist clergymen are relatively 20 times as numerous as the Mexican. Baptist churches belong to the Baptists. In Mexico the churches belong to the Government; and as for income, the Mexican clergy are living to-day on the charity of their friends and relatives, for the people have been bled white.

Mr. KEARFUL. Does that mean the people have been bled white by the church?

Monsignor KELLEY. No; the people have been bled white by revolutions, for the revolutionists live on the people.

Mr. KEARFUL. The same revolutionists that have driven the priests and nuns out of Mexico and desecrated the churches?

Monsignor KELLEY. The same revolutionists; and the end is not yet.

I would like also to call your attention to this fact, that in all these charges about the practices of the church in Mexico, the church never dreamed of possessing the power to make a drive for over $300,000,000, which the Protestant churches of the United States are making right at this time. The amount of money asked by the Protestant churches of the United States from the State of New York alone in this drive would be considered fabulous wealth for a period of 10 years for the church in Mexico.

Again, I would like to call your attention to the fact that the endowment of a single American church, Trinity in New York, if the stories I hear about the wealth of that church are true, would almost, if not quite, surpass the entire assessed valuation of the confiscated church property in Mexico. The University of Chicago (Baptist) is said to have received over half that sum from one man alone.

It has been held by some that the possession of even $62,000,000 endowment and other values of the entire church in Mexico with her hospitals and educational work was a menace to the country. If that is the case, what about the wealth of so many Americans who individually are worth more than $62,000,000? And what about the Rockefeller, Sage, and Carnegie funds—far more heavily endowed than the church in Mexico—and which are not only chartered institutions under our laws, but very generally considered as most beneficial institutions? Yet the people who look with favor on these institutions often thoughtlessly take their cue from revolutionists in Mexico and condemn the Catholic church for what little endowment she had.

Mr. KEARFUL. Mr. John Lind, in his testimony the other day, denied that he had ever attributed the ills of Mexico to the influence of the Catholic church, but stated that he had become convinced that the church had not done as much as it ought to have done in the position it occupied toward the education of the people. What can you say about the educational work of the Catholic church in Mexico?

Monsignor KELLEY. It must be remembered that the educational question in Mexico at the beginning, and for a good many years after, was purely an Indian question. The church had to take savages and civilize them through religion and education. In order to do that, the church often had to fight the officials of the State who did not think the Indians should be educated. It is said there was once a discussion in Mexico as to whether or not an Indian had a soul. If such a discussion ever took place, it was because churchmen had to rebuke such ideas on the part of those who did not care to have the Indians educated. From the beginning the missionaries of the church insisted upon instruction going with religion, and they were successful. The first university on this continent, it must be remembered, was established in Mexico, and there were schools of higher education, as well as professional schools in Mexico, before Harvard was born. The most beautiful architecture on the American Continent is still in Mexico. Mexico was far in advance in the early days of her northern neighbor, which is our country to-day.

Mr. KEARFUL. Was that due to the work and influence of the church?

Monsignor KELLEY. Absolutely due to the work and influence of the church. The educators in Mexico were the priests. It is perfectly true that they did not teach many branches in the little Indian mission schools, but schools were attached to every mission. They taught reading, writing, singing, religion, and politeness, and if they have lost all the rest, they have kept at least the religion and the politeness. That was all work done for Indians. It was a work of devotion that meant many sacrifices. It was a work endowed only by the flesh and blood of the missionaries and teachers. These went out to the Indians, whether there was money to help them or not. In our own northern colonies little attention was paid to converting the Indians to Christianity, none at all in the beginning. Practically nothing was done in the early days of the colonies. But when we did get going here, a good deal of money was spent on our Indians. If Mexico had spent in the same proportion as the United States, it would require $400,000,000 a year, and out of that $90,000,000 would have to go for schools. In other words, Mexico would be required to spend a sum greater than all its revenue, municipal, State, and national, for the Indian in Mexico forms a very large majority of the population. The colonial authorities in Mexico never collected more than $20,000,000 a year, and if I mistake not, Mr. Carranza is not collecting half of $400,000,000 a year. As to the method of the educational work, I should like to quote from Mr. Byam:

Regarding the labors of the missionaries, Garcia Icazbalceta, in his biographical notice on Friar Gante, has this to say: "The task was tremendously difficult because the means were entirely disproportionate to the ends. They were confronted not with the education of the children as they arrived successively at the proper age, as in our day, but with an entire and numerous generation, big and little, men and women, who all at once were in urgent need

of religious and civil instruction from the very foundations, and without knowing even the language of their masters. The friars were few, and realizing that if they attempted everything they would accomplish nothing, they decided to divide their time between the conversion of the adults and the education of the children. Endeavoring thus to take care of the emergency, leading the adults from their errors, and giving the children, who were docile and not yet imbued with the old beliefs, the new religion with their education. They counted, moreover, that once the little ones were instructed in the faith they would serve to bring in their elders, and they were not deceived in their hopes.

That shows somewhat of the difficulties the early missionary educators had to face. The same authority, speaking of methods, says:

The schools were generally low halls with dormitories and other rooms adjoining. There were schools in all the principal convents, and so large that some of the held 800 to 1,000 pupils. The most famous of all was that of Mexico, founded by Friar Pedro de Gante. As customary it was behind the convent church extending toward the north. * * * In this school there were soon gathered a thousand Indians. In the morning they were given lessons in reading, writing, and singing, and in the afternoon were given religious instruction.

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The friars were thus the discoverers of the fact that the only way to obtain satisfactory results in the education of the Indians was to catch them very young and place them in boarding schools where they would be out of contact with their parents. Otherwise they form attachments for their old home life that are impossible to break, and when their education is finished they return to the ways of their fathers and all the work is wasted. Even some of those who had been in boarding schools relapsed and returned to the tepee.

We have had the same trouble, by the way, in the education of our Indians.

Moffett, in referring to the Winnebagoes of Wisconsin, says:

The Winnebagoes of Wisconsin are a backward people. They have been given homesteads of 40 acres for each male adult, but few of them live on their allotments. The children who attend the school do not usually finish the course, and upon returning to their people lapse back into many of the old ways.

The friars had to face that trouble with their Indians, too. Now, as to the result of all this, quoting again:

An eloquent witness to the educational labors of the clergy and the happy results therefrom is one Geronimo Lopez, who appears to have been a person of some importance and who wrote, in October, 1541, to the King, apparently at his command, about affairs in Mexico. (Coleccion de Documentos para la Historia de Mexico, vol. 2, p. 148.) Lopez was opposed to educating the Indians and takes occasion to complain bitterly of the efforts of the friars to do this. He declares that the friars have taught large numbers of them to read and write and that they are such excellent penmen that "it is a marvel to see them" and that "there are so many and such good scrivners" that he can not count them. Again, he charges that the friars have taught the Indians Latin so well that they speak it like another Cicero, "and every day the number grows."

As to the law for the education of the Indians, the laws of the Indies (Recopilacion de Indias, Lib. VI, Tit. I, Ley XVIII) states that "where possible schools must be established to teach them to read and write Spanish and at no cost to them."

On the 7th of June, 1550, the King wrote a letter to the provincial of the Dominicans charging him to see that the Indians were taught the Spanish language. (El Clero de Mexico Durante la Dominiacion Española, Genaro Garcia, p. 106.)

The church law also takes account of schools by declaring that every curate must "procure with all diligence" the establishment of

schools in their towns where the children may be taught to read and write Spanish.

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Humboldt visited the city of Mexico in 1803 and of it he says: (Political Essay on the Kingdom of New Spain, New York, 1811, p. 159) "No city of the new continent, without even excepting those of the United States, can display such great and solid scientific establishments as the capital of Mexico."

Joel Poinsett was sent to Mexico as a special agent by President Monroe in 1822. Poinsett was an ardent partisan of the radicals who were trying to overthrow Iturbide. He was also a bitter enemy of the church and the Spaniard. He remarks that most of the people in the cities can read and write and that he frequently remarked men clothed in the garb of extreme poverty reading the gazettes in the streets. (Poinsett, Notes on Mexico, London, 1825, p. 122.) He was there only a few months, which he spent mostly in the City of Mexico. In his journey to and from the coast he had occasion to observe the peasantry, whom he says (Op. cit., p. 266), are "a kind and amiable people possessing the utmost good nature and great natural politeness. They are, I think, a virtuous and an orderly people, attentive to all the ceremonies of their religion and observant of their moral duties. Thefts are so uncommon among them that our baggage was generally left under a shed; and assassinations are extremely rare, and when they do occur may always be traced to drunkenness."

He observes the effects of the then recent revolution, and says (Op. cit., p. 240): " * * * the mines have been destroyed, villages and farms have been burnt, whole districts laid waste, and the resources of the country utterly exhausted."

After such destruction it is not surprising that he should find (Op. cit., p. 173) that—

"The habitations of the people on the roadside are miserable indeed. The walls are of stone, piled up loosely, like the fences, and not much higher; and the roof is a wooden shed, and sometimes ornamented by ranges of pumpkins.

Poinsett is caustic in his criticism of the church and clergy. It was among the middle-class Mexicans that the revolutionaries came, and with them he foregathered. He says that they are "exempt" from the influences of the clergy, but "unfortunately, too many, who were educated in the forms of the Catholic Church, have emancipated themselves from its superstitions only to become skeptical and infidels." (Op. cit., p. 164).

This judgment of Poinsett is echoed by a later observer, R. A. Wilson, who visited Mexico in 1853. In speaking of the same class he says that they turn "to infidelity and socialism."

Coming down to more recent times, I quote further as follows:

Justo Sierra was the minister for education under Diaz. He was a radical and an atheist. He was a bitter enemy of the clergy and sought to produce in the normal schools a body of teachers that would spread his radicalism and atheism among the youth of Mexico. This is what he has to say of education in Mexico (Mexico—Its Social Revolution):

"Educational work was begun in Mexico by Juan de Tecto, Juan de Aora, Juan de San Migual, and Pedro de Gante; followed by the 12 Franciscans who formed the Mexican apostolate. They established schools for the natives, both children and adults. The common people as well as the more important natives, were cared for, and the children of the chiefs were taken care of in boarding

schools. The missionary teachers secured the passage of laws compelling attendance at school.

In 1522 Pedro de Gante founded a school in Texcoco for poor Indians, and later that of St. Francis in Mexico City, which grew to number 1,000 pupils. (Op. cit., vol. 2, p. 478.) Bishop Zumarraga founded in the villages schools for girls like that of Texcoco. In 1536 he created near the convent of the Franciscans at Tlaltelolco, the famous College of the Holy Cross, where religion, writing, reading, Latin, and rhetoric were taught. (Op. cit., p. 479.)

Other institutions founded were:

College of San Nicolas at Patzcuaro by Bishop Vasco de Quiroga, College of San Miguel at Guarangareo by Friar Juan de San Migual. The Jesuits established colleges at Valladolid (Morelia), Patzcuaro, Tepotzotlan, Huisquilucan, and numerous missions in the north and east. In Mexico City they opened a school for natives called San Gregorio, which remained until closed in the first half of the nineteenth century.

In addition to the schools named, there were a considerable number of private schools. Many children were prepared for college in their homes. The Franciscans devoted themselves mostly to primary education. The secondary schools were shared equally by the Jesuits and the Augustinians. (Op. cit., p. 483.) The Augustinians founded a college in Tiripitio in 1540, removed later to Atotonilco; also St. John's College, founded in 1575, which depended on alms for support. This college was founded by Father Alonzo de la Cruz, who "bought the grounds, directed the building, formed the constitutions, deposited in the college 60 chests of books brought from Spain. He also set up there a collection of globes, maps, and scientific instruments." (Ibid.)

The Jesuits arrived in 1572, September 28, and at once started a school for natives. The venerable Jesuit, Pedro Sanchez, caused Dr. Francisco Rodriguez de Santos to found, on November 10, 1573, the Colegio Mayor de Santa Maria de todos Santos in his own house, where pupils were boarded and housed. Closed in 1843. Also to F. Sanchez is due the College of SS. Peter and Paul, January 10, 1573. Later, three, San Miguel, San Bernardo, and San Gregorio, in 1575–1576. A second college of SS. Peter and Paul in 1576; Espiritu Santo, in Morelia, in 1587; also colleges in Yucatan, Zacatecas, Caxaca, Vera Cruz, and Guadalajara. (Op. cit., p. 484.)

When the Jesuits were banished in 1767 several colleges were closed. (Ibid.) The Jesuits numbered 528, and their departure struck a severe blow to education in Mexico.

Sierra goes on to say:

The laws of December 12 and 14, 1872, completed the confiscation of the endowment funds which had been created to support the educational institutions of the Republic. The great private foundations, which had accumulated through three centuries, were thus swept away, and no others were created to replace them. The wealthy Spaniards had been one of the greatest sources of those endowment funds; and as the Spaniards were expelled in 1828, that fount was definitely closed. The attacks upon wealth, and particularly upon the clergy, completed the work of preventing any further donations for the support of educational institutions; and as the Government itself was penniless, the result is obvious. (Op. cit., p. 538.)

During the revolution chaos that prevailed with growing intensity, from 1810 until almost 1880, there was little opportunity for the extension of educational facilities or works of public benefit. The church was under constant attack and by the time Diaz had established a character of order it had been robbed of every dollar and every piece of property. In fact, the educational, financial, and benevolent institutions of the country, built during 300 years, were reduced to utter ruin.

I would like also to put into this statement, that in later years, under the constitution and laws of reform, Catholics have been obliged to be very reticent regarding the number of schools they had in Mexico.

For example, officially in Puebla it was reported, at the primary educational congress in 1911, that the clergy had 24 schools in that State. In the United States, however, it was not so necessary to allow people to do guesswork, and the number was given as 300. The same report gives 69 as the number of schools directed by Catholics in Michoacan. However, in the United States it was known that there were 270. The archdiocese of Mexico had over 230 schools with about 50,000 pupils, and there were a number of private schools conducted independently by the clergy.

In addition there was a large number of private schools conducted by Catholic citizens employing lay teachers.

In the absence of exact data only round numbers can be given for the whole country. There were several thousand schools caring for upwards of 300,000 pupils. That this number is not an exaggeration is evident by the complaints of some of the revolutionary pamphleteers, who urged the large number of Catholic schools as one of the pretexts for revolution.

The oppressive effect of the anti-Catholic laws was particularly apparent in the case of the professional schools. Civil engineers or doctors educated in Catholic colleges were barred practically from practicing their professions by reason of the numerous and exasperating difficulties placed in their way merely because they were Catholics. The purpose and effect of these hampering regulations was to force students into the government schools where an active propaganda was carried on against religion.

I want to emphasize the fact that all the work that was done since 1857 was done in spite of an adverse law. I want to put it in the record without having had the question asked, because I want it known that what the church did since 1857 for education it had to do by stealth and at its own risk. That covers the educational feature.

Mr. KEARFUL. Is it the result of your investigation that whatever educational work has been accomplished in Mexico prior to the confiscation of church and school property was done by the Catholic Church?

Monsignor KELLEY. Prior to the confiscation the amount of educational work done outside of the church and its influence, I think, was practically nil.

Mr. KEARFUL. And since that time your answer to the criticism of John Lind is that the church could not, under the law, do even what it has done in the way of education?

Monsignor KELLEY. My answer is that I have been told time and time again of Catholic schools that were selected for raiding, by the State authorities, because complaints had been lodged with President Diaz against them, the complaints being simply Catholic religious communities were in existence and teaching. President Diaz knew that these schools were necessary for the people. He ordered the raids in accordance with the law, but somehow, in most cases, advance information was received and there was nobody in the school building when the officials arrived.

Mr. Lind charges that we have not done enough to promote popular education in Mexico. It was under these conditions that we have worked since 1857, robbed of our endowments, robbed of our build-

ings, so that everything that we have done was contrary to the law. And yet we have produced, purely through Catholic education in Mexico, an Indian race that we do not hesitate to compare with our own Indian races in America. This country has spent millions of dollars in schools and colleges for the North American Indians. I can not remember the name of one single North American Indian who has come to the front in any line of endeavor, except as a military leader, such as Sitting Bull. But the blood of the Mexican Indian is in probably 85 per cent of the Mexican people, and they have produced a governmental genius like Diaz, soldiers like Mejia, surgeons like Urrutia, philosophers like Bishop Mungia, scientists like Carrillo y Ancona, theologians like Alarcon, poets like Altamirano, political savants like Estagnol, journalistic lights like Sanchez Santos, artists like Panduro and Velazques, and lawyers like Jose Verea. In every walk of life, in every profession or trade, in education, science, art, statesmanship, the Mexican Indian has had his place, while his teachers are charged with having neglected him.

Mr. KEARFUL. Have you anything to say about the relationship of the church and state in Mexico from a historical viewpoint?

Monsignor KELLEY. The only union of church and state in Mexico was during Spanish times, with a loose bond for a few years after. From my reading of the history of Mexico, I judge that, while the union in many cases helped the missionaries, and while under some governors it worked well and for the benefit of the people, in general it only enabled colonial officials to retard the work of the church. As I have stated already, the church in Mexico is not asking for a union of church and state, and in my judgment, the bishops of Mexico would run very far away from any such thing, if they feared that it might be offered. What they want is religious liberty, and let it go at that; not religious liberty for themselves alone, but religious liberty for all, just as it exists in the United States of America.

Mr. KEARFUL. Mr. Lind, in his testimony, mentions the Catholic party in Mexico as a political influence. What do you know about that Catholic party?

Monsignor KELLEY. The Catholic party was founded shortly before Madero took office, as a conservative party, to try by constitutional means to do away with the irreligious clauses of the constitution of 1857 and the laws of reform. In other words, the Catholic party was trying to bring about in Mexico that same religious liberty that we have here.

Mr. KEARFUL. And that Mr. Byam wrote about?

Monsignor KELLEY. And that Mr. Byam wrote about. In all other respects the Catholic party was simply a conservative party. It was a departure in Mexico from the ordinary to have a party which intended to appeal to the people at the polls, and to rely upon its strength with the people to secure the adoption of its policies. Naturally, the leaders went to see Madero. They told him what they intended to do, and get his opinion. Madero praised them, welcomed the party as one of the first fruits of his own policies, and told the leaders to go ahead, which they did. No one knows the actual result of the election, because while the voting was honest, nevertheless the count was a different matter. It is generally supposed that the Catholic party won the election, but it was assigned only a small number

of seats, because Madero's brother immediately started a group called La Porra, which was formed to shout the Catholics down. The conservatives took the name "Catholic" so that, when they went before the people, all would know that that was the body trying to do away with religious disability. The church had nothing whatever to do with it officially. It was a movement among Catholic citizens, and I should say that if, in any republic of the world, the same oppressive laws were made against Protestants that were made against all religions in Mexico, there would be no question but that a Protestant party would be organized.

Mr. KEARFUL. Have you read the testimony given by John Lind the other day?

Monsignor KELLEY. Yes, sir; I read Mr. Lind's testimony yesterday.

Mr. KEARFUL. Have you noticed any statements made by him that you would like to answer?

Monsignor KELLEY. There are a few statements that I would like to refer to in a short way.

Mr. Lind stated: "Outside of the towns there was not a schoolhouse to be found in Mexico at that time." Now, I don't know whether Mr. Lind is referring to the time when he himself was in Mexico, or whether he is referring to the time when the Catholic church was supposed to be in control of education in Mexico. I presume the latter, because Mr. Lind says, "The policy of the church has not been to foster popular education of the masses." Now, if Mr. Lind means there was no schoolhouse to be found in Mexico when he was there, outside of the towns, I answer that he must ask his revolutionary friends the reason. If he means that there was not a schoolhouse outside of the towns before the confiscation of church property, I can only pity Mr. Lind as being completely ignorant of what he is talking about, or an intentional prevaricator.

Again, Mr. Lind says that "more schools were established under the Carranza government than ever before." You asked him whether more schools were established under the Carranza government than ever before. He answered "yes." I do not know where Mr. Lind got his figures. My information is the opposite. He mentioned a certain number of Mexican girls who were sent up here to be instructed in teaching. These girls were sent up by the governor, Gen. Salvador Alvarado, of Yucatan. And yet many schools of Yucatan have been, according to all the information that we can get, in charge of people who can neither read nor write, and who were purely political representatives of the socialistic government of Alvarado. I heard that some Mexican young women had been sent up here, but I also heard that they did not remain. There are no more schoools in Yucatan than there were before the revolution, and there are few schools of any value even now. There are fewer schools in all Mexico than before the revolution.

Mr. Lind stated, in answer to a question as to whether or not the Catholic Church was responsible for the difficulties of Mexico, that he felt that a State church in politics is a misfortune to any country. As I have already pointed out, the Catholic Church in Mexico is not a State church, nor has the Catholic Church in Mexico been in politics. If you go back to Spanish times, when the church had a connection with the State, you will find the most glorious

period of Mexican history, the one period during which actual progress toward civilization and enlightenment was made. Since the confiscation of the church property and the persecution of the church, anyone reading the history of Mexico can see the country has reached the depths.

Mr. Lind referred to the Catholic party also, but I have answered that question.

Mr. Lind also said that he did not say to Mr. Frisbie that the Catholic Church should be driven out of Mexico. I do not know Mr. Lind personally, but I have had the pleasure of meeting Mr. Frisbie. To me the question is one of veracity, because Mr. Frisbie told me that Mr. Lind had made that statement to him.

Mr. Lind also says he thinks it a misfortune that a larger effort by those in a position to exercise power had not been made to establish and maintain popular education. Inasmuch as he had just been talking of the church, I presume his reference is to the clergy. The only power the clergy exercised in establishing and maintaining education was exercised, as I have already shown, in spite of the law. If we had exercised any more of zeal in the same way we would have had more special representatives coming back to say that the Catholic Church got what she deserved, because she was violating the law. Now, when Mr. Lind regrets that we did not exercise our power more, does he regret that we did not violate the law more, or what? I don't know.

Mr. Lind also stated: "In the south, if Spanish writers and historians are to be believed, the cultural stage of the Mexican people was very nearly as high at the time of the conquest as it is to-day." If American writers and historians are to be believed, later investigation has shown us that this wonderful civilization of the Aztecs was largely based on the imagination of the Spanish conquerors. It was to their advantage to report great things done, and they did so report to the King of Spain. Every victory won was a great victory; every town captured was a great town; every bit of loot they had was untold wealth. Later on the Spanish governors desired to have Spain make large appropriations for the colonies. It was still their business to exaggerate, and they exaggerated. The best authority on the subject is Bandolier. Prescott is no authority. Placing him side by side with Bandolier on the question of the aboriginal Mexican, he descends to the position of a gossip.

Mr. Lind also stated, in answer to a question as to whether or not he had anything to say regarding my "Book of Red and Yellow," that he did not want any controversy with any "Jesuit or anyone else." I should like to register the fact that Mr. Lind flatters me by calling me a Jesuit. I wish I were pious enough and learned enough to be classed as a Jesuit; but if it will reassure Mr. Lind, I now tell him that I am not a Jesuit, and never was one.

Mr. KEARFUL. I believe those are all the questions I wish to ask you at this time. Is there anything further that you care to state?

Monsignor KELLEY. No; I believe I have covered all that I had in mind.

Mr. KEARFUL. Then you will be excused. The committee is very much obliged to you.

(Whereupon, at 12.30 o'clock p. m., the committee adjourned until 2 o'clock p. m.)

AFTER RECESS.

(At 2 o'clock p. m., pursuant to the adjournment taken, the committee reconvened, and the following further proceedings were had:)

TESTIMONY OF EBER COLE BYAM.

(The witness was duly sworn by Mr. Kearful.)

Mr. KEARFUL. Please state your name in full.

Mr. BYAM. Eber Cole Byam.

Mr. KEARFUL. What is your business?

Mr. BYAM. At present I am writing and translating.

Mr. KEARFUL. What is your office address?

Mr. BYAM. I have no office. My residence is 7023 North Paulina Street, Chicago, Ill.

Mr. KEARFUL. How many years' residence have you had in Mexico?

Mr. BYAM. I went to Mexico in 1895, and with the exception of various trips to the United States on business, I was there until 1907.

Mr. KEARFUL. To what extent have you been a student of Mexican history?

Mr. BYAM. Well; I may say that I have been a student of Mexican history since I first took an interest in the country, which was before I went there.

Mr. KEARFUL. What was your business in Mexico?

Mr. BYAM. I went to Mexico first and obtained employment in a lumber camp located in the mountain range bordering on the valley of Mexico and near the town of Ixtlahuaca. I was also engaged in building railroad, grading and laying track. From there I went to the State of Chiapas, where I was employed in plantation work.

Mr. KEARFUL. Have you traveled considerably over Mexico?

Mr. BYAM. In the central highlands, in the States of Mexico, Hidalgo, Queretaro, Oaxaca, and the States of Chiapas and Tabasco. Most of this in the saddle.

Mr. KEARFUL. Did you become pretty well acquainted with the plantations and the mode of operation in the southern part of Mexico?

Mr. BYAM. I did.

Mr. KEARFUL. What experience did you have with the Mexican laborers and with the Indians on and about those plantations?

Mr. BYAM. My first experience with Mexican laborers, and particularly with the Mexican Indian, was in the lumber camp and in the railroad work. In the latter I had the direction of as many as 600 Indians. These laborers I secured myself by traveling through the interior, in the country located between the Mexican Central and the Mexican National railroads. These Indians lived in their villages, and came to work for varying periods and would then return to their homes. At this particular time the wages paid them varied from 25 cents to 35 cents per day.

Mr. KEARFUL. Mexican money?

Mr. BYAM. Mexican money. I always found them very satisfactory as laborers, good workmen, loyal and satisfied with the conditions of labor and the pay. I may say that the pay represented to them just that much velvet, because they possessed their own homes and fields from which they secured subsistence.

Mr. KEARFUL. How did the wages that were paid to them for railroad work compare with the wages received for plantation work from the Mexican plantations?

Mr. BYAM. In the plantation work, we secured the Indians by sending men into the mountains among the Indian villages. These Indians came to work at a wage of $1 per week, and were supposed to furnish their own rations. However, we did not insist upon the latter part of the agreement, and I always fed them, giving them all that they desired to eat of the rations which they themselves preferred. After these Indians had once come to the plantation to work we would keep them there by paying them 50 cents per day. They would remain for irregular periods, and return to their homes. After remaining in their homes for a number of weeks they would again come to work. The wages in that particular section gradually increased until these laborers were receiving 75 cents and $1 per day, including their rations.

Mr. KEARFUL. What have you to say in regard to the testimony of Mr. John Lind to the effect that the operation of Americans on the plantations in southern Mexico was injurious to the Indians?

Mr. BYAM. I did not find it so.

Mr. KEARFUL. You are an American citizen, are you?

Mr. BYAM. I am an American citizen.

Mr. KEARFUL. And you are one of those operating there?

Mr. BYAM. I am one of those operating there.

Mr. KEARFUL. What did you observe to be the effect upon the Indians, of the operation of the Americans in that region?

Mr. BYAM. Distinctly to their benefit.

Mr. KEARFUL. In what respect?

Mr. BYAM. It gave them the opportunity of regular employment, and by paying them and introducing money into the country it increased the circulating medium of that section.

Mr. KEARFUL. Was there any improvement in the condition of the Indians with respect to the methods employed by them in agriculture, and also in their mode of living?

Mr. BYAM. No. The Indian has his own way of living that he prefers to follow. I observed that the money which he earned would be spent in the villages, a portion of it; some for articles of various kinds to which they were not accustomed. They would supply themselves with new machetes, for example, and would purchase cotton prints, and these articles they would take to their homes. They would take away with them a good deal of cash, which served to rejuvenate the commerce of the interior of the State.

Mr. KEARFUL. What was the attitude of the Indian in those days toward the American operators?

Mr. BYAM. It was friendly. I can give an example of the attitude of the Indian toward the Americans. At one time when I was at work in the lumber camp I was given charge of several hundred Indians to go to a distant point where there was a forest fire, and on the way thither we were compelled to stop and rest. I lay down at the foot of a tree to sleep, wrapped in my cloak. I slept for some two hours. The altitude was above 10,000 feet and the temperature was below freezing. When I awakened, I discovered that the Indians, some of the Indians that accompanied me, had

slipped up after I had gone to sleep, and covered me with their blankets. If there had been an unfriendly feeling toward Americans they hardly would have taken such action.

Mr. KEARFUL. Is that an illustration of the feeling of the Indians generally toward Americans?

Mr. BYAM. I would say that was the feeling generally throughout Mexico.

Mr. KEARFUL. At that time.

Mr. BYAM. At that time. The Mexican Indian, and by that I mean every Mexican possessing enough Indian blood to be imbued with Indian characteristics, does not consider class or racial distinctions. To illustrate: If an American were to mistreat a Mexican Indian that Indian would not dislike all Americans in consequence. He would consider only his individual persecutor and endeavor to avoid him. During the recent revolution they were taught by the socialist agitators to shout, "Death to the clergy!" But this meant only an individual to the Indians. So they hunted for a mythical Mr. Clergyman from Sonora to Yucatan without finding him. Meanwhile they showed every respect to the priests. The outrages against the clergy were committed by the socialist leaders and their criminal, vagabond following.

Mr. KEARFUL. What do you know about peonage in that portion of Mexico?

Mr. BYAM. In the central highlands I never discovered any signs of peonage. The Indians came to work, did their work, and received their pay. Peonage existed at that time amongst some of the tropical plantations, and in the southern part of the country; and that peonage, I may say, was similar to the peonage in the southern State of the American Union.

Mr. KEARFUL. You are not referring to the black slaves, are you?

Mr. BYAM. No; I am referring to the present condition of making advances to laborers of wages which they later work out.

Mr. KEARFUL. Did you observe the method of treatment that was accorded to those peons?

Mr. BYAM. Methods of treatment on all the American plantations were distinctly favorable. They were given houses rent free in which to live; they were furnished rations which were sufficient for their subsistence, and if they desired, they were given the privilege of planting as large an area of ground as they desired to plant and cultivate, at no cost to them. Then, all of them had their chickens and pigs.

Mr. KEARFUL. Were they discontented with their lot or otherwise?

Mr. BYAM. Very much contented.

Mr. KEARFUL. Did you know of any attempt being made by American plantation managers to imprison them, keep them against their will, or to keep them at work by fraudulent means?

Mr. BYAM. In no case.

Mr. KEARFUL. Did you have occasion to observe the operation of a good many of those plantations?

Mr. BYAM. I did.

Mr. KEARFUL. Was the system employed by the Americans the established custom of the country?

Mr. BYAM. The Americans merely followed the established custom of the country.

Mr. KEARFUL. Was there any other way in which the large plantations could be operated?

Mr. BYAM. There was no other way to keep a permanent force. The peons on the plantations—that is, those laborers to whom advances of money had been made—formed the permanent labor force on the plantation. They lived on the plantation. The other laborers, who came in from the outside, who would work and go away and then return again, were not peons in that sense.

Mr. KEARFUL. Is it true, as has been charged, that the peons of whom you speak were kept in a condition of slavery by the plantation managers?

Mr. BYAM. I never observed anything of the kind. I do not believe it to be true. In every case under my observation these so-called peons received advances of wages, or their debts owing to others were paid, and they came to work voluntarily, understanding fully all the conditions, and they looked upon the amounts they were permitted to owe as being, in a sense, an indication of their social standing and the confidence which their employer placed in them. Indeed, I have heard these laborers discussing the amounts which they owed, and I have heard one and another of them bragging to their fellows of the amounts which they owed as being indicative of their character and honesty.

Mr. Lind, in his testimony, admitted that he had visited but one plantation in Mexico and took occasion to state that this was an American plantation and that the laborers were locked up at night and otherwise severely treated. The plantation that he visited was one of the few in Mexico employing convict labor, much in the same manner as I understand that Mr. Burleson, the Postmaster General, has employed American convict labor on his plantation in the United States.

Mr. Lind's strategy and tactics follow the precedents established by the propogandists of socialism in general and the Mexican revolutionists in particular. They select some isolated incident, tell half the truth about it and present it in a manner calculated to mislead people into accepting it as representative of the country at large.

Mr. KEARFUL. Have you read a book by John Kenneth Turner entitled "Barbarous Mexico"?

Mr. BYAM. I have.

Mr. KEARFUL. Have you any comments to make upon that book?

Mr. BYAM. The very best that I could say for Mr. Turner is that he permitted himself to be misled to an extraordinary degree. I understand that Mr. Turner spent only a few months in Mexico; that he spoke no Spanish; that he was conducted through the country by a well-known Mexican socialist. From my own knowledge and experience I am satisfied that the statements which he makes in the book as to the conditions in Mexico, social, economic, and religious, are mostly false, and those which are not false are greatly exaggerated. He has taken individual instances and has multiplied them to appear as being representative of the entire country.

Mr. KEARFUL. Have you any information as to whether or not he personally wrote those parts of the book in reference to social, economic, and religious questions?

Mr. BYAM. I have been informed that a large part of it was written by a Mexican in Spanish, and was later translated.

Mr. KEARFUL. Was that the Mexican socialist to whom you referred?

Mr. BYAM. I believe so.

Mr. KEARFUL. What is his name?

Mr. BYAM. Gutierrez de Lara.

Mr. KEARFUL. What is and was his reputation as to extreme radical socialism?

Mr. BYAM. That he was an extreme radical, extremely radical socialist. I think Mr. Turner's connection with the Socialist Party or organization in this country has been fairly well established. He has written a good deal on Mexico since he published his book called "Barbarous Mexico," and I believe he is still writing for socialist publications.

Mr. KEARFUL. What do his writings indicate with respect to his connection with the radical socialists?

Mr. BYAM. In his book called "Barbarous Mexico" he gives the names of a number of Mexican radicals who were at one time or another compelled to seek refuge in the United States, men who later became active in the Mexican revolutions.

Mr. KEARFUL. What do his later writings show?

Mr. BYAM. That he is just as radical as any of the Mexican radicals. For some time he was an accredited correspondent for the Socialist paper called the Appeal, and in that paper he has published articles in which he has mentioned so-called secret trips to Mexico to communicate with the Mexican radicals. In one article published by Mr. Turner in the Appeal, he stated that he had made a secret journey to Mexico to confer with the revolutionists. The time of that visit corresponded with the activities of the Mexicans attempting to put into effect the plan of San Diego.

Mr. KEARFUL. Was that the plan which contemplated an invasion of the United States, and about which the committee recently took testimony on the border?

Mr. BYAM. It is.

Mr. KEARFUL. In this country we hear a good deal about the agrarian problem in Mexico, to the effect that the troubles in Mexico would disappear when the great estates are divided up into small individual holdings. What have you to say in reference to that?

Mr. BYAM. I never heard of any land question, such as is understood by your question, in Mexico. Amongst the many Indian villages that I have visited I have always found them in possession of their community fields, with which, so far as ever came to my knowledge, they seemed to be perfectly contented. In the central highlands of Mexico, which is the most densely populated portion of the country, where approximately 70 per cent of the population of Mexico lives upon some 30 per cent of its area, the land is well divided. I have the figures for the number of farms in the State of Jalisco, and a tabulation of the number of farms in the United States, which I will leave with the committee.

Mr. KEARFUL. This is a table showing, with reference to each of the States of the American Union, the area in square miles, population, number of farms, number of persons to each farm, number of acres to each farm, and the density in population per square mile; and at the foot corresponding totals with reference to all of the

States of the American Union taken together. Then follows the same data with reference to the State of Jalisco, which shows that this Mexican State compares approximately on an average in area and population with the States of the American Union; that in that State there are 165,816 farms, which is very much more than in a majority of the American States; that there are persons to one farm, 7.3, which is very much less than the average of persons to one farm in the States of this Union; that the average acreage of each farm is 130, being much less than the average acreage of most of the States in the American Union; and that the density of population per square mile is 36.2 as against 30.2 in the American States. From what source was this table compiled?

Mr. BYAM. The tabulation regarding the United States was taken from the census returns of 1910; regarding the State of Jalisco the data is taken from the assessment list for the fiscal years 1912 and 1913.

Mr. KEARFUL. Have you the data for any other Mexican State than Jalisco?

Mr. BYAM. Not completely. That is the only data which I have complete.

Mr. KEARFUL. Do you consider the data given here as to Jalisco a fair illustration of other Mexican States situated upon what you have called the highlands of Mexico?

Mr. BYAM. It is fairly representative. The State of Guanajuato is even more finely divided than the State of Jalisco, but I have no official data at hand to substantiate that statement.

Mr. KEARFUL. If you have no objection, the table referred to will be inserted in the record at this point.

Mr. BYAM. Very well. I would like to call attention to the fact that for lack of exact figures on farm acreages I was compelled to divide the total area of each State by the number of farms to arrive at the relative proportion shown. The same was done in the figures for Jalisco.

(The table referred to is here printed in full, as follows:)

	Area, square miles.	Population.	Farms.	Persons to 1 farm.	Acres to 1 farm.	Density of population.
Alabama	51,998	2,138,093	280,000	7.6	118	41.7
Arizona	113,956	204,354	13,000	15.8	5,612	1.8
Arkansas	53,335	1,574,449	230,000	6.8	148	30
California	158,297	2,377,549	98,000	24	1,034	15.3
Colorado	103,948	799,024	60,000	13.4	1,110	7.7
Connecticut	4,965	1,114,756	27,000	41.2	118	231.3
Delaware	2,370	202,322	11,000	18.3	137	103
Florida	58,666	751,139	56,000	13.4	668	13.7
Georgia	59,265	2,609,121	330,000	7.9	114	44.4
Idaho	83,888	325,594	38,000	8.6	1,420	3.9
Illinois	56,665	5,638,591	245,000	23	148	100.6
Indiana	36,354	2,700,876	215,000	12.6	108	74.9
Iowa	56,147	2,224,771	215,000	10.3	166	40
Kansas	82,158	1,690,946	180,000	9.4	290	20.7
Kentucky	40,598	2,289,905	270,000	8.5	96	57
Louisiana	48,506	1,656,388	123,000	13.4	252	36.5
Maine	33,040	742,371	60,000	12.4	355	24.8
Maryland	12,327	1,295,346	50,000	25.9	158	130.3
Massachusetts	8,266	3,366,416	37,000	91	142	418.8
Michigan	57,980	2,810,173	209,000	13.5	177	48.9
Minnesota	84,682	2,075,708	157,000	13.2	344	25.7
Mississippi	46,865	1,797,114	295,000	6.1	102	38.8
Missouri	69,420	3,293,335	275,000	12	162	47.9
Montana	146,997	376,053	36,000	10.4	2,550	2.6
Nebraska	77,520	1,192,214	135,000	8.8	365	15.5

	Area, square miles.	Population.	Farms.	Persons to 1 farm.	Acres to 1 farm.	Density of population.
Nevada	110,690	81,875	3,000	27.4	25,000	.7
New Hampshire	9,341	430,572	27,000	16	221	47.7
New Jersey	8,224	2,537,167	33,000	77	160	337.7
New Mexico	122,634	327,301	45,000	7.2	1,740	2.7
New York	49,204	9,113,279	215,000	42.2	146	191.2
North Carolina	52,426	2,206,287	275,000	8	122	45.3
North Dakota	70,837	577,056	95,000	6	475	8.2
Ohio	41,040	4,767,121	270,000	17.7	97	117
Oklahoma	70,057	1,657,155	220,000	7.6	205	23.9
Oregon	96,699	672,765	52,000	12.8	1,182	7
Pennsylvania	45,126	7,665,111	218,000	35.2	130	171
Rhode Island	1,248	542,610	5,000	108	160	508.5
South Carolina	30,989	1,515,400	190,000	7.9	104	49.7
South Dakota	77,615	583,888	95,000	6.1	522	7.6
Tennessee	42,022	2,184,789	260,000	8.4	104	52.4
Texas	265,896	3,896,542	540,000	8.7	379	14.8
Utah	84,990	373,351	24,000	15.5	2,275	4.5
Vermont	9,564	355,956	33,000	10.8	185	39
Virginia	42,627	2,061,612	195,000	10.6	140	51.2
Washington	69,127	1,141,990	70,000	16.5	635	17.1
West Virginia	24,170	1,221,119	100,000	12.2	154	50.8
Wisconsin	56,066	2,333,860	182,000	12.8	197	42.2
Wyoming	97,914	145,965	15,000	9.7	4,150	1.5
Total	3,026,719	91,641,197	6,717,000	13.6	487	30.3
Jalisco	33,486	1,202,802	165,816	7.3	130	36.2

Mr. BYAM. In the district of Tlalnepantla, near the City of Mexico, the assessment list for the year 1870, as I recall it—I have not the official data right at hand—gives more farms than families resident in the district.

Mr. KEARFUL. What significance do you attach to the data you have just furnished with reference to the land problem, so-called?

Mr. BYAM. That it refutes the claims made by those favoring the Mexican revolutionists, that there was a land problem, and that it was a legitimate pretext for revolt. I may mention incidentally that the revolutionists have represented, and even officials of this Government, or those speaking for them, have stated that the land question was a fundmental cause of revolution in Mexico; and that one particular writer, Mr. George Creel, stated in a book called "Wilson and the Issues," that all the land in Mexico was divided among 10,000 owners.

Mr. KEARFUL. Do you recollect if Mr. George Creel had occasion to revise some of his statements with respect to the operation of the American oil men in Mexico and retracted what he had said on that subject?

Mr. BYAM. I have so observed, but I have not yet discovered any retraction regarding the land business. In the State of Chiapas, in which the population is largely Indian, every village possesses an ample area of land for the use of the inhabitants. I know of a number of villages whose public lands, called "ejidos," are occupied and made use of by only a few families. There are vast areas of very excellent, rich and fertile public lands, in addition to these lands belonging to the villages, which have been available to the public at very cheap prices, prices set by the Government, and which, at the time I was in Mexico, could have been obtained from the Government by any Mexican so desiring for from a few cents to a dollar per acre.

Mr. KEARFUL. How did the opportunity to procure valuable homesteads compare with similar opportunities in the United States?

Are you acquainted with the system of disposing of public lands in the United States to settlers at a small sum per acre, with the obligation of five years' residence?

Mr. BYAM. I am.

Mr. KEARFUL. How did the opportunities in Mexico compare with the opportunities of settlers in the United States to procure public lands at a nominal price?

Mr. BYAM. The Mexicans had equal opportunities.

Mr. KEARFUL. Did they avail themselves of it, largely?

Mr. BYAM. Not that I could ever discover.

Mr. KEARFUL. Did you ever discover a general, insistent demand in Mexico among the lower classes of the natives for land to settle upon and own as their homes, individually?

Mr. BYAM. Not at all. I think I can illustrate that by an instance which came under my own observation. One particular piece of property in the State of Chiapas had on it some three hundred families of squatters. The owners of this piece of property endeavored through a number of years to induce these squatters to accept title to their farms. After much effort less than half were induced to accept an average of some twenty-five acres each. The remainder refused absolutely to accept title. The only charge to which they were subjected was that of the survey, a charge that was merely nominal. And I may say that nearly all of these squatters were prosperous, to the extent that any one of them could obtain credit at any of the stores in the village for as much as $500.

Mr. KEARFUL. According to your observation and experience, what would be the result if the large plantations were divided up and distributed among the natives who work those plantations?

Mr. BYAM. It would be to the advantage of nobody and to the distinct disadvantage of the natives themselves, outside of the Indian communities where possession of the land is common.

Mr. KEARFUL. And where they are exempted from taxation?

Mr. BYAM. And where they are exempt from taxation. In fact, the Indians in Mexico have escaped practically every character of taxation.

Mr. KEARFUL. You are speaking of conditions outside of community property?

Mr. BYAM. Yes, sir. Outside of the community property the laborers on the plantations are distinctly better off when not owning property, because they escape any burdens which might come through the ownership of such property and are free to cultivate here and there as the conditions may be best for such cultivation. In the central highlands, where plows are used, the owners of the property furnish them with the implements for such cultivation. It has always been customary on the plantations in Mexico to permit the laborers to cultivate such extensions as they may please.

Mr. KEARFUL. For their own use and without charge?

Mr. BYAM. For their own use, but not always without charge. In some sections a system has been pursued somewhat similar to that followed in the southern United States with the negroes, of cropping on shares.

Mr. KEARFUL. In addition to the cropping on shares, the Indian is employed on the plantation? Is that the system?

Mr. BYAM. He finds employment on the plantation.

Mr. KEARFUL. What do you think would become of the titles to the small tracts, if the large plantations were divided up into small tracts and turned over to the Indians?

Mr. BYAM. I would expect the Indians to pursue much the same course that they have pursued in Mexico, and that has been pursued in the United States—that they would sell the properties.

Mr. KEARFUL. And would be forced to sell on account of the burdens of taxation and necessity of going into debt to maintain themselves through a bad year or something of that sort?

Mr. BYAM. Yes; and often to satisfy some childish caprice.

Mr. KEARFUL. So that, after a division of these lands, they would be sold and necessarily revert to that form of operation which by experience is known to be most economical, namely, operation in large tracts?

Mr. BYAM. Exactly.

Mr. KEARFUL. What do you know about the schools in Mexico?

Mr. BYAM. As regards the Government schools, when I was in Mexico I discovered schools in nearly every village which I visited. They were primitive, the equipment was very primitive, and the teachers were poorly paid, as teachers seem to be everywhere, but an effort was being made to educate the people.

Mr. KEARFUL. What do you know about the education of Mexicans by the Catholic church?

Mr. BYAM. The Catholic church at one time had charge of practically all the educational institutions of the country, but after the enforcement of the constitution of 1857 all of these institutions were seized and the church deprived of every means of educating the people, and every impediment placed in its way by the Government.

Mr. KEARFUL. That is since the constitution of 1857?

Mr. BYAM. That is since the constitution of 1857.

Mr. KEARFUL. Referring to the period of the educational work of the church among the Indians in Mexico, how did the system compare in its results with the system which has been followed in this country by the Government in educating the Indians?

Mr. BYAM. The first efforts of the church in Mexico toward the education of the Indians began shortly after the conquest, and the work was undertaken by the missionaries. They were the only individuals available for teaching. They established schools and gathered Indian children in those schools, where they were housed and fed and clothed according to the Indian standard of luxury. They were taught to read and write, given religious instruction, and kept from contact with their parents as much as possible, to avoid the perpetuation amongst them of the native idolatry. There is one fact that I would like to mention here, and that is that the Mexican Indians that were discovered and conquered by the Spaniards were cannibals, and that the Spaniards, both lay and clerical, had considerable difficulty in eradicating the custom of human sacrifices and their cannibalism. The Mexican Indians practiced cannibalism to an exaggerated degree. That that cannibalism was a part of their religious ritual has been urged by some in extenuation of it, but it would appear from the available data that when the Mexican wanted meat, he found some occasion to make a sacrifice

to the Gods and thereby obtain a feast. In the dedication of the principal temple in the City of Mexico in 1487, the Aztecs, according to their own records, sacrificed 20,000 victims in a four days' carnival of killing.

Mr. KEARFUL. One of the problems met with in the education of the American Indian in this country has been that the young Indians, after having been graduated out of the school, returned to their tribes, and reverted to the condition of savagery from which they came, and sometimes became more vicious because of their education. Has that been true of the Mexican Indians educated in the Catholic Church schools, and if not, what was the reason?

Mr. BYAM. The Catholic missionaries in Mexico were faced with the difficulty of the pupils reverting to the mode of life of their parents. To overcome that they established as many boarding schools as possible. Those that could not be kept in the boarding schools naturally returned to the villages, but the moral and religious training which was given by the missionaries, in addition to learning to read and write, established a devotion to religion, which 100 years of revolutionary radicalism has had little effect upon.

Mr. KEARFUL. Do you think the moral and religious training, in addition to the popular branches, constitutes the main difference between the education of the Mexican Indian and the education of the American Indian?

Mr. BYAM. I believe it to be so.

Mr. KEARFUL. Do you think that accounts for the fact that the Mexican Indian has not been so prone to revert to the old mode of life?

Mr. BYAM. That has been my observation.

Mr. KEARFUL. Mr. John Lind, in his testimony, found fault with the educational activities of the church in Mexico, because it had not done more than it did do of late years in the way of popular education of the masses. What have you to say on that subject.

Mr. BYAM. During the colonial period the church in Mexico was in reality a dependency of the State. It was subject to the State. It could make no move whatever with out the permission of the home government and the colonial government. The numbers of the clergy were limited. In reports that have been rendered to the Spanish Government by agents sent out by the Crown to investigate conditions in Mexico we find that a proportion of one priest to 5,000 of the population was the average sought. That refers particularly to the sixteenth and seventeenth centuries.

During the colonial period the Government officials and the ecclesiastical authorities were continually urging and recommending the continued establishment of schools and the education of the Indian. Every priest was required to maintain a school.

Mr. KEARFUL. The particular question was as to whether or not Mr. Lind was justified in his statement that the church in Mexico, of late years, had not done all it might have done in the position that it occupied to advance the popular education of the masses. Do you think he was justified in that statement?

Mr. BYAM. I do not think he was justified.

Mr. KEARFUL. For what reason? Do you think the church did all it could have done since the constitution of 1857?

Mr. BYAM. The church did all that was possible to do under the constitution of 1857, and even went to the extent of violating the law in order to educate the children. Schools were established and the buildings and equipment placed in the names of private individuals, because it was against the law for the church to own any property. It was against the law for any religious orders to be in the country. Nevertheless, religious orders existed for the purpose of teaching in those schools.

Mr. KEARFUL. Do you understand that was permitted particularly by Porfirio Diaz because he understood that was for the benefit of the people?

Mr. BYAM. Yes.

Mr. KEARFUL. Even though it was against the law?

Mr. BYAM. Exactly.

Mr. KEARFUL. Have you come in contact with any Protestant missionaries in Mexico and the work they are doing there?

Mr. BYAM. I came in contact particularly with two of them. One was a missionary who was stationed at Guadalajara. He always treated the subject quite pessimistically, and in the course of our conversations expressed his discouragement at the lack of conversions. He informed me that when it became necessary for any reason to show that he had a congregation that he was accustomed to send out the Mexican servants of his household with small coins that they might hire their friends and relatives to appear and act temporarily as a congregation. Attendance at meetings also was obtained by the distribution of coins at the door at the close of the services. I met a missionary who had been working, so he informed me, for nine years in the State of Tabasco. He was still hopeful of results, though during the nine years he had secured but 11 converts. However, one of these converts had died, and before dying had recanted.

Mr. KEARFUL. Mr. Lind, when he testified, was asked about a booklet of which he is the author, entitled "The Mexican People," in which he gives an account of the high state of civilization existing among the Mexican aborigines at the time of the Spanish conquest, and his attention was called to the fact that Monseigneur Kelley had subsequently, in his Book of Red and Yellow, charged that the historical matter given by Mr. Lind had been shown by subsequent and more thorough historical investigation to be very largely imaginary. In the Book of Red and Yellow by Monseigneur Kelley there is a deadly parallel in which the account given by Mr. Lind is placed in juxtaposition to very similar matter contained in an old edition of the Encyclopedia Britannica.

Apparently to avoid the effect of this circumstance, Mr. Lind brought here a volume entitled Historia de La Conquista de Mejico, by Don Antonia de Solis, published in 1666. He then undertook to show that the historical matter which he had used had been taken from that book. Are you familiar with the book referred to by Don Antonio de Solis?

Mr. BYAM. I am. I have a copy of it.

Mr. KEARFUL. Have you read it?

Mr. BYAM. I have.

Mr. KEARFUL. What have you to say with reference to the authority of that book?

Mr. BYAM. That it is not accepted as authority by any historian. It is largely a rehash of Bernal Diaz.

Mr. KEARFUL. What can you say with respect to the view of authoritative historians as to the high standard of civilization of the Mexican aborigines?

Mr. BYAM. Bandolier made a very exhaustive study of that particular subject, and the result of his labors and his conclusions are accepted to-day by all historians as being practically the last word upon the subject. He refutes definitely, and gives a large number of authorities in support of his conclusions, that there ever existed among the Mexican Indians any such a condition as pictured by Mr. Lind. As a matter of fact, Mr. Bandolier tells us that they were a very barbarous people; that they had no conception of a nationality. Every village was practically autonomous. There was no empire, consequently there could have been no emperor. The Aztecs, living in what is now the City of Mexico, where a marauding, warring tribe, dependent for their subsistence upon the spoils of war and upon the tribute which they exacted from conquered tribes. These conquered tribes bore no relation to the Aztecs politically, other than tribute payers. The Aztecs did not interfere with their internal government. The so-called Aztec governors which the Spaniards found among the tribute-paying tribes were discovered later to be only the tribute gatherers. There was no political organization among the Mexican Indians in any way resembling a nation.

Mr. KEARFUL. What was finally found to be the truth about the early glowing account of a system of courts and schools and fine arts, etc.?

Mr. BYAM. They had been either nonexistent or exaggerations of mistaken ideas, mistaken impressions received by the first Spaniards.

The native traditions tell that in the distant past, long before the discovery of America, bearded white men came to Mexico, and the aborigines of that period are pictured as extremely primitive beings, living like the wild beasts whose flesh they ate raw, for it is said they knew not the art of making fire. According to these traditions the white men introduced a character of civilization. This civilization appears to have endured until the white blood became too widely diffused among the savage masses. Then began a degenerative process leading the people back toward their ancient savagery. In this state of retrogression the Spaniards found them. There are no evidences of a development of culture. The most ancient remains are the most highly developed.

The importance and extent of the work undertaken by the Spaniards to gather the people into villages and to induce them to adopt a sedentary life indicates their nomadic character. According to their own traditions, the Aztecs of the Indian pueblo of Mexico were nomads but a relatively short time before the coming of the Spaniards. Southern Mexico is dotted with ruined cities, yet few were inhabitated at the time of the conquest. They appear to have been occupied in much the same manner as a tribe of Parisian Apaches might set up their gods of murder and thievery in the ruins of the cathedral at Rheims. From Palenque southeastward up the valley of the Usumacinta stretch group after group of ruins like beads

upon a string. They were buried in the jungle and forgotten long before Columbus sailed. They are but the dry bones of a civilization dead these many centuries.

The Spaniards brought with them the civilization and culture of Europe, which flourished in Mexico until the revolution of 1810. Since then their civilization has been struggling to keep its head above the rising flood of barbarism let loose upon it by the socialist agitators. The relatively short respite during the rule of Diaz served but to show what might be done. The recrudescence of savagery under Carranza and his socialist following has thrown the Mexican people back into a raging sea of anarchy from which they have cried in vain for rescue during seven long, hungry, and bloody years.

Mr. Lind's mission gave to his pamphlet an importance which its text fails to sustain. To expose its errors would require practically the repetition of it in its entirety and the citation of numerous authorities to refute the false and misleading statements with which it is filled.

Mr. Lind, in his testimony, claims that certain portions of his pamphlet are taken from Solis and not from the Encyclopædia Britannica as charged by Monsignor Kelley. An examination of Solis will discover no paragraph nor phrase remotely resembling those of Mr. Lind. The Encyclopædia Britannica, however, contains a number of phrases too exactly like those of Mr. Lind to be claimed as mere coincidences.

Mr. Lind's unfamiliarity with Mexico and its history, and apparently its language, have led him into some strange errors. He states, on page 7 of his pamphlet, that "The laws and records of the court were set down and kept in the picture writings which were in use." And that "Some of these records are still preserved in the National Museum." Solis distinctly declares that "They had no written laws." If Mr. Lind knows of any preconquest law records, either in the Mexican National Museum or elsewhere, he has made a momentous discovery whose proofs he has neglected to reveal.

In the same paragraph Mr. Lind declares that "The criminal code was very severe. Fraud, the removal of landmarks, and adultery were punished by having the offender's head crushed between stones or by cutting out the heart." Regarding this subject Solis says that "Murder, theft, adultery, and any disrespect to the king or religion were capital crimes. Other crimes were readily pardoned because the religion itself, permitting iniquities, disarmed justice."

On pages 5 and 6 Mr. Lind says that "The kings were elected in the royal families." Solis says that "They observed always the custom of electing the greatest soldier as their king without regard to the succession, although in an equality of deeds they preferred the royal blood." The true significance of this will be apparent to those who have studied the American Indian.

The Spanish writers used terms intended to be understood by their readers rather than to convey an exactness of meaning. They wrote of Reyes or kings and caballeros or gentlemen. The latter term literally means horseman. The application of this term to the warrior class among the Aztecs did not mean that they possessed horses. Neither did the use of the word king mean that they possessed kingdoms.

Nearly every one of the 29 pages of Mr. Lind's pamphlet affords examples as glaringly inexact. It is quite evident that he failed to read Solis, or any other writer, with the care the subject merited.

In closing his pamphlet, Mr. Lind takes occasion to praise the Germans, thereby giving us some interesting evidence of how difficult it is for an immigrant to forget the prejudices brought with him from Europe. Sweden is strongly socialistic and pro-German. These characteristics have marked the Carranza faction and doubtless account, in part, for Mr. Lind's espousal of the Carranza cause.

In addition to Mr. Lind, I would like to cite a few instances illustrating how the American people have been misled and deceived by prejudiced propagandists in the interests of the Mexican revolutionists and against the Spaniards.

They are all agreed that Cortes, the conqueror, was an inhuman butcher who grievously oppressed the Indians. Yet when we examine the records of that period we discover that Cortes was charged with being altogether too popular with the Indians, and that he had curried favor with them, the alleged purpose being to cut loose from Spain and establish himself as an independent ruler. This was a contributing cause to his disfavor at court.

Bancroft, the historian, claims that the Spanish civil and ecclesiastical authorities exercised a rigid censorship to prevent the writing of anything unfavorable to their rule. Yet he supports his charges against them by numerous references to works that indicate not only extreme laxity in the alleged censorship but equally extreme looseness in Mr. Bancroft's statement.

Terry, in his guide book, prefers serious charges against all the Spanish viceroys in general. Yet when he reviews their individual terms in office he is compelled to praise many of them highly and can find cause for censure in only two, who ruled the country for but 6 years out of nearly 300.

When Charles Cullen translated the works of Clavigero he interpolated a whole paragraph at an important point, entirely reversing the meaning of the author. Subsequent writers have cited this spurious paragraph to support their claims.

William Butler, a missionary, went to Mexico in the early seventies. Some 20 years later he wrote a book in which he repeated many of the old calumnies. In closing his work he caps his mendacity by telling of the alleged discovery in Puebla of 13 mummified bodies of victims of the inquisition that had been buried alive. Mr. Butler himself claimed to have been present at the discovery of the thirteenth body. To prove his assertions, he published a photograph of four of the alleged victims. This picture has been his undoing, for the mummies shown in it are easily identified as those of some Dominican friars whose remains, to the number of 13, were discovered in 1861 in the burial vaults of their convent in Mexico City. They had died, like good Christians, in their beds.

In its entirety Mr. Butler's statement is absolutely and utterly false. How close a scrutiny the balance of Mr. Butler's book might stand may be left to the imagination. Nevertheless, Butler and his ilk have helped largely in the molding of American opinion about Mexico and the Mexican people.

In treating of events of the Juarez revolution, the historian Bancroft mentions Ampudia, one of the generals of Juarez, as though he were a civilized human being, and he dismisses the killing of the priest of Zacapoaxtla with a couple of lines. The priest in question was seized in his home and badly beaten. Covered with blood and bruises he was dragged before Ampudia, who demanded that he take the oath to the constitution recently adopted by a triumphant military faction. Because he refused to do this, Ampudia caused his ears to be cut off, his eyes to be plucked out, his tongue to be torn out, and unmentionable mutilation done besides. He was then dragged to the courtyard where he was shot and his body cut into quarters. The Juarez revolution differed only in detail from the Carranza revolution. Its general character was the same. The outrages committed and the animus inspiring them were the same.

Mr. KEARFUL. Was there any reason to believe that some of the first Spaniards rendered untrue reports in regard to conditions?

Mr. BYAM. There is every reason to believe it.

Mr. KEARFUL. Is that generally accepted by the later historians who have investigated the subject carefully?

Mr. BYAM. Yes, sir; it is accepted among them to-day.

Mr. KEARFUL. Are the works of those historians open to anybody who cares to investigate the subject?

Mr. BYAM. They are.

Mr. KEARFUL. They would be open to Mr. Lind, if he should go into the library and ask for them, would they?

Mr. BYAM. They would.

Mr. KEARFUL. Mr. Lind's attention was called to a very glowing description given by Mr. Bryan of a certain plantation in the State of Oaxaca, devoted to the cultivation of rubber, which Mr. Byam described as one of the American centers of civilization in Mexico, and Mr. Lind tried to avoid the effect of that by saying that the rubber enterprise in Mexico had resulted in failure and substantially was of no benefit to Mexico. What can you say about the rubber industry in Mexico?

Mr. BYAM. Mr. Lind's statement that the rubber plantations were failures was incomplete. He failed to state why they were failures. The greater part of the rubber planting done in Mexico was done at a time which brought the trees into bearing at about the time of the outbreak of the revolution. The consequence has been that these rubber plantations, which might have been shipping a large quanity of rubber during the past seven years, have been unable to market their stuff because of the disturbed conditions.

Mr. KEARFUL. According to the testimony of a number of witnesses such plantations have been destroyed, the owners or managers having been driven out of the country. Would that have any effect upon the successful outcome of the rubber industry?

Mr. BYAM. Most decidedly. There are a number of rubber plantations in the northern part of Chiapas which have been abandoned, their equipment has been destroyed, their buildings burned or suffered to fall into decay, the planted area grown up in weeds, and the plantations generally have returned to the primitive forest which existed prior to the commencement of operations by Americans in that neighborhood.

Mr. KEARFUL. Whatever may be the truth about the success or failure of rubber enterprises in Mexico, what has been their effect upon the Mexican natives of the attempt to establish rubber plantations?

Mr. BYAM. To better their material welfare.

Mr. KEARFUL. Has it given them work and secured money for them and benefited them in that way?

Mr. BYAM. It has, most decidedly. In the district where I was for a time, a large number of the farmers in the neighborhood found employment on these plantations from time to time, either as individual laborers or as small contractors. As small contractors, they would contract to clear and plant a few acres, and would hire some of their less prosperous neighbors to assist them, and they would utilize some of the labor from their own farms.

Mr. KEARFUL. Have you any observations to make upon the effect upon the cost of living in the United States by reason of the destruction of Mexican cattle ranches and plantations in Mexico?

Mr. BYAM. I believe that that has had a very decided effect in increasing the cost of living. We pay more for our beef because the great herds of northern Mexico have been destroyed. We are paying more for our sugar because the sugar plantations in Mexico have been destroyed. Because of the disturbed conditions there we pay more for our chocolate, more for our vanilla, more for our bananas.

Mr. KEARFUL. How about coffee and tobacco?

Mr. BYAM. The same may be said with equal justice for coffee and tobacco.

Mr. KEARFUL. Have you any theory which you could give for the benefit of the country, based upon your observation and experience and study, about the cause for the revolution in Mexico?

Mr. BYAM. From my study and observation the fundamental cause is antireligious agitation. We find the beginning of it in the French Revolution. It spread to Mexico, through Spain. The first Mexican revolution, or so-called war for independence, was really a civil war. Spain sent relatively few troops to Mexico. The most of her efforts were directed toward preserving the Spanish colonies in South America. The cause of the Spanish Crown was sustained in Mexico by the Creoles; that is, the Mexican-born descendents of the Spanish conquerors. There was no objection by them to independence of itself. What they fought for was to sustain a government of law and order. They fought the revolution because the revolution of that day sought to destroy wealth, and, in fact, it was what we would call to-day a bolshevik revolution. When the time came, independence was secured by the very elements that had fought to sustain the Spanish Government.

We find that the agitators of to-day are compelled to justify their efforts, and to do it they assume to attack the Spaniards as a class or as a race, and they endeavor to show the Spanish Government or the ecclesiastical authorities had oppressed the people.

The extreme radicals gradually gained control until the complete triumph came to Jaurez with the constitution of 1857. They endeavored, and successfully, to secure the moral and material aid of the American people. The American people misunderstood the

movement and the object of it. If it had been known by its true name, and if the true purpose had been understood, the American people would have refused their aid or sympathy.

The Mexican revolutionists have called themselves "liberals," when in point of fact they were socialists, and we know to-day that socialism does not differ greatly from bolshevism. Socialism is the theory, bolshevism the fact. The Mexican revolutionists have claimed that they sought to establish religious liberty, when in point of fact they have sought to establish an atheistic tyranny.

Mr. KEARFUL. In your study of Mexican history, and in arriving at the conclusions that you have stated, are you influenced in any way by your individual religious convictions or sentiments?

Mr. BYAM. Not in the least.

Mr. KEARFUL. As a matter of fact, are you a member of the Catholic Church?

Mr. BYAM. I am not.

Mr. KEARFUL. Have you ever been?

Mr. BYAM. I never have been, nor any of my ancestors for 10 generations.

Mr. KEARFUL. You say that you believe that the fundamental cause of the revolution is anticlericalism, antireligion?

Mr. BYAM. Antireligion.

Mr. KEARFUL. How do you account for that, in view of the fact that the Mexican people, almost as a whole, are members of the Catholic Church?

Mr. BYAM. I account for that from the fact that the revolutionary activities in Mexico have always been confined to a very small percentage of the population. It had its root in the revolution begun by Hidalgo. Hidalgo's personal history is a partial explanation of what he sought to accomplish. According to his own confession, he misled his people, misled his following, and his following consisted very largely of ignorant Indians. His career was short, and was marked by extreme excesses, assassinations, destruction. According to his own confessions he personally gave the order for or permitted the execution of some 700 unarmed civilians whom he had captured in different places.

The activities of Hidalgo and his successors created a spirit of lawlessness among certain classes of Mexicans and encouraged still others to defy the government. About the time that independence was secured many thousands had become scattered, and were living as vagabonds or pillagers, and it has been the perpetuation of that element which has furnished the forces for every revolutionary movement in the Republic of Mexico to the present day.

Mr. KEARFUL. If the influence of the Catholic Church in Mexico has been good, why was it necessary, in order to maintain the Government of Mexico, to assail the Catholic Church?

Mr. BYAM. Because the church stood for law and order. By referring to the pastoral letters issued by the Mexican bishops during the past 100 years we find a constant and repeated admonition to keep the peace, to avoid disorder or violence, to obey the law. The result of that has been that the great majority of the Mexican people, who are Catholics, and who obey their pastors, have not resorted to violence or force to defend themselves against the attacks made upon them by the minority.

Mr. KEARFUL. You believe, then, that the revolutionary movements and governments founded upon such movements in Mexico have proceeded upon principles that were destructive of law and order?

Mr. BYAM. Entirely so; entirely so.

Mr. KEARFUL. How do you account for the reign of law and order under Porfirio Diaz?

Mr. BYAM. Porfirio Diaz was, to a certain extent, an exception. He found his country in its normal state of disorder and exhausted, but throughout his rule he was ever on the alert against threatened revolt; and Porfirio Diaz had one defense which the others did not have and which was worth more to him than all his armies, and that was the threat of intervention.

Mr. KEARFUL. Do you think that another element that contributed to his success was that he favored the activities, especially the educational activities, of the Catholic Church?

Mr. BYAM. He did, to a certain extent, but only to a limited extent. In place of repealing the antireligious laws, the antiproperty laws, he preferred to encourage the violation of those laws, and from time to time exerted such pressure or influence in enacting such inimical legislation as would remind the Catholic people of Mexico that he and his government were opposed to their principles and their desires.

Mr. KEARFUL. Is it your idea that he took the course of permitting the church to operate contrary to the law, instead of repealing the law itself, so that he might be able to use the law as a means with which to curb the activities of any Catholics who might form a party against him?

Mr. BYAM. That would be the result, and the result would indicate the intent.

Mr. KEARFUL. Have you any opinion that you care to express in regard to what this country ought to do, if anything, to prevent a recurrence of recent outrages in Mexico?

Mr. BYAM. There is only one obvious remedy, considering present conditions. I do not want to be understood as advocating intervention or the exercise of force, but when we consider accomplished facts, when we consider the actual conditions existing in Mexico, there appears to be but one certain remedy. From my knowledge of Mexico and my acquaintance with the Mexicans I am satisfied that if the majority element be given an opportunity it can and will establish a satisfactory form of goverment, a government that will discharge its international obligations as all civilized governments do. But to do that they must have protection; to do that they must have back of them some force which will prevent their overthrow by some capricious military adventurer.

Mr. KEARFUL. You mean some military adventurer, followed by the predatory element that has existed since the time of the Hidalgo revolution, as you have described it?

Mr. BYAM. Exactly, the vagabond element, the criminal element, the restless element, that exists in every community in the world, which has been attracted for 100 years in Mexico to follow any military adventurer that would promise pillage. The history of Mexico is filled with incidents of that kind.

Mr. KEARFUL. Do you think the reason the Carranza revolutionists have been able to proceed is largely because of the opportunity to pillage that was offered the followers of the revolution?

Mr. BYAM. Precisely.

Mr. KEARFUL. Do you think the government Carranza has formed upon that revolutionary movement has been based upon the opportunity for graft and private gain of the officials of the Government?

Mr. BYAM. I believe it is entirely so.

Mr. KEARFUL. And you think it is precisely that element that must be curbed, and against which it is necessary to give the better element protection, in order that the better element, the large-majority element, may have an opportunity to establish a civilized Government in Mexico?

Mr. BYAM. Exactly so.

Mr. KEARFUL. Do you believe that the great majority of the people possess the potentialities of good citizens if they are given a fair chance?

Mr. BYAM. I certainly do. They are law-abiding, they are industrious, they are thrifty, and they do not resort to violence.

Mr. KEARFUL. Do you believe such efforts would be well expended and would progress in the direction of good government?

Mr. BYAM. I believe they would.

Mr. KEARFUL. I have reached the end of the questions I had in mind to ask. Is there anything further you care to state?

Mr. BYAM. Mr. Lind stated that the church was opposed to public schools. The opposition of the church in Mexico to the Government schools was not to the Government schools as such; that is, as Government institutions. The opposition was, first, to the Government prohibition against church schools, and, second, opposition to the atheistic teachings of the Government schools.

Mr. KEARFUL. Mr. Lind compared the sentiment in that respect to the sentiment of the church in this country in opposition to public schools. Is there any such sentiment that you have observed in this country that is comparable to what you have just stated in reference to Mexico?

Mr. BYAM. My observation of the position of the Catholic Church toward public schools in this country has been that the Catholic Church is not opposed to public schools per se—the Catholic Church wants its own schools.

Mr. KEARFUL. The same condition that exists in Mexico, whereby the Government of Mexico does not permit the Catholic Church to have its own schools, does not exist in this country, does it? In this country the Catholic Church is permitted to have all the schools it can establish; is not that correct?

Mr. BYAM. That is quite correct.

Mr. KEARFUL. So, therefore, the same condition that exists here does not at all compare with the conditions in Mexico?

Mr. BYAM. Not at all.

Mr. KEARFUL. That is the point I desired to make.

Mr. BYAM. The Catholic Church in Mexico would be very glad if it were permitted the same liberties that it enjoys in this country.

Mr. KEARFUL. Mr. Lind referred to the Catholic Party in Mexico, in connection with his idea about the sentiment of the people toward the church, and that they had their opportunity through the Catholic

Party to assert their rights. What do you know about the so-called Catholic Party in Mexico as a political party?

Mr. BYAM. The Catholic Party as a political party was organized at the time of the triumph of Madero, and by his encouragement. It was organized by Mexican citizens who were Catholics. The church authorities had no official connection with it whatever. The name "Catholic Party" was chosen to avoid any charge by their enemies that they were attempting or endeavoring to conceal their purposes, had another name been chosen. The Catholic Party in Mexico was organized for the express and announced purpose of securing, by constitutional and lawful means, the repeal of the anti-religious laws in Mexico. The Catholic Party nominated Madero as its candidate for president. As its candidate for vice president, however, it nominated De la Barra. I have not at hand any official figures, but speaking from memory, De la Barra secured some 60 per cent of the votes of Mexico. He was not, however, permitted to assume the office. That office was given arbitrarily to Pino Suarez, who had divided some 15 per cent of the vote with a number of lesser candidates.

Mr. KEARFUL. What knowledge have you in regard to the ability of the Mexican people to hold fair and free elections, if they were permitted to do so by the central government?

Mr. BYAM. I would say that they are entirely competent to do so. In the State of Jalisco, in the election of January, 1912, 74 per cent of the voting districts of the State reported a total of over 92,000 votes. Over 64 per cent of the votes cast were cast for the Catholic Party candidates. The significance of these figures will be more apparent when it is remembered that the opposition counted the votes.

Mr. KEARFUL. How do you account for such a result, in view of the reports and testimony we have had in regard to the unjust and unfair elections that have prevailed in Mexico?

Mr. BYAM. I think that is due largely to the fact that the subject has not been given the study it merited. During the rule of Porfirio Diaz it was commonly understood that elections were a polite fiction, but considering the prevailing security of life and property, the people generally did not concern themselves with the niceties of democratic elections. The majority of the people were not favorable to the policies of Diaz, but so long as he gave them law and order they were submissive.

Mr. KEARFUL. This election in Jalisco that you have mentioned; was that held under the supervision of the Federal authorities, or was it purely a State election?

Mr. BYAM. That was purely a State election; that occurred during the rule of Madero, but Madero's political organization had not been sufficiently perfected to control all the elections in the manner that Diaz had managed affairs.

Mr. KEARFUL. It is one thing for a candidate to be elected and another thing for him to take office, as you have illustrated in the case of De la Barra.

Mr. BYAM. Exactly.

Mr. KEARFUL. So what is the use of fair elections in one or more States, if the result of it is not to be carried out?

Mr. BYAM. It is utterly hopeless, unless there is back of it some force that will compel a just and orderly observance of the will of the people as expressed at the polls. That particular election in the

State of Jalisco is significant from the fact that the opposition had not developed force to attack the result of that election. Therefore, the governor and legislature elected were enabled to take their seats, to assume office, to exercise all the functions of government, to pass laws, which laws were enforced, but, of course, only for a short time, because there came the revolution which eliminated Madero, and following upon the heels of that the Carranza revolution. Nevertheless, during the rule of Huerta, that element in Jalisco remained in power. Huerta did not disturb them in the State government, though he did change governors. They continued in power until the revolution of the Carranza forces. The governor was driven out and the legislature dispersed, the laws annulled, and a military dictator appointed by Carranza established in their place.

Mr. KEARFUL. If there is nothing further, you will be excused. The committee is very much obliged to you.

(Whereupon, at 4.30 o'clock p. m., the committee adjourned, to meet again on Monday, May 3, 1920, at 10 o'clock a. m.)

MONDAY, MAY 3, 1920.

UNITED STATES SENATE,
SUBCOMMITTEE ON FOREIGN RELATIONS,
Washington, D. C.

Testimony taken at Washington, D. C., May 3, 1920, by Francis J. Kearful, Esq., in pursuance of an order of the subcommittee of the Committee on Foreign Relations of the Senate.

TESTIMONY OF NELSON O'SHAUGHNESSY.

(The witness was duly sworn by Mr. Kearful.)

Mr. KEARFUL. You may state your name.

Mr. O'SHAUGHNESSY. Nelson O'Shaughnessy.

Mr. KEARFUL. What is your present address?

Mr. O'SHAUGHNESSY. University Club, New York.

Mr. KEARFUL. Are you a native-born American citizen?

Mr. O'SHAUGHNESSY. I was born in New York City on the 12th of February, 1876.

Mr. KEARFUL. What connection have you had with the Diplomatic Service of the United States?

Mr. O'SHAUGHNESSY. I entered the service on the 17th of March, 1904. Then I was successively secretary of different grades in the Diplomatic Service at Copenhagen, Berlin, St. Petersburg, Vienna, Bucharest, and Mexico City.

Mr. KEARFUL. When did you go to Mexico, and how long did you remain there?

Mr. O'SHAUGHNESSY. I went to Mexico in 1911, arriving there the 4th of May, 1911, and I left Mexico City on the 23d of April, 1914.

Mr. KEARFUL. Shortly after the landing of the American troops at Vera Cruz?

Mr. O'SHAUGHNESSY. Yes, sir.

Mr. KEARFUL. What was your position in the Diplomatic Service in Mexico?

Mr. O'SHAUGHNESSY. I was first second secretary of the embassy, and then I was promoted to first secretary, and when the ambassador left I became chargé d'affaires.

Mr. KEARFUL. Were you there during the time of Porfirio Diaz?

Mr. O'SHAUGHNESSY. Just toward the end for a few weeks.

Mr. KEARFUL. You were there throughout the rule of Madero, were you not?

Mr. O'SHAUGHNESSY. I was there throughout the rule of Madero; yes, sir.

Mr. KEARFUL. Did you come in contact with Madero considerably?

Mr. O'SHAUGHNESSY. Yes; I came in contact with Madero very often; saw a great deal of him.

Mr. KEARFUL. What character of man was Madero, with reference to his mental capacity?

Mr. O'SHAUGHNESSY. Madero was a dreamer. I think that is the best description of Madero. He was a very unpractical person.

Mr. KEARFUL. What was his attitude toward Americans, especially with reference to official representations made to him with respect to American rights?

Mr. O'SHAUGHNESSY. Madero was a great procrastinator. I think that he accepted in theory the demands of the American Government as just, but he continually put off a solution of anything. I remember when the question of these claims for the people killed during his revolution on the border came up, I suggested to him that these were very small claims, but they are very irritating to the American people, and some day you will get congressional action from the United States on these claims which will embarrass you still further. Why do you not pay them? Find out what will satisfy these people and settle them up, and I think it will save you much further embarrassment." He said that was a very good idea, but he never took any action until about a year afterward. Then Señor Pedro Lascurain took it up with Señor Calero, Mexican ambassador at Washington. I think Madero was willing to act promptly, but he did not have a well-organized government with him. You know he was sort of playing a lone hand; I mean he was not well supported. You remember how very irritating those claims were, for people who were shot on this side of the line during the Madero revolution, at Douglas and El Paso.

Mr. KEARFUL. What were Madero's ideas with respect to the Mexican Government? You say they were impracticable, and he practically stood alone.

Mr. O'SHAUGHNESSY. What were his ideas?

Mr. KEARFUL. Yes.

Mr. O'SHAUGHNESSY. Well, he wanted a division of a good many of the large estates, and he wanted to do it in a summary manner. At least, that was what he wanted to do in the beginning. Of course, there was a national organized opposition to such action.

Mr. KEARFUL. Was anything done during his rule to carry out that plan?

Mr. O'SHAUGHNESSY. I think, if my memory serves me right, that they passed a law in Congress appropriating large sums of money to buy certain lands, and distribute it among the peons, but I do not think that it was ever consummated. So far as the public domain went, those were very often the lands the peons did not want. The peon wanted the lands he was living on. The Mexican Indian is generally very fond of the land.

Mr. KEARFUL. They wanted the cultivated or improved land?

Mr. O'SHAUGHNESSY. Yes; but I think the whole Mexican land situation has been very much exaggerated.

Mr. KEARFUL. Is it a fact that much more was heard about it in this country than in Mexico?

Mr. O'SHAUGHNESSY. Yes; much more.

Mr. KEARFUL. What influence was exerted during the Madero rule by Gustavo Madero, the brother of the President?

Mr. O'SHAUGHNESSY. I think Gustavo practically ran the Government. I know the entire patronage of the Mexican Government was in his hands.

Mr. KEARFUL. Was his method of running the Government in accordance with the ideas of the President?

Mr. O'SHAUGHNESSY. No; I do not think they were. Madero, as he went on, became less theoretical and more practical. He was a much more practical politician toward the end than he was at the beginning, which, I suppose, was natural.

Mr. KEARFUL. How did the rule of Madero toward the end approximate the rule of Porfirio Diaz as to autocratic measures?

Mr. O'SHAUGHNESSY. It became very much the same toward the end.

Mr. KEARFUL. What was the reason for that?

Mr. O'SHAUGHNESSY. Because it is the only way you can rule the country.

Mr. KEARFUL. Were you in Mexico at the time of the overthrow of Madero?

Mr. O'SHAUGHNESSY. No; I was not. I was on leave then. I was appointed first secretary on the 12th of December, 1913, and I arrived back in Mexico on March 3, 1914.

Mr. KEARFUL. That was after Huerta had assumed the presidency?

Mr. O'SHAUGHNESSY. Yes.

Mr. KEARFUL. What opportunity did you have to become acquainted with Gen. Huerta?

Mr. O'SHAUGHNESSY. Well, after I arrived in Mexico and Senor de la Barra became president ad interim I met Gen. Huerta just as he was going out to Morelos on the first Zapata campaign.

Mr. KEARFUL. That was in 1911, was it not?

Mr. O'SHAUGHNESSY. Yes. Then I met him when he came back, had lunch with him several times. Then I saw him just before he went off on the Orozco campaign. That was in 1912, and our military attachés went with him in that campaign. So then when I went back to Mexico I knew Huerta well. I mean as one can know an official in a foreign Government.

Mr. KEARFUL. What opportunities did you have to become further acquainted with him after he assumed the presidency?

Mr. O'SHAUGHNESSY. Well, I found that the only way that I could get any results out of the Government was to get them through Huerta, so I was thrown in contact with him very often. In fact, upon one occasion I was instructed by Mr. Bryan to see the President and make a certain request.

Mr. KEARFUL. When you returned to Mexico as first secretary had Henry Lane Wilson, the ambassador, left?

Mr. O'SHAUGHNESSY. No. I returned on the 3d of March, and I think he went some time in April. I can not remember the date.

Mr. KEARFUL. That was in 1913?

Mr. O'SHAUGHNESSY. That was in 1913.

Mr. KEARFUL. What character of man was Gen. Huerta?

Mr. O'SHAUGHNESSY. Well, Huerta was a strong character. He had always been very much feared by Diaz. Diaz considered him

the strongest man in the Mexican Army. You know the old Diaz fear of a successful general. Huerta always kept his word with me. He liked Americans. In fact, of all the Mexican public men I knew I never saw one who really was so friendly toward Americans. I do not say toward the policies of our Government, but I mean toward Americans. He liked Americans. He realized that the progress of Mexico depended upon the amity of the United States.

Mr. KEARFUL. What was his attitude toward Americans with respect to affording them protection for property and other interests?

Mr. O'SHAUGHNESSY. I never requested protection from Huerta that he did not give it, if it was physically possible. Of course when the American Government requested protection for people who were in rebel territory he could not give it, but anywhere within the territory in his control he always extended protection.

Mr. KEARFUL. What was his attitude toward Americans after the taking of Vera Cruz?

Mr. O'SHAUGHNESSY. Well, I went to see him the morning that it was taken, and I spoke to him of the danger of an outbreak in Mexico City, and he said: "I shall see that that does not occur. I will have the evening papers censored and have the streets patrolled," which he did, and which I think shows a very broad spirit on his part, because the whole action was taken against him personally.

Mr. KEARFUL. What was the condition in Mexico City upon the taking of Vera Cruz with respect to actions of the mob?

Mr. O'SHAUGHNESSY. Well, they paraded about, sang patriotic songs, pulled down the statue of George Washington, and there were a few street fights, and they serenaded the embassy, but I went around the streets on all the days I remained there after the taking of Vera Cruz; went out every day.

Mr. KEARFUL. Did you know of any American being killed or assaulted?

Mr. O'SHAUGHNESSY. No, sir.

Mr. KEARFUL. Do you think that protection was due to the action taken by Huerta?

Mr. O'SHAUGHNESSY. Yes; I do. If Huerta had not issued the instructions that he did, there would have been very serious quarrels and riots. Of that I am convinced.

Mr. KEARFUL. Did you know John Lind?

Mr. O'SHAUGHNESSY. Yes.

Mr. KEARFUL. Were you at the embassy when he was sent to Mexico to deal with Gen. Huerta?

Mr. O'SHAUGHNESSY. Yes; I was in charge of the embassy.

Mr. KEARFUL. Can you state briefly what you understood his mission to Mexico to be?

Mr. O'SHAUGHNESSY. I understood that his mission in Mexico was to force the resignation of Huerta, to eliminate Huerta from Mexican politics.

Mr. KEARFUL. What was his mission further with respect to Huerta's successor?

Mr. O'SHAUGHNESSY. Well, Mr. Kearful, I really do not know that. I know that Mr. Lind was firmly convinced, at least, he gave me every reason to believe he was, that the only solution would be the triumph of the revolution under Carranza. Yes; Gov. Lind was a strong Carrancista.

Mr. KEARFUL. Were you present at an interview between John Lind and Mr. Gamboa, Huerta's foreign minister, when Mr. Lind presented his demands and instructions from President Wilson?

Mr. O'SHAUGHNESSY. Yes.

Mr. KEARFUL. What was the nature of Lind's attitude in his demands, with reference to their being peremptory or otherwise?

Mr. O'SHAUGHNESSY. Mr. Lind had a document signed by the Chief Executive of the United States, which he presented.

Mr. KEARFUL. Did he have anything to say in addition to presenting the document?

Mr. O'SHAUGHNESSY. Lind saw Gamboa on several occasions. I think I was present twice, and the other times I was not present.

Mr. KEARFUL. Do you remember whether Mr. Lind made any threat as to what would occur in case the demands made by him were not complied with?

Mr. O'SHAUGHNESSY. Yes. Mr. Lind gave the Mexican Government to understand that, after exhausting the various remedies which the American Government thought proper, they would use force.

Mr. KEARFUL. Shortly stated; did you understand him to say to Mr. Gamboa that if these demands were not complied with the United States would intervene by force?

Mr. O'SHAUGHNESSY. That was my understanding.

Mr. KEARFUL. When Mr. Lind arrived in Mexico, did he have any knowledge of Mexican conditions?

Mr. O'SHAUGHNESSY. I do not think he did.

Mr. KEARFUL. Did he know any Spanish?

Mr. O'SHAUGHNESSY. No. At least not to my knowledge.

Mr. KEARFUL. Did he undertake to inform himself upon any subject before he presented his demands to the Mexican Government?

Mr. O'SHAUGHNESSY. Well, Mr. Lind did his work, drew up his papers and documents, without any aid from me whatsoever, and I do not know what he studied or what he did.

Mr. KEARFUL. He presented his demands within a very short time after his arrival, did he?

Mr. O'SHAUGHNESSY. In a very short time; yes.

Mr. KEARFUL. Within a day or two?

Mr. O'SHAUGHNESSY. Yes. Within a day or two. The first interview, I think, was the second day after he arrived.

Mr. KEARFUL. Did you ever have any conversations with Mr. Lind in which he expressed his views in regard to what the trouble was in Mexico?

Mr. O'SHAUGHNESSY. Yes; I had a good many conversations with Mr. Lind along those lines.

Mr. KEARFUL. What did he say on that subject?

Mr. O'SHAUGHNESSY. Well, he was very bitter against the large English interests there, the large English oil interests, and he attributed Mexico's ills very largely to the religious situation and to the oil companies, especially Lord Cowdray.

Mr. KEARFUL. He thought the ills of Mexico were largely due to the influence of the Catholic Church?

Mr. O'SHAUGHNESSY. Yes; he stated that to me.

Mr. KEARFUL. Did he give any expression of his sentiments as to what should be done to remedy that condition?

Mr. O'SHAUGHNESSY. No; he did not.

Mr. KEARFUL. Did you have any conversation with him with reference to the persecution of the church and the killing of priests by the Carranza revolutionists?

Mr. O'SHAUGHNESSY. Well, I told him that I thought it was a very great mistake for the Government of the United States to ally itself with people who did those kinds of things, but I think he considered such acts were incident to a revolution.

Mr. KEARFUL. Do you remember, after he had failed in his dealings with the Huerta Government, that he went to Vera Cruz, and while he was there he made a trip to Pass Christian to see President Wilson?

Mr. O'SHAUGHNESSY. I do.

Mr. KEARFUL. Did you have any conversation with him after that, in which he expressed to you the sentiments of himself and President Wilson with respect to the killing of priests by the Carranza army?

Mr. O'SHAUGHNESSY. Yes; I did. He did not say those were the President's sentiments.

Mr. KEARFUL. What did he say? What was the conversation, and where did it occur?

Mr. O'SHAUGHNESSY. That occurred in Mexico City, after he came up the second time. You remember he came up, I think it was in November. He came up there for a few days, and returned to Vera Cruz.

Mr. KEARFUL. What was the conversation?

Mr. O'SHAUGHNESSY. Well, I do not remember the conversation very much in detail. Mr. Lind at that time was very prejudiced and very much under the influence of the extreme radicals in Mexico. He seemed at times overwraught and nervous.

Mr. KEARFUL. Can you state the substance of what he said on the subject mentioned?

Mr. O'SHAUGHNESSY. I had so many conversations with Mr. Lind, I saw him so often, as he lived in the embassy, that I can not remember in an exact manner exactly what he said.

Mr. KEARFUL. Were you present with him when something was mentioned about the persecution of priests by the Carranzistas?

Mr. O'SHAUGHNESSY. Yes.

Mr. KEARFUL. What, if any, remarks did he make expressing his sentiments in regard to it?

Mr. O'SHAUGHNESSY. Well, I considered that it was pleasing to him.

Mr. KEARFUL. Did you judge that from what he said?

Mr. O'SHAUGHNESSY. I judged that from what he said; yes.

Mr. KEARFUL. Did you get any impression from what he said as to whether President Wilson agreed with that sentiment on his part?

Mr. O'SHAUGHNESSY. No; that I did not. I can not go that far.

Mr. KEARFUL. Did he say anything that gave you to understand that he was not shocked by the fact that the Carrancistas had killed priests in the interior.

Mr. O'SHAUGHNESSY. No; I do not think it shocked him. The Carranza people evidently thought that these atrocities were not unpleasing to the American Government, and I do not think at that time that this Government made any protest to its accredited representatives with the revolutionists.

Mr. KEARFUL. Did you know of any expressions on the part of Members of the Cabinet or President Wilson excusing the excesses of the Carrancistas against the church?

Mr. O'SHAUGHNESSY. Yes. Secretary Baker, in the autumn of 1916, when these atrocities were mentioned in the campaign, made a statement that even our soldiers in the Revolution against England committed analogous acts, which, of course, is not borne out by history.

Mr. KEARFUL. Did he take the position that the Carranza revolution was on a par with our revolutionary movement?

Mr. O'SHAUGHNESSY. Yes.

Mr. KEARFUL. Did you come in contact with a great many Americans who were living and operating in Mexico while you were there?

Mr. O'SHAUGHNESSY. Yes. A great many of them.

Mr. KEARFUL. What character of people were they?

Mr. O'SHAUGHNESSY. Well, miners, lawyers, doctors, people in trades, oil operators. I think generally they were very representative and a very good element, and did more to make Mexico a modern country than any other foreigners.

Mr. KEARFUL. How did they compare with their fellow citizens in this country engaged in similar pursuits?

Mr. O'SHAUGHNESSY. I think they compared very favorably.

Mr. KEARFUL. Do you know whether they demanded or received any special privileges which gave them advantages over Mexicans or other foreigners operating in Mexico?

Mr. O'SHAUGHNESSY. I never knew of any. All the privileges were granted under general laws.

Mr. KEARFUL. Which were open to anybody who desired to take advantage of them?

Mr. O'SHAUGHNESSY. Which were open to anybody who desired to take advantage of them. The Government merely had to be petitioned and the necessary form gone through and they were open to the world.

Mr. KEARFUL. Were the Americans there generally a class of law-abiding people?

Mr. O'SHAUGHNESSY. Yes. While I was there there were exceedingly few cases where an American citizen was arraigned for any disorderly conduct or any breaking of the regulations of the Mexican Government.

Mr. KEARFUL. From your knowledge and experience in Mexico, what is your opinion with respect to the policy pursued by this Government toward Huerta?

Mr. O'SHAUGHNESSY. I think it was fundamentally wrong. Until the 4th of March, 1913, I was taught that the paramount interest of the country is the protection of the lives and property of its citizens, not the reforming of foreign governments or siding with the revolutionary movements against a foreign government, which have nothing to do with the interest of its citizens or their property; but the present administration does not seem to think so. By the recognition of the Huerta government we would have continued in Mexico an organized government which we could have dealt with and which would have lived up to its international agreement with the United States, for the Huerta government was exceedingly anxious to have the good will of the United States, and Gen. Huerta realized that without the

good will of the United States no Mexican government can exist, as has been amply proven by the history of Mexico during the last six years.

Mr. KEARFUL. Did you ever know of any other incident in the diplomatic history of the United States in which this Government undertook to eliminate the de facto head of a foreign government and to say what sort of a government the people should have?

Mr. O'SHAUGHNESSY. No. Of course, this Government did take action against Maximilian, which was perfectly natural, as the establishment of Maximilian's government there would have been very repugnant to our ideas and would have been an infraction of the Monroe doctrine. It was a case of self-protection.

Mr. KEARFUL. That was the establishment of a government in Mexico by European powers, was it not?

Mr. O'SHAUGHNESSY. Yes.

Mr. KEARFUL. But with respect to the establishment of a government by the people themselves?

Mr. O'SHAUGHNESSY. Never. But we seem to be in an era of meddling.

Mr. KEARFUL. What have you observed to be the results of the policy that were produced with respect to the eliminating Huerta and the substitution of a government of our own choice?

Mr. O'SHAUGHNESSY. Well, the present chaotic state of Mexico. That is the best answer to that, I think.

Mr. KEARFUL. Did Gen. Huerta ever give expression in conversations with you to his estimate of what the revolutionists would do if they should come into power by the aid of the United States?

Mr. O'SHAUGHNESSY. Yes. He said that by his overthrow organized government would cease to exist in Mexico, and that the revolutionary party would never be able, in his opinion, to bring about organized and orderly government. I telegraphed the Department of State once a statement that Huerta made along those lines. I can not remember the exact wording of it. I likewise informed the Department of State fully as to the anti-Americanism and dislike of the United States of Carranza.

Mr. KEARFUL. The anti-American attitude of Carranza?

Mr. O'SHAUGHNESSY. Yes. I mean his dislike of the United States.

Mr. KEARFUL. Do you remember in one of Huerta's conversations with you, of which you made a memorandum, he stated something like the following: "The present task in Mexico is not one of establishing democracy, but of establishing order. Before peace can be established in Mexico there must be a general reconstruction of the system of government, as opposed to that established by Porfirio Diaz, whose government, however, was a necessity of the times and circumstances. I do not criticize the rebels of the north thoughts, but they will never, in the event of their triumph, be able to establish a government in Mexico, and one of their first acts, if they ever do triumph, will be to turn upon the United States, whom they are now praising"?

Mr. O'SHAUGHNESSY. I remember that perfectly; yes.

Mr. KEARFUL. Do you know whether the rebels, after they triumphed, did turn upon the United States?

Mr. O'SHAUGHNESSY. I think that it is a known fact that they did. They did not join with this country in the war, but did what they

could to give comfort to its enemies. They passed laws which have embarrassed foreigners, and, of course, Americans, in the carrying out of their business. They have certainly shown no friendship toward the United States in any way. More Americans have been murdered in the last six years than ever before. I think that is a fact, is it not? None of the outstanding questions have been settled.

Mr. KEARFUL. The records show that. Did you ever have any reason to believe that our ambassador to Mexico, Mr. Henry Lane Wilson, was concerned in the effort to overthrow Madero, or had any knowledge of the assassination of Madero until afterwards?

Mr. O'SHAUGHNESSY. I am convinced that Mr. Wilson had no fore knowledge and nothing to do with it in any way whatsoever, and I never found any evidence of such knowledge during my time in Mexico. Mr. Wilson simply did what was the best to do at the time, and he should have received the thanks of the administration instead of the treatment which he did receive.

Mr. KEARFUL. Do you know what the feeling was among the Americans in Mexico as to the work that was done by Henry Lane Wilson?

Mr. O'SHAUGHNESSY. The feelings of Americans in Mexico, without exception, was one of satisfaction and commendation.

Mr. KEARFUL. Have you any opinion that you care to express as to what this country ought to do, if anything, to protect Americans in Mexico or prevent the recurrence of the outrages that have been perpetrated upon them?

Mr. O'SHAUGHNESSY. If this Government had held the present Mexican Government to its obligations, and not let the matter slide along and merely protest, it would have had much more effect. If they can kill Americans with impunity and only receive protests, of course, it does not deter them from doing it in the future.

Mr. KEARFUL. What is your opinion as to what ought to be done in the present state of affairs, if anything?

Mr. O'SHAUGHNESSY. Well, at the present moment I do not know very much about the relationship of this Government to the Mexican Government, nor do I know how far the Mexican Government is able to protect Americans. I do not believe that the present Mexican Government worries itself very much about the protection of Americans, if it could I doubt if it would do better.

Mr. KEARFUL. But you believe that American citizens who have gone to Mexico on the invitation of the Mexican Government, guaranteeing them the protection of its laws, are entitled to receive it, do you not?

Mr. O'SHAUGHNESSY. Certainly, I believe they are entitled to receive it, but if their own Government will not support them how can we expect the Mexican Government to take its obligations very seriously?

Mr. KEARFUL. What, in your opinion, ought to be done to remedy that situation?

Mr. O'SHAUGHNESSY. The Mexican Government should be told that they must live up to their international obligations or the United States will follow out that which may be best in its opinion to enforce those obligations.

Mr. KEARFUL. Would you stop at telling them that?

Mr. O'SHAUGHNESSY. No; I would not.

Mr. KEARFUL. Do you think that such a statement would be respected by them?

Mr. O'SHAUGHNESSY. If they believed that it meant action, it would be respected.

Mr. KEARFUL. After many demands which have not been followed up by action, what do you think would be necessary to make them believe that action would follow?

Mr. O'SHAUGHNESSY. A time limit; that certain things must be done within a certain time.

Mr. KEARFUL. If there is nothing done, what should follow?

Mr. O'SHAUGHNESSY. That would have to go to Congress.

Mr. KEARFUL. Would you be in favor of armed intervention by this country in Mexico, if the present attitude of the Mexican Government should be continued?

Mr. O'SHAUGHNESSY. Well, I would only be in favor of a temporary intervention as a very last resort, after the exhaustion of all other remedies.

Mr. KEARFUL. What course do you think that such intervention should take, other remedies being exhausted?

Mr. O'SHAUGHNESSY. Blockading of their ports, closing of the northern frontier, various coercive measures which could be brought to bear upon them. I think it is a very remote necessity, and I trust that we will get a Government in Mexico in the near future that will be prepared to live up to its obligations, and that we will be able to establish an era of good feeling between the two countries. I have never been an interventionist, and I like the Mexican people exceedingly, and I believe they have within their borders men who can govern the country properly.

Mr. KEARFUL. What do you think about the large number of Mexicans who are exiled from their country; as to whether they are of the type that can be relied on for the establishment of a Government?

Mr. O'SHAUGHNESSY. I think some of the best men in Mexico are exiled. The Mexican Government should grant a general and unconditional amnesty to all refugees.

Mr. KEARFUL. Do you believe it would be worth while to take coercive measures merely for the temporary purpose of compelling a compliance with demands?

Mr. O'SHAUGHNESSY. No; I do not.

Mr. KEARFUL. Do you think that any measures that might be taken should be toward the establishment of permanent peace?

Mr. O'SHAUGHNESSY. Toward the establishment of a permanent government, with which we could do serious business.

Mr. KEARFUL. What have you observed as to the influence of the Catholic Church in Mexico upon the natives, as to whether it has been good or bad?

Mr. O'SHAUGHNESSY. Well, the Catholic Church is the traditional church of Mexico and the majority of Mexicans, of course, are Roman Catholics. So far as the educational system of Mexico is concerned, that was taken out of the hands of the church in 1857 and taken over by the Government, and if the Mexicans are uneducated it is because the Government has not lived up to its promises.

Mr. KEARFUL. Has it been your observation that the principal educational work that has been done in Mexico has been done by the Catholic Church?

Mr. O'SHAUGHNESSY. Well, all the famous men in Mexico before 1857 were educated by the church, by the Catholic schools. There has never been real popular education in Mexico. There are many parts of Mexico where the school houses were built by the Government but no teachers provided. Huerta told me that the crying necessity of Mexico was teachers.

Mr. KEARFUL. In view of the fact that the great majority of the Mexican people are Roman Catholics, and the further fact, as I understand you, that the influence of the Catholic Church in Mexico has not been a bad thing for the people, how do you account for the persecution of the Catholics as an organization on the part of the Government of Mexico?

Mr. O'SHAUGHNESSY. Well, that is a traditional matter. That comes down from the days of the Wars of Reform, and from the time when the great Catholic organization owned the richest lands in the country. In Mexico that is traditional.

Mr. KEARFUL. Mr. Lind, in his testimony, referred to the Catholic party in Mexico as a political party, which, if its principles were supported by the people, might very well control the Government. What do you know about the Catholic party?

Mr. O'SHAUGHNESSY. The Partido Catolico was in a way the successor of the old conservative party in Mexico but I think it was very short lived.

Mr. KEARFUL. When was it established?

Mr. O'SHAUGHNESSY. I do not really know. I know that in the Madero elections of 1911 they played a certain part and worked for Madero, and I think took a certain part in several of the subsequent elections, but I never knew. I was never intimately connected with any of the leaders of it. I could not very well be connected with any political movement in the country.

Mr. KEARFUL. Do you know whether it was a party dominated by the church, or whether it was a party of citizens?

Mr. O'SHAUGHNESSY. I think it was a party of citizens who were opposed to religious persecution, which exists in many Latin countries where anticlericalism is active.

Mr. KEARFUL. What do you understand to be the basis for anticlericalism?

Mr. O'SHAUGHNESSY. I think anticlericalism has a traditional basis, and comes from the days of the clerical domination and participation in the civil affairs of the country. It is also anti-Christian, and not only anti-Catholic.

Mr. KEARFUL. It has been testified here that the basis of anticlericalism in Mexico is that the church teaches morality and stands for law and order and is opposed to revolutionary movements and revolutionary governments founded upon loot and graft.

Mr. O'SHAUGHNESSY. That is true. The Catholic authorities in Mexico have always stood for peace and order.

Mr. KEARFUL. What do you know about the methods of holding elections in Mexico? Did they ever come under your observation?

Mr. O'SHAUGHNESSY. Well, I know that very few people vote, and a good many people do not vote because they are afraid if they vote, and the party they vote against gets into power, they fear reprisals. The Indians fear that it will lead to their being taxed and conscripted for the army.

Mr. KEARFUL. In holding elections, every man must state publicly for whom he votes?

Mr. O'SHAUGHNESSY. They have not the secret ballot there, as far as I know. I never investigated their forms, but I do not think they have the secret ballot. The votes are in most cases not counted. I remember after the Madero election, when no other serious candidates were in the field excepting Madero, I went into the House of Deputies, where I saw in a room there stacks and stacks of ballots which had come in from various parts of Mexico and had never been opened or counted.

Mr. KEARFUL. After the result of the election had been declared?

Mr. O'SHAUGHNESSY. Yes.

Mr. KEARFUL. Did you observe the manner of holding elections that took place during the time of Huerta?

Mr. O'SHAUGHNESSY. Well, I know that an election did take place. I presume it was very much along the same lines as other elections in Mexico.

Mr. KEARFUL. You did not visit any of the polling places?

Mr. O'SHAUGHNESSY. No; but I believe it represented the will of the people as much as any other election.

Mr. KEARFUL. In other words, you think that the elections in Mexico generally do not represent the will of the people?

Mr. O'SHAUGHNESSY. Up to the present time they certainly do not.

Mr. KEARFUL. Do you think it is possible to hold an election in Mexico which would be free and fair as it is understood in this country?

Mr. O'SHAUGHNESSY. I think it would be possible, but I think it would be very difficult and improbable.

Mr. KEARFUL. Do you believe it would be possible for any candidate who might be opposed by the governmental authorities to take his seat as a result of the expression of the will of the people?

Mr. O'SHAUGHNESSY. No; I do not.

Mr. KEARFUL. Mr. Buckley, in his testimony before the committee, referring to the attitude of Mr. Lind, said:

> In a conversation with Mr. O'Shaughnessy, on a remark of the latter that he had just received a report to the effect that several Catholic priests had been killed, Mr. Lind stated that this was good news, that the more Catholic priests they killed in Mexico the better it would suit him, and the more pleased the President would be.

When Mr. Lind was testifying he was asked whether he made any such statement to you, and he denied having made any such statement, most positively and emphatically, and further testified that he had never stated that he attributed the ills of Mexico to the Catholic Church, and denied that he ever entertained such sentiments. Is it true or not that Mr. Lind made any such statement to you in respect to the killing of Catholic priests?

Mr. O'SHAUGHNESSY. I regret very much to say that Mr. Lind did make that statement. I must add, however, that he did not, to my memory, bring in the name of the President of the United States. He did not say anything about the President.

Mr. KEARFUL. Did that conversation occur after his visit to the President at Pass Christian?

Mr. O'SHAUGHNESSY. Yes.

Mr. KEARFUL. Did you receive any impression from his conversation with you as to whether the President disagreed with him in regard to his sentiments?

Mr. O'SHAUGHNESSY. I have no impressions along those lines. The whole policy of the administration toward Mexico from March 4, 1913, to the present day, and especially the taking of the Port of Vera Cruz, by which we broke a treaty, is so preposterous and so damaging to our good international name that the sooner we forget about it I think the better. It was brutal, unwarranted, and stupid, and has harmed us greatly in Latin America.

Mr. KEARFUL. Are there any other matters you care to mention?

Mr. O'SHAUGHNESSY. Not that I can think of at the present moment.

Mr. KEARFUL. That is all I care to ask you.

(Whereupon, the committee adjourned subject to the call of the chairman.)

WEDNESDAY, MAY 5, 1920.

UNITED STATES SENATE,
SUBCOMMITTEE ON FOREIGN RELATIONS,
Washington, D. C.

Testimony taken at Washington, D. C., on May 5, 1920, by Francis J. Kearful, Esq., in pursuance of an order of the subcommittee of the Committee on Foreign Relations of the Senate.

TESTIMONY OF G. W. BARTCH.

(The witness was duly sworn by Mr. Kearful.)

Mr. KEARFUL. You may state your full name.

Mr. BARTCH. G. W. Bartch.

Mr. KEARFUL. Where do you live?

Mr. BARTCH. Salt Lake City, Utah.

Mr. KEARFUL. What is your profession?

Mr. BARTCH. Lawyer.

Mr. KEARFUL. You have been summoned to give the committee the benefit of your knoweldge of Mexico, based upon your experience and your investigations. What opportunities have you had to learn conditions in Mexico?

Mr. BARTCH. Before the revolution I was in Mexico a number of times. The first time I went down to Mexico was in 1907, to make an examination of some mining districts and the mining law in Mexico, and mining districts in the State of Oaxaca, with a view to the tonnage that would come to a railroad. I was sent there by some people in New York, or in the East. I made an examination and a comparison of the mining laws of Mexico with our own mining laws and reported to them. I believe I stated that was in August, 1907. I went down in July and came back in August.

Mr. KEARFUL. What sort of experience did you have in Mexico?

Mr. BARTCH. The parties then obtained a concession from the Mexican Government to build a railroad from Salina Cruz to Acapulco, and from the junction of the Rio Verde River to the City of Oaxaca, and I became general counsel. After that I made a number of trips down to Mexico City and to the City of Oaxaca and that southern country, until October, 1911, which was the last trip I made in the interests of the company.

Mr. KEARFUL. What sort of experience did you have personally in the country?

Mr. BARTCH. Well, I organized a holding company for them, for the railroad company. The railroad company was organized under

the laws of New Jersey, and the holding company under the laws of Arizona. Then I went with them over the line of the road, and was sent down afterwards to purchase the Oaxaca and Ejutla Railroad, which I did purchase. I looked over the line in the Valley of Oaxaca, and visited several other mining districts a number of times, and in the course of my employment I had considerable business at Mexico City with the department of the Government, and I became acquainted with a number of leading Mexicans, including President Diaz and Senator Tomacho, Senator Jose Castelasos, and Gen. Aguilar, who was chief of President Diaz's staff. I became acquainted also with a number of attorneys there. Lic Gande was one, and Lic Vasconcelos.

Mr. KEARFUL. What was the nature of the railroad concession that you mentioned?

Mr. BARTCH. The railroad concession gave the corporation the right of way over the national lands, along the entire line, and also facilities at Acapulca and Salina Cruz, and in harbors along the coast, and made connections with the City of Oaxaca and the Mexican Southern road there, and a narrow gauge running into the City of Oaxaca from Puebla, for a period of, as I now recollect it, 10 years. It may have been longer. It also provided that they should take in all their material from foreign countries free of duty and exempt from all taxes, state or national, as I now recollect, for a period of 15 years. It was quite a valuable concession.

Mr. KEARFUL. And in consideration of those privileges and exemptions, what was the concessionaire required to do?

Mr. BARTCH. He was required to build the road and complete it within a certain time.

Mr. KEARFUL. What security did he have to give, if any?

Mr. BARTCH. To put up, as I recollect it, $96,600 in Mexican internal bonds. I am not sure of that term, but it was Mexican bonds. I think it was internal bonds. They bore 3 per cent interest, I think. That was put up by them.

Mr. KEARFUL. What became of that security?

Mr. BARTCH. It is still there, so far as I know.

Mr. KEARFUL. Was the road ever built?

Mr. BARTCH. The road was not built.

Mr. KEARFUL. Why not?

Mr. BARTCH. On account of the revolution. I might say here that during my visits down there in President Diaz's reign we found everything very agreeable. There seemed to be peace everywhere. We were not disturbed. In fact, so far as my own personal treatment was concerned, it could not have been better. I do not recollect of ever having an improper word said to me. I felt perfectly free. I slept with the people in the mining camps and on the ranches, where they had no locks or doors, and never had anything disturbed. In the city of Oaxaca, I used to sleep with my doors and windows open, and when I went away for a number of days or for a longer period I left my things right in my room and had nothing disturbed. The country was under admirable control, as I thought. I felt just as safe there as I did in Salt Lake City, as far as that is concerned. That continued until after the revolution broke out.

Mr. KEARFUL. Just a moment, before you go into that. Are you more or less familiar with the policies of the American Congress in

the past in granting aid to the construction of transcontinental railroads across the western part of the United States?

Mr. BARTCH. My recollection of that is that the American Congress issued bonds to the Union Pacific from Omaha to Ogden in the sum of $25,000,000, and to the Central Pacific from Ogden to San Francisco in the sum of $27,000,000, and in addition to that granted them every alternate section of Government land on each side of the railroad for a distance of 20 miles.

Mr. KEARFUL. And in the case of the disposal of any of these lands before the definite location of the road, lands to a further extent were granted in lieu of those?

Mr. BARTCH. Yes, sir; that is my understanding.

Mr. KEARFUL. Do you remember whether it was a general practice to make these large land grants to aid in the construction of railroads?

Mr. BARTCH. I think so.

Mr. KEARFUL. Were there any grants of land, or grants of money or bonds to the railroads that you had to do with in Mexico?

Mr. BARTCH. No; we had no subsidy. I might say now that it was understood that we had one of the best concessions that had been granted there, but there was nothing of that kind granted.

Mr. KEARFUL. That is, the concession you obtained was considered more favorable than those under which the other roads had been constructed?

Mr. BARTCH. It was considered quite favorable. We were better protected than others, and we had these exemptions from taxation.

Mr. KEARFUL. What would have been the results to the country, by way of benefits or otherwise, by the building of that railroad you have mentioned?

Mr. BARTCH. Well, the building of that railroad would have made a connecting link between the Guatemalan Railroad with the Mexican Central and other roads in Mexico City, connecting at the City of Oaxaca with a narrow gauge, but in contemplation finally for us to build to Mexico City. However, we had no concession for that. Under Diaz's administration, though, I think we could have gotten it. That would have meant a transcontinental line through both countries clear up to Canada, and to my mind would have established a great transcontinental line which would have been of great benefit to the two countries, and would have been of immense benefit and interest to Mexico in getting a market for the produce of that southern country, and also to this country in getting the advantage of the Mexican products, and Mexico's other resources, hidden resources, that were not yet developed.

Mr. KEARFUL. Did you ever personally have a conversation with Porfirio Diaz, in which he expressed his sentiments in regard to the desirability for Mexico of encouraging Americans and American capital to come into that country?

Mr. BARTCH. Yes, sir.

Mr. KEARFUL. Please state what sentiments he expressed in that regard.

Mr. BARTCH. Gen. Humphrey and I and several others, I do not recollect them all, now, called on Porfirio Diaz in 1907, and had an interview with him, through an interpreter. The President

could talk English some, but in his interviews he generally talked through an interpreter. The interview was very pleasant and very satisfactory. He said, referring to the people there, "We like you Americans. You are a progressive people. We like to have you come among our people, so that our people will learn your ways. Our people don't know. They have not had the opportunity and they are not educated as your people. We must educate them."

On another occasion, a friend of mine said to me, and I am not sure whether that was not also stated in that interview, that in reference to the political conditions there, "Our people can not vote as your people. They are not educated. We must educate them, and then they can vote the same as the people of the United States."

He expressed himself quite forcible to me frequently, in regard to our colonies of Americans, or American colonies. He said they were industrious, and if I mistake not he said they were the best colonists they had had, and spoke of some of the fruit and various things they cultivated in tilling the soil. It was not alone Porfirio Diaz, but those who were interested with him. They seemed to be very friendly.

I talked with Senator Jose Castelasos many times on that subject. He had been three times President of the Mexican Senate, and was a scholarly gentleman, a man that probably understood Mexican affairs as well as any other man in Mexico.

Mr. KEARFUL. By the way, do you know where Senator Jose Castelasos is now living?

Mr. BARTCH. The last I heard of him, I had a card from him not long ago, he was still in New York.

Mr. KEARFUL. He is living there as an exile from Mexico, is he?

Mr. BARTCH. Yes, sir. He was well versed in governmental affairs, and he took me on several occasions to the Mexican Senate, when it was in session, and I met quite a number. At that time they had some strong men. There is no doubt about that. There were a number of other men I became acquainted with, among them Francisco de la Barra.

Mr. KEARFUL. He also is exiled, is he not?

Mr. BARTCH. That is my understanding. Limantour was a strong man, a strong financier. So was Gamboa. Gamboa was a great statesman, in my opinion.

Mr. KEARFUL. He was Secretary of the Ministry of Foreign Relations?

Mr. BARTCH. He was the secretary under the Huerta administration.

Mr. KEARFUL. He was subsecretary under Diaz?

Mr. BARTCH. Yes. There was a strong coterie of men there that were capable of running the Government.

Mr. KEARFUL. What was the attitude of Porfirio Diaz and the other official Mexicans toward the Mormon colonies in the northern part of Mexico?

Mr. BARTCH. Quite favorable, as far as I could ascertain.

Mr. KEARFUL. Were they glad to have them there?

Mr. BARTCH. Yes.

Mr. KEARFUL. Have you had special occasion to know just what the Mormon colonies did in Mexico?

Mr. BARTCH. Well, in my investigation as an attorney. I never was at the colonies.

Mr. KEARFUL. What did you learn in respect to the number and extent of the colonies, and what they were doing for themselves and for the development of the country?

Mr. BARTCH. In my investigation I learned that when they first went there the country was generally barren, much the same as our own country was in the West. The same great range of mountains, the Rocky Mountains in our country, extends down through Mexico and becomes the "Sierra de Sur and Sierra Madre." They began to cultivate the land and build homes, and soon began to have large tracts of land under cultivation, and they organized town sites and built up towns.

The towns of Colonia Diaz, Colonia Juarez, Colonia Dublan, Colonia Garcia, Colonia Pacheco, Colonia Chuachupa, Colonia Morelos, Colonia San Jose, were all towns of that character, which were built up principally by the Mormon people, although, of course, a good many Mexicans live there also. When they went in there at first, especially at Colonia Pacheco, and Colonia Chuachupa, they had a good deal of trouble with the Apache Indians. That was in their early history. They got rid of those, and got the country in a condition that it could be settled.

Mr. KEARFUL. That was back in the eighties, was it not?

Mr. BARTCH. Yes; that was a long time ago. But some of them went into that country at that time. At that time it was a dangerous thing. The Mexicans themselves at that time could not do anything.

Mr. KEARFUL. Did they use modern methods of farming and bring blooded stock and things of that king into the country?

Mr. BARTCH. The evidence shows that decidedly. They had very good stock, cattle, and horses. I think the record shows in that line perhaps about the same as it would in our own country. And they planted orchards, and had an abundance of fruit, and raised all sorts of things that are raised in that climate.

Mr. KEARFUL. What kind of houses did they have, compared with the Mexicans?

Mr. BARTCH. Some of them had very fine houses—many of them had, compared with the Mexicans. Of course, you would say the Mexicans had huts, while you would say the others would be dwellings. Gen. Salazar himself said the Mexicans lived in huts while the Americans lived in mansions.

Mr. KEARFUL. What sort of people were those Mormons, as to being peaceable and law-abiding?

Mr. BARTCH. The Mormons, as far as I could ascertain, were generally peaceable. They are a peaceable people, they are an industrious people. As far as I could ascertain, they were the same in Mexico, and as far as my research went they complied strictly with the laws of Mexico.

Mr. KEARFUL. Did they ever have any trouble with the Mexicans up to the time of the Madero Revolution?

Mr. BARTCH. Not that I ever heard of. I don't think I have in the record anywhere any serious trouble. The fact is, up to that time the Mexicans and the Americans were friendly. There was a friendly feeling among them. Quite a number of Mexicans joined

the Mormon church and they had their representatives among them, and they seemed to live in peace and harmony with each other. There was very little difficulty in any way, either between this Government and the Mexican Government, or between the people.

I might suggest here that under the treaty of Guadalupe Hidalgo there are strong provisions between the two countries, and it seems to me that at the time when that treaty was made that it was made to induce people of the one country to settle in the other, for the purpose of establishing commercial relations between the two countries, and they were to enjoy the protection that would be due to any first-class nation, and the right to be inviolate in their homes and in their religion.

The result was that many of the Americans settled in Mexico, and a great many Mexicans settled in this country. They have had our protection; they have had the same recourse to our courts that the American people have had. That was probably true during the Diaz administration in Mexico. I might say that in my interview with him I became impressed with him as one of the greatest rulers of that day. He understood his people. He handled them the only way that I have been able to figure out how they could be handled, and under those circumstances there was very little trouble.

And further, he developed the country. When Porfirio Diaz became President of Mexico, I think all Mexico had about 385 miles of railroad. That was, I believe, in 1885. When he was forced to abdicate there was, as I recollect, 17,000 miles of railroad. When he went into power the mining interests, so far as smelters and such like were concerned, if there were any, they were very few, and they were of an inferior character. When he left there they had some of the best smelters that are found in either country. As is well known, the American Smelting & Refining Co. had large interests there. Mexico was being developed rapidly.

Mr. KEARFUL. Mr. William Jennings Bryan has this to say, in the Commoner of January 30, 1903, stating of Porfirio Diaz:

> With the exception of one term he has been President since 1876, during which time he showed wonderful ability, and it is doubtful if there is in the world to-day a chief executive of greater capacity and devotion to his people. Certainly, no people have made greater relative progress than the Mexican people have made under the administration of Porfirio Diaz. Education has been promoted, law and order established, agriculture developed, commerce stimulated, and nearly every section of the country connected by railroad with the capital.

Does that accord with your knowledge of President Diaz?

Mr. BARTCH. It does. I will say here that President Diaz's intention was to establish a system of education throughout Mexico. He had established many schools in the southern part of the country. I visited one about 5 miles east of the city of Oaxaca. It was taught by a bright Spanish girl. She had excellent decorum, and they seemed to be getting along nicely. The children were dressed nicely. That was the only school that I visited. I simply wanted to see what they were doing. But I was informed by different parties there that they were pretty well established in that southern country at that time, and I saw a number of photographs that were taken of schools that showed them very nicely. I also was invited to an interview with Archbishop Keilo of the city of Oaxaca, and

he gave me a great deal of information in that respect. He stood high with the Mexican Government at that time, under President Diaz. He also described those schools in a similar way, and what they intended to do, and what ought to be done.

Mr. KEARFUL. What have you observed as to the influence of the Catholic Church in Mexico; whether it was good or bad for the people?

Mr. BARTCH. I never investigated that subject to any considerable extent. I became acquainted with a number of them, and among them Archbishop Keilo, who was a very high-toned gentleman, and from the sentiments that he expressed to me I would think that their influence would be good, would not be detrimental to the Mexican people. The church itself, however, in the past, as is well known, influenced the nation politically and otherwise, no doubt about that, but I think there was a great change after President Diaz took hold of reins.

Mr. KEARFUL. Do you remember that the change took place during the time of President Juarez, and the adoption of the reform laws?

Mr. BARTCH. Yes, sir.

Mr. KEARFUL. Did you judge from your contact with the church dignitaries as to whether they stood for law and order and morality and education?

Mr. BARTCH. They always expressed themselves that way to me. In some respects their laws are better than ours. Their mining laws are decidedly better, in my judgment.

Mr. KEARFUL. In the course of your investigations, did you learn of a plan on the part of certain radical elements in Mexico to drive out the Americans and take away their properties?

Mr. BARTCH. I did.

Mr. KEARFUL. When was that plan originated?

Mr. BARTCH. As near as I can locate it, it was conceived about the time of the fomenting of the Madero revolution.

Mr. KEARFUL. What was the plan, as you learned it?

Mr. BARTCH. The plan was to overthrow the government of Porfirio Diaz and to drive all the Americans out of Mexico and divide their property.

Mr. KEARFUL. Was the slogan under that plan, "Mexico for the Mexicans"?

Mr. BARTCH. "Mexico for the Mexicans," and "The United States for the Gringos."

Mr. KEARFUL. Did you understand that the phrase "Mexico for the Mexicans" as they used it meant property of the Americans and other foreigners for Mexicans?

Mr. BARTCH. Yes, sir; their entire property.

Mr. KEARFUL. Prior to that time, what was the relation as to good feeling or otherwise between the Americans and Mexicans?

Mr. BARTCH. There was a very good feeling, as the evidence shows, a very good feeling between the Mexicans and Americans. They mingled among each other, and there seemed to be no difficulty, as far as I could discover. In fact, I have taken a good deal of evidence to support that.

Mr. KEARFUL. Was it about the time of the conception of this plan that this feeling on the part of the Mexicans began to change?

Mr. BARTCH. Right after the breaking out of the revolution in 1910, when the first of it became known, the feeling began to change. When the rebel soldiers began to make their invasions through those northern district they created an anti-American sentiment, and it was part of their plan to do that. Their first invasions were not so bad as they become afterwards.

Now, on that subject, with your permission I would like to refer to the testimony of a few of their fights to show you what I base my conclusions on. Some time before the breaking out of the Madero revolution a committee of prominent Mexicans called upon a gentleman by the name of Henry A. Martineau, who was an American, and wanted him to join their cause. They told him there would be a revolution, and they wanted him with them. They divulged their plans to him. He did not remember the exact date when they came to him and told him there would be a revolution to overthrow the government of Porfirio Diaz and to drive the Americans out of Mexico, except those who would be with them, and they wanted to know whether he would join them. All those who favored President Diaz were to be run out. He replied that he could not join them; that he himself was an American, and in case anything of that kind occurred he would remain neutral. He said he tried his best to get them to desist from it, told them that it would mean a great loss of life and a vast expenditure of money, advised them not to attempt it, that the country was doing well, and strongly advised against it. They said, when he told them he could not join them, it made no difference, the revolution was bound to come. Then he asked them when it was to break out. They would not give him the date, but said it would be soon. He was at the town of Madero at that time.

From the talk he had with them he was very deeply impressed. He felt that he could make no impression on them to desist from it; that they were determined to proceed. He then went to his home at Chuachupa to watch events. He said that when the revolution broke out the proceedings of the military forces were substantially as they had outlined them to him; that is, their proceedings toward the Americans and foreigners. They created an adverse sentiment against foreigners, a hostile sentiment, and that was directed especially against Americans. After the breaking out of the revolution, they began hostile invasions. Their armies would appear at the homes of Americans, at their fields, cut the fences, tear them down, and turn their army horses into their crops, growing crops, and into their gardens. They became more and more violent as time passed, and the Americans found that their appeals to the officials were useless. They were received either with indifference or insolence, and they could get no protection.

Mr. KEARFUL. That was during what was known as the Madero revolution?

Mr. BARTCH. Yes, sir.

Mr. KEARFUL. And, subsequently, after Madero came into power and the Orozca revolution started, what acts were then committed showing the carrying out of this same plan, if any?

Mr. BARTCH. They continued just the same. I would like to refer to several of these people to show what I base my conclusions on in that respect. The plan was afterwards on various occasions an-

nounced publicly in speeches of generals and leading Mexicans, leaders in Mexico, and I wish to refer to a few of those. The officials, military and judicial, all seemed to be imbued with the same spirit.

Gen. Jose Inez Salazar at that time was one of the leading generals in the Madero revolution and had charge of that district. He made a speech at Pearson, which I can probably better state in the language that was testified to than to state it otherwise.

Mr. KEARFUL. It was reported verbatim in Spanish and translated into English, was it?

Mr. BARTCH. That speech was not, but it is given here, and I will simply state this as the witness has stated it.

As an instance of the speeches made by Mexican leaders, calculated to incite Mexican soldiers and subjects to violence against American citizens, I refer to a speech made by Gen. Jose Inez Salazar at Pearson, July, 1912.

Now, that particular speech was reported to him by Hiram Turley, who was at the meeting, and several other Americans were also at the meeting. His speech impressed Turley and all of them very much, because they saw there would be trouble. In the course of his speech he said that Gen. Salazar stated:

> Look at the homes that these gringos live in; look at the huts that you Mexicans live in; look at the fine clothes that these gringos wear; look at the rags you Mexicans wear. All of this property belongs to you. These gringos must be run out of the country, and the property divided among Mexicans. Mexico is for Mexicans, and the United States for the gringos. We have tried to make them fight. We have killed their people and robbed them, ravished their wives and daughters, and done everything we could to make them fight, but they dare not fight. They are all cowards, and their President is a cowardly dog and dares not defend them. Under Diaz they flourished, but now there is a change in the Government and we will drive them out of the country.

The witness stated that when Turley reported the speech to him, which was afterwards corroborated by other Americans who were there, it impressed him very much from the fact that this committee of prominent Mexicans had divulged their plans to him and this was in line with what they had stated would be the result of the revolution.

Now, on that same line, I refer to the case of Albert D. Webb. He stated that about the middle of June, in 1912, when the army of Gen. Augustin Sanjilez was invading Colonia Morelos, in the State of Sonora, there was one of his officers boarding at the same place of the fight, and the officer in talking to a lady guest asked her, "How would you like to see the colony of the Mormons made desolate?" She said that she thought that she would not like to see it. The officer then stated, "You will see it in a short time. It will not be long before it is done."

He states that all along until the Americans were finally driven out of Mexico their actions and conduct had the appearance of a concerted movement among the Mexican military forces and hostile nationals that were operating with them to drive the Americans out of the country, who were subject to the command of Gen. Jose de La Luz Blanco, and they informed him that the plan of the Mexicans was to drive the Americans out of Mexico and own their property and homes, and that they described to him certain concessions

of land granted by the Mexican Government to Americans, and lands acquired and owned by Americans, and stated that they would all have to leave Mexico.

Now, while we are on this subject, I presume we may as well dispose of these different points?

Mr. KEARFUL. Yes.

Mr. BARTCH. The testimony that I wish to refer to is that of Milton G. Trejo. Mr. Trejo was an old gentleman—I think he was past the age of 70. He lived in Colonia Chuachupa. He was there when the Mexican Army drove the Americans out of that town. He was the only American that was left in the town. He had a Mexican friend who was with him, and he had charge of his farm, a tract of 80 acres, and was living at his home. He found that while the Mexican had charge of that when he was there he felt safe, and that condition continued until about the 1st of March, 1913.

There were a number of raids made upon Chuachupa. They were driven out of that town on the 31st of July, 1912. At that time Gen. Antonio Rojas with a hostile army invaded the town and called a meeting at which there were a large number of Mexicans, and he also was there. The officer next to Gen. Antonio Rojas made a speech at the meeting. Mr. Trejo was a Spaniard by birth and education, and understood the Spanish language thoroughly and talked it, and I have here an excerpt of his statement in Spanish and also in English. I take it that all that is necessary is the English, but he also gives it in Spanish.

As I said, the officer next to Gen. Antonio Rojas made a speech at the meeting, and in that speech he stated:

> The Monroe doctrine in America for Americans, and our revolutionary plan is Mexico for the Mexicans. The lands which the Americans have was never paid for by them to the Government. Consequently it is ours, and in consequence this village, Colonia Chuachupa, belongs to us, with all its improvements and every kind of property left by the Americans. Madero is dead. The Government is ourselves now.

Mr. KEARFUL. That was in March, 1913?

Mr. BARTCH. That was about the 1st of March, 1913. I could not give the exact date.

Mr. KEARFUL. Madero was killed on February 22, 1913, was he not?

Mr. BARTCH. Yes, sir. Under Madero Gen. Rojas declared he was going to support the Government as it was, and, of course, at that time there was no change, so I take it he would still be a federal officer.

Gen. Rojas was there and acquiesced in those speeches, and stated that he was going to support the Government of Mexico, that he was going to be general in chief in the State of Sonora, and that Gen. José Inez Salazar would be commander in chief in the State of Chihuahua, and would carry out the plan they were then organizing in the towns, and donate the property owned by the Americans, including the land owned by Mr. Trejo, to the Mexicans. So that he then became the owner of Mr. Trejo's property, and the witness then stated that in a few days after that speech at that meeting his Mexican friend or tenant, who had been professing great friendship for him, said that he must abide by the law as announced at that meeting, and that he, according to that, was the owner of the

property, and then made a firm demand upon Mr. Trejo that he should turn over the land and his personal property to him. Mr Trejo tried to reason with him, but the more they talked the subject over the more determined the Mexican friend became, and he saw that he was determined to have that property at all hazards, and finally was compelled to pack up his grip that he had and go to the railroad and flee to the United States, and was deprived of his property.

Mrs. Laura A. Meacham resided in Colonia Juarez, and about the middle of February, 1912, a detachment of Mexican soldiers invaded that town. The detachment was under the command of Gen. Salazar. The officer made a speech in which he said: "The Americans have to go, and those beautiful homes will be ours, and we will appropriate these homes." Then he pointed to a house owned by H. C. Bentley, an American, and said, "A Mexican can have that home." He pointed to the home of Henry C. Harper and said, "A Mexican shall have that home, and we will divide all the property among ourselves."

Mrs. Meachim impressed me very strongly as a lady of considerable talent, and of truth, and there is no question in my mind about that, and the manner in which she was treated was shameful. She also stated that after the speech the soldiers openly insulted the ladies in the streets and abused them—that is, the American ladies—and they appealed to the officers but could get no redress.

Now, I wish to refer to the case of Samuel W. Jarvis, an American. This incident occurred about the 25th of July, 1912. Mr. Jarvis had occasion to call on Gen. Salatar respecting some depredations that had been committed against him, and he got no satisfaction from him, but the general directed him to order Julius Romney, an American, to appear at his headquarters the next day at 10 o'clock. That would be the 26th. It was about that time. I would not be positive as to the exact date. I think that is correct, however.

The next day Mr. Romney and Mr. Jarvis and several other gentlemen appeared at his headquarters at the time named. The general then notified Mr. Romney, in the presence of this affiant, that all guarantees for the safety of life and property of American citizens were withdrawn, and commanded him to have all the citizens deliver their guns and ammunition to him at headquarters immediately, and stated that he would furnish them no protection. Mr. Romney said to him that he had no authority to make such an order. Then he placed him and his companions under arrest. Mr. Romney said to him, "We will not deliver our guns. We want them for the protection of our families." Gen. Salazar replied, "I notify you that I have the city of Colonia Dublan surrounded by my soldiers, and my cannon trained on the town, and unless you agree to deliver the guns and ammunition we will blow your town and your wives and children into eternity." Mr. Romney had told him that they had the guns to protect their wives and children, and he made that reply. Mr. Romney then said to him that he did not wish any evil to befall their families, and that he would leave the matter before the people and would advise them to give up their guns and ammunition.

He then released them from prison and sent Mr. Romney to Colonia Dublan with an escort of about 50 soldiers. When they got there they

called a meeting of the citizens, and the meeting was held in one of the American's houses. I will quote from his statement:

While they were holding the meeting in the American's house the house was surrounded by about 75 soldiers in hostile mood and commanded by Col. Lino Ponce, who was subject to Gen. Salazar. He gave them but a few moments to decide, and at the same time a force of about 50 soldiers were drawn up in hostile attitude in front of the Union Mercantile Co.'s store. Another force of about 400 soldiers was drawn up in line in hostile attitude in the western parts of the town, and another force were unloading cannons at the railroads and training them on American homes.

Those present at the meeting, seeing the forces against them, decided to advise the people to deliver up their guns; and as they emerged from the house each one, as the witness stated, was covered by a rifle until they began to deliver the guns. The guns were delivered to Gen. Lino Ponce, and in receiving those guns now and then he made an occasional sarcastic remark.

The testimony also shows that when the army came in and invaded the town some of the soldiers gathered in the saloon, I think—at all events it was a building—and were talking over the situation. Some of the Americans were in the place and heard them. They understood Spanish. They said they were going to ravish every American woman from 8 years up, as he places it here, "women and girls," but I remember that was the testimony of a number of witnesses.

Mr. KEARFUL. What effect did that have upon the exodus of people?

Mr. BARTCH. They reported the circumstances to the other people, and the vicious attitude of the soldiers in destroying other property of Americans and the abuse they were giving to the people satisfied them that they were in danger. They at once got together and decided to send all the women and children out of the country on the next train. That was on the 28th of July, 1912. But when they got to the station, there was no building there, but where trains stopped, the train that came in was already overcrowded with other Americans fleeing from other towns, and they could not get on. They then laid all night at the railroad waiting for a train. Another came along, as I now recollect, about 9 o'clock, possibly 10, a mixed train, consisting of a few passenger coaches and the balance box cars, and they all boarded that train with an escort of men and left. They were not permitted to take anything with them except what they carried in their arms. After that train left the railroad was torn up. They had not sufficient clothing and effects with them to make them comfortable, and a committee waited upon Gen. Salazar and appealed to him to permit them to take some of their trunks and effects by wagon overland to make their families comfortable, but he obstinately refused to permit them to take anything.

Mr. KEARFUL. What became of those people, if you know, when they arrived in the United States, at El Paso?

Mr. BARTCH. They lived in tents, the most of them.

Mr. KEARFUL. Did they have means with which to provide for themselves?

Mr. BARTCH. No; as I recollect it now, the United States Government furnished them about $100,000 to aid them while there. I don't know that I ought to give my opinion on that. My own thought was that they ought to have made an appropriation sufficiently large to hold them in Mexico and protect them.

Mr. KEARFUL. Can you give a description of the outrages that were perpetrated on the inhabitants of those various colonies?

Mr. BARTCH. Well, on the night of the 28th of July, when they were there, it is clearly shown that the women and children were abused and insulted in the most shameful way, so that when they were left they were perfectly terror stricken. Now, that incident occurred on the 29th of July.

Now, in answer to your last question, I will endeavor to give the condition of the other colonies at the time they were driven out. The Americans were driven out of Colonia Diaz on July 28, when the army appeared in Colonia Dublan. Some of the Americans at once sent out couriers to all the other settlements to tell them what was going on. They learned that they were going to send detachments of soldiers to all of them, and the couriers described at Colonia Diaz what had taken place at Colonia Dublan, and a detachment was then on its way to that town, and they got out by the time the army arrived there.

Another detachment of the same army was sent to Colonia Juarez, and invaded Colonia Juarez on the 29th of July. The women and children were also sent to the United States in safety.

I should say, with reference to Colonia Dublan, that after the women and children had been sent from the town, the men, except an escort, remained there to try and protect their property, and they were there on July 30 and 31. In the meantime, the soldiers had been destroying their property at random, as they saw first, broke into the houses, smashed their furniture, and appropriated their belongings. On the 1st of August they learned that they were about to determine what they were going to do; that is, the Mexican soldiers were about to determine what they were going to do, and they became fearful of the result. They gathered the people together in the nighttime, and early in the morning they started from town to go into the mountains, where they could protect themselves, and they succeeded in getting out of the town, but when they got out a distance of about four or five miles, some of them observed there a dark cloud in the road, something like a cloud of dust. They detailed a detachment to wait and ascertain what that was. Pretty soon the soldiers came in sight, and finally within shooting distance. As soon as they got within range of the rifles they began to fire upon the Americans, and they divided into two or three columns, trying to capture them. The Americans then headed forward to those comrades in advance, and did not return the fire until one of them was hit in the leg. The bullet, however, was spent and did not break any bones. Then they delivered their guns; they had secreted some of their best rifles and ammunition, and had taken those with them. They then stopped and opened fire on the Mexicans. As soon as the Mexicans found they were armed, they stopped and retreated.

Now, it does not show, it does not appear whether or not they killed any of the Mexicans. I take it, however, that they did, from the fact that Gen. Salazar, in his speech in Colonia Morelos stated that they had killed some of the Mexicans, and that they should pay or words to that effect.

Then then went to a place called "Estajos" in the mountains, which was very difficult of access and where they could protect them-

selves, and send couriers to other towns, to the men who were remaining back to meet them there and they would leave the country together.

But they were advised of another speech of Gen. Salazar in the evening, in which he stated that they had slipped through his hands this time. "They have slipped through our hands this time, but we will get them yet." Then they sent two couriers to Hachita, New Mexico, and to El Paso, to advise their families where they were, and to look for the best route they could get, so as not to come in contact with Mexican military forces. I should say that these scouts were to return to town. After that speech, however, they left, and on the way back the scouts learned that Generals Salazar and Blanco were in the town of Ojitos, where they had a force of about 3,000 soldiers. They related to them what had occurred and how they were driven out of Colonia Dublan, but neither of them concerned themselves about it. They received their appeals with indifference, and neither offered or gave them any help.

Mr. KEARFUL. These officers you mention were federal commanders?

Mr. BARTCH. Yes, sir.

Mr. KEARFUL. Under Madero?

Mr. BARTCH. Yes, sir.

Mr. KEARFUL. And the others who had committed the depredations were rebels under Orozco?

Mr. BARTCH. Yes, sir. The number of rebels at that time in all that region, as near as I could determine, as the witnesses stated, was about 1,700. So that the federals had a force sufficiently large to protect the colonies, if they had willed to do so.

Now, to further show their attitude I wish to refer to the affidavit here of Derenda B. Farnsworth, filed in the case of Gaskell Romney, which contains a copy of a letter of Gen. Blanco wrote to Mr. Farnsworth. Mr. Farnsworth knew him very well. Shall I read that letter?

Mr. KEARFUL. If you think it is important.

Mr. BARTCH. I think it is. It reads as follows:

EL PASO, TEX., *July, 1913.*

Mr. D. B. FARNSWORTH.

DEAR SIR: In response to your inquiry I have the honor to say that Gen. Santinez and I left Agua Frieta on or about July 2, 1912, on our way to Casa Grandes, arriving at Colonia Morelos on or about July 4. We went from there to Colonia Oaxaca, and I left Oaxaca about July 7, 1912, arriving at Ojitos about six days before Gen. Santinez, who arrived there about July 17, 1912, with 750 well-armed and well-equipped Federal military soldiers, 600 of which were mounted cavalry and 200 were armed infantry. We had with us two extra good cannons, Schmerder-Canet of 75 millimeters, two well-operated machine guns, two fusilez, reccor, with plenty of ammunition for the same as well as plenty of provisions for the men. Our men and horses being fresh when we arrived at Ojitos, I was anxious to go back and protect the colonies, but Gen. Santinez decided to stop there, and we remained until the 28th of July, 1912, when we were attacked by Gen. Salazar's combined forces from Casas Grandes.

That was one of the forces that had operated there.

Mr. KEARFUL. Operating against the Americans?

Mr. BARTCH. Well, I don't know whether it is the same force, but he had charge of the entire army there.

We easily repulsed their attack, pursuing them into within 20 miles of Casas Grandes, having taken their provisions and all their artillery, which consisted of five pieces. We remained at Ojitos until about the middle of August, when we started for Casas Grandes, arriving at that point about the 15th of August, 1912.

Respectfully, your friend,

JOSE A. BLANCO.

From that it appears that their army was there all the while these depredations were being committed.

Mr. KEARFUL. Was there any defense of the attitude shown by the Federals or the rebels at any period?

Mr. BARTCH. Not that I ever knew of.

Mr. KEARFUL. Do you recollect that during the time of Madero permission was given by this Government for the troops of Madero to go through the territory of the United States in order to attack the rebels under Orozco?

Mr. BARTCH. Yes; I remember that. I remember that very well.

Perhaps I would get this in better order if I would now proceed to give the rest of these outrages in accordance with the line on which I started out.

Mr. KEARFUL. Very well.

Mr. BARTCH. The army invaded Colonia Garcia on July 31, 1912, and the women and children were sent to the United States on that day, the men remaining to try and protect their property. On the way returning from the railroad station the men who had taken the women and children to the station were intercepted by the army and disarmed, and then the army proceeded to the town to disarm them there. They remained there a couple of days to see whether they could protect any of their property, but were finally notified that they were in great danger, that the officers had made serious threats against Americans, and they left in the night and finally also reached the United States.

I should say further, in regard to Colonia Garcia, after they had broken in the homes and seized, destroyed, and appropriated what property they wanted, and had generally devastated the town, a detachment of them proceeded to a large reservoir in the canyon above the town, where they deliberately blew up the dam with dynamite, releasing a large amount of water which rushed down the canyon and destroyed all the mills and buildings that were erected along the stream.

A detachment of the same army invaded Colonia Pacheco on the 29th of July, 1912, and the women and children were also sent away to the United States in safety, and the men were driven from that town on August 3.

Another large detachment of the army proceeded to Colonia Chuachupa. It was a very hostile army, according to the evidence, and a courier was sent to that town to advise the Americans to flee at once before the army reached them. The women and children were taken to the station, and the men that took them there with their guns were disarmed. All except the scouts remained at Chuachupa to try to protect their property. About the 1st of August another courier was sent there to advise them to leave the town immediately, that they were in danger. The parties that were still there gathered up their saddle horses and what provisions they could and hid them

in the mountains, and then several of them appeared at the top and watched the army as they came into the town through field glasses.

When they arrived at the town they went in squads from house to house—American homes—broke in the doors, devastated the homes, smashed furniture, turned the horses into the garden, tore boards from the buildings, and built bonfires in the yards of Americans and in the streets with the furniture that they broke up and fence material and boards they tore from the buildings and fences. There were some friendly Mexicans there. The Mexicans kept the Americans advised of what was going on. The Americans remained there until August 6. The friendly Mexicans finally told them that they were searching for them, and if they found them they would kill them, and advised them to flee. Before going, they sent two of them to town—William E. Williams was one of them, as I recollect the evidence—in the nighttime, when the soldiers were all asleep, to ascertain what the real facts were and the devastation that had been committed, and they in a quiet way went to the different homes and saw that they were devastated and plundered, as they had seen through the field glasses. They then gathered the horses and provisions together that they had secreted and started overland for the mountains, and as they passed over the ridge near Colonia Pacheco they said they saw quite a large force of soldiers in the town who were occupying the homes of Americans that had been deserted. They thought there were about 500 in that military force.

They then proceeded on the way to the United States, and some distance from the town of Ojitos they met Gen. Blanco with an army of about 1,500 soldiers, and had a conversation with him. They told him what the rebels had done, and said that he listened to them with marked indifference, and told them they had had similar reports from Americans who had fled from Colonia Juarez and other towns, and said that Gen. Santinez was about 20 miles distant and had also about 1,500 soldiers, but gave them no satisfaction whatever, and made no effort whatever to protect them. They then proceeded from there to the United States.

Mr. KEARFUL. Did the United States make any effort to protect them?

Mr. BARTCH. None whatever, so far as the evidence shows. They were driven from their homes, many of them penniless and without sufficient clothing and material to make them comfortable. When I was taking the evidence of a good many of them, they were living in tents over in Tucson, Ariz., and in covered wagons. I remember one scene that impressed me quite forcibly. I had a lady client, and she sent me word that she could not come to town, and so a gentleman took me down to her home, and when I saw her, I saw that she had seen better days. There was considerable refinement about her, and she was standing at a washtub, washing, doing that to support, I think, a family of six children. She was a widow, had lost everything in Mexico. She has a considerable claim against the Mexican Government. I saw a number of those, and the manner in which they were treated and the way in which they were left was shameful.

Now, the Army, after they were through with the colonies of northwest Chihuahua, then marched over the Pulpito Pass into Sonora. The people that were driven out of Colonia Dublan sent

an emissary to those colonies, H. S. Harris, to inform them of the character of the army and to advise them to flee the country. He appeared at Colonia Morelos the first of August. I do not remember the exact date. I recollect the testimony pretty well, however. They called a meeting and he told them what they had done in Colonia Dublan and other towns, and advised them to flee from the town before the army arrived. They sent a courier, James W. Ray, to watch the movements of the army, and he located where they were, and then proceeded to Agua Prieta to confer with Gen. Santinez, for the United States Government had permitted the conveying of troops across American soil from El Paso to Douglas and then across the border to Agua Prieta, and he was encamped there. He told him where the army was, and asked him to protect the colonies.

As I recollect it, that was his mission, to protect that country, and I take it that the reason that the United States Government permitted him to pass through on American soil was because that was the purpose of his doing so.

He made no effort whatever to furnish any protection. He remained there, permitted the army to cross the mountains, and on the 12th of September they arived at Conolia Morelos. The army of Gen. Antonio Rojas passed within five or seven miles, I think, of Gen. Santinez's army. They also proceeded to Colonia Morelos, arriving there on the 18th of September.

Mr. KEARFUL. Rojas was the rebel commander?

Mr. BARTCH. Yes; and so was Salazar at that time.

Mr. KEARFUL. And Santinez was the Federal commander?

Mr. BARTCH. Santinez was the Federal commander. A committee also waited on Gen. Santinez trying to get him to protect the colonists, but they could make no impression on him. On the way to Colonia Morelos, on the morning of the 11th of September, 1912, Gen, Salazar had scouting squads out to apprehend Americans that might be returning to Mexico. Four Americans who had fled from Colonia San Jose, after locating their families in Douglas, returned to get some of their horses. One was Moroni Fenn and Preston H. Jones was another. I think Moroni Fenn had secured two and the others had secured several of their horses. About 7 o'clock in the morning one of those squads apprehended them and arrested them. They at once took everything they had and marched them before Gen. Salazar at a ranch there. I don't remember the name of it. It is a peculiar name. It is between Agua Prieta and Colonia Morelos. The general at once gave his men orders to guard them and not let them get away.

They then took them before an army of about 800 men and marched them back to Colonia San Jose, without anything to eat, and when they got to Colonia San Jose, they rifled Mr. Fenn's house, one of the first, killed the chickens, about 200 of them, smashed his furniture, gave flour and things that they had to the Mexicans, and did not give them anything to eat all day. When they killed the chickens they even wanted a small piece of those chickens, and they told them they might have that. Then they encamped and looted the different homes during the night, and secured poultry and whatever they wanted. Gen. Salazar made a speech to a large meeting of soldiers and nationals.

Mr. KEARFUL. Have you a report of that speech?

Mr. BARTCH. I have, of extracts of it. The American prisoners were under threat of death all the while, and they abused them in the army in marching them, and made no effort to protect them at all. In the speech he said:

"Your President, Howard Taft, is a vile dog, a low-down coward. Your Nation is rotten. The Americans took the territory of Mexico—Arizona and New Mexico—by treason and now they are going to pay for it with big interest compounded. We are going to run all the Americans out of Mexico. We will kill those who do not run before us. The plan of our revolution is simply to run the American dogs out of this country, confiscate their property and divide it among Mexicans. There is no liberty for us. Porfirio Diaz gave them our lands and favored them, despising us. Times have changed. Mexico is for the Mexicans and the United States for the Gringos. Formerly they were the owners of this country and they made us slaves and killed us. Now we are going to kill them or run them out of the country. We have executed their men, we have ravished their women, we have insulted their men and their women in every possible way to force them to take up arms and fight us. They do not fight because they are cowards and afraid of us. Their own Government despises them and abandons them, and dares not protect them, and orders them to run away and escape.

In Colonia Dublan and all the other American colonies in Chihuahua we have taken all the homes from Americans, killing some of them, and we have outraged their women, seized their lands and their houses, and all of their property, and we forced them to flee from the country with nothing but the clothes they had on. But they do not wish to fight and run like dogs. We will not let them return. We will kill all who try to return to their lands. We divided their lands and their property among Mexicans, and now they have nothing to return to Mexico for. We are going to do the same here is Colonia Morelos, Colonia San Jose, and Colonia Oaxaca. We are going to divide all the property among you Mexicans, among those who swear to kill every Gringo that returns here.

The general also stated that when the Americans were fleeing from Colonia Dublan they shot at his soldiers and killed some of them, and that he was going to get revenge on them for it. The affiant states that he afterwards learned that when the Americans left Colonia Dublan they were pursued. I have already stated about the soldiers who fired on them. That was the first that the witness knew anything of that, and from that I take it they probably did hit some of the Mexicans.

The general also stated that President Porfirio Diaz had given the Americans the title to their lands falsely, and that the lands really belonged to the Mexicans and that now things had changed and that Americans would have to suffer the consequences, and repeatedly stated that Mexico was for the Mexicans, and that all the Americans would be driven out and their property confiscated and divided among Mexicans, and referred to Americans as "gringos," "perros," and "cabrones," and using other vile epithets to characterize them. He said that what they were fighting for was to drive the Americans all out of Mexico and secure the freedom of the country. All the while the prisoners were under threat of death, and were compelled to remain submissive and listen to his speech. The large crowd of Mexican soldiers and nationals surrounding them frequently shouted "Viva Salazar," "Muera los Gringos," "Viva Salazar, Chinga los Gringos."

Then, after he had finished his speech, he said to his soldiers: "Take care of them and guard them all night and do not let them get away."

Mr. KEARFUL. What reason did you find to believe that that speech was correctly reported?

Mr. BARTCH. Mr. Fenn appeared to understand the Spanish language very well; talked it fluently, and he was corroborated also by Mr. Jones, Preston H. Jones, and, I think, he stands well as a citizen, as far as I can ascertain. I made some inquiries about him. He said that it impressed him so, while he was making the speech, that, expecting to be killed, he made notes of it afterward, immediately afterwards, and put down these statements. Of course, he had quite copious notes of what he states, but I did not take any more than I have given.

Mr. KEARFUL. Do you believe the speech of Salazar was reported with substantial accuracy?

Mr. BARTCH. I do. I would not have permitted it to go on the record if I had not satisfied myself as to that. You will also notice the speech is in line with what so many other witnesses state was his speech, and his conduct and actions.

Of course, in my statement here, that is based on the evidence that I heard. It is understood that I was not one of the parties there. I can only speak from what I have heard from the witnesses.

Mr. KEARFUL. You have had considerable experience as a judge of a court, have you not?

Mr. BARTCH. Yes.

Mr. KEARFUL. Of what court?

Mr. BARTCH. Of the Supreme Court of Utah.

Mr. KEARFUL. For how many years were you judge of that court?

Mr. BARTCH. I was nearly 14 years on the supreme bench. I was on the bench there, though, about 17 years altogether. I was appointed first by President Harrison.

Mr. KEARFUL. On the Territorial bench?

Mr. BARTCH. On the Territorial bench, and then I was reelected, and reelected after statehood, and finally resigned as chief justice on October 1, 1906, and went back to the bar.

Mr. KEARFUL. Did you pursue the same methods in making this investigation that you did as a judge of the supreme court?

Mr. BARTCH. In examining witnesses?

Mr. KEARFUL. Yes.

Mr. BARTCH. I did. I examined them with a great deal of care.

Mr. KEARFUL. You conducted your examination judicially and with a judicial mind? You did not undertake to conduct it in a partisan way, did you?

Mr. BARTCH. No.

Mr. KEARFUL. But only to get at the truth, as a judge would do?

Mr. BARTCH. Only to get at the truth. I might say that some statements were made that I did not permit to go in the record. They were absolutely unmentionable.

Mr. KEARFUL. You mean statements describing the acts of the Mexican soldiers?

Mr. BARTCH. Their acts and conduct.

Mr. KEARFUL. In reference to their attacks upon women?

Mr. BARTCH. Yes.

Mr. KEARFUL. Did you do that because you believed the statements to be untrue, or because they were too outrageous to be in the record?

Mr. BARTCH. I did not, sir; they were unspeakable.

Mr. KEARFUL. You did not believe they were untrue?

Mr. BARTCH. No; on the contrary, I believed they were true from the character of the men who made the statements.

Mr. KEARFUL. What information have you as to the attempted return of some of the colonists to save some of their property, and what happened to them after they returned?

Mr. BARTCH. Well, I think the most of them were driven out of there; had to leave, on account of the acts of violence continuing and the unsafe conditions. Some of them were killed, and various outrages committed.

Mr. KEARFUL. Did these colonists make any representations to the authorities at Washington for the purpose of getting protection?

Mr. BARTCH. That I could not say. I did not go into that subject. There is one case where they did; the case where four were killed in the town of Alamo.

Mr. KEARFUL. In Lower California?

Mr. BARTCH. In Lower California. I remember that. They appealed to the consul, but they did not seem to be able to do any good.

Mr. KEARFUL. They made those appeals to the consul while these depredations were being committed?

Mr. BARTCH. Yes, sir. I recollect that in the case of Mr. Arthur Evans, who was imprisoned at Ascencion, that there was an application made to the department, and the consul was instructed to look into the matter and investigate it.

Mr. KEARFUL. Do you know whether the same anti-American attitude existed on the part of the Carranza revolutionists that existed before? Has there been any change for the better under the Carranza government?

Mr. BARTCH. I know of no change.

Mr. KEARFUL. You have heard about the Carranza doctrine, have you not, which was epitomized by the expression, "Mexico for the Mexicans"?

Mr. BARTCH. Yes, sir.

Mr. KEARFUL. Is that the same old cry of "Mexico for the Mexicans"?

Mr. BARTCH. Yes, sir; all the way through.

Mr. KEARFUL. Have you any reason to believe that the American State Department had knowledge as to the depredations that were being committed and the plan that had been inaugurated against the Americans down there?

Mr. BARTCH. I do. I believe they had it in many instances. I take that to be true from the fact that the Secretary of State, in reply to a note from Carranza in May, 1916, I believe it was the 22d of May, 1916, wherein he made some charges against this Government, and in reply, which was submitted to the Mexican Government about the 20th of June, the Secretary of State enumerated a number of instances of atrocities that were committed, and I noticed that I had taken evidence respecting, I think, about all of them. I would not be positive whether all or not, but I know in most of them, and also some that he did not mention. I take it from that that they had knowledge of many of those atrocities.

Mr. KEARFUL. Have you filed with the State Department copies of the proceedings showing the testimony that you took in your investigations?

Mr. BARTCH. I have filed the final documents, consisting of memoranda and depositions, in 115 cases, I think. One of those, however, is an English case, which I prepared under the English law. That is, I had them filed through my associates here in Washington. I prepared the documents.

Mr. KEARFUL. Are you able to state the number of American Mormon colonists who were driven out of Mexico from these various colonies you have mentioned?

Mr. BARTCH. I could not state the exact number, especially of the Mormons. There were some who were not Mormons. Some of my clients were not Mormons.

Mr. KEARFUL. You are not a Mormon yourself, are you?

Mr. BARTCH. No; but I take it that there were several thousand of them. It occurs to me I saw somewhere there were about 4,000 driven out of Mexico from those colonies, but that may not be correct. I did not take the number in the evidence.

Mr. KEARFUL. As far back as June 20, 1916, judging from Secretary Lansing's note to Carranza, you think the American State Department has had full knowledge of the anti-American outrages in Mexico, do you?

Mr. BARTCH. And their knowledge extends previous to that time.

Mr. KEARFUL. But certainly since that time?

Mr. BARTCH. Yes, sir. Of course, there might be some, such as I gave you yesterday. I could not say whether they had any knowledge of that or not.

Mr. KEARFUL. Do you know of anything being done by the American Government in any case for the protection of American lives or American property or American rights in Mexico, other than the writing of notes?

Mr. BARTCH. I know of nothing effective that has been done. There have been instructions given in our notes from the President to the consuls and officials in Mexico, but to my mind they were not effective.

Mr. KEARFUL. Nothing has been done aside from correspondence, has there?

Mr. BARTCH. Not that I am aware. There is one case that it might be well to refer to, showing that the Mexican Government, from the executive down, had knowledge of what was going on as to Americans.

Mr. KEARFUL. What was that?

Mr. BARTCH. I refer to the case of Ingwald C. Thoresen. Mr. Thoresen, about 1905, went to Mexico to make an examination respecting the beet-sugar industry in Mexico. He examined various districts in the State of Mexico and elsewhere, and in about 1906 he became convinced that that industry could be established there. He had interviews with President Porfirio Diaz, according to his evidence, and laid his plan before him, and Diaz approved of it. He engaged experts to make examinations of the soil, and purchased beet seeds, distributed them among the natives, and his experts taught them how to plant and cultivate the beets. Then he

had analyses made of the beets, and through the Mexican Government analytical chemists, Prof. Foex, who made an extensive examination in the State of Mexico, Puebla, I think in Jalisco, Sonora, and Chihuahua, and several other States, with a view to the climatic conditions; the soil, the sites for factories, and the cost of production, labor, and whatever would enter into that kind of an enterprise. Diaz encouraged him and told him that the Government would give him a concession on the best terms that they could.

In 1908, I believe it was, in the spring, he organized a company under the laws of Arizona, capitalized at $2,000,000, and he engaged Dyer & Co., of Cleveland, Ohio, to make plans for the initial factories, at a contract price of $10,000. He made a formal application, and afterwards made a final application for a concession, and was granted one. The concession, I think, was granted July 4, 1906, and he was then given a period of two years in which to put them into effect and prepare them. He paid in stamps $254.30, United States currency, put up $5,000 Mexican 3 per cent consolidated internal-debt bonds. Those were the same character of bonds that I spoke of before that were deposited, in reference to this railroad project. That was at the expense of $2,500 United States currency. His plans were submitted and approved by the Mexican Government within the time allowed, and he continued his explorations, and finally his expert chemists made an analysis that showed that Mexico produced an excellent grade of sugar; that there was no country in the world that produced beets that contained a higher per cent of saccharine matter and pure sugar than Mexico.

He submitted his data and plans to capitalists and they pronounced them feasible. Among those capitalists were representatives of Mr. Harriman, the railroad magnate, and bankers in Utah. He continued negotiations; some of them finally became interested in the project. He carried on the negotiations with them until September, 1910.

He kept his experts in the field. During 1907, 1908, and 1909 he made preliminary examinations of sugar factories in the State of Idaho, devoted his time to the enterprise, and in September the capitalists got together and fixed the day as the 25th of November, 1910, the day they would finance the first factory, and they began this factory.

The concession that he had procured from the Mexican Government was quite favorable. He could erect factories anywhere in Mexico, and it permitted him to take in duty free all of the material from foreign countries, and also exempted it from taxation for a certain number of years—I think it was about 10 years. The experts who filed affidavits in his case, some of them fixed the value of the concession at $2,000,000. Hon. H. H. Ralapp, who was at one time associate justice of the Supreme Court of Utah and was at the head of the sugar business in the United States, stated in his testimony that he thought it was worth $5,000,000.

Mr. Thor Cutter, one of the ablest experts on sugar in the country, also made an affidavit in that case, and said it was worth at least $2,000,000. The data he secured showed the Mexican Government that in that line of business the country is susceptible of great resources, and, of course, the data was of immense value to the Government.

Now, after they had fixed the day as the 25th of November, the revolution broke out in the early part of October, and the revolution at once attained such proportions that the capitalists were unwilling to put up the money until peace would be restored, and they then postponed the day for that. He made application for an extension of time, setting up the reasons growing out of the revolution. In his concession contract there was a clause that in case of any disturbance or any impediment that might be created by superior forces over which he had no control the terms of the concession might be extended, or should be extended, for a time equal to the impediment and for about two months longer. There was another clause in article 23, that no forfeiture should be declared without a notice to the concessionaire to make a defense. On the ground of impossibility of his proceeding to construct the initial plan with the time limit, the chief authorities of the Mexican Government granted the extension, and in that way held the concession good until the 12th of January, 1913.

They had made a promise that they would extend the time of the concession until peace would be restored so he could proceed. He relied on that promise and on the extensions that had been granted previously. Before the last extension expired on January 12 he again made application to the chief executive for another extension. In the meantime he had also applied to the Mexican Government to transfer the concession to a company that he had organized in the State of Arizona, and to have the Mexican Government approve of it. There was nothing in the concession to prevent that. Under its terms he was entitled to it. But he was informed that the Government had made a ruling that only Mexican corporations could acquire that kind of property and they refused to approve of the transfer.

The capitalists then, not being willing to convey the rights that they had acquired to a Mexican corporation, which would bar them from appealing to this Government, sold this concession to Mr. Thoresen, and he became the sole owner. He still kept on, as I have stated, getting extensions, until his last application, made in the latter part of December, 1912, relying upon their promises and the several clauses in the contract providing for its extension. Instead of giving him any notice whatever they canceled the concession about the 15th day of January. The time of the extension had expired on the 12th.

Mr. KEARFUL. 1913?

Mr. BARTCH. 1913. At that time the whole country was in a state of insurrection that rendered it impossible for him to do anything. The plants were located in the Texcoco district, not far from Mexico City, and the country became in such a chaotic condition that a battle occurred in Mexico City about the early part of February, and Madero was deposed on February 19, and finally shot on February 22, 1913.

Now, they canceled that deliberately, as the testimony shows, in the face of those provisions of the contract, in violation of the contract and without any notice to him whatever, and declared a forfeiture of his bonds and all of the money and property that he had. That was done by the chief executive, through his minister of fomento, right from the head of the Government. He had no re-

course. The courts at that time and almost during the entire revolution were under the control of the military. Appeals of Americans to the courts were useless. As the witness clearly states, the officials, military, civil, and judicial, were imbued with the same anti-American sentiment that actuated the military forces in acts of violence.

Mr. KEARFUL. In your investigations were there instances given of the futility of appeals to the court for protection?

Mr. BARTCH. Yes, sir.

Mr. KEARFUL. Was any protection ever afforded to these Americans who were outraged?

Mr. BARTCH. In none of the instances that I have on record. In fact, that is quite an interesting subject, and there are numerous instances to which reference can be had, and also with regard to the threats that were made, and afterwards executed, threats of violence and death.

Mr. KEARFUL. Is there any place outside of the State Department where the documents showing the results of your investigation can be found, in case the committee or other Members of the Senate who are interested wish to examine them as to details?

Mr. BARTCH. They can be found with Lexkie, Cox, and Sherier, Southern Building, Washington, D. C.

I should have stated in connection with this concession that the concession contained a clause that all disputes arising between the concessionaire and the Government should be adjudicated in the Mexican courts. While a concession of that kind can not bind a foreign Government, still in that case the chief executive of the nation, through his minister of Fomento, canceled the concession, and declared a forfeiture of the bond without any reference to the courts whatever, also violating that clause of the contract.

Mr. KEARFUL. Has any effort been made to have that matter adjusted since then?

Mr. BARTCH. No; not through my client. It would be utterly useless. As I have already stated, in the first pace, under Porfirio Diaz they had a good government. That was overthrown. The rebels then became the Federals, under President Madero. The government of President Madero was overthrown, and the rebels again became the Federals, under Carranza.

Mr. KEARFUL. First under Huerta.

Mr. BARTCH. First under Huerta. Huerta was forced to abdicate, and then Carranza became the President. The country during all the time was in a state of turmoil. It finally drifted into a state of chaos. The courts were under the influence of the military. Under those circumstances I know of no principle of international law that would require an alien who was injured to apply to the courts. In the case of Mexico in my own judgment, especially through northern Mexico, it would be useless, and the courts do not require a useless thing to be done.

Mr. KEARFUL. This committee is proceeding under a resolution requiring it to report its recommendation as to what, if anything, should be done by this Government to prevent a recurrence of the outrages such as you have related in Mexico. What do you think should be done, if anything, to that end?

Mr. BARTCH. This Government ought to proceed at once to appoint an international commission, if it deems the Mexican Government of sufficient stability to warrant it. If not, it ought to appoint an American commission to adjust the claims that arose through the outrages in Mexico, and then compel the Mexican Government to pay those claims. In cases where the Mexican Government permitted outrages to be committed against American citizens, they ought, in addition to the payment of those claims, compel the payment of such indemnities as would deter that Government in the future from permitting such outrages to be committed. That could be done on the ground that many of the outrages that were committed in Mexico were an affront to this Government, as well as an injury to its citizens. I think, in an examination of the principles applicable under the law of nations to that class of injuries, that that would be the proper course to pursue. Extremists have gone so far as to hold that where a foreign country permits its government to drift into a state of chaos, whereby it loses control of its forces, that it should be held responsible on that ground. Now, while it may be said that principle is too broad, and while it may be admitted that it is too broad, still I take it that the weight of authority is that the Government had a right to compel proper indemnity, not only to the individual, but to deter the foreign government from permitting such injury to be inflicted.

Mr. KEARFUL. But if the foreign country is in a state of chaos, what procedure could be followed to enforce the proposed indemnity?

Mr. BARTCH. Of course, the procedure would be to intervene.

Mr. KEARFUL. Take possession of the country?

Mr. BARTCH. Take possession of the country and establish a government. It would not necessarily follow that the country would be taken over, but I do think this: That it would be an act of humanity to the Mexican people themselves for this Government to go there and establish a proper government and to maintain a protectorate over it until such time that they can govern themselves.

Mr. KEARFUL. Do you see any other course that is open?

Mr. BARTCH. I do not. From the investigations that I have made I do not believe that the different warring factions in Mexico can get together on any one man. I do not mean to say they have no men to-day that could control that Government if they were permitted to do so; that is, who have the intelligence to do it. I wish to say that in my acquaintance in Mexico, I have found that, especially in southern Mexico, the Mexicans are susceptible of a high degree of culture, but they have no advantages. The only time they ever had a government that tried to raise them up at all was in President Diaz. If he could have continued long enough they would have finally worked out of that.

In my investigation in the State of Oaxaca, and examination of the ruins of Mitia, I noticed that centuries ago they must have had intelligent people, and, as I said, they were descendents of Aztecs. The ruins would show that they had a good deal of latent ability in architecture. In fact, I saw plainly in one of the ruins there, a building that had crumbled, some of the sculptured columns still standing there. It looked almost as though it had been put up recently, and the enamel just the same. That required intelligence at the time.

Mr. KEARFUL. Mr. John Lind thinks that the better class of Mexicans are in the north, and that the salvation of Mexico depends upon their success. Do you agree with him?

Mr. BARTCH. I do not agree with him. My reason for that would be this: In southern Mexico, as I say, they are descendents of that ancient civilization. They have been kept down. Diaz himself was simply a typical Mexican Indian, as you might call it.

Mr. KEARFUL. From Oaxaca?

Mr. BARTCH. Yes, sir. The term "Indian" is not a term used there as it is in this country. It has an entirely different significance, a different type of man. Now, I became acquainted with Mexicans there that were highly educated, and, I say, they are susceptible of a high degree of education if they have a chance. In northern Mexico we have a mixture. We have had in the west a great many renegades who committed crimes in the United States, and it is easy to go across the border. They could commit depredations in this country, steal cattle and commit other offenses, and go across the border, and before you could get any requisition papers they would be out of reach. The same way with Mexicans coming over to this country, flying back and forth. So you have a mixture there that you could not class as a pure-bred Indian you will find in southern Mexico; that is, when you take that class. Of course, you take the mountains there about Vera Cruz, the State of Vera Cruz, and in some places in Mishoacan, in the Sierra Madre and Sierra del Dur Mountains, there are people in there that could not be classed with the Mexicans generally. But I could not agree with that idea that the better class of people in Mexico are in the northern part.

Mr. KEARFUL. You do think that the Mexican people have the qualities, that, if they were given a chance, backed by the United States, for example, they could form a good government and be a nation of good citizens, do you?

Mr. BARTCH. I do. And I wish to state that, from my investigations, I feel that they, the better class of Mexicans, would hail the day when this country would establish a good government there.

Mr KEARFUL. Do they say so openly?

Mr. BARTCH. Well, they dare not, but I have had Mexicans confer with me on that subject. In fact, before this on one occasion I was requested to come here to Washington, and had a long interview with some of those people. They regret very much that this Government did not do something for them. You take the Mexicans in the southern country, and they have many good qualities about them. It is useless to denounce them as a class. You can not say that Mexico is a thoroughly civilized country in the sense the United States is, but there are civilized Mexicans there who would like to have their country in the same condition that this country is, and I think it would be a great act of humanity for this Government to establish a civilized government in Mexico.

Mr. KEARFUL. Do you think this Government owes any duty to its own citizens, and not simply a matter of self-protection?

Mr. BARTCH. I certainly do. This Government has got 2,000 miles of border to protect. It is bound to keep its eye on the ports on the Gulf coast and on the western coast. They have very good seaports on those coasts. The port of Acapulco is considered the

second or third best natural port in the world, and in case of a foreign invasion this country, of course, would be concerned. At present this Government has no control over the part at Magdalena Bay nor the Gulf of California. Ships of considerable size can sail up the Gulf of California and land almost in the heart of this country, in Arizona. Why shouldn't this Government be concerned about Mexico? Why would it not be its duty to put that country in such shape that the two countries together could form one great council nation and be of assistance to each other? The railroads are here, the natural means to do it. You can construct a railroad so that you could connect Mexico with Canada and with Hudson Bay. Not only Mexico with the United States but Canada. It would be a great benefit to the whole country if Mexico would have a government that would be a substantial modern government, that would protect the rights of foreigners as well as their own people.

Mr. KEARFUL. Are you prepared to give instances of murders and atrocities committed in the carrying out of the anti-American plan to which you have referred?

Mr. BARTCH. Yes, sir.

Mr. KEARFUL. Will you proceed to do so?

Mr. BARTCH. Yes, sir. In the spring of 1907, sometime, A. L. Foster and three other men were killed in the town of Alamo, in Lower California. I examined a Mr. Church, who was one of the intended victims. They had five men in an adobe house at the outskirts of the town, and they had accused Dr. Foster of giving medical aid to rebels. These were federal forces that did that. The others were accused of having given information to the rebels of their movements. They had them in a room, and they took them out and lined them up against a wall. I am giving this from Church, who escaped. Church was imprisoned in the house, and he noticed an opening in the rear of the building, and he got out through that into the jungle, and as he left the house the shots went off that killed the other four. Then he came across the line, and he said he took the matter up with the State Department and had some correspondence back and forth, and then the matter was dropped. He used some pretty strong epithets against the United States—was very bitter against the United States, the flag, and everything. He had me promise I would not use the evidence unless it was necessary, and so I never did. I never filed the affidavit, but his story is a very interesting one.

On March 4, 1911, or about that time, a military force under Gen. Blanco invaded the ranch of Robert O. Grewell and seized a lot of his property. He appealed to the officer to return his horses, and he refused insolently. Then he overtook Gen. Blanco himself and appealed to him to return the horses so that he could pursue his business. Blanco, instead of granting his appeal, took him along with his army into the battle of Agua Prieta, and during the battle he got an opportunity to escape, and they took a snapshot of Blanco and got him in the picture, and after he escaped, the other side began to search the country for him to execute him because they thought he was a spy. In fact, both sides thought he was a spy. Then they began to commit acts of violence against his family, and he had to move them out.

In January, 1912, James N. Walker, an American citizen, was killed by Mexicans in his own home at Colonia Dublan. Several Americans investigated the case and found the Mexican who had killed Walker. They got the evidence, so that they said there was not any question about his guilt, and then went to the judge and reported the case. They brought the culprit in, and the court set the time for trial, and the American who had obtained the testimony against him appeared there. Then the judge held a secret conference with the culprit and investigated the case himself, would not permit them to testify at all, and discharged the culprit, and that was all that was done about the murder of Walker.

About the middle of June, 1912, Col. Rivera—some called him colonel and some general—appeared in Colonia Morelos with a force of 750 soldiers and camped in the yards of Americans and in the main streets of the town. They began to shoot cattle and chickens that were owned by Americans and leave the offal laying in the hot sun to putrefy. They kept on with their depredations, and in a few days another force of 250 more soldiers appeared under Col. Obregon, who also camped in the same way, and the depredations were continued. Afterwards, Gen. Santinez himself appeared with about 750 more soldiers, camped in the streets and in yards of Americans, and, as stated by the witness, if possible, the conditions were worse than before.

Mr. KEARFUL. Was he the general whose forces were permitted to go through American territory?

Mr. BARTCH. He was the general whose forces were permitted to go through American territory to protect the colonists.

And Mr. Charles W. Lillywhite appealed to Col. Rivera to remove the soldiers from the streets and yards to a place at the outskirts of the town, a very good camping ground, and his appeal was received with insolence and had no effect, but later Rivera removed a small group of soldiers immediately from the front of Mr. Lillywhite's house into another part of the street. Then their depredations and indecencies were continually committed until a committee of citizens waited upon Obregon and Rivera and were received with insolence, and they were permitted to continue in the same way. They were permitted to bathe in the nude in the ditches in the streets, right in the view of women and children, and polluting the water, so that the people had to carry water from about a mile distant for culinary purposes, remaining there about three weeks.

Another victim of threats by those forces was William Adams. His wife died in Colonia Diaz. Mr. Arthur Evans took several relatives and a friend over in an automobile to attend the funeral. They crossed the border at Palomas, and the officer in charge examined the baggage in the automobile and told them they could go on and travel anywhere in Mexico; that no written pass was necessary.

When they arrived at Colonia Diaz the relatives alighted, and Mr. Evans drove his car to one of the places of Mr. Sanford at Ascencion and retired for the night. After he had retired, Mr. Chides, the justice of the peace, who was also commander of a force of soldiers, appeared at the house and demanded to know where Evans was. They told him he was upstairs, and they called him down. He arrested him, then took him over to the adobe hut and

imprisoned him there, and Mr. Sanford also. In a few hours they released Mr. Sanford and allowed him to go. They held Evans there until morning, and then compelled him to take an armed guard and the justice of the peace over to Colonia Diaz to see the relatives and to see whether or not they had a written pass. When they got there they did not have the pass, and about that time Mr. Adams stepped up and wanted to know of Mr. Evans what was the matter. He told him they had arrested him because he had no written pass. He took the matter up and interceded for Mr. Evans, and the officer at once flew into a rage and drew his gun on him. He grabbed the muzzle of the gun, and with that he pulled his revolver out of his pocket, and while his daughter was trying to protect him he shot him. She was trying to protect Adams, her father. He shot him, and he was dead in about five minutes, as the evidence showed.

Then the officer ordered Evans to drive on to Ascencion and compelled him to drive at top speed over the ditches and rough roads, and finally his engine gave out. They drew their guns on him and threatened to shoot him if he did not get that engine and car to go. He expected to be shot every moment, as he stated. Then when they got pretty close to Ascencion a wagon came along, and they hooked on to that, and they took him over there and locked him up again.

The next day they took him to court without arresting the accused or the culprit, and there, surrounded by armed policemen and officers, the judge himself took up the case for Chides, the justice of the peace, asking Evans questions tending to exonerate him from the crime and to put the blame on Adams. Evans, of course, was terror stricken and tried to answer the questions as the judge wanted him to, but he failed to do so. They kept him there that day, and the next day they brought him in again and went through the same performance. The third day they brought him in and then permitted the culprit himself to examine him, and finally they drew up an affidavit in Spanish and had him sign that. He could not read Spanish, did not know a thing about what was on it.

Then about that time the officer at Palomas had got word from Mr. Sanford, who escaped at the time of the shooting, and told him what had been going on. He came over to Colonia Diaz and finally got Evans out. The evidence showed that he was completely frightened, and of course signed the affidavit trying to save his life. I should say in regard to Mr. Adams that the same officer had threatened to kill him before, and the threat was carried out.

Mr. J. D. Harvey was killed at his home by Mexicans without any provocation. A Mrs. James Mortenson lived in that vicinity, and several Mexicans with the same force appeared there, and she, as I was told in the statements from the witnesses, saw them coming and barricaded the door. They came up against the door and could not open it. They tried to burst it in. They threatened her with death unless she opened it. She opened the door finally, and then they ordered her to get dinner or supper. She prepared the meal and told them it was ready now. She then took a coffee pot and turned to go to the stove, presumably to put more water in it, and while she did so they shot her in the back and killed her. The little girl escaped.

Marina Scott was also killed at the same place.

On August 1, 1912, a detachment of about 25 soldiers appeared at the home of Joseph I. Clawson, in Colonia Dublan, and forced their

way into the house. He was in the room. His family had been driven out on the 29th of July previous. They told him to leave. He said, "No; this is my home." The captain told him, "This was your home once, it is ours now, you will have to leave." He still insisted on staying. He ordered his men to take aim at him, and they all took aim, and he said he looked up those guns and into their faces and he saw it was all up with him. The captain told him he would give him one more chance, and he told him to give him time to put on his coat, and he did, and he left. He said there was a gang outside looking over his home. He had a fine home there. Before he got away any distance he said they had a free fist fight there in front of his house to determine who should have that place.

Joshua Stevens was killed about August 26, 1912. He had persisted in remaining there, after the Americans had been driven out. to take care of his property. The Mexicans appeared one day at his home, and he had several daughters there, and the way his statement showed their object was to molest those daughters. They were out in the field, and he was there, too. He went down there with them and talked with them. Then they started on down together, and as he went along one of them turned around and thrust a dagger into his breast, and they left him. I think he shot one of them, as I recollect it. But by the time the others got there he was dead, and the other one escaped.

Now, in none of these cases was I able to find that any of these culprits were punished, or that the Mexican Government made any reasonable effort to apprehend or punish them.

On September 18, 1912, when Gen. Salazar invaded Colonia Morelos, Damiel H. Schnall and several companions remained there to care for their property after their families had been driven out. The soldiers at once went from one American home to another and looted and pillaged them. Schnall and several companions approached Gen. Salazar and asked him to prevent his soldiers from pillaging their homes and destroying their property, saying that they would be willing to furnish them flour and provisions that they needed if they would not destroy them. Instead of granting their request, he held them there under duress while he went into the store and ordered the clerk—that happened in front of the store. He had a number of soldiers drawn up in line in front of the store. He took him in the store and held him there while he ordered the clerk to tie up various articles as he designated them, to quite a large extent, and they carried them away, and when they were through they finally released them.

They had tied horses behind the store, and he went to get his saddle horse, and as he got the saddle horse a Mexican, one of the soldiers, stepped up and took hold of the reins and said, "That is my horse." Mr. Schnall said, "No; that is my saddle horse." He said, "You keep your hands off." He saw he meant it, and, of course, he walked away and they took the saddle horse. That night couriers were sent from Douglas to Colonia Morelos to warn them that Gen. Rozoran would appear there and they were in danger, and to leave the town forthwith for the United States. They got there in the morning about the break of day. Their saddle horses were gone and they got such horses as they could get, and about noon the army

appeared up over a hill, and as soon as they got in sight they began to shoot. They got on their horses in a hurry and got out and left their pack animals, and finally got into the brush and escaped to Douglas.

Gen. Avila, in the latter part of February, 1913, captured a number of Americans in Colonia Chuchupa and held one of them there for ransom in the sum of $1,000, and threatened to kill him, but finally he turned over everything he had, and they let him off.

Afterwards, in the fore part of March, 1913, Gen. Rojas appeared with a command of soldiers and held William E. Williams and other Americans for ransom also to the extent of 100 head of cattle with a value of about $3,000, and they turned over 90 head of cattle to get rid of him.

Findley Merrill, in the latter part of 1913, was hung up by his thumbs by a detachment of soldiers. They drew him up and let him down a number of times and punished him shamefully, and finally took everything he had. He turned over all his money and everything and they let him go. He had remained there also to protect his property.

In the spring of 1914 about 12 men and some women and children returned to Colonia Morelos to try to protect what property they could and cultivate their land. About April, 1914, the situation became very serious. The United States had taken possession of Vera Cruz, and they were preparing, under advice of this Government, to return to the United State for safety. They intended to depart in the nighttime, but the soldiers learned of their intention and then ordered them not to depart. They obeyed the orders, and in the nighttime they broke into their sleeping apartment where the women and children were lying and used all sorts of vile language, until the women were perfectly terror stricken. Then in the morning, after being warned that they should take no property with them, and being given to understand that the property they had belonged to Mexicans, and on pain of being killed, they should take no property with them, and if it was found they did they would kill them, they finally permitted them to go, and they came back to the United States.

When the President issued his proclamation in August, 1913—that is, the present administration—advising them to leave Mexico, it had the effect of aggravating the situation. The Mexicans taunted the Americans with the fact that their own Government would not protect them. The conditions simply became worse. It had that effect. It had the same effect as when President Taft advised them to leave the trouble zone, and again when the Secretary of State advised them to come out in 1914, about April 23, I think it was.

Mr. KEARFUL. Those were orders, rather than advice, were they not?

Mr. BARTCH. Yes, sir. They were proclamations, as I understood.

About August 27, 1914, Charles W. Witten and several companions returned to Colonia Garcia to see if they could not secure and protect some property and cultivate some of their land. When they got there they found that the town was occupied by a force of soldiers, and the soldiers found they were there. They had tried to conceal themselves. They at once arrested them, although they had passes from Gen. Ochoa, I believe was the name, and their passes were ignored.

They stated that they lined them up under the eaves of a house while it was raining very hard and kept them there for a considerable time, letting the water run onto them. Then they took them out about 4 or 5 miles from town and were going to take them to an officer higher up and see what would become of them. When they got there they told them they wanted to go to the United States, and after parleying with them a long while they took everything they had and finally let them go, on the condition that they left the country.

(Whereupon, at 6.45 o'clock p. m., the committee adjourned, to meet again on Thursday, March 6, 1920, at 10 o'clock a. m.)

THURSDAY, MAY 6, 1920.

UNITED STATES SENATE,
SUBCOMMITTEE ON FOREIGN RELATIONS,
Washington, D. C.

Testimony taken at Washington, D. C., May 6, 1920, by Francis J. Kearful, Esq., in pursuance of an order of the subcommittee of the Committee on Foreign Relations of the Senate.

TESTIMONY OF G. W. BARTCH—Resumed.

Mr. KEARFUL. You may proceed, Mr. Bartch, where you left off yesterday evening.

Mr. BARTCH. I testified in regard to Moroni Fenn and others, and I wanted to refer again to that subject.

On the morning of September 12, 1912, Gen. Salazar made another speech of the same vicious character as the one made on the evening before. During the speech in the evening, while he was abusing and insulting Mr. Fenn and his companions, and the President and the citizens of the United States in general, evidently to impress upon his prisoners more forcibly his contempt for citizens of the United States, the general had his interpreter repeat his vicious utterances in English, although he knew that all of his prisoners could speak and interpret the Spanish language fluently.

On the morning of the 12th the army and the prisoners moved over to Colonia Morelos, they having been encamped at Colonia San Jose. There, under the command of Gen. Salazar, the soldiers and his officers, without disturbing a single Mexican residence, proceeded from house to house owned by Americans who had fled from the country in fear of his army, pillaged their homes, destroyed their property at random. Mr. Fenn and companions stated that they saw them break into the houses of American citizens, smash the windows, damage the floor and walls, break up the furniture, throw it into the street, shoot into the houses, cut and tear down fences and gates, utterly destroy the fruit, and generally devastate the premises, all the while saving harmless the property of Mexicans.

During his speech inveighing against the prisoners, the President, and citizens of the United States, he was cheered vociferously by his Mexican hearers. He informed them that the property of the Americans belonged to Mexicans and would be distributed to them. The Mexicans frequently appealed to him to give them American property. He replied to their entreaties by saying that the distribution

would be made later, that he had not time to do it then. He boasted frequently of having killed Americans, and of having driven them out of Colonia Dublan and other American towns in the State of Chihuahua, and his prisoners heard the soldiers boast of how they had ravished American women, and they declared, as the evidence shows, that if they caught any American women in that region they would make use of them.

These confessedly leading Mexican military officers and their armies committed offenses, abuses, cruelties, larcency, robbery, rape, murder, treachery, and other hideous crimes, Americans being the victims, with the barbarous design of running law-abiding citizens of a friendly nation out of Mexico, or of exterminating them, and then seizing and appropriating their properties, and all this with immunity from punishment by the Mexican Government thus far by this Government.

In reply to the question asked yesterday as to how many Americans were driven out of Mexico: When the Americans were driven out of Mexico they were, through the Mexican military forces and nationals encouraged by and operating with them, as shown by the evidence which I have taken, compelled to abandon all of their possessions, millions of dollars' worth of property, which had been lawfully acquired under the laws of Mexico while they were peaceably carrying on their business and maintaining a strictly neutral position as to the Mexican belligerents. They were so forced, through the acts of violence of the military forces, to abandon their homes and property, without any cause that I was able to ascertain except that they were American citizens, the hostile Mexicans being evidently actuated by race hatred, created by the military forces in accordance with the concerted plan to rid that country of Americans, and actuated by an insatiate desire for rapine and plunder and to acquire the accumulations and possessions of American citizens. It appeared that a hostile sentiment was created against foreigners generally, but was especially directed against the Americans, and rebel forces and federal forces alike were arrayed against the citizens of the United States in Mexico. All appeals to governmental officers were received either with indifference or with insolence, and no protection was granted. Mexican officers, civil, military, and judicial, in that region, appeared to be imbued with the same spirit that actuated the military in their violence.

The instances during the years 1911 and 1912 of the seizure, destruction, and appropriation of property owned by Americans are too numerous for specific mention; and the instances of the cruelty, abuse, and insulting Americans, including women and children, during 1911 and 1912 and thereafter, are likewise too numerous for specific mention. The testimony, however, which is on file in the Department of State of the United States, will show many of these instances, and the outrages which rendered the American families completely terror stricken and kept them constantly in fear of personal injury.

Counsel asked me yesterday respecting my opinion as to the Mexicans in northern Mexico and in southern Mexico. I wish to add to what I said that while there was a strong anti-American sentiment created by the military forces in northern Mexico, still there were

better classes of Mexican citizens who were of humane disposition, and were friendly to the Americans; but those who expressed their friendship in speech or acts were in danger of the violence of the military forces and the hostile nationals operating with them, the same as the Americans were. This, I take it, is true as to the friendly Mexicans, throughout the northern and southern portions of the country, at least, as far as I was able to ascertain.

As an instance to show the hostility toward friendly Mexicans. I will refer to the case of Marcos Calderan. For some years he had been in the employ of Isaac W. Pierce, an American who owned a gristmill and considerable other property at or near Colonia Diaz. He was a faithful employee, and when Mr. Pierce was compelled to flee for safety, he left his property in charge of Mr. Calderan.

When the military forces invaded Colonia Diaz, a detachment invaded the gristmill and the home of the American, on or about October 15, 1912. Finding that Mr. Calderan was caring for the property of an American, they maliciously and brutally marched him to the cemetery, compelled him to dig a grave, and then to stand on the edge of it, and they then shot him to death so that he fell into the grave, and they covered him up. A few days thereafter they shot and killed another faithful Mexican, an employee of Mr. Pierce. In this way they gave notice that Mexicans must not befriend Americans.

Another instance which occurred at Colonia Morelos, where a Mexican was also a faithful employee of an American. Upon being found trying to protect the property in his charge, he was shamefully maltreated by a military force, and upon fleeing into the hills to secrete himself, he was trailed and brought back and compelled to reveal some of the property and effects of the American, including money, but finally upon ascertaining that the Americans had fled with their money, and no effects being found, they permitted him to go.

There were numerous instances which I ascertained where, during the years 1911 and 1912, up to the time of the flight of Americans, Mexicans appeared at the homes of Americans and informed them of the plan to drive them out, in a friendly way, and the danger that was imminent.

In numerous other cases Mexicans of hostile disposition appeared at their homes to determine which Mexican should receive this property or that property, showing that they generally understood the plan to run the Americans out of Mexico much the same as revealed by Gen. Salazar and Gen. Rojas and other leaders in thought and action in their speeches.

To show the manner in which they treated the effects and property of Americans, I refer to a raid that was made by military forces on a store that was owned by Charles W. Lillywhite & Bros., in Colonia, Morelos. That was in the early part of September, 1912. The soldiers, while invading the town of Colonia Morelos, broke into the store, smashed the doors and windows, and, as the evidence shows, completely destroyed the showcases and fixtures, smashed the furniture, seized all of the merchandise, destroying the greater portion of it, threw large quantities of canned goods

and groceries, hardware, and drugs, in a mixture upon the floor, destroying cans, bottles, and vials of drugs, and scattered upon the mixture poisonous substances which are carried in the mercantile business, consisting of strychnine, quinine, rough on rats, cyanide, and other poisonous articles, breaking the bottles that contained them, and the ruins were still visible when the owner returned to see if he could not secure and protect some of his property. I discovered various instances of that character in taking evidence.

In another instance, in the same town, they invaded a flour mill, appropriated what flour they wanted, and threw the balance on the floor of the mill.

When the military forces were invading Colonia Morelos and that region, as the testimony which I have taken shows, they summoned the Mexicans in the region to a meeting, at which Gen. Salazar presided. It appears that the General informed the Mexican residents that the time had come when the possessions of the Gringoes were to be divided among the Mexican people, to whom he claimed it belonged; and he proceeded to distribute the lands among the local Mexicans who would announce their allegiance to the rebel cause and swear vengeance against the Gringoes. That was done after the Americans had been driven out, and was reported to the witness whom I examined by a friendly Mexican, an employee of the American.

One of the witnesses also stated that in the town of Colonia San Jose, when it was invaded by Gen. Rojas, notices were posted on the street corners warning the Americans who were in that region, having returned to try to secure some of their property, to leave Mexico and not return.

About May 1, 1914, J. D. Lillywhite and Lee J. Huber returned to Colonia Morelos to take charge of what property of Lillywhite Bros. might be remaining, including the grist mill, and to harvest their crops, if possible. On arriving there they found the hostility and violence of Mexican officers and soldiers and hostile nationals continuing unabated. Several soldiers appeared at the mill with a small roll of Mexican scrip, constitutional money, and offered it in exchange for flour. Lillywhite and Huber, aware that the scrip had no value in the United States, declined to accept it and informed them that the flour in the mill had all been contracted to be delivered to the El Tigre Mining Co. Shortly thereafter a detachment of soldiers arrested Lillywhite and Huber, took them to the office of the commissario, and they were informed by the commissario and other leading Mexicans that they had committed a very grave offense and insult against the Mexican Government by refusing to accept the scrip, and that it was the prerogative of the commissario to fine them in the sum of $500 each, or sentence them to jail for one year, or force them to enter the constitutionalist army, and that they were at liberty to take their choice of these penalties. While pronouncing the sentence the commissario was exceedingly abusive, in the presence of armed soldiers, and boastingly exclaimed, "You are in Mexico now and are subject to Mexican authority." The prisoners made no resistence, deeming it useless, but tried to explain to him that they simply acted in accordance with their duty to their employer. The commissario, however, accepted no explanation, but gave them an

opportunity to raise the $500 fine, instead of going to prison, and permitted them to return to the mill, which was patrolled by armed soldiers. They took advantage of the permission to raise the money, and finally effected their escape into the United States, by securing saddle horses and riding all night.

In the latter part of 1914 Charles W. Lillywhite and Horace F. Lillywhite, although hostilities still existed and the anti-American sentiment was intense, returned to Colonia Morelos to care for any of their property that might be remaining, intended to plant crops, and to endeavor to operate their mill. While endeavoring to conduct their business, or the business of Lillywhite Bros., they suffered various losses through hostile invasions of military forces, and nationals operating with them, until about January 23, 1915, when an advance guard of Gen. Jesus Trujillo and Gen. Sosa arrived under the command of Col. Tomas Rosas, and about February 2, 1915, the main army of Gen. Sosa, consisting of about 3,000 soldiers and officers, arrived, Gen. Trujillo having arrived previous to that.

The two Americans had procured passports from the counsel representing Gov. Maytorena. The passports purported to give guarantees for protection for person and property, and were also approved by the counsel of a Mexican general. About that time there were about 17 American men and relatives, or families, in the town. They were all arrested by the advance guard of the army, and held as prisoners, with the town for a jail, during a period of 10 days, until the arrival of Gen. Sosa. In the meantime, Charles W. Lillywhite was commanded to furnish them flour and other products from the mill, and the soldiers seized and appropriated the grain, flour, groceries, and other supplies and personal property which the Lillywhite Bros. and other Americans had, and seized and appropriated the horses and live stock, shot two milk cows owned by the Lillywhite Bros., pillaged their homes, and left them destitute of provisions.

Charles W. Lillywhite was seized upon for special attack by officers and soldiers, and especially by Col. Rosas and Gen. Trujillo, who were among the invaders of the town. Upon seizing their property, Charles W. Lillywhite appealed to Col. Rosas to permit them to retain some of their horses. The colonel flew into a rage, flashed his six-shooter at Lillywhite and called him vile and abusive names, among his epithets being "You gringo, low-lived coward, you son of a bitch, you are a robber."

Afterwards Col. Alfredo Frigosa arrived and used similar epithets against them; both of the colonels stating, as the evidence shows, that the Americans had robbed the Mexicans of their lands, as they had purchased them from President Porfirio Diaz, and that the time had come when the gringos would have to submit to their demands willingly, or they would take them over the border line where they belonged, and that that country belonged to the Mexicans. Col. Sosa, in boasting terms, declared that he had been assigned the duty to distribute the lands of "gringos" among these "Mexicans," waving his hand at a large crowd of natives who had gathered by. Then, shoving his fist in the face of Lillywhite, he said, "Speak! Are you agreeable to that or not? Answer quick." To all of which Lillywhite had to submit.

On January 26, 1915, Charles W. Lillywhite, already under arrest, with the town as a jail, was taken by a detachment of soldiers under command of a captain, as prisoner, and cruelly and shamefully prodded with their bayonets, as they were taking him to a warehouse, and upon their arrival there, Col. Frigosa wantonly and brutally shoved him over a barbed-wire fence, then imprisoned him in the warehouse and held him under guard incommunicado during the rest of the day until late at night. While there as a prisoner, he was afterwards informed, that the Mexicans designed to take him as a prisoner across the country to Fronteras, a distance of 30 miles, and on the way incidentally have him attempt to escape, when they would shoot him to death under the pretense that he had attempted to get away from his guard.

The timely arrival of Col. Haro, with several hundred troops, however, frustrated their designs to kill Lillywhite. That colonel was of humane disposition and did all he could to save him from further violence, until Gen. Trujillo arrived, who was superior in command to Col. Haro, and then the situation of Lillywhite again became desperate. He was taken before Gen. Trujillo on the 27th of January, and on the 29th he was taken twice before the general, and each time was abused and held under threats of death.

On the last occasion, on the 29th, Gen. Trujillo himself flew at him in a rage, and among his abusive epithets said, "You gringo rascal son of a bitch, robbing brute, the greatest robber in the colony. Run the flour mill and send flour to this Cuartel or I will kill you." Then the general viciously and brutally kicked him in the presence of his officers.

For the claimant to have attempted to reason with either Col. Frigosa or Gen. Trujillo, as he stated, would doubtless have cost him his life, for when the general so brutally kicked him, they were on the point of striking him down, Col. Frigosa with his pistol and Gen. Trujillo with his sword, as appears from Lillywhite's testimony. To save his life he was compelled to submit to their cruelty and abuse, convinced that resentment meant death. He was constantly in great stress of mind, not only because of his own safety, but because of that of his family, and except, as he asserted, for the arrival at that time of Gen. Sosa, who appeared to be a humane gentleman, and who was general in chief of the army, Lillywhite would doubtless have fallen the victim of that Mexican violence.

About July 4, 1913, a force of Mexican soldiers operating under the command of Gen. Salazar brutally assaulted and killed a Mexican, who was friendly to Americans, on the Bavi Cora ranch near the town of Madero, because they had learned of his friendliness to Americans. They first beat him, then shot and killed him; they piled wood on him and burned his body, except a small portion thereof, which was afterwards buried by William E. Williams and some companions.

Mr. KEARFUL. Have you had occasion to take testimony respecting the massacre at Santa Ysabel?

Mr. BARTCH. Yes, sir. I prepared the documents in the case of Mrs. Helen Hintz Coy. She now resides in San Francisco, Calif. Her husband, John Pope Coy, was one of the victims of the massacre at Santa Ysabel. He had been employed by the Cusi Mining

Co., and was on his was to Cusihuiriachic. He was a gentleman of fine attainments and a competent mechanical engineer. He had not been in Mexico previously. On his way he stopped at El Paso and there joined a number of other Americans.

On the evening of January 8, 1916, at a banquet, leading Mexicans assured the Americans that the country where they were going was safe and peaceable, and Mexican officials in authority issued passports to them, purporting to permit them to travel in Mexico in safety. On the morning of the 9th of January they boarded a train and traveled in safety over the railroad to the city of Chihuahua, where Mr. Coy and his companions were joined by several other Americans. At Chihuahua some of them were apprehensive that trouble might ensue. They had been assured, however, by Government officials at El Paso that there was no danger, and that they could safely travel from El Paso to Cusihuiriachic. At Chihuahua they were again assured of the safety along the Mexican Northwestern Railroad from Chihuahua to Cusihuiriachic, by the governor of that State, by Gen. Jacinto de Trevino, the commander of that military zone, and other Government officials.

Notwithstanding those assurances, however, some of the Americans were apprehensive of danger, and C. R. Watson applied to Gen. Trevino for Government troops to guard the train the next day. The general replied that it was unnecessary; that the country was under the control of Government troops, and that he would send out more troops the next morning, and if danger arose they would be protected.

Their apprehension was also indicated by a letter which Mr. W. D. Pearce wrote to his brother, S. L. Pearce, at Laymond, Calif. A photographic copy of that letter, I am informed, is on file with the Department of State of the United States.

In the letter, among other things, he states:

> Watson has arranged for a special car to take us out in the morning, and I have decided to go. There will be about 20 Americans in the party. Some of them are a little nervous, as it is rumored that all is not quiet out that way. Watson saw the commanding officer here and offered to pay for troops to accompany the train, but was assured that Carranza troops are in control along the railroad and at Cusihuiriachic, and that he was sending more out this way to-night or early in the morning. So I hope to be able to work for a while without interruption.
>
> Mr. Carranza is more to be feared than was Villa. Villa, at least, had courage to enforce orders, which is more than I can say for Carranza. Carranza fears Villa more than anything else, and if he can make trouble for us Americans, and at the same time make it appear that it was Villa who made the trouble, you may be sure he will do it.

The next morning, on January 10, 1916, Mr. Coy and his companions boarded a train and started for Cusihuiriachic. They traveled in safety to Santa Ysabel. When they arrived at that station two armed Mexicans rode up to and along the train, viewed it, and rode away.

After the train left Santa Ysabel and had traveled about 8 kilometers it was stopped by another train, the front car of which had been derailed in a cut near the river. That was a troop train that had preceded the ill-fated train, the two trains traveling about 10 miles apart. When the ill-fated train stopped a force of Mexican soldiers shot into the car in which the Americans were traveling.

They wounded some of them, then forced them all out of the car, and while doing so C. R. Watson, R. P. McHatton, and Thomas V. Holmes ran toward the river, attempting to escape, while the Mexicans were shooting at them. Holmes tripped and fell into the brush, and the Mexicans then, evidently assuming he was dead, turned their attention to Watson and McHatton, and shot and killed them. While they were shooting at them, Holmes crept through the brush and into the river, then followed the bank down until he escaped. The other parties were lined up against the car and brutally shot to death. Eighteen were killed and one escaped. The Mexicans who were on the train were then permitted to depart.

The occurrence was described by the conductor, J. Guadalupe Gardona, of the ill-fated train, which affidavit, as reported in the public press of the United States, was given to the British consul at Chihuahua City and telegraphed to the British consul, H. C. Miles, at El Paso. As reported in the press it read as follows:

The train arrived at Santa Ysabel at 1.15 p. m. On arriving at kilometer 68, 8 kilometers beyond Santa Ysabel, we encountered a train, national engine No. 57, off the track. When I got off to see what happened the shooting started Afterwards Gen. Rayna placed us under guard, searching us and also searching the car. All the money on the passengers and in the car was taken. After that had taken place we left, the Americans having been killed. Some of the foreigners were first shot on the train, and a number, including one Mexican, who were wounded in the car, were later taken off and murdered. Some of them jumped off and ran toward the river. These included Watson. They were followed and fired upon.

A messenger from the city of Chihuahua, after arriving at El Paso, January 13, 1916, made a statement, in which, as published in the public press, he said:

The mining company's train had been preceded Monday by a troop train carrying from 500 to 1,000 Carranza soldiers. The two trains were traveling 10 miles apart. At 1 o'clock p. m., it was reported to Chihuahua that the troop train was derailed in a canyon, and at 4 o'clock reports of the hold-up of the passenger train with a number of Mexican women and children aboard returned to Chihuahua City with the first news of the massacre.

One Vasquez, a Mexican in the employ of C. R. Watson, who was a witness to the tragedy, made a statement in which, as published in the public press, among other things, he said:

They left our car, placing guards at the doors, and went into the next car. The foreigners were driven out. Some of them had been wounded by their shooting into the train. Outside the soldiers pointed their guns at them and forced them to strip themselves of their clothing. That was done by the Americans, and they stood there in their underclothing. The soldiers then ordered them to line up along the side of the railroad track, and then the most horrible part began. Two soldiers using Mausers were told by Col. Lopez to kill the Americans. One of them went up to the first foreigner and shot him, and as he died the second one fired his Mauser at the second foreigner, standing in line. A general confusion began when the first two were killed, but the two men ran along the line, taking turns shooting the Americans. Some of the foreigners attempted to break away, but they were forced back by the soldiers until the entire line had been killed. Only two men did the executing. The others stood around cheering and crying, "Viva Villa." I saw the dead bodies of the Americans as they lay after the shooting. Their underclothing was covered in blood, and they lay in all kinds of grotesque positions. Some had fallen forward, while others fell over one another. The top of one American's head had been shot off.

I obtained no direct evidence showing to what arm that force of soldiers who did the shooting belonged. It is shown, however, that

a troop train carrying from 500 to 1,000 government soldiers preceded the ill-fated train; that one car of that train was derailed; that the two trains were traveling about 10 miles apart; and it was shown that no soldiers were in sight except those that did the shooting. According to the public press, the government authorities claimed that they were Villa's soldiers, but I have observed no intimation anywhere or from any source as to what became of all those government troops within the short period of time between those trains, or as to what would induce them to leave the train when their car was derailed, nor have I seen any showing by Mexican authorities as to what became of those soldiers. Under the circumstances, the conclusion seems inevitable that the soldiers on the troop train committed that massacre. I see no escape from that conclusion.

It has cast a dark cloud upon Mexico and it was and is the province of the Mexican Government, in order to escape condemnation for that massacre, to show what became of the government soldiers. This, so far as I have been able to ascertain, it has failed to do. That government, and those government officials who gave the assurances of safety, were aware ever since the Madero revolution of the villainies that were constantly perpetrated against American citizens up to the time of the massacre. They were aware, or by the exercise of reasonable diligence would have been aware, at the very time when they gave those assurances of safety, that the country was overrun with soldiers, and nationals operating with them, whose hostility against Americans had no bounds.

Nor have I been able to secure any evidence that the Mexican Government made any reasonable effort to apprehend and punish the criminals, notwithstanding the inhuman outrage that was committed on inoffensive, law-abiding American citizens. The massacre of those 18 American mining men was an atrocity which, in brutality and inhumanity, closely resembled, except in numbers, the barbarous massacre of more than 300 Chinese subjects at Torreon, in the State of Chihuahua, in May, 1911, and, like that massacre of the Chinese, the massacre of the 18 Americans beggars description. No language can adequately portray the inhumanity and inherent brutality of the perpetrators, and the barbarity of that Mexican army which forced those Americans from the car and train and barbarously shot them to death, while they were begging for mercy, mercy at the hands of soldiers and officers steeped in brutality, lost to all sense of humanity or decency, given over to race hatred created by military forces and hostile nationals, and acquiesced in by government authorities. And the events succeeding the massacre, which culminated in the awful crime committed at Columbus, N. Mex., on March 9, 1916, when Americans were massacred in their own homes, on American soil, shows a complete chaotic condition of the local government of the State of Chihuahua, and a lamentable delinquency on the part of Mexico to permit the Government to drift into such a state.

Notwithstanding the fact that numerous grave offenses have been perpetrated by Mexican military forces and nationals cooperating with them, encouraged by leaders in speech and action, the Mexican Government has, in my judgment, made no reasonable attempt to apprehend and punish the culprits. Governmental authorities have attempted to make it appear through the public press, and other-

wise, that Gen. Villa and his army were in revolt against the Mexican Government. Still the circumstances unequivocally indicate that whenever American rights were infringed upon by the alleged command of Gen. Villa, and whenever Americans were killed by military forces or outraged, the Mexican Government, it appears, not only failed to punish the perpetrators of the offenses, but, with the use of its own governmental troops, as in the case of Gen. Villa, who was alleged to have committed the outrages at Columbus, N. Mex., actively interferred when the military forces of the United States attempted to apprehend and punish the criminals, for it is now a matter of history that when the United States Government, recognizing the delinquency of the Mexican Government in its failure to apprehend and punish the perpetrators of the crimes committed at Columbus, sent its troops across the border into Mexico to apprehend and punish the offenders, the Mexican Government by use of its government troops actively interferred and engaged, at the city of Parral, in the State of Chihuahua, the American forces in battle, in which a number of American soldiers were killed, and thereby prevented further pursuit and permitted the guilty persons to escape.

Thereafter, about June 21, 1916, another detachment of American soldiers, sent in pursuit of a detachment of the army of Gen. Villa, was ambushed near the town of Carrizal, in the State of Chihuahua, by a force of governmental troops under the direct comand of Gen. Felix de Gomez, who was subject to the command of Gen. Jacinto de Trevino, the federal general commanding that military one, and an attack was made by order of the chief executive of the nation, Gen. Venustiano Carranza, as reported in the public press. In that battle a number of American soldiers were killed, including Capt. Boyd and Capt. Morey.

It thus seems clear that the facts and circumstances show unerringly that the acts and conduct of the Mexican Government and its government officials, respecting the vile and villainous acts and barbarousness of its military forces against American citizens, are wholly inconsistent with its official pretenses and utterances.

If this Government should establish a protectorate in Mexico. similar to that in Cuba, it would be advisable, in my opinion, for the Government to appoint a commission to adjust all American claims, and to assume the payment of them, and liquidate them by the issuing of Government bonds, and also provide sufficient funds to put the Mexican Government in position to liquidate the other foreign claims against it, and maintain a proper government.

(Whereupon the committee adjourned, subject to the call of the chairman.)

THURSDAY, MAY 6, 1920.

UNITED STATES SENATE,
SUBCOMMITTEE ON FOREIGN RELATIONS,
Washington, D. C.

The subcommittee met pursuant to call at 11 o'clock a. m., in room 128, Senate Office Building, Senator Albert B. Fall presiding.

TESTIMONY OF WILLIAM TEITLEBAUM.

(The witness was duly sworn by the chairman.)

The CHAIRMAN. You may give your name in full.

Mr. TEITLEBAUM. William Teitlebaum.

The CHAIRMAN. Mr. Teitlebaum, you telegraphed to the chairman of this committee a few days since from New York City expressing a desire to appear before the committee and make a statement with reference to the subject of this investigation.

Mr. TEITLEBAUM. Yes, sir.

The CHAIRMAN. In answer to your telegram, you were notified that the committee would hear you either then, the latter part of April, or early this week.

Are you a citizen of the United States?

Mr. TEITLEBAUM. In the eyes of the law, I am not, Senator; in service and love, I am a very fair one.

The CHAIRMAN. Of what country are you a native?

Mr. TEITLEBAUM. I am a Hungarian by birth.

The CHAIRMAN. Have you ever been naturalized as a citizen of the United States?

Mr. TEITLEBAUM. No, sir; I have not.

The CHAIRMAN. Where do you reside?

Mr. TEITLEBAUM. I reside in New York City at the present time.

The CHAIRMAN. What is your business?

Mr. TEITLEBAUM. I am engaged in one of the various businesses that is known where a scavenger is clean alongside of it—broker.

The CHAIRMAN. You have not expressed as fully as you might, I presume, what is your business?

Mr. TEITLEBAUM. General broker of food products, sugar, and coal.

The CHAIRMAN. Where is your place of business?

Mr. TEITLEBAUM. At the present time I have none. I am simply a free lance.

The CHAIRMAN. Are you associated with any firm or with any other person in business?

Mr. TEITLEBAUM. No, sir.

The CHAIRMAN. What is your occupation at the present time?

Mr. TEITLEBAUM. Brokerage. for instance, the first money for some little while that I have had I made last week, of $150, which I am using to bring this service before you.

The CHAIRMAN. What was your occupation in 1910 and 1911?

Mr. TEITLEBAUM. I had interests in San Antonio in the amusement field, and prior to that in irrigation.

The CHAIRMAN. You mean San Antonio, Tex.?

Mr. TEITLEBAUM. Yes, sir.

The CHAIRMAN. What kind of irrigation were you interested in?

Mr. TEITLEBAUM. The air lift.

The CHAIRMAN. You mean lifting the water from wells by air pressure?

Mr. TEITLEBAUM. Yes, sir.

The CHAIRMAN. Where was that? Was that at Pearsall, Tex.?

Mr. TEITLEBAUM. Yes, sir.

The CHAIRMAN. What was the extent of your activities in the irrigation line at that time?

Mr. TEITLEBAUM. Well, I had organized that Pearsall undertaking, and after that tried to further it through parties in San Antonio.

The CHAIRMAN. You have expressed a desire to give this committee information about Mexico. Just proceed. I would like to ask you to make your story just as concise and short as possible. The time of the committee is limited. We would like to have any facts that you have upon which you may base any suggestions that you have to make. Just proceed in your own way.

Mr. TEITLEBAUM. Unfortunately, I am not as direct in speech as yourself, and I have to beg the committee's indulgence a little bit. I am very reluctant in coming before the committee with the broken life, but I feel the responsibility of investigations which I have conducted, reseach that I have made in the Mexican situation, that I can not escape that responsibility in bringing it before your committee.

The CHAIRMAN. How did you happen to make such investigations?

Mr. TEITLEBAUM. I organized while in San Antonio the American Anti-Intervention Association.

The CHAIRMAN. What year?

Mr. TEITLEBAUM. I think it was in 1910.

The CHAIRMAN. Who were the other organizers?

Mr. TEITLEBAUM. Dr. Brumley.

The CHAIRMAN. Where did he live?

Mr. TEITLEBAUM. He lived in San Antonio.

The CHAIRMAN. Where does he live now?

Mr. TEITLEBAUM. I think in Austin.

The CHAIRMAN. Who else?

Mr. TEITLEBAUM. That was all.

The CHAIRMAN. Just Dr. Brumley and yourself?

Mr. TEITLEBAUM. Yes, sir.

The CHAIRMAN. Was he a citizen of the United States?

Mr. TEITLEBAUM. Yes, sir. He is one of the board of health commissioners of the State of Texas.

The CHAIRMAN. Residing then in San Antonio?

Mr. TEITLEBAUM. In San Antonio.

The CHAIRMAN. How did you and he happen to organize the Anti-Intervention Association?

Mr. TEITLEBAUM. Well, it was I who organized it.

The CHAIRMAN. Well, but you and he composed it?

Mr. TEITLEBAUM. No, sir.

The CHAIRMAN. That is what I am asking you. Who composed that association?

Mr. TEITLEBAUM. I did myself, sir.

The CHAIRMAN. Then you organized it, he joined you, and you composed it?

Mr. TEITLEBAUM. Yes, sir. There is a photograph of the float, which was the initial float, and accompanied by those persons. I hand you also a few of these cards.

The CHAIRMAN. I notice that you apparently printed and sent out post cards addressed to the American Anti-Intervention Association, 304 East Side Alamo Place, San Antonio, Tex., with no other address, containing neither your name, nor that of your associate, Dr. Brumley.

Mr. TEITLEBAUM. Yes, sir. Dr. Brumley at that time had no connection with it.

The CHAIRMAN. I am trying to get a starting point. You say you organized that association. How did you organize it?

Mr. TEITLEBAUM. My simply starting that float from the Alamo.

The CHAIRMAN. The sending out of a float on the street is not the organization of an association?

Mr. TEITLEBAUM. That was the organization of it.

The CHAIRMAN. That is an activity of an association; that is not the organization of an association.

Mr. TEITLEBAUM. That was all there was to it.

The CHAIRMAN. You just constituted yourself the association?

Mr. TEITLEBAUM. Yes, sir.

The CHAIRMAN. Then you secured a float drawn by horses?

Mr. TEITLEBAUM. Yes, sir.

The CHAIRMAN. And containing signs; for instance, here is a sign bearing on the top the words, "You can stop the war with Mexico," and on the side various other signs. And you started that around the streets of San Antonio? Is that it?

Mr. TEITLEBAUM. Yes, sir.

The CHAIRMAN. Then along with your other activities you had these post cards printed and sent them out?

Mr. TEITLEBAUM. Yes, sir.

The CHAIRMAN. Who printed them? I mean, who paid for them?

Mr. TEITLEBAUM. I paid for them, sir.

The CHAIRMAN. I am asking you these personal questions to get you started.

Mr. TEITLEBAUM. Yes, sir; that is all right.

The CHAIRMAN. I want to cut this short, if possible.

Mr. TEITLEBAUM. I am afraid it will be very difficult to do it, Senator.

The CHAIRMAN. We will do it. It will not be difficult. We will give you ample opportunity to tell what you know, but the committee has its own method of procedure.

On the back of this post card I noticed printed:

You are requested to place my name on your honor roll as favoring the blessings of peace as against intervention, which means war with Mexico. I also desire you to use my name to a petition directed to my Congressman and Senators in Washington, to vote and work zealously for the recognition of belligerent rights to the insurrectos of Mexico as the safest and quickest way to accomplish permanent peace in our sister republic.

Then follows "name, address, remarks."

The particular post card which you have handed me, and which I am reading from, has opposite the printed word, "name," in writing, "George J. Dewey" or "Denny," "jr." or "sr." Do you know what that name is? Opposite the word "address" is written "401 Gibbs Building." Opposite the word "remarks" is written "recognition of belligerent rights means Diaz's end, then comes peace. Hurry it along." The name is of no importance. These are the cards you sent out, and these which you have handed me are some of those which were returned to you?

Mr. TEITLEBAUM. Yes, sir. I distributed them myself, mostly, and these were some that were mailed in.

The CHAIRMAN. You distributed them personally?

Mr. TEITLEBAUM. Yes, sir.

The CHAIRMAN. What was the date when you were distributing these cards?

Mr. TEITLEBAUM. I think it was about May 3, 1911, from a clipping that I have here from the press of that date, where is said, "Peace movement started."

The CHAIRMAN. On or about May 3 is when you were distributing these cards?

Mr. TEITLEBAUM. Yes, sir. I think for about a week or 10 days, some such matter after that.

The CHAIRMAN. Did you know Francisco I. Madero, jr., prior to that time?

Mr. TEITLEBAUM. I met the gentleman just a little while before that.

The CHAIRMAN. You became acquainted with him?

Mr. TEITLEBAUM. I became acquainted with him; met him at his hotel in San Antonio.

The CHAIRMAN. Did you talk with him at that time about Mexican affairs?

Mr. TEITLEBAUM. I did; yes, sir. He spoke to me, rather, explaining the situation in Mexico, and won me to his cause.

The CHAIRMAN. Then you were distributing these post cards in the interest of the cause of Francisco I. Madero, jr., were you not?

Mr. TEITLEBAUM. No, sir.

The CHAIRMAN. You said you were won to his cause?

Mr. TEITLEBAUM. Yes, sir.

The CHAIRMAN. I asked you why you distributed these cards?

Mr. TEITLEBAUM. I had early in life set myself the task of earning American citizenship, and I had made a number of efforts in different lines prior to that.

The CHAIRMAN. When did you come to the United States?

Mr. TEITLEBAUM. In 1880.

The CHAIRMAN. Did you apply for citizenship papers, first papers?

Mr. TEITLEBAUM. No, sir; I did not.

The CHAIRMAN. Have you ever made application?

Mr. TEITLEBAUM. No, sir; I have not.

The CHAIRMAN. Then what do you mean by "earning" American citizenship?

Mr. TEITLEBAUM. I wanted to try to have it given to me without applying for it.

The CHAIRMAN. At this time you speak of, when you were engaged in these activities, there was a recognized government in the Republic of Mexico, with Porfirio Diaz as president, was there not?

Mr. TEITLEBAUM. Yes, sir.

The CHAIRMAN. There was no trouble between the United States and Mexico at that time that you knew of, was there?

Mr. TEITLEBAUM. Yes, sir.

The CHAIRMAN. What was it?

Mr. TEITLEBAUM. The insurrection.

The CHAIRMAN. Oh, I am speaking of the United States of America with Mexico?

Mr. TEITLEBAUM. No, sir.

The CHAIRMAN. What did the United States have to do with this insurrection in Mexico?

Mr. TEITLEBAUM. Well, there was a movement on foot then to intervene, if I recall right.

The CHAIRMAN. What movement? Directed by whom?

Mr. TEITLEBAUM. My memory does not rserve me as well as it might, but I think I have something that might refresh it.

The CHAIRMAN. What are you proposing to refer to in order to refresh your memory?

Mr. TEITLEBAUM. Some clippings that I have here of some of the activities of the organization.

The CHAIRMAN. All right.

Mr. TEITLEBAUM. Or rather, of the movement. I see that on May 6, Pearsall held a meeting of citizens in an effort to have the rebels recognized.

The CHAIRMAN. That had nothing to do with the Government of Mexico, or any trouble between the United States and the Government of Mexico. I presume you attended that meeting or had something to do with it; did you not?

Mr. TEITLEBAUM. No, sir; I did not attend it. I suppose I did have, indirectly, a hand in it.

The CHAIRMAN. You have referred to this memorandum, and in answer to the question you said there was a movement on foot for intervention in Mexico. I have asked you what difficulty there was between the United States and Mexico, and you, in attempting to answer that, have said there was a movement on foot for intervention at that time. Now, the only movement that appears as yet is the one you were attempting to organize, and concerning which you refer to the meeting at Pearsall, which was the scene of your activities.

Mr. TEITLEBAUM. No, sir; that was in San Antonio.

The CHAIRMAN. You were distributing these post cards in San Antonio?

Mr. TEITLEBAUM. Yes, sir.

The CHAIRMAN. In an attempt to refresh your memory you have referred to a newspaper clipping concerning a meeting at Pearsall, where resolutions were adopted requesting the recognition of the insurgents in Mexico against the regular Government?

Mr. TEITLEBAUM. May I read that?

The CHAIRMAN. I do not care to have that newspaper clipping read into the record. I take your word for it, that it is something concerning your activities. Now, what I am getting at——

Mr. TEITLEBAUM. I see what you are getting at, Senator, and I am very anxious to try to give it to you as near right as I know it.

The CHAIRMAN. You stated that you were desirous of proving your right to become a citizen of the United States?

Mr. TEITLEBAUM. Yes, sir.

The CHAIRMAN. You have never made an application for citizenship, although you came here 30 years ago, or something like that, and you have never made any attempt to become a citizen, still you are trying to prove your right to become a citizen by your efforts in behalf of the insurgents against the regular recognized Government in the Republic of Mexico.

Mr. TEITLEBAUM. The situation, strange as it may seem, is so, notwithstanding. Here is the way of it. I set myself to try to earn that citizenship. Lafayette is the only man to whom that citizenship has been offered, and he refused it. I have set myself to earn that citizenship.

The CHAIRMAN. That you might refuse it?

Mr. TEITLEBAUM. No, sir; not that I might refuse it; that I might have it so.

The CHAIRMAN. Lafayette did not undertake to earn his citizenship by getting this country into trouble with any other country; did he?

Mr. TEITLEBAUM. No; and I did not either; I did not either, sir. I had imparted this secret of mine to Mr. Bonillas, who was the first man I told it to; and Mr. Long, here in Washington; Mr. Bryan; Mr. Wright, editor and publisher of the Globe; and Mr. Dittemore, of the Times, before the World War brought on by Germany, and before it had become fashionable for men to find excuses of not being citizens.

The CHAIRMAN. You have not followed the fashion, have you?

Mr. TEITLEBAUM. Not in that respect; no, sir.

The CHAIRMAN. But you have never made application for citizenship?

Mr. TEITLEBAUM. No, sir. I had held this: After having told of this secret of mine, I have set myself to finding there is nothing in the Constitution against a man trying to earn to have the flag covering him when he is no more, that he may be able to do that, having failed in the other, and that is why I am here. I have felt, Senator, that the question of service, and not what we get, but what we give, is the basis of citizenship.

The CHAIRMAN. All right. Let us put that question of citizenship aside for a moment. What else did you do besides distributing these post cards and also to hold meetings and endeavor to bring about the meetings in favor of the belligerency of the Madero faction in Mexico at that time?

Mr. TEITLEBAUM. From time to time we had sent messages to the President.

The CHAIRMAN. What did you know about Mexico at that time?

Mr. TEITLEBAUM. Only what Mr. Madero had told me.

The CHAIRMAN. How long had you been on the border or near the border when you met Madero?

Mr. TEITLEBAUM. I was there several years. I don't remember just how long, probably three years, two or three.

The CHAIRMAN. All right. You had done nothing with reference to Mexico until you met Madero, had you?

Mr. TEITLEBAUM. No, sir.

The CHAIRMAN. How many conferences did you have with Madero?

Mr. TEITLEBAUM. I only had one conference. It was not a conference.

The CHAIRMAN. Was there an understanding between Madero and yourself as to what you should do, if anything?

Mr. TEITLEBAUM. No, sir; not at all.

The CHAIRMAN. Then, what you knew of Mexico at that time you learned from conference with Madero?

Mr. TEITLEBAUM. Yes, sir; and from San Antonio, being in San Antonio.

The CHAIRMAN. From whom else in San Antonio did you learn of Mexico?

Mr. TEITLEBAUM. No individual person that I knew of.

The CHAIRMAN. Did you read anything about Mexico?

Mr. TEITLEBAUM. Most assuredly.

The CHAIRMAN. What was the source of your reading?

Mr. TEITLEBAUM. Newspapers was all.

The CHAIRMAN. Had you made any study of conditions of Mexico or the people of Mexico prior to that time?

Mr. TEITLEBAUM. No, sir.

The CHAIRMAN. Did you make any afterwards?

Mr. TEITLEBAUM. No, sir; I have not.

The CHAIRMAN. Have you made any study of Mexican history or conditions or ethnology?

Mr. TEITLEBAUM. In a very vague kind of way. I mostly obtained my knowledge first hand.

The CHAIRMAN. How?

Mr. TEITLEBAUM. By investigation.

The CHAIRMAN. How? What investigation?

Mr. TEITLEBAUM. Well, I went down to Mexico.

The CHAIRMAN. When?

Mr. TEITLEBAUM. January, 1914.

The CHAIRMAN. With whom?

Mr. TEITLEBAUM. With Mr. Jesus Aguilar.

The CHAIRMAN. Who was he?

Mr. TEITLEBAUM. He was a nephew of Mr. Madero.

The CHAIRMAN. Where did you go?

Mr. TEITLEBAUM. I went with him to Culiacan.

The CHAIRMAN Where else?

Mr. TEITLEBAUM. From there I traveled with him to the first chief.

The CHAIRMAN. Who was the first chief?

Mr. TEITLEBAUM. Carranza.

The CHAIRMAN. You are getting Carranza and Madero mixed, are you not?

Mr. TEITLEBAUM. No, sir. You asked me when I went down to Mexico and with whom.

The CHAIRMAN. You didn't go during the time of Madero?

Mr. TEITLEBAUM. No, sir.

The CHAIRMAN. Do you speak Spanish?

Mr. TEITLEBAUM. No, sir; I do not.

The CHAIRMAN. What was the date that you went to Mexico?

Mr. TEITLEBAUM. I am trying to give it to you. I think it was January 31 or February 1, 1914.

The CHAIRMAN. How did you happen to go there at that time?

Mr. TEITLEBAUM. I was very anxious to have the Constitutionalists lend themselves more to the American need.

The CHAIRMAN. What did you know of America's needs? You are not a citizen.

Mr. TEITLEBAUM. I probably have studied the needs as closely as any man in the task that I have set for myself.

The CHAIRMAN. When you say "America's needs" do you mean the needs of the United States of America?

Mr. TEITLEBAUM. The United States of America.

The CHAIRMAN. Then, you went to Mexico with Aguilar, a nephew of the first chief?

Mr. TEITLEBAUM. Yes, sir.

The CHAIRMAN. That is, Carranza?

Mr. TEITLEBAUM. And he acted as my interpreter.

The CHAIRMAN. Aguilar acted as your interpreter?

Mr. TEITLEBAUM. Yes, sir.

The CHAIRMAN. That you might impress the Constitutionalists with the needs of the United States of America?

Mr. TEITLEBAUM. Well, there was considerable friction at that time that I had hoped to be able to help avert.

The CHAIRMAN. That friction with the Constitutionalists?

Mr. TEITLEBAUM. Yes, sir.

The CHAIRMAN. Who were the Constitutionalists?

Mr. TEITLEBAUM. Well, Carranza——

The CHAIRMAN. Was the first chief?

Mr. TEITLEBAUM. Was the first chief.

The CHAIRMAN. What was the Constitutionalist movement? Do you know?

Mr. TEITLEBAUM. I have a rough idea, but the question of time, and place, and history, and geography does not mean anything to me in the investigations that I was making and had been and am making in regard to character and needs and adaptability.

The CHAIRMAN You don't know what the constitutional movement in Mexico was, do you, and you didn't know at that time?

Mr. TEITLEBAUM. Yes; I had some knowledge of it.

The CHAIRMAN. Well, what was it?

Mr. TEITLEBAUM. The Constitutionalists having rebelled against the treachery and treason of Huerta, and wanted to get back to the constitutional form of government.

The CHAIRMAN. What constitutional form of government?

Mr. TIETLEBAUM. The government that had been drawn up in the movement for Madero.

The CHAIRMAN. The aims and objects set forth in what is known as the plan of Guadalupe?

Mr. TEITLEBAUM. Yes, sir.

The CHAIRMAN. And that plan was to return to the constitution of 1857?

Mr. TEITLEBAUM. Yes, sir.

The CHAIRMAN. That was the foundation of the Carranza movement in Mexico?

Mr. TEITLEBAUM. Yes, sir.

The CHAIRMAN. Now, you went there to convey to them knowledge of the needs of the United States, or did you go there to investigate their movements, the desires, and intentions of the Carranzistas themselves?

Mr. TEITLEBAUM. No, sir. I have tried to express, as well I can, just what my object was.

The CHAIRMAN. Where were you at the time, or just prior to the time, you went into Mexico?

Mr. TEITLEBAUM. I was in San Antonio.

The CHAIRMAN. How long had you been there?

Mr. TEITLEBAUM. I think about three years.

The CHAIRMAN. You had remained there from the time you had met Madero?

Mr. TEITLEBAUM. Yes, sir.

The CHAIRMAN. You had not returned to New York or to the East?

Mr. TEITLEBAUM. No, sir.

The CHAIRMAN. You had remained in San Antonio?

Mr. TEITLEBAUM. Yes, sir.

The CHAIRMAN. How did you come in contact with Aguilar and the Carranzistas?

Mr. TEITLEBAUM. Through acquaintance in having met Aguilar and a number of Mexicans in sympathy with the movement that I had underfoot.

The CHAIRMAN. What movement did you have underfoot?

Mr. TEITLEBAUM. This peace movement.

The CHAIRMAN. But Madero's movement had been successful, and had been elected and inaugurated President.

Mr. TEITLEBAUM. Yes, sir.

The CHAIRMAN. Do you mean to say you kept up the antiintervention movement all the time during the Madero administration?

Mr. TEITLEBAUM. No, sir. Not at all. I say I had occasion to meet the different Mexicans after that.

The CHAIRMAN. In the meantime, during these three years, had you been studying Mexican history and conditions and people?

Mr. TEITLEBAUM. I had.

The CHAIRMAN. What have been the sources from which you sought information upon that subject?

Mr. TEITLEBAUM. From the Mexicans themselves, and what I was able——

The CHAIRMAN. You talked to individual Mexicans in the English language?

Mr. TEITLEBAUM. And the American papers.

The CHAIRMAN. The San Antonio Press, and the Light, and other papers?

Mr. TEITLEBAUM. The Light, and others.

The CHAIRMAN. La Prensa? You could not read La Prensa?

Mr. TEITLEBAUM. No, sir; I could not read La Prensa.

The CHAIRMAN. That was the Mexican paper published there.

Mr. TEITLEBAUM. Yes, sir.

The CHAIRMAN. How did you happen to go down there with Aguilar?

Mr. TEITLEBAUM. I was very anxious to go and try to see whether I could in an individual capacity try to have the Mexican leaders lend themselves to what I felt and knew to be the needs of the United States, to bring peace and a lasting peace in Mexico and the United States.

The CHAIRMAN. You were of independent means at that time, were you?

Mr. TEITLEBAUM. I was, but I have spent practically all of the money that I have had in this same matter.

The CHAIRMAN. Yes; but did you have independent means without having to work at the time you went with Aguilar into Mexico?

Mr. TEITLEBAUM. I took it out of my business.

The CHAIRMAN. You had a business, did you?

Mr. TEITLEBAUM. Yes, sir. I was associated in the amusement business in San Antonio. I not only paid my expenses, but also those of Aguilar.

The CHAIRMAN. You went to Culiacan?

Mr. TEITLEBAUM. Yes, sir.

The CHAIRMAN. Who did you see at Culiacan?

Mr. TEITLEBAUM. First Chief Carranza.

The CHAIRMAN. What did you undertake to do with Mr. Carranza?

Mr. TEITLEBAUM. I did not get to have any audience with Mr. Carranza for three or four days, until he was on the return from Culiacan, at Cuernavaco, and I had a conference with him on the lines for which I went down.

The CHAIRMAN. That is exactly what I am driving at. What were those lines? What were you trying to do?

Mr. TEITLEBAUM. In a letter before I went down——

The CHAIRMAN. Did that letter express what you wanted to do?

Mr. TEITLEBAUM. Yes, sir.

The CHAIRMAN. Does that express what you were telling him or were trying to impress upon him?

Mr. TEITLEBAUM. Yes, sir.

The CHAIRMAN. All right. Then refer to it.

Mr. TEITLEBAUM. In a letter dated January 31, 1914, to Col. William J. Bryan, Secretary of State, among other things, I said:

> Noting the great need for better organization through more appropriate lines of thought and concerted thought to facilitate and recognize the constitutionalist movement, and movement to repudiate strict adherence to law, like the effort to extradite Gen. Salazar, which necessarily must be an act detrimental to the constitutionalists, I also wish to try to introduce the wish for rapid reconstruction in Mexico of her family affairs and the immediate failure of any future revolution that may be launched on the outside of Mexico. I also wish to urge a more humane warfare in their civil life.

The CHAIRMAN. What did Bryan reply to that?

Mr. TEITLEBAUM. Bryan did not reply.

The CHAIRMAN. What did you have reference to in condemning the efforts of some one to secure the extradition of Salazar?

Mr. TEITLEBAUM. I say the chance for a constant effort at revolution.

The CHAIRMAN. What did the extradition or proposed extradition of Salazar have to do with it and why do you condemn the efforts toward his extradition?

Mr. TEITLEBAUM. I can not at this moment refer just to the circumstance in connection with it, Senator.

The CHAIRMAN. Did you know Salazar?

Mr. TEITLEBAUM. No, sir; I did not.

The CHAIRMAN. Did you ever know anything about him.

Mr. TEITLEBAUM. No, sir; with the exception that I know or did know the circumstances at the time of Salazar.

The CHAIRMAN. You do not know them now?

Mr. TEITLEBAUM. I don't recall now.

The CHAIRMAN. Did you ever meet Salazar?

Mr. TEITLEBAUM. No, sir; I did not; not that I know of. The names did not mean much of anything to me. No, sir; I don't know now.

The CHAIRMAN. You did not know that he was cursing and abusing American people, daring them to fight, spitting in their faces, slapping their jaws, murdering the men, ravishing the women, and driving some 1,200-odd women and children out of Mexico, did you?

Mr. TEITLEBAUM. I think it is to extradite him back to Mexico, is it not?

The CHAIRMAN. You were opposing his extradition, were you not?

Mr. TEITLEBAUM. As I say, without trying to find out as to just what the situation then was, I am not able to pass on it for the moment, with the exception of my record in the matter.

The CHAIRMAN. What is the date of that letter?

Mr. TEITLEBAUM. January 31, 1914.

The CHAIRMAN. You did not know that Salazar ordered the execution of an American citizen named Fountain, or caused his execution, although the President of the United States, through the consul at Parral, placed Fountain under the protection of the United States and demanded of Salazar that he should not execute that American citizen? You knew nothing of that, did you?

Mr. TEITLEBAUM. You are a good deal more familiar in regard to men and their history, etc., than I am.

The CHAIRMAN. I am asking you if you knew about that?

Mr. TEITLEBAUM. I am simply trying to give you credit for these things, because I have not the situation on those things firmly in mind as yourself, and as you have expressed that you have but very limited time to give me I prefer to try to get it on some lines that have a direct bearing on which I have in mind, rather than the question of personnel of certain men.

The CHAIRMAN. The object of these questions, Mr. Teitlebaum, is to show whether you know anything about the subject, and whether it is possible for this committee, and through the committee to the American people, to obtain any possible information from you.

Mr. TEITLEBAUM. Yes, sir.

The CHAIRMAN. You were writing to Mr. Bryan, the then Secretary of State, ostensibly from the standpoint of one who knew something about Mexico and the Mexican people. You were referring to

Salazar and to his extradition. The questions propounded to you are to ascertain what knowledge, if any, you have of Salazar, why you should interfere in his behalf, what intimate acquaintance with Mexican affairs you possessed upon which you propose to enlighten this committee and the American people. For that reason I have asked you the specific question of whether you knew of certain acts of Salazar?

Mr. TEITLEBAUM. No, sir; I did not. I did know at the time, because I based that statement—but I do not recall at the moment.

The CHAIRMAN. I am recalling it to you.

Mr. TEITLEBAUM. Yes, sir.

The CHAIRMAN. Because you are one of the men in the United States who have criticized the committee, and particularly the chairman, who is now addressing you. The chairman of this committee was stating from the record to the people of the United States that Salazar, in defiance of the command of the President of the United States that he should not murder an American citizen, did proceed to murder that American citizen. And I was criticized by you for such general statement. Now, you were writing to the Secretary of State in reference to Salazar, and in his behalf, and still you say you knew nothing about Salazar or his actions?

Mr. TEITLEBAUM. I would probably be able to give you a more and better understanding of that and better explanation of it than I am able to give you at the moment, because my memory is very treacherous.

The CHAIRMAN. Very well; I will refresh your memory.

Lieutenant, have you the files of the Secretary of State in reference to the Fountain case?

Lieut. FLIPPER. I think so.

Mr. TEITLEBAUM. That would not have any bearing, Senator. I beg your pardon, but I don't want to be sidetracked.

The CHAIRMAN. Then get to the main issue. What do you want to say? Go on.

Mr. TEITLEBAUM. I want to make a plea for a square deal for the masses of Mexico.

The CHAIRMAN. What do you know of the masses of Mexico?

Mr. TEITLEBAUM. I had occasion to observe in six months' very close application considerable of the masses.

The CHAIRMAN. What was the result of your observations?

Mr. TEITLEBAUM. I am trying to give it to you.

The CHAIRMAN. Very well. Get to something concrete.

Mr. TEITLEBAUM. I have felt that they were more sinned against than sinning; that they have failed to have at least one hand on the side of virtue and honor for the others; that the large part of Mexico's troubles is outside of Mexico.

The CHAIRMAN. Where is it? I can make a speech, and so can you, but we are trying to get information. Where is the trouble with Mexico that is outside of Mexico?

Mr. TEITLEBAUM. Well, I think the financial interests, oil interests, and other people do not understand the Mexican situation.

The CHAIRMAN. Do you understand it?

Mr. TEITLEBAUM. I think so.

The CHAIRMAN. Well, what is it? That is what I am trying to get at. What is it?

Mr. TEITLEBAUM. I am trying to give it to you in my humble way, Senator.

The CHAIRMAN. Well, let us get the facts, and not speeches.

Mr. TEITLEBAUM. The indictment I make of it is that no intelligent program, and no honest effort has been made to keep the peace of Mexico.

The CHAIRMAN. Then you are indicting the President of the United States, and the people of the United States.

Mr. TEITLEBAUM. I am indicting anybody for the duty as I see clear to me, and I want to make my case on that.

The CHAIRMAN. Well, you can make a case on the facts.

Mr. TEITLEBAUM. All right; I am trying to make it so, sir.

The CHAIRMAN. Very well.

Mr. TEITLEBAUM. Mr. Conova, who was the former director as to Mexican and the Latin American Department or Division in the State Department, had smuggled out General Iturbide from Mexico.

The CHAIRMAN. What is the source of your information upon that subject?

Mr. TEITLEBAUM. I had that from Mexican sources, Mr. Uranta, who was representative of the Villa forces in Washington, or was at that time, and I had occasion since to check up.

The CHAIRMAN. That is something concrete. Mr. Uranta, representing the Villa forces, stated to you that Mr. Conova, lately in charge of the Department of Latin American affairs in the United States in the Department of State, had smuggled out Mr. Iturbide from Mexico City?

Mr. TEITLEBAUM. Yes, sir.

The CHAIRMAN. All right. You got that from Mr. Uranta?

Mr. TEITLEBAUM. Yes, sir.

The CHAIRMAN. He is now in New York?

Mr. TEITLEBAUM. I think he is in New York. The last I knew of him he was.

The CHAIRMAN. All right. That is one of the grounds of your indictment against the President and people of the United States. Go ahead.

Mr. TEITLEBAUM. On August 17, 1915, I wrote to Mr. Wright——

The CHAIRMAN. Who is Mr. Wright:

Mr. TIETLEBAUM. The editor and publisher of the Globe, in New York:

On several occasions during the past week I have discussed with you the serious charge being made by Mr. E. C. Uranta, the accredited representative of the Mexican conventional forces in Washington, that Mr. L. J. Conova, chief of the Mexican Division of the State Department, is secretly advancing the candidacy of Eduardo Iturbide for provisional President of Mexico. The impressions created by Mr. Conova's affiliations serve as a great obstacle to getting the various factions in arms together, and if possible communicate with the Latin American conference.

The CHAIRMAN. That was your statement at that time. Now, you are making a statement to the committee. What did you know about Iturbide?

Mr. TEITLEBAUM. I personally knew that he was associated with Huerta, and that Huerta turned his forces to him in Mexico City, and he in turn surrendered them to the Constitutionalists.

The CHAIRMAN. The Constitutionalists were the Carrancistas?

Mr. TEITLEBAUM. In Mexico City.

The CHAIRMAN. What did you know about the different factions in arms in Mexico? You say in that communication that Mr. Conova's efforts in behalf of Mr. Iturbide would prevent the getting together of the different factions in arms in Mexico. What did you know about that?

Mr. TEITLEBAUM. The Carrancistas and Villistas.

The CHAIRMAN. Were you acting as a go-between and in the confidence of both of those factions in Mexico?

Mr. TEITLEBAUM. Yes, sir.

The CHAIRMAN. The Iturbide faction formed another faction, did it?

Mr. TEITLEBAUM. No, sir; I didn't mean it in that sense. I was trying to compose the two factions then, because there was no other faction at that time.

The CHAIRMAN. Oh, yes; there was.

Mr. TEITLEBAUM. Well, I had in mind the two principal factions.

The CHAIRMAN. You had in mind the two principal factions, and you were attempting to act as a go-between for those two factions?

Mr. TEITLEBAUM. Yes, sir; to compose their differences.

The CHAIRMAN. And you were simply making a statement at that time of your conclusions?

Mr. TEITLEBAUM. Yes, sir.

The CHAIRMAN. And that activities in behalf of Iturbide prevented the getting together of the Villa faction and the Carranza faction:

Mr. TEITLEBAUM. Yes, sir.

The CHAIRMAN. What other indictment have you against the United States?

Mr. TEITLEBAUM. "Neither the Carranza, Villa, or Zapata factions can be persuaded to accept Iturbide."

The CHAIRMAN. How did you know that?

Mr. TEITLEBAUM. I had worked with these people with the sincere desire of trying to do service to this country in bringing those factions together, to save the blood and treasure of this, my country.

The CHAIRMAN. And when you found that some other American citizen, holding a high office in the department of the Government, thought that some other solution was better than yours, of course he was not actuated by the high motives which governed your conduct?

Mr. TEITLEBAUM. Yes, sir; I think if you will let me——

The CHAIRMAN. I am not going to let you go ahead and talk generalities.

Mr. TEITLEBAUM. That is not a generality; that is a direct charge on which I base my testimony.

The CHAIRMAN. You have made your charge.

Mr. TEITLEBAUM. I am reading it.

The CHAIRMAN. Well, you have made it.

Mr. TEITLEBAUM. I am trying to do it by reading.

The CHAIRMAN. I do not care to have you read all of your correspondence in this record. I have not the time for it.

Mr. TEITLEBAUM. All right.

The CHAIRMAN. Get down to something concrete.

Mr. TEITLEBAUM. This is concrete.

The CHAIRMAN. Very well.

Mr. TEITLEBAUM. If this is not acceptable to you to want to try to get the information that I am trying to give you——

The CHAIRMAN. I do not care anything about you, sir.

Mr. TEITLEBAUM. That is all right, sir. I do feel considerably about you, just the same.

The CHAIRMAN. Very well.

Mr. TEITLEBAUM. I have come here feeling my duty clear and at great personal sacrifice of all that I have represented, and I don't like to get it distorted to the degree where it can not be recognized.

The CHAIRMAN. It is not going to be distorted, so far as the committee is concerned.

Mr. TEITLEBAUM. Yes, sir. Having made that charge, I recognized how serious it was. I had, through Dudley Field Malone, waited on our department here. Through Mr. Wright I had interested him to try to get Mr. House. I tried to work through Mr. Wright in getting down in this Iturbide matter and trying to bring it to the attention of the department. I did not know how serious a situation it was. I have made an effort to do so with Secretary Lansing, and with a letter of introduction to him from Dudley Field Malone, and I did not succeed in doing so. I have made these same charges in the open in seven cities two years ago, in which I have sent them copies of the addresses I was going to make, including Mr. Conova, to gainsay the truth of the charges I was making.

The CHAIRMAN. And he did not do it?

Mr. TEITLEBAUM. He did not do it.

The CHAIRMAN. All right, sir; go ahead.

Mr. TEITLEBAUM. I had known Mr. Conova in Mexico. He asked me up here to give him a report of what I had done down there, and said instead of saying what I had done I was making recommendations, and I will not read it to you, Senator, since it is not acceptable.

The CHAIRMAN. If you have anything that you did there, any fact, it is perfectly acceptable. So far as your recommendations or policies are concerned, based on the past or any acts of Mr. Conova, who is out of the department, I do not care anything about them.

Mr. TEITLEBAUM. He is not out, but he had occupied that same position for nearly two years, and as to what part he played I have here a statement from the Associated Press:

> Eduardo Iturbide, one of those often mentioned as a compromise candidate for the presidency, joined the diplomats at the Argentine Embassy for a brief conference. He is a grandson of Iturbide, the Liberator, and was governor of the Federal district of Mexico City during the last days of Huerta's régime, and was instrumental in helping Americans. His candidacy has been opposed by both Carranza and Villa.

The CHAIRMAN. Why did you oppose him?

Mr. TEITLEBAUM. Because he stood in the way of composing the differences between the factions that I felt were absolutely necessary for the people.

The CHAIRMAN. All right. He has been eliminated. Were their differences ever composed?

Mr. TEITLEBAUM. They were not, because the proper effort was not taken, and Mr. Conova was to a very great measure responsible for it.

The CHAIRMAN. All right.

Mr. TEITLEBAUM. Because I know that they could have been, because I myself had brought Mr. Arradondo and Mr. Urana together two or three days before the A. B. C. conference met here, and I know that they had pledged to each other to make every effort to have the factions get together, and Iturbide was again in the end used for an excuse for their not having got together.

The CHAIRMAN. What was the proposition on which they were to get together? You were acting for them. What proposition did they have upon which they could have gotten together?

Mr. TEITLEBAUM. To settle their differences.

The CHAIRMAN. How?

Mr. TEITLEBAUM. That was up to them to do. They had that means when they were gotten together, which I did in an automobile on the stormiest night I have ever known, and I fell asleep. I could not understand what they were saying. I did not want to understand it. I knew it was necessary for them to simply have a heart to heart talk, which they did.

The CHAIRMAN. You know they did, do you?

Mr. TEITLEBAUM. I do, because I was a party to it and brought the two factions together. And had it not been for having shifted all responsibility on to the Latin American A. B. C. conference, I am satisfied they would have got together.

The CHAIRMAN. What A. B. C. conference do you have reference to?

Mr. TEITLEBAUM. There was only one conference that was called the A. B. C. conference. That was the conference of Argentine, Brazil, and Chile, and the other three. I think there were three other countries from South America in it. I am trying to point to the mistakes that we have made.

The CHAIRMAN. I know, but you are telling us about the efforts that were made, and you are mistaken about your facts. The A. B. C. conference was the Niagara conference, between representatives of Carranza and the United States. The conference of the Central American States is the conference you referred to, to which the A. B. C. was invited or asked an audience.

Mr. TEITLEBAUM. Your memory serves you better than mine.

The CHAIRMAN. Yes; considerably.

Mr. TEITLEBAUM. Yes, sir; I wish I had it.

The CHAIRMAN. Well, if you had the record and the facts, they would serve you, and you would not have to simply rely upon your memory.

Mr. TEITLEBAUM. But you know just what I mean.

The CHAIRMAN. I do not know, Mr. Teitlebaum, what you mean. For instance, you give this committee a lot of stuff about Salazar, when the committee has the official record about Salazar.

Mr. TEITLEBAUM. I beg your pardon.

The CHAIRMAN. I am referring to that as one matter, because you dwelt upon it in your letter to Mr. Bryan.

Mr. TEITLEBAUM. I simply called attention to it, but it was yourself, if you will permit me to make the statement, who particularly referred to it.

The CHAIRMAN. It was myself who referred to the record. I am referring to the record again to correct you when you say there was

only one A. B. C. conference. I am trying to get you straightened out so you may proceed. What took place at that last conference, the A. B. C.? Did you have anything to do with that?

Mr. TEITLEBAUM. No, sir; I did not.

The CHAIRMAN. Do you know anything about it?

Mr. TEITLEBAUM. I know enough about it to know that the American Government's hand was forced, and they did not want to recognize Carranza.

The CHAIRMAN. Now, you have made a statement. I want your facts. Upon what do you found the statement that the hand of the American Government was forced and who forced it? Now, please answer that.

Mr. TEITLEBAUM. I will try to do that, Senator, in an appropriate manner. In an Associated Press report——

The CHAIRMAN. What are you reading from?

Mr. TEITLEBAUM. The Globe.

The CHAIRMAN. What Globe?

Mr. TEITLEBAUM. The New York Globe.

The CHAIRMAN. A newspaper published in New York?

Mr. TEITLEBAUM. Yes, sir.

The CHAIRMAN. Do you not suppose, Mr. Teitlebaum, that the committee had access to the Globe as well as you had?

Mr. TEITLEBAUM. I can not help it. I am making certain statements, and I want to try to verify them, since you have asked for proof. It simply says:

> The Latin American diplomats had a series of conferences among themselves to-day before they resumed their conferences at the State Department. They covered their deliberations with the same secrecy as was thrown about yesterday's meeting. The diplomats met at the Argentine Embassy and later proceeded to Secretary Lansing's office.

I think you will see that, in view of the fact that certain statements and promises were made to Gen. Angeles, through Dudley Field Malone——

The CHAIRMAN. What promises were made to Angeles through Dudley Field Malone?

Mr. TEITLEBAUM. That the United States Government did not intend, and had not in mind, to recognize either faction to the trouble in Mexico.

The CHAIRMAN. When was that done?

Mr. TEITLEBAUM. That was done probably a couple of weeks before Carranza was recognized.

The CHAIRMAN. How do you know it?

Mr. TEITLEBAUM. I was in the conference at the Hotel Knickerbocker with General and Mrs. Angeles and Dudley Field Malone.

The CHAIRMAN. Gen. Angeles—Felipe Angeles?

Mr TEITLEBAUM. Yes, sir.

The CHAIRMAN. And his wife?

Mr. TEITLEBAUM. Yes, sir.

The CHAIRMAN. And Dudley Field Malone?

Mr. TEITLEBAUM. Yes, sir.

The CHAIRMAN. And did Dudley Field Malone convey to Gen. Angeles the assurance that the American Government would never recognize either faction?

Mr. TEITLEBAUM. There were two meetings. At one of them Gen. Angeles had explained to Mr. Malone, for the President, the attitude and position of the Villistas, with his own statement and deductions, or rather conclusions, saying that it was his belief that neither faction should be recognized; that no man having taken part in military operations should be permitted to aspire to the presidency; that he himself would pledge himself not to do so, and if it was advisable he would withdraw himself from the country.

The CHAIRMAN. You were present, were you?

Mr. TEITLEBAUM. I was present.

The CHAIRMAN. In what capacity was Mr. Malone present?

Mr. TEITLEBAUM. It was through Mr. Wright that Col. House was asked to meet Gen. Angeles, and he, I think, had Mr. Malone take his place.

The CHAIRMAN. Very well. Now then, Gen. Angeles stated that in his opinion no military man from either faction should be recognized as President?

Mr. TEITLEBAUM. Yes, sir.

The CHAIRMAN. Then, there was another conference, was there not?

Mr. TEITLEBAUM. Then Mr. Malone had come down to Washington, for the day, I think, the President came from, I think it was New Hampshire, and met him here, and he came back to New York expressing the comments of the President, and the statement that it was not his intention, and thanking Gen. Angeles for the information that he had given, and that it was not the intention to recognize either faction, or something of that effect.

The CHAIRMAN. Gen. Angeles did not object to the recognition of the factions, but he objected or thought it best not to recognize as President a military man in either faction?

Mr. TEITLEBAUM. Yes, sir.

The CHAIRMAN. Who did Gen. Angeles think it was best to recognize?

Mr. TEITLEBAUM. He did not say.

The CHAIRMAN. And the President replied, through Mr. Malone, as you understood it, that he, the President, was not going to recognize either faction?

Mr. TEITLEBAUM. Yes, sir.

The CHAIRMAN. Did he say what he was going to do?

Mr. TEITLEBAUM. No, sir; but Gen. Angeles went back and reported to his convention, or the people who sent him, the representatives to the peace conference from which he was invited by the Government, and not more than two weeks thereafter, President Carranza was recognized. In view of that Associated Press report I made the statement that the Government's hand was forced.

The CHAIRMAN. But that states nothing about the Government's hand being forced.

Mr. TEITLEBAUM. Well, I think the fact of the promise having been made by the Government itself, there was no other excuse that I could see, even though I didn't have that version coming from the Associated Press.

The CHAIRMAN. What man did you favor at that time between the factions?

Mr. TEITLEBAUM. I didn't favor anybody. I didn't think it was my place.

The CHAIRMAN. What solution did you offer to Mr. Malone and Gen. Angeles, of the problem, if any?

Mr. TEITLEBAUM. I didn't offer any. It was simply to urge both sides to help to compose their differences and get together. For that purpose I had made other trips to Mexico and had put my life in danger.

The CHAIRMAN. When?

Mr. TEITLEBAUM. I think it was in November, 1914.

The CHAIRMAN. After the recognition by this Government of the Carranza Government? The recognition of this Government of the Carranza Government took place on the 9th or 19th of October, 1915. Was it after that or before that? Was it November, 1914, or November, 1915?

Mr. TEITLEBAUM. It was 1914.

The CHAIRMAN. Where did you go then?

Mr. TEITLEBAUM. I went to Vera Cruz, and from Vera Cruz to Mexico City.

The CHAIRMAN. That was prior to all this Angeles matter you were talking about, was it?

Mr. TEITLEBAUM. Yes, sir. I was very anxious then to try to serve in that capacity, because there had been——

The CHAIRMAN. In what capacity?

Mr. TEITLEBAUM. In trying to bring them together.

The CHAIRMAN. Who did you see?

Mr. TEITLEBAUM. I saw Mr. Carranza.

The CHAIRMAN. Where did you find him?

Mr. TEITLEBAUM. I found him at Mexico City, and then went to Puebla, and it was in Puebla that I had a conference with him.

The CHAIRMAN. With whom?

Mr. TEITLEBAUM. With Mr. Carranza, and Mr. Cabrera acted as interpreter.

The CHAIRMAN. Luis Cabrera?

Mr. TEITLEBAUM. Yes, sir.

The CHAIRMAN. Present Minister of Hacienda?

Mr. TEITLEBAUM. Yes, sir.

The CHAIRMAN. He did not represent any other faction, did he?

Mr. TEITLEBAUM. No, sir.

The CHAIRMAN. You did not represent any other faction?

Mr. TEITLEBAUM. No, sir; but I had tried to see both sides.

The CHAIRMAN. That was one side.

Mr. TEITLEBAUM. Yes, sir.

The CHAIRMAN. Who else did you see?

Mr. TEITLEBAUM. On the other side I saw Gen. Angeles and his followers.

The CHAIRMAN. Where did you see him?

Mr. TEITLEBAUM. At Aguascaliente, at the convention.

The CHAIRMAN. What did you say to Carranza and Luis Cabrera?

Mr. TEITLEBAUM. That I thought that the peace of Mexico and the peace of the United States depended on their composing their differences.

The CHAIRMAN. Did you suggest how they could compose their differences?

Mr. TEITLEBAUM. No, sir; with the exception of to try to be charitable for each other's faults, and they being brothers, having fought for the revolution, and having won it, that they ought to get together.

The CHAIRMAN. You went to Aguascaliente, and there you saw Angeles and members of the convention?

Mr. TEITLEBAUM. Yes, sir.

The CHAIRMAN. Who else did you see besides Angeles?

Mr. TEITLEBAUM. I saw Zapata's representative, I saw Villa, I saw most of the leaders on the other side.

The CHAIRMAN. Did you make a proposition to them?

Mr. TEITLEBAUM. Yes, sir.

The CHAIRMAN. Did you tell them you had seen Carranza and Luis Cabrera?

Mr. TEITLEBAUM. Yes, sir.

The CHAIRMAN. What proposition did you make to them, or to Angeles?

Mr. TEITLEBAUM. The same that I had made to the First Chief, Venustiana Carranza; I had but one song to sing in Mexico, and that was harmony.

The CHAIRMAN. Did you tell them who you represented?

Mr. TEITLEBAUM. Yes, sir.

The CHAIRMAN. Whom did you represent?

Mr. TEITLEBAUM. Myself.

The CHAIRMAN. All right. What happened?

Mr. TEITLEBAUM. There was not anything that happened, with the exception that Gen. Angeles told me, as he told me since, that had I been there 24 hours before I was probably they would have tried to see my recommendation.

The CHAIRMAN. Did he mean he would have tried to carry out your suggestion?

Mr. TEITLEBAUM. Yes, sir.

The CHAIRMAN. The song that you had to sing?

Mr. TEITLEBAUM. Yes, sir. But as the convention had already elected Guerterrez as president, he was powerless to do anything then.

The CHAIRMAN. You knew that Gen. Angeles later did try to compose the differences between the factions, did you not?

Mr. TEITLEBAUM. Yes, sir.

The CHAIRMAN. He was one of the organizers of the liberal party here in this country, was he not?

Mr. TEITLEBAUM. Yes, sir.

The CHAIRMAN. Do you know the result to him when he undertook to get these people together in these different factions?

Mr. TEITLEBAUM. The ultimate result, yes, sir.

The CHAIRMAN. That is where he found himself [handing witness a photograph], and that is his latest picture.

Mr. TEITLEBAUM. There was one of God's noblemen, if ever there was one, so far as I was able to see.

The CHAIRMAN. Do you know under whose orders he was executed?

Mr. TEITLEBAUM. No, sir. I know we could do nothing that would bring him back. It is a case of not sending any more than is necessary to follow him, that is all. I knew the man to be as great a patriot as any I have known.

The CHAIRMAN. Did you know any of those men who composed the court-martial that tried Gen. Angeles, shown in that photograph, where he appears before them?

Mr. TEITLEBAUM. From the photograph I can not very well make out. I can not tell that is Angeles. I suppose it is him standing there.

The CHAIRMAN. Have you ever heard of Gen. Gabriel Gavita?

Mr. TEITLEBAUM. Yes, sir.

The CHAIRMAN. You have heard of him?

Mr. TEITLEBAUM. Yes, sir.

The CHAIRMAN. Do you know under whom he holds a commission?

Mr. TEITLEBAUM. No, sir.

The CHAIRMAN. Do you know what faction he represents?

Mr. TEITLEBAUM. No, sir.

The CHAIRMAN. Do you know to whom the members of that court-martial claim allegiance in Mexico?

Mr. TEITLEBAUM. I suppose to Carranza. No, sir; I don't know.

The CHAIRMAN. Did you hear or have you heard that the court-martial itself telegraphed to the City of Mexico, with reference to their verdict, before they found it? You seem to think very highly of Gen. Angeles. Did you know the court-martial which sentenced him to death, and caused his execution, prior to pronouncing sentence upon him, and instructions from any higher authority?

Mr. TEITLEBAUM. No, sir; but I would not be surprised that they did. I know I sent a cablegram to Carranza asking him to spare him.

The CHAIRMAN. Did you receive an answer?

Mr. TEITLEBAUM. No, sir.

The CHAIRMAN. What is this that you have handed me?

Mr. TEITLEBAUM. That is a photograph of Gen. Angeles; and the reverse side, if you don't mind looking at it—perhaps you can translate it better than I have it.

The CHAIRMAN. If you can not read Spanish, I expect I could make a better translation of it than you could, if it is written in Spanish.

Mr. TEITLEBAUM. I do not read Spanish. The translation is not very long:

> To my dear friend, Mr. Teitlebaum, with my sincere wishes for the success of his work toward strengthening the ties of friendship between our two sister nations.

The CHAIRMAN. Yes; that is substantially correct.

Mr. TEITLEBAUM. I had it from Mr. Bonillas.

The CHAIRMAN. Bonillas, the ambassador to the United States from Mexico?

Mr. TEITLEBAUM. Yes, sir.

The CHAIRMAN. Did Mr. Bonillas, the ambassador to the United States and representative of the Carranza Government, join in your efforts to save the life of Felipe Angeles?

Mr. TEITLEBAUM. No, sir. After Mr. Carranza was recognized, I addressed a letter to Mr. Lansing on October 20, 1915:

> I sincerely hope that the Government's abandonment of its persistent insistence that the factions in Mexico compose their own differences does not prove to be the greatest of all the succession of errors that has been committed by the United States in its Mexican policy.

The step of recognizing either faction having taken, the need for harmonizing and getting them together is more pronounced than ever.

Unless my limited individual campaign, in its devoted endeavor for an early and necessary restoration of confidence and good will between the neighboring countries for the safety and welfare of both peoples interferes with the work of your department, I propose instead of doing aught to encourage my fears to follow duty and continue to exert every honorable effort to minimize the result of charges of bad faith made by leading Mexicans that American promises and acts do not parallel.

That is why I say, sir, that we did not keep faith.

The CHAIRMAN. What promises did we make?

Mr. TEITLEBAUM. I told you the promises that were made through Mr. Malone.

The CHAIRMAN. Those are the promises you refer to?

Mr. TEITLEBAUM. Yes, sir.

The CHAIRMAN. And because we did recognize Carranza, that is a violation of the promise you refer to, is it?

Mr. TEITLEBAUM. That is one of them. I had been under more obligations to Mr. Carranza than all the others put together, in courtesies I had received, but I recognized with Gen. Angeles the great mistake that would be committed by either side being recognized.

The CHAIRMAN. Who was to be recognized, if anyone? They would not have any government under your suggestion. Did you propose to form a government or have a government down there?

Mr. TEITLEBAUM. I wanted the Carrancistas, the Zapatistas, and the Villistas to get together in the convention which they had left in Aguscaliente and agree on the man whom they wanted. It was not for me to say as to who they should have or should not have.

The CHAIRMAN. They did do that, did they not?

Mr. TEITLEBAUM. No, sir; not that I recall.

The CHAIRMAN. There was a man elected or appointed by that convention as President of Mexico.

Mr. TEITLEBAUM. Yes, sir.

The CHAIRMAN. Did you ever know Eulalio Gueterrez?

Mr. TEITLEBAUM. Yes, sir. That was before that. That is when Gen. Angeles said had I come 24 hours before that it might have been done. Forty-eight hours after that convention elected Guerterrez the Villa forces had started to take the field.

The CHAIRMAN. The Villa forces were supporting Guerterrez, were they not?

Mr. TEITLEBAUM. Yes, sir; they were before that.

The CHAIRMAN. He was the man supported by the convention?

Mr. TEITLEBAUM. Yes, sir; he was, but the Carranzistas did not recognize him, and he telegraphed, asking both Carranza and Cabrera with whose consent had I went to the Aguascaliente convention.

The CHAIRMAN. But you asked them to recognize Eulalio Guerterrez?

Mr. TEITLEBAUM. No, sir; I had not. He was recognized while I was on the way over there.

The CHAIRMAN. You did telegraph them suggesting that in the interests of peace and harmony they should?

Mr. TEITLEBAUM. Yes, sir.

The CHAIRMAN. Did you telegraph them suggesting they should recognize Guerterrez?

Mr. TEITLEBAUM. Yes, sir.

The CHAIRMAN. Did you receive an answer?

Mr. TEITLEBAUM. No, sir. I don't know that it ever reached them.

The CHAIRMAN. Before we get away too far from the question, you have been giving us some information with reference to the efforts of Gen. Felipe Angeles. Were you at all familiar with the organization of which Gen. Felipe Angeles was elected president, of which there were various juntas in different cities in the United States in 1917 and subsequent to that time?

Mr. TEITLEBAUM. No, sir. I tried not to work with either faction at the time.

The CHAIRMAN. Well, you knew there was such an organization, did you not?

Mr. TEITLEBAUM. Yes, sir.

The CHAIRMAN. Did you know what the name of it was?

Mr. TEITLEBAUM. I don't recall it now.

The CHAIRMAN. Did you know what its purpose was?

Mr. TEITLEBAUM. It was to bring the factions together.

The CHAIRMAN. Was it not a unification of all political refugees against the Carranza government and to bring about an adjustment of the troubles in Mexico without bloodshed?

Mr. TEITLEBAUM. Well, I did not know that that embraced the Cientificos. I think probably it had others besides the Cientificos.

The CHAIRMAN. Do you know Enrique C. Llorente?

Mr. TEITLEBAUM. Yes, sir.

The CHAIRMAN. Do you know Enrique Santibanes, of New York City?

Mr. TEITLEBAUM. I don't know him by name.

The CHAIRMAN. Do you know J. F. Del Valle, of New York City?

Mr. TEITLEBAUM. Not by name.

The CHAIRMAN. Do you know Felipe Riveros, Antonio P. Rivera, Adolfo M. Azueta, Manual Lcasa, sr., Rosenda Garza, Bernardo Escobosa, and Arnoldo Ceballos, or either of them, of San Francisco, Calif.?

Mr. TEITLEBAUM. No, sir.

The CHAIRMAN. Do you know Samuel Gandara, Manual Arriola Adame, Rogerio A. Silva, Enrique Cisneros, and Francisco Placencia, or either of them, of Philadelphia?

Mr. TEITLEBAUM. No, sir; I do not.

The CHAIRMAN. Do you know Roque G. Garza, of San Antonio, Tex.

Mr. TEITLEBAUM. Yes, sir.

The CHAIRMAN. Do you know Ismael Palafox?

Mr. TEITLEBAUM. No, sir.

The CHAIRMAN. You do not know who he represents?

Mr. TEITLEBAUM. I think I probably know Ismael Palafox.

The CHAIRMAN. Do you know Andreas L. Farias, Matias C. Garcia, Francisco Olicares, Jose G. Nieto, and Jesus P. Flores, of San Antonio, or either of them, all of San Antonio except Matias C. Garcia?

Mr. TEITLEBAUM. I know Gonzales Garcia.

The CHAIRMAN. There were two brothers?

Mr. TEITLEBAUUM. I know both of them.

The CHAIRMAN. One was known as Gonzales Garcia and the other Matias Garcia?

Mr. TEITLEBAUM. Yes, sir.

The CHAIRMAN. Do you know Jesus Santos Mendiola, Antonia Valdeez, Rafael Trujillo, Juan Jose Gomez, Adolfo F. Farias, Enrique Miranda, and Jose Luna, or either of them, of Laredo, Tex.?

Mr. TEITLEBAUM. Not that I recall, but there were thousands of them—or hundreds—that I know, that I do not know their names. I was only concerned with the men at the head.

The CHAIRMAN. I am trying to get at the head, because these men were the official heads of the movement.

Mr. TIETLEBAUM. I don't know much of anything about the movement, with the exception that I know that there was an organization perfected by Angeles and somebody else.

The CHAIRMAN. Did you know Antonio I. Villareal?

Mr. TEITLEBAUM. I think so.

The CHAIRMAN. You do not know whether you know him or not?

Mr. TEITLEBAUM. No, sir; I do not. I think, if it is the same party I have in mind in San Antonio, that I know him.

The CHAIRMAN. At this convention that you attended in the interest of harmony, who was president of it?

Mr. TEITLEBAUM. I don't know, sir, who the president was, but they had elected Guerterrez as President.

The CHAIRMAN. He was elected President of the Republic of Mexico?

Mr. TEITLEBAUM. Yes, sir.

The CHAIRMAN. Do you know whether any of those there at the time belonged to the revolutionary junta of Mexicans organized in 1905 in the United States?

Mr. TEITLEBAUM. No, sir; I do not. That was way ahead of my time.

The CHAIRMAN. Well, it may be, but you are trying to give this committee information about Mexico.

Mr. TEITLEBAUM. I am trying to give the committee information about facts I have.

The CHAIRMAN. In connection with the testimony of this witness the chairman of the committee will file with his testimony the report made to the committee on the Felipe Angeles movement in the United States, organized in 1917, continued until his death, and supposed yet to continue. This report contains the names of the officers in the United States, contains various letters, contains the declaration of principles, containing references to Angeles's statement when he entered Mexico, and his convocation and address to the Mexican people as to his purposes, together with the constitution and laws of the Mexican liberal alliance. This is not to be printed in the record, but filed as a part of the testimony of this witness.

(The document referred to is herewith filed as a part of the testimony of this witness.)

Mr. TEITLEBAUM. So you see that it was not that I tried to play any part in making Mr. Carranza president, or Gen. Angeles, or anybody else.

The CHAIRMAN. I was wondering what you proposed to do.

Mr. TEITLEBAUM. When they get together, let them say, as long as they approach the program with the proper spirit. That is all that was necessary.

The CHAIRMAN. Obregon, Villa, Zapata, representatives of all the factions in Mexico, those who had fought with them for the recognition of Carranza in Mexico, those who were opposing Huerta in arms, all got together in a convention, and the outcome of that was the election of Guerterrez as president by the convention.

Mr. TEITLEBAUM. Yes, sir.

The CHAIRMAN. You attended the convention? You were trying to get them together, and the only people who would not get together were Carranza and Luis Cabrera?

Mr. TEITLEBAUM. Very true. Now, then, I will give you a sequel to that, and here is where I have placed my life between the teeth to bring harmony, even after that.

When Eulalio Guerterrez was elected, the Villa forces had marched toward Mexico City. In my talk that I had with Mr. Guerterrez he said that he would be very glad to step aside, as long as he stood in the way and was not acceptable to the Carrancistas. I applauded his stand, and knowing as to what Gen. Angeles had said in regard to my appearing late on the scene, too late for what he did, I took an overland trip to get into the Carranza camp, and bring the matter to the attention of some of the leaders on the side of the Carrancistas. I went down to Santa Maria, from Gueretaro, and at that place I had occasion to have a second man shot for misappropriating property.

The CHAIRMAN. You had occasion to have him shot?

Mr. TEITLEBAUM. That is, the occasion of one of the men being shot.

The CHAIRMAN. What business was it of yours?

Mr. TEITLEBAUM. It happened to be that he had appropriated one of my bags.

The CHAIRMAN. And you saw that he was shot?

Mr. TEITLEBAUM. No, sir; I didn't see that he was shot. He was a paymaster in the army, a very handsome, fine-looking fellow. Part of the forces were ordered from Santa Maria eastward, and I discovered that one of my grips was gone. Somebody had suggested that the man had gone with those forces eastward, and I took the train, as they were on horseback, to try to recover my grip. When I got to that point I had several telegrams that they did find my grip, and to come back. There are some of the telegrams. I took the train back, and I found that the man was sentenced to be shot in the morning. I plead with the commandant in charge, and thought I had succeeded in saving him, and several hours afterwards he told me I would have to choose between them, that he had his orders and had to report on this man being executed by 9 o'clock.

The CHAIRMAN. What did he mean by saying you had to choose between them?

Mr. TEITLEBAUM. That was what he had said. Whether that he intended to take his own life, or not, I don't know but his advisers had evidently showed him that he could not be in the military without he obeyed those orders, and it was too late for me to be able to get word to President Guerterrez and try to intervene for him, and the boy was shot.

I have here the mute evidence, consisting of a part of the coat, with the bullet holes, of another boy, who was shot at Aguascaliente for having stolen tools from an American concern. There are four or five places where the bullets entered the boy's body, and there is his life blood. I want to offer that simply as proof of the statement that no penalty is exacted of Mexicans for things that they do.

The CHAIRMAN. You mean you want to offer that as a refutation of that statement?

Mr. TEITLEBAUM. Refutation. Thank you, sir.

The CHAIRMAN. Did you ever know of one being shot for killing an American?

Mr. TEITLEBAUM. No, sir; but I haven't any doubt but what they don't make any more ceremony on some of those than they did on these two boys.

The CHAIRMAN. You had no occasion to know that. did you?

Mr. TEITLEBAUM. No, sir; but I am bringing this to you, sir, for this purpose: Because I myself could not serve either of these boys, and I want their spirit and the spirit of the Americans and the Mexicans who had so needlessly lost their all, including Gen. Angeles, to have it serve the purpose for which I am here before your committee.

The CHAIRMAN. What is the purpose? What do you have in mind? What do you want to do? Let us proceed and see if we can not get at what you want by question and answer.

Following all this you have just testified to, the Government of the United States, in October, 1915, recognized the de facto government. In 1917 they sent an ambassador and recognized the Carranza Government officially. Since that time they have continued to recognize the Carranza Government. Those are the conditions existing up to this time. The Carranza Government is still recognized?

Mr. TEITLEBAUM. Yes, sir.

The CHAIRMAN. What is it that you want to tell the committee to throw light on the Mexican question? What do you want done?

Mr. TEITLEBAUM. I respectfully suggest the appointment of an international commission, whose province would be to pass on all these depredations that were committed and lives taken on either side of the border.

The CHAIRMAN. What do you mean by "an international commission"?

Mr. TEITLEBAUM. An international commission of, for instance, a high court of both Mexicans and Americans, to see just what the situation is and to find out just how for it reaches,; instead of trying to cover certain graft of people higher up, particularly on the American side, that they should get down to it as far as it is possible to do.

The CHAIRMAN. What have you reference to when you say "particularly on the American side"?

Mr. TEITLEBAUM. Because I know that a very large number of our representatives were responsible that certain crimes were committed and punishment condoned for it, if they did not father it.

The CHAIRMAN. Get down to something concrete. What are you talking about?

Mr. TEITLEBAUM. I am talking about raids.

The CHAIRMAN. Do you mean raids on this side of the border, or raids from this side over on the other?

Mr. TEITLEBAUM. Both sides.

The CHAIRMAN. I want to know what raids you have reference to, organized on this side of the river at any time, or brought about in any way by any individual or combination of individuals or any other concern, which resulted in injury to anyone on the other side of the river. Just give us an illustration of one case.

Mr. TEITLEBAUM. My testimony is directed to tracing those raids, Senator, because those people higher up can tell us betted when they are going and what method they will use to do that.

The CHAIRMAN. You would not make a statement with reference to raids from this side to the other side unless you had something back of it?

Mr. TEITLEBAUM. I don't mean any Americans raiding Mexicans. I mean Mexicans being hired by Americans to do the raiding.

The CHAIRMAN. What do you mean by that?

Mr. TEITLEBAUM. I have not the data on that; but here is a resolution that several of us had drafted in San Antonio with a view of holding a public meeting to indorse the stand:

> We recognize that America's greatest contribution to an early and lasting peace in Mexico lies in discouraging the practice of using American soil to foment and breed further disputes in our sister Republic.

The CHAIRMAN. Does that have reference to your efforts in furthering the Madero revolution?

Mr. TEITLEBAUM. No, sir. It says:

> Whereas the President of the United States has honored our State and the city of San Antonio by selecting Mr. Duval West, one of our foremost citizens, as his personal representative to aid, as far as may be consistent with our neutrality and declared policy of nonintervention, in suggesting a just basis upon which the people of that Republic may settle the differences which are now causing internal war and fratricidal strife within her borders.

The CHAIRMAN. What had that to do with the statement you made with reference to Americans employing Mexicans to raid the other side?

Mr. TEITLEBAUM. Just as sure as I am of knowing that it is daylight, now, Senator, that many Americans that have been filled with bullets that were brought in there ostensibly to use on Mexicans that were used on Americans. Unfortunately, I myself have it in my heart in having helped the best I could to remove that.

The CHAIRMAN. That has nothing to do with the question.

Mr. TEITLEBAUM. It has this to do.

The CHAIRMAN. You answer the questions I propound to you. I asked you what you know, what information you have, what leads you to make the charge of a most serious nature that Americans have been raiding or causing to be raided Mexican soils, resulting in the death or injury of any person in Mexico or the robbery or stealing of any property in Mexico?

Mr. TEITLEBAUM. That is an absolute conviction based on the knowledge of the general situation, and I say I am just as certain of it as I know I have got a little gray matter. I have not seen it, but I think I have it.

The CHAIRMAN. You must have some foundation for it.

Mr. TEITLEBAUM. I have.

The CHAIRMAN. What is it?

Mr. TEITLEBAUM. Just the general natural cussedness——

The CHAIRMAN. Of yourself?

Mr. TEITLEBAUM. All right, sir; of myself.

The CHAIRMAN. Exactly just the disposition——

Mr. TEITLEBAUM. Of some financial interests, sir, who would stoop to anything.

The CHAIRMAN. That is an infamous accusation, unless you can prove it. If you have any proof of this I want you to give it to this committee. Have you anything to substantiate that?

Mr. TEITLEBAUM. I will be able, if you want to, to get you the proof. I will set myself to bring it.

The CHAIRMAN. You came here with an armful of papers.

Mr. TEITLEBAUM. Yes, sir.

The CHAIRMAN. You came at your own request to make a statement.

Mr. TEITLEBAUM. I did, am I am making it, and I will give you what I have in connection with it.

The CHAIRMAN. You joined other people in making such an accusation, and I want some substantiation of it. Are you prepared to give it?

Mr. TEITLEBAUM. I am trying to give it to you now. I didn't take part in some of these things, and I can't give them to you. I am making it as a general charge.

The CHAIRMAN. Upon what do you found it?

Mr. TEITLEBAUM. On my own knowledge of the general situation, just the same as I know it is daylight now.

The CHAIRMAN. Then give us the facts. Give us any facts, any information within your knowledge.

Mr. TEITLEBAUM. If you want facts on that particular thing, I will set myself to get them for you, sir, and I will be able to get them for you.

The CHAIRMAN. What have you been doing for eight years?

Mr. TEITLEBAUM. I have not taken part in that industry.

The CHAIRMAN. The committee will not sit here and listen to such representations of stuff as you are now repeating, unless you will give your foundation for it, and give the committee something upon which they can act.

Mr. TEITLEBAUM. All right. We will go to something else.

The CHAIRMAN. No; I want that right now.

Mr. TEITLEBAUM. I promise to get it.

The CHAIRMAN. I want it now.

Mr. TEITLEBAUM. I can't give it to you now.

The CHAIRMAN. Then the committee declines to hear you any further, sir.

Mr. TEITLEBAUM. All right, sir. I thank you very much for your courtesy and patience. I would like real well to have this to the end, because I believe there is much good to come from it, if we approach it in the proper spirit, but it does not always serve our purpose.

The CHAIRMAN. You have paid your own expenses, have you, in connection with your Mexican investigations?

Mr. TEITLEBAUM. Yes, sir; I have spent the only money I have made for some time to come on this trip down here.

The CHAIRMAN. The committee has in its possession a good deal of information respecting the financing of similar matters.

Mr. TEITLEBAUM. That is all right. I don't blame the committee for asking the questions, and I am very glad you state it frankly, because I believe that is the only way to get any results.

The CHAIRMAN. The committee declines positively to listen to vague accusations, for which you do not submit the proof.

Mr. TEITLEBAUM. I think I have enough other matter I can give you tangible evidence on.

The CHAIRMAN. Tangible evidence of what? Give us tangible evidence of anything and we will listen to you.

Mr. TEITLEBAUM. I have been furnishing you evidence, but it is not acceptable to you. I can furnish you tangible evidence.

The CHAIRMAN. Evidence of what?

Mr. TEITLEBAUM. The chairman of this committee.

The CHAIRMAN. Very well. Now, let us have it.

Mr. TEITLEBAUM. I did not come prepared for that, but I find that at our conference yesterday, which I did not expect, I have something on it. I simply want to say that so far as I am able to see, that I have some clippings here and statements and addresses made by him from the time Madero, that the chairman has not been in sympathy with all the efforts made by Mexicans or kept the spirit of neutrality.

The CHAIRMAN. The chairman has never been in sympathy with evidence from a man who is not a citizen of the United States, not in any official position, who interferes with the affairs of a foreign country, where it might drag this country into some action, whether that action might be beneficial or not. The chairman has never had any sympathy with any movement of that kind or any person of that kind. Now, you have made a statement that is something concrete. You state that you have information with reference to the chairman of this committee. Now, give it.

Mr. TEITLEBAUM. All right. Do you want me to quote the speeches that you have made at various times?

The CHAIRMAN. Where? When?

Mr. TEITLEBAUM. At different places, in New York. Here is one.

The CHAIRMAN. From what are you intending to quote?

Mr. TEITLEBAUM. A speech made at the Mexico Society of New York, at the Hispanic Society's building, and this press report says:

> Following Senator Fall's speech the society adopted resolutions congratulating Ambassador Wilson upon "the ability, patience, and courage" he has shown in the recent crisis and expressing hope that the Mexican "patriots who are fighting to establish and maintain a constitutional government" will succeed.

That is one.

The CHAIRMAN. What is that? It is a resolution, is it not?

Mr. TEITLEBAUM. Yes, sir; but you probably recall as to when it was. I have not got the case marked here.

The CHAIRMAN. I do not recall the date at this moment.

Mr. TEITLEBAUM. Yes, sir; I will be able to get it.

The CHAIRMAN. What are you reading it for? What is the purpose of it?

Mr. TEITLEBAUM. I am trying to show that the chairman is not now and has not been in sympathy with these poor benighted devils

who are trying to bring some organized government out of Mexico and without embroiling us in the end and saving our boys from having to go down there, with the consequent loss of blood and treasure, because there is no man that has been in the position that the chairman of this committee has been in for doing the things that this Mexican situation would never be in the shape that it is in, except for the chairman of this committee, I think, and the heart of this country, W. R. Hearst.

The CHAIRMAN. What is your purpose in reading that newspaper clipping?

Mr. TEITLEBAUM. To simply show you that. There is another.

The CHAIRMAN. Just confine yourself to answering the questions.

Mr. TEITLEBAUM. To show the chairman is not in sympathy with me in attempting to get at what I am trying to get at.

The CHAIRMAN. I admit that in the record. I am not in sympathy with you.

Mr. TEITLEBAUM. All right.

The CHAIRMAN. Now, go back and answer the question. What is your purpose in reading that clipping?

Mr. TEITLEBAUM. For the purpose that I say, that it appears to me that the chairman holds a grouch against those people, which endangers the good will and sympathy and confidence between the two nations.

The CHAIRMAN. What is that clipping? Read it again, to yourself. You need not read it aloud. How does it apply? What are you talking about?

Mr. TEITLEBAUM. I read it as evidence of what I said.

The CHAIRMAN. Just read it and answer the question.

Mr. TEITLEBAUM. I only want to use it as proof in regard to the chairman's position, Senator.

The CHAIRMAN. What proof is it?

Mr. TEITLEBAUM. And with the best of feeling and kindness in the world.

The CHAIRMAN. What proof is it? You have read a resolution which was adopted after the speech of the chairman.

Mr. TEITLEBAUM. You make it impossible for me to follow it. When there is a chance of leading up to something, it is diverted in another direction instead of following it along certain lines.

The CHAIRMAN. That is absolutely untrue. The chairman has exhibited the utmost patience with you, sir, and will continue to do so, on any line you may desire along this subject; but I want to know what your conclusion is from this resolution you have just read. What do you think about it? Upon what do you base your conclusion?

Mr. TEITLEBAUM. I think that the meeting at which the chairman spoke was certainly not in sympathy with trying to help compose the differences.

The CHAIRMAN. Well, read that resolution again. I asked you to read it. Now, see what it says.

Mr. TEITLEBAUM. That was, sir, at the time when one of the men who was most responsible for the trouble of Madero, and an accredited representative who was withdrawn and recalled for the dirty work he had done.

Following Senator FALL's speech, the society adopted resolutions congratulating Ambassador Wilson upon "the ability, patience, and courage" he has shown in the recent crisis, and expressing hope that the Mexican "patriots who are fighting to establish and maintain a constitutional government" will succeed.

By "constitutional patriots" is not meant either faction to the revolution, and neither have I seen anything at all that I have had occasion to observe where the chairman has done the thing to bring those relations which he is in such an excellent position to bring.

The CHAIRMAN. Were you opposed to the recognition of the Huerta government by this Government?

Mr. TEITLEBAUM. Yes, sir.

The CHAIRMAN. Do you not know that speech was made in answer to a speech by Henry Lane Wilson, in which Mr. Wilson advocated the recognition of Huerta and the chairman opposed it?

Mr. TEITLEBAUM. Is that so? I am very glad to have you give me that information. Quoting yourself:

Not one member of the prominent families, the white class, of Mexico has taken part in upholding the hands of either Diaz or of Madero. None of these answered Madero's call for volunteers. Now, if prominent Mexicans will not uphold the hands of a strong government, what can they expect for their country?

Everybody acquainted with conditions in Mexico knows that if universal suffrage were established there to-day Zapata would be elected against all other candidates. Everybody knows that the overthrow of a strong government in Mexico means anarchy. The army? The army to-day is drinking pulque. While Gen. Huerta was fighting the revolutionists, 3 miles miles from the line, 447 bridges were burned on the railroad south of Juarez, and bandits were camped nearby feeding on beef stolen from the cattle companies. No attempt was made to drive them out. When some of these bands surrendered useless guns they were immediately pardoned by Gen. Blanco, permitted to keep the horses they had stolen, and equipped with modern rifles. When the victims of their depredations complained and threatened to report them, they replied that they were working for Huerta and Blanco.

All of these bands, it has been ascertained, receive support from socialists in San Diego, San Francisco, Los Angeles, Minneapolis, Sacramento, and Cleveland—militant socialists and anarchist organizations here, which have been supplying $1,000 monthly for printing and circulating their revolutionary literature.

The CHAIRMAN. Do you know who those men were I have referred to as doing that robbing there?

Mr. TEITLEBAUM. No, sir.

The CHAIRMAN. They were under the command of Gen. Salazar, whom you have referred to here.

Mr. TEITLEBAUM. As I have said before, and will show you again, that I personally have nothing against anybody who has done anything in connection with Mexico personally. But this has represented a great sacrifice to me, and I feel very proud of the little that has been given me to accomplish, with my limited influence, and I don't count my life any too much to contribute to it, in order to save any woman's son or any man's brother.

The CHAIRMAN. The chairman of this committee has been under very great provocation on one or two occasions, due to your having injected personalties into this hearing. The chairman has before him from his files a copy of a letter dated July 17, 1917, addressed to the President of the United States and an acknowledgment of the receipt

by the President of that letter and his thanks for it. Among other things in the letter the chairman states:

I am in thorough accord with the administration in the policy of nonrecognition of the Huerta government as a government, and my reasons for that are as follows:

And they follow at some length. The letter is quite full. There is a somewhat lengthy discussion of the reasons actuating the present chairman of this committee in agreeing with the policy of the administration in the nonrecognition of Huerta. The suggestions the chairman made were as follows:

In December, 1899 (?), the Secretary of State of the United States handed to the representatives of the Nicaraguan Government a note, in which it was declared that this country could no longer recognize the Zelayan (?) government. Zelaya (?) was at that time the duly elected and acting President of Nicaragua. Revolutionists were in the field in different parts of the Republic against him. We declared that we would hold each of the leaders in his district or that portion of the country over which he had declared control responsible for injury to the property of American citizens and also the lives and liberty and safety of such citizens. Of course, the United States could not adopt that course with Mexico, unless it had first been given power to use marines and soldiers, as this country had done with Nicaragua, to enforce that warning.

In August following that letter, 1 month and 10 days, the President of the United States came before the Congress of the United States and delivered a message in person. He followed that action on the same day by a cable communication to the consul general at the city of Mexico and all the consuls of the United States, telegraphed through the consul general directly from the State Department to the consuls in all the States of northern Mexico, which were then out of telegraphic communication with the city. In a message of the President of the United States to the Congress of the United States he stated that there was no government in Mexico, and this Government would notify every leader in Mexico, civil and military, in the district over which he assumed to have control that he would be held strictly accountable for the life, safety, and property of American citizens. Of course, I do not assume that the President of the United States was following literally the suggestions in this letter of the chairman of this committee to him on July 17. I have the phraseology of the originals from the State Department of each of the telegraphic instructions which were sent to the consuls of the United States and directed by the President to notify to every Mexican in all the different States of the Republic, in every district, to every authority, civil or military, that they would be held strictly accountable for the life, property, and safety of the American citizens. That was the suggestion made by the chairman to the President, in these exact words:

Now, those telegrams were sent out, of course, using those words, because they were expressive and he had the precedent for them. The speech which you have referred to was made at the request of certain officials of this Government in a joint debate with Henry Lane Wilson. He attacked the action of the administration in the nonrecognition of Huerta, and I, at the request of certain officials of the United States Government, answered that attack. And the resolution, while it indorses the action of Mr. Wilson, followed the lines of the speech which I had made.

I simply do that in justice to myself and to the committee. I care nothing about your attack upon me. I am now in the position of chairman of the committee.

Now, then, what else have you in reference to the chairman of this committee?

Mr. TEITLEBAUM. On that same line?

The CHAIRMAN. Let us have something else which induces you to believe that the chairman of this committee had done a great injury to Mexico and is now doing it.

Mr. TEITLEBAUM. I would much sooner not do it.

The CHAIRMAN. You made the accusation—a very serious accusation. Those charges have been made before, but no man has ever faced any citizen and produced any evidence of any kind or character on that subject. Now, you have made charges in reference to the chairman of the committee in the general, vague terms which are of a serious nature.

Mr. TEITLEBAUM. I am giving to you just what I have known the chairman to do—what he has said.

The CHAIRMAN. Well, what?

Mr. TEITLEBAUM. I did not come prepared on that score, because much of this material I have whipped into shape after coming up here, and after the conference we had yesterday and the position that I understood the chairman to take. I did find some expressions that occurred some time ago, speeches by the chairman, which did not show that he had been in sympathy. I am heartily sorry that I have brought any of this into this hearing. I am very grateful to you, and I am sorry to have hurt your feelings.

The CHAIRMAN. You have not hurt my feelings a particle.

Mr. TEITLEBAUM. I am rather sensitive, and I would like——

The CHAIRMAN. I am not at all so.

Mr. TEITLEBAUM. I would like to beg your indulgence a little further.

The CHAIRMAN. No. You started to refer to something else about the chairman. You spoke of expressions the chairman made. I would like to know what you refer to. The speech you are talking about as being made in New York was a speech made in Worcester and Boston, Mass. Now, go ahead.

Mr. TEITLEBAUM. Here is a statement in the New York Tribune, dated August 24, 1912, headed:

SENATOR FALL DENIES OWNING LAND IN MEXICO—ADMITS, HOWEVER, HE IS INTERESTED IN SOME MINES WHCH ARE "NOT ON A PAYING BASIS"—WAS GREENE'S ASSOCIATE—HAD SOME BUSNESS DEALIGS WITH CANANEA COPPER MAN, BUT DID NOT MARRY HIS NIECE.

WASHINGTON, *August 23.*—Charges that he was actuated by self-interest in an attempt to bring about intervention in Mexico, made in the Nueva Era, which is recognized as the Government organ in Mexico City, were characterized by Senator Fall, of New Mexico, to-day as being too ridiculous to merit comment.

The Senator denied that he had an interest in any land in Mexico and expressed doubt that, even if he had, the tortuous process of bringing about intervention to enhance its value would be successful. He said that he had an interest in some mines which were not on a paying basis, but which, eventually, he hoped to dispose of to advantage.

The CHAIRMAN. I would like you to come to something which you say indicates that I am against the struggling people of Mexico, or anything not to their advantage.

Mr. TEITLEBAUM. In a newspaper article——

The CHAIRMAN. Have you concluded your reading from this other paper?

Mr. TEITLEBAUM. From that one; yes, sir. Here is another one, which, if you insist, I will have to take your time on it.

The CHAIRMAN. Just select the portions of it that you want to read.

Mr. TEITLEBAUM. Quoting from a clipping under date of August 19, at Washington, which I expect would be about 1911:

Conditions in Mexico were discussed in the Senate to-day by Senator Fall, of New Mexico, who arose to a question of personal privilege to declare "absurd and ridiculous" a statement purporting to come from President Madero to the effect that Mr. Fall had caused the failure of peace negotiations between the Mexican Government and Gen. Orosco. Senator Fall denied he had ever had any connection with Orosco regarding the peace negotiations. Conditions in Mexico could not last much longer, he said.

Further down it says:

Senator Fall declared that as President Madero had recognized the belligerence of the insurgents by informing the world that peace negotiations had failed, he thought the United States should recognize the insurgents.

I will not comment on that.

The CHAIRMAN. Was not that what you were trying to do?

Mr. TEITLEBAUM. Not against Madero.

The CHAIRMAN. Not against your particular insurgent.

Mr. TEITLEBAUM. Not against my particular insurgent.

The CHAIRMAN. Now, Mr. Teitlebaum, of course you do not know anything about the facts?

Mr. TEITLEBAUM. No, sir. I don't want to read these things to any man's hurt. I only try to justify myself to myself, as long as you do not accept it with the spirit in which it is given, and with which I have come here to facilitate doing what I believe it is your honest desire of trying to do—some constructive work for the people of the United States.

The CHAIRMAN. Let us get back to the facts. At the time this interview or statement was made, which appears in the Congressional Record, and from which you should have obtained it, if you wanted to quote from an official record instead of a statement in some newspaper report, at that time the facts were that the State of Chihuahua had seceded from the Mexican Government, had its own State government, its own legislature, which had been elected at the same time Madero was elected.

For their own reasons they had elected Orosco as military governor of the State. He was in charge of the railroads and all the industries of the State. He was being dealt with every day by the United States Government through the port of Columbus and Juarez and other points. The conditions were at that time that Mr. Orosco had raised the flag of insurrection. He had been joined by Mr. Madero. Madero sent his representative Ganzalez into Chilhuahua, where Orosco was in arms against the State authorities. The State authorities had been powerful enough to secure federal troops from Gen.

Diaz. Those troops came in armed conflict with Orosco's forces and were repulsed. Madero represented to Orosco that he then became an outlaw against the federal government; that if he would declare for Madero that he, Madero, would furnish him with arms and ammunition. He did furnish Orosco with arms and ammunition, and Orosco captured Juarez and overthrew it and placed Madero in power in Mexico almost single handed.

Later, for reasons of their own, the State of Chihuahua seceded. Orozco, in the position of military commander, was being dealt with by this Government every day and was allowed all the arms and ammunition from this country that he wanted. You and others were holding meetings in San Antonio and all along the border, without interference from the Department of Justice or otherwise, in favor of Madero. When Orozco raised the banner of the revolution against Madero and fought the first battle, where he repulsed the Madero forces, he found himself getting short of arms and ammunition that were coming from the border. He then for the first time discovered his inability to get the things which, under Madero, they had gotten all they wanted. He took the position that it was best to go on fighting it out, unless the United States Government was prepared to assume the responsibility which necessarily would go along with the question of authority, and that if it declined to do so and stopped the murder and destruction going on in Mexico, then we should keep our hands off and let the Mexicans fight it out.

Now, with reference to intervention of any kind in Mexico, I call your attention to a matter already in the record, the only resolution upon that subject which has ever been offered in the Congress of the United States, and which is already printed in the hearings of this committee and therefore will not be included at this time. However, I will read it for your benefit.

(After reading the document referred to.)

That was immediately after the raid in my own State, when American women were shot down at night in the doors of their houses; when the jewels were torn from their bodies; when their husbands were murdered by their side; when the American soldiers were surprised in their sleep, and were attacked by the raiders and ruthlessly murdered. The Pershing expedition was sent into Mexico by the President of the United States. The papers were full of statements, of course, that it meant war with Mexico. Some of the people of the United States thought it was the duty of this country to take over Mexico. Some were in favor of the annexation of a part of Mexico. That revolution had been going on then for six years. The people of the United States were tired of it. The extremists wanted to force the United States a government of its own power in Mexico.

I introduced this resolution:

Whereas for three years a condition of anarchy has prevailed on and near our borders, and particularly within the Republic of Mexico; and

Whereas this Government has exercised the utmost patience and its best efforts through persuasion and representations to assist in restoring order in that unhappy country, and has seen its citizens traveling and doing business in Mexico murdered and outraged and their property destroyed, in violation of their legal rights under the comity of nations and customary and positive international law; and

Whereas this Government has had its flag dishonored and insulted in Mexico, and no reparation made or redress offered; and

Whereas the clear rights of American citizens have been abridged and denied in Mexico, and this Government can not consent to any further abridgment of the rights of American citizens in any respect; and

Whereas this Government is contending for nothing less high and sacred than the rights of humanity, which every Government honors itself in respecting, and which no Government is justified in resigning on behalf of those under its care and authority: Therefore be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President be, and he hereby is, authorized and directed to use the land and naval forces of the United States, and call into service 500,000 volunteers:

First. For the purpose of protecting the lives and property of Americans in Mexico, and as a necessary preliminary to such purpose the opening and maintenance of all rail and other lines of communication between the City of Mexico and the seaports of Mexico, as well as with the American border.

Second. For assisting in the prompt establishment of a constitutional government in Mexico and lending same sufficient support to enable the Mexicans themselves to organize and maintain adequate military force with which to disarm all bandits and murderers and restore order and peace.

SEC. 2. That we declare our purpose to be as above set forth, and not to be the acquisition or annexation of territory, the overthrow of laws, customs, or constitution, the making of war upon the Mexican people, or interference with Mexicans in the government of their country; and we declare our further purpose to be the withdrawal of all our armed forces from Mexican territory immediately upon our accomplishment of the objects herein set forth, and to these ends we invite the cooperation of the Mexican people.

Did you ever read that?

Mr. TEITLEBAUM. Yes, sir.

The CHAIRMAN. What impression did that make upon you?

Mr. TEITLEBAUM. Very good; the first man that I have seen that had the proper notion of the probable number of people it would take.

The CHAIRMAN. I am not discussing that. What impression did it make upon your mind as to the intent and purpose of the chairman of this committee?

Mr. TEITLEBAUM. Well, I don't know that I can give you a good explanation of that, because I was not in sympathy with our going down there.

The CHAIRMAN. But we were there. That was an accomplished fact at the time that resolution was drawn. We were there with arms.

Mr. TEITLEBAUM. I noted that you said that.

The CHAIRMAN. The Pershing expedition was in Mexico, 14,000 strong.

Mr. TEITLEBAUM. Yes, sir.

The CHAIRMAN. The Mexican and American papers were full of statements that it meant war with Mexico. Many people insisted that we should have war with Mexico and, as I have stated to you, many insisted that it should result in annexation of all or a part of Mexico.

Mr. TEITLEBAUM. That was the proposition, to go down there with 500,000 men. Well, I don't believe that the Mexicans would permit——

The CHAIRMAN. I am not asking you what the Mexicans would permit or what would be the result. We saw the results, sir; that the Mexicans followed Pershing out of Mexico, begging him to stay there, several thousand of them.

Mr. TEITLEBAUM. Well, I think that the United States practically withdrew through the influence exerted by Latin America.

The CHAIRMAN. How long did they remain there?

Mr. TEITLEBAUM. I think three or four weeks; I don't recall just how long it was. I know they were down there and they came away again.

The CHAIRMAN. Very well. Is there anything else you have there which has induced you to believe the chairman of the committee has been engaged in attempting to oppress the Mexican people?

Mr. TEITLEBAUM. Not here, Senator.

The CHAIRMAN. Then, all this statement that you have made, rather indignantly, is founded simply upon such material as you have referred to here?

Mr. TEITLEBAUM. Yes, sir. It is simply a straw showing which way the wind blows.

The CHAIRMAN. The chairman made the statement with reference to propaganda which had been going on in Mexico. Do you know Gen. Plutarco Elias Calles?

Mr. TEITLEBAUM. I know of him.

The CHAIRMAN. You know who he is, do you not? You know him as an insurgent against the Carranza government, do you not?

Mr. TEITLEBAUM. The names were of no importance to me and I went to the top. I don't know. I don't know Calles. It may be if I would see him I would know him, but I don't know him if my life depended on it.

The CHAIRMAN. Well, on the 4th day of February of this year he was a member of the cabinet of President Carranza.

Mr. TEITLEBAUM. Yes, sir.

The CHAIRMAN. You knew that, did you not?

Mr. TEITLEBAUM. No, sir; I did not.

The CHAIRMAN. Did you know any of the Mexican consuls along the border? Did you know M. Garcia, consul at Laredo, Tex.?

Mr. TEITLEBAUM. I think he was at El Paso, wasn't he?

The CHAIRMAN. You are confusing him, I presume, with Andreas Garcia, director of consuls along the border, and acting consul at El Paso. You do not know M. Garcia, consul at Laredo?

Mr. TEITLEBAUM. I may have. I know the other Garcia.

The CHAIRMAN. You knew Luis Cabrera?

Mr. TEITLEBAUM. Yes, sir.

The CHAIRMAN. Did you know Guillermo Hall, of San Antonio? In common everyday English it is William Hall.

Mr. TEITLEBAUM. I don't recall, Senator.

The CHAIRMAN. Have you known of various excursions, commercial excursions and others, going into Mexico?

Mr. TEITLEBAUM. Yes, sir.

The CHAIRMAN. Did you know anything about an excursion that went into Mexico from Boston, Chicago, St. Louis, and other points, concentrating at San Antonio, and going into Mexico on or about the 4th of February of this year?

Mr. TEITLEBAUM. I know there have been several excursions down there.

The CHAIRMAN. You have not read anything from Guillermo Hall with reference to the Mexican question, along the line that we have been discussing, matters of friendship between the two countries, support of the Carranza government, the struggle for constitutional law and peace, etc.?

Mr. TEITLEBAUM. I do not recall that I have, Senator.

The CHAIRMAN. The committee has in its possession some very enlightening telegrams showing how some of the propaganda was carried on in this country, which, in view of the fact that you have related some of your activities, and the chairman has referred to the activities of others, will be placed in the record. The committee has photostatic copies of various telegrams, in connection particularly with this recent excursion, telegrams passing betwees Guillermo Hall and Plutarco Elias Calles, member of the cabinet, and Luis Cabrera, member of the cabinet, and the consuls at Laredo and San Antonio. Of course the originals of these documents are in Spanish. The committee has translations of them.

I have here a telegram dated February 8, 1920:

NUEVO LAREDO, TAMPS., *February 8, 1920.*

Mr. General PLUTARCO ELIAS CALLES,
Secretary Industry and Commerce:

I have the pleasure to advise you of arrival here with excursion business men from San Antonio, Tex., there being 42 in party, coming under direction of Mr. E. A. Wiegand, who will also have arrangement of itinerary of train. As I advised you from San Antonio, I arranged to have trip to Tampico cut out of itinerary, account of work of propaganda of Fall's agents, which demoralized certain of the excursionists, causing them to cancel their trip; but believe, considering conditions in which lines from Tampico is now, well not to insist, in this way obviating expense and trouble for the Government. Hope that you will kindly issue orders necessary that everything be made smooth for us, in view of fact that some members of excursion come much prejudiced on account of propaganda of which I spoke. We leave to-day for Monterey; shall probably remain until to-morrow. With affectionate regards and salutations.

GUILLERMO HALL.

I have a second telegram, with the same heading. the same date, from Mr. Guillermo Hall to Mr. Luis Cabrera:

Advise have arrived here with excursion San Antonio business men, which is not turning out as fortunately as promised, owing to circumstances which I explained to you in my letter of 6th instant. Received in San Antonio the $5,000 which you placed my credit through Laredo consulate, which regret should have happened, as not desirable De la Mata be taken into confidence. Urge remedy matter if possible. Hope to see you soon there. Affectionate regards.

GUILLERMO HALL.

You may note that Dr. De la Mata, consul of the Mexican Government at San Antonio, is referred to in that telegram.

Mr. TEITLEBAUM. Rodriguez was the consul at that time, I thought.

The CHAIRMAN. I have a telegram under date of February 4, signed "Cabrera," dated at the National Palace, City of Mexico, and addressed to Garcia, Mexican consul at Laredo. I am reading into the record the English translation:

With the approval of the President of the Republic please deliver to Mr. Guillermo Hall, agent of the department of industry and commerce in San Antonio, Tex., the sum of $5,000 for the expenses on the trip of the excursionists of the American Chamber of Commerce, recommending that you give him on his way through that place all facilities, in order that the travelers may have a good impression of our Government. Affectionate greetings.

CABRERA.

A telegram of the same date, signed by Gen. P. Elias Calles, dated at the Commercial Palace, the 4th of February, 1920, addressed to "Consul of Mexico, Mr. Garcia," at Laredo, reading as follows:

Please inform Mr. Alatriste that the commercial excursion must come directly through the towns which are on the National Line, since certain conditions on the Tampico road make it undesirable that those places be visited until necessary measures shall have been taken. Greetings.

GEN. P. ELIAS CALLES.

Just an interjection in the nature of a suggestion that there may be something significant in the last lines of that telegram than possibly could be understood by the witness now on the stand.

The next is a telegram from M. Garcia to Luis Cabrera, at the City of Mexico, reading as follows:

Your honorable telegram No. 2149. I acknowledge the order for the money for Mr. Hall. The consul in San Antonio informs me that the number of excursionists has much decreased, due to the unfavorable propoganda circulated by agents of Capt. Hanson. A special train ready to leave as soon as the excursionists reach here. Very affectionate greetings.

M. GARCIA.

Telegram to Gen. Plutarco Elias Calles, from M. Garcia, dated February 4, 1920:

Your honorable telegram No. 1379 Mr. Alatriste has not yet arrived. I am communicating your instructions. Affectionate greetings.

M. GARCIA.

Now, the instructions were to undertake these excursions by way of Tampico, of course, for very good and sufficient reasons.

I have a telegram from Guillermo Hall, upon his return, addressed to Luis Cabrera, Treasury Department, City of Mexico:

I report to you that I have just arrived in this (city) with the excursion of merchants from San Antonio, Tex.—

That is another telegram from Nuevo Laredo to Mr. Cabrera, not from San Antonio.

I report to you that I have just arrived in this (city) with the excursion of merchants from San Antonio, Tex., which was not as large as had been expected due to the circumstances I explained to you in my letter of the 6th instant. I received in San Antonio the $5,000 you remitted to me through the Consulate at Laredo, which I regret since it is not well that de la Mata be advised of confidential matters. A remedy of the matter is urgent, if possible. I expect to see you in that (city) soon. Very affectionate greetings.

GUILLERMO HALL.

I simply call attention to these matters to show some of the efforts of the Mexican Government to create a favorable impression upon Americans.

Also, in connection with that and on the subject of propaganda, I have a photostatic copy of a letter from the foreign office at the City of Mexico to Gen. Barragan. Do you know Gen. Barragan?

Mr. TEITLEBAUM. Yes, sir. He was chief of staff for Mr. Carranza.

The CHAIRMAN. Yes.

Mr. TEITLEBAUM. I know him very well; and I know Mr. Parma also.

The CHAIRMAN. This latest propaganda, of which we have this photostatic copy, although it is marked "Confidential," states:

[Confidential.]

Citizen Gen. JUAN BARRAGAN,
Chief of Staff to the President.

By direction of the citizen President of the Republic please have an order issued to deliver to Citizen Col. Francisco Montiel the sum of $10,000 for pro-Mexican propaganda expenses in the Argentine Republic, where he is going as

attaché to our legation to develop the work of the Latin-American Association for the Defense of the Interests of Mexico. Col. Montiel will explain to you verbally the plans approved by the superior authorities to be developed in South America.

A. M. FERNANDEZ,
Chief Clerk in Charge of the Department.

I overlooked a letter from the Mexican consul to the undersecretary of foreign affairs, marked "Official No. 296, confidential," as follows:

I have the honor to advise you that on the 6th instant there was delivered to the Hon. Guillermo Hall, confidential agent of our Government in San Antonio, Tex., the sum of $5,000 for expenses of his journey on Mexican soil, in accordance with telegraphic order No. 2149, dated the 4th instant, from his excellency the secretary of the treasury, Hon. Luis Cabrera. Because of the confidential nature of Mr. Hall's employment this consulate was unable to secure corresponding receipt for above-mentioned amount, obtaining only the telegraphic orders, which I inclose.

Of course, we have Mr. Hall's telegram to Luis Cabrera not to send any more money through De la Mata. Mr. Hall has, in the opinion of the committee, a perfect right to pursue any course he chooses in reference to Mexican affairs, but Mr. Hall is posing in San Antonio as a mere friend, not a confidential representative, and certainly not a propagandist in the employ of Mexico.

Mr. TEITLEBAUM. Well, that issue I do not fear, and I would not evade it. Nobody has anything on me in that connection. I have never taken a dollar, so far as I know, from any source. I have taken, I think, 65 pesos from Gen. Angeles and about $50 from Diegas while I was on that trip and could not get to my source of supply. When I got to Vera Cruz I got 240 pesos from Mr. Carranza or his nephew, and when I got to San Antonio, when I got home, I had given a $100 to Mrs. Carranza, with a list of different moneys that I had borrowed in the meanwhile, which is about three times as much as the exchange at that time was worth. Personally, my hands have been as clean as my heart in connection with all this and, unless there is a frame up, there is nothing that can be produced on me, in regard to having accepted any compensation in regard to anything I did in Mexico.

The CHAIRMAN. The chairman of this committee has not insinuated that you have. The chairman of this committee has offered this evidence, however, of payments being made to men who claimed that their purposes were just as pure as you claim yours to be.

Mr. TEITLEBAUM. Yes, sir. I don't know that there is really anything very bad about most of that, if the party does not sell himself. For somebody to accompany these people, who were bent on a very laudable mission, which I heartily believe in and approve of, it does not spell all that it might to others.

The CHAIRMAN. As the chairman does not happen to have that trait of mind which is looking for hidden motive and placing construction upon the acts and conduct of others, he had no comment whatever to make.

Mr. TEITLEBAUM. I don't blame the chairman, because as long as we don't know ourselves, it is certainly mighty hard to know the other fellow.

The CHAIRMAN. As long as we have in our possession information showing a large number of paid propagandists, who are posing as

being perfectly pure in all their motives and as not receiving any compensation at all, when we do find that some of them are hypocrites, we consider it our duty to show it. When these people are claiming before the American people to have information that this committee is engaged in nefarious schemes, when we have evidence of that kind, I think it is our duty to the public to give it out. For that reason I have put that evidence in.

Now, there is another matter to which you referred and to which I wish to call attention now. On August 10, El Universale, a paper published in the city of Mexico, telegraphed to different members of this committee, propounding to them certain questions to be answered, which was conceded to on the 11th. That has been heretofore placed in the record. Immediately thereafter, or, at least, within a few days after August 11, I think on August 17, there was published in El Universale, in the city of Mexico, over the signature of the author, an article signed by a prominent Mexican citizen, Alfredo Robles Domingue. I do not know whether you have had this called to your attention, or whether we have had this translation of the article, the original Spanish of which is in our possession, printed in the record to be used in connection with the El Universale telegram.

Referring to the article in which Mr. Dominguez quotes a portion of the answer of the chairman of this committee, sent by the chairman after consultation with the other members, Mr. Dominguez summarizes the meaning of that portion of the telegram. He quotes from the telegram:

Each one of the members of this committee had hoped that the people of Mexico would of themselves be able to create and sustain a government that can comply with its obligations (international and national) without the intervention of this Nation or any other, and the committee still hopes that the Mexican people are capable of working out their destiny and obtaining and preserving for Mexico the respect of all nations, respect which the Republic of Mexico has deserved and held for so many years.

Mr. Dominguez construes the meaning of that as follows:

Summarizing the foregoing statement, it must be understood—

We do not now take into consideration the present government of Mexico. The people of Mexico must create and sustain a serious and honorable government to prevent our acting, tired of waiting, and going with our Army and all our power to force order upon them and to pay ourselves for the damages than have been caused us.

Then follows his comment:

That is to say, the honor, nationality, and sovereignty of Mexico are in peril, and, in the face of such a situation no Mexican in whom there remains an atom of shame, should cross his arms or remain silent, a prey to fear, in the presence of the consequences he may bring upon himself by assuming a viril attitude.

No illusions must be entertained. The North American Senate is determined to proceed, and the government of Mr. Carranza and the Mexican people are obligated to conjure the peril and to minimize the evil that menaces the fatherland.

It is chimerical to pretend to resist with brute force a force infinitely superior. We lack money, ammunition, arms, and even, unfortunately, we lack in these moments the moral qualities that exalt virile and patriotic peoples. Even through the vexations and extortions of the present administration these have been lost. We conscious men, in the presence of the gravity of the peril, turn the head in search of a voice of authority to rise and propose the means of salvation. Not finding it, I, with the right that abides in me as a citizen

and with the duty that patriotic feeling imposes on me, address the government of Mr. Carranza and the people of Mexico to propose to them the only practical and rapid means that may conjure the grave crisis that menaces our autonomous life.

These means are the following:

First. The immediate retirement of Mr. Carranza and his government, and the formation of a provisional government, composed of honorable and competent men, to enter at once into negotiations with our creditors.

The word "creditors" does not mean simply financial creditors in Mexico.

Mr. TEITLEBAUM. What is the name of that gentleman?

The CHAIRMAN. You will hear it in a few days.

Mr. TEITLEBAUM. I thought you asked if I knew him.

The CHAIRMAN (reading):

Second. Union of all dissident groups to sustain that government, for the purpose of enabling it to solve present problems and to lead the country in a short time to constitutional order, within a responsible administration.

I must not be taken for a seditious person or a rebel. If I considered that that was the best road to free us from the evils that rend us and to reconstruct the nation, long ago I would have adjusted my conduct in that sense.

Neither the people of Mexico nor the government of Mr. Carranza should forget that the honor, the sovereignty, and the nationality of the Republic are in serious danger of being lost, perhaps forever; and it is necessary, therefore, that they adjust their conduct to a sincere and rational patriotism.

ALFREDO ROBLES DOMINGUEZ.

MEXICO, *August 14, 1919.*

That was written, not by a military leader, but a civilian, whose declaration of principles is practically similar to that of Gen. Felipe Angeles, who has recently suffered for his views.

I presumed that you knew, at least through your apparent usual source of information, the public press, that there is now in Mexico a very serious revolution against the Carranza government.

Mr. TEITLEBAUM. Yes, sir.

The CHAIRMAN. Following this telegram and the comment by Mr. Dominguez, a very serious criticism was published in the Mexican papers concerning the efforts of this committee. From one of my correspondents in Mexico City I immediately received a telegram, as follows:

MEXICO CITY, *December 8, 1919.*

Senator A. B. FALL,
Senate Office Building, Washington, D. C.:

Newspapers here calling you enemy of Mexico in bitter terms and publishing your picture this connection. Please permit me refute this publicly by quoting your words to me that although everybody thinks you interventionist you are positively opposed excepting as last resort, and that it is your desire only that some friendly solution be developed before some incident occurs to force military intervention with attendant expense and unpleasantness. I believe it vitally important to correct false impression Mexican public quick.

H. T. OLIVER.

To which I at once replied:

WASHINGTON, D. C., *December 9, 1919.*

H. T. OLIVER,
Mexico City, Mexico (via Galveston):

Your telegram received. You are fully authorized to repeat and, if necessary, publish in Mexico my statement to you that although I have been called an interventionist I am positively opposed to armed intervention in Mexico except as an absolutely last resort, and that my desire is for some friendly solution of pending questions between the Mexican people and the Government and the people of the United States. If you publish this statement I insist

that you publish also the following: Evidence truth of above statement should be found in the fact that the committee has to-day given publicity to Carranza's letters of instruction to Berlanga of June 14 and August 19, 1919, showing his active interference in affairs here. Also of distribution here by Bonillas, ambassador, and Mexican consul's revolutionary literature. Also of Carranza's letter directing Miss Galindo to abuse the United States and particularly President Wilson. Letters between the Mexican officials showing negotiations with Japan.

Mr. TEITLEBAUM. I have some information on that also.

The CHAIRMAN (reading):

Also Blue Book, letters and expressions abusing President Wilson. This action taken to impress upon the world that in event the Mexican people themselves do not bring pressure to bear upon their present Government to cease persecution of Americans and British and others, and unwarranted interference in affairs in other countries and enormous paid propaganda in this country abusing Americans in Mexico, interfering with their peace and safety and with our Government here, that some country will, in my judgment, be compelled to intervene, possibly by force of arms, and restore order out of the chaos in the Republic of Mexico. I am exerting every effort to bring about such a solution that neither armed intervention nor war may ever be necessary. Remember that in the President's letter to me he does not indicate that he will break off relations and withdraw recognition, but that he is gravely considering the committee memorandum.

I wired that, repeating it verbatim to El Excelsior in the City of Mexico, that if Mr. Oliver did not give publicity to it, it would gain publicity through the great Mexican daily.

Now, sir, that has been the committee's position up to date. The answer to the committee's position is the present movement in Mexico. If you have any solution of the difficulty in Mexico I would be glad to have it.

Mr. TEITLEBAUM. I am very much pleased and very grateful for your having given me this line that you have, and I may not agree with you as to all of it, but I try to cull the good from the bad.

I would like to supplement that recommendation for another commission, an American commission, composed of loyal Americans of the Catholic faith, to go down to Mexico and study the situation down there. It is my honest conviction that a stream can not rise above its source, and that we expect too much of the common Mexican, and he is the one I am speaking about. The leaders can take care very nicely of themselves, but the common people of Mexico, on whom the peace of the United States as well as Mexico depends, must take the stand of civilization that I fear the church has not done by them toward that end all that reasonably could have been done, and I believe that these reforms could be so much easier accomplished through the church than outside of it. I would recommend that a commission of American Catholics be sent down to study the situation, to give reasonable time, say three years to five years more or less, to hold them responsible for the progress that Mexico makes within that time.

I say that in the best of faith in the world. I believe that I have no more feeling against the Catholic church than I have against the Jews, of which I am one; that there are Catholics who are loyal in our times and there are Jews who are disloyal; that is for us to face, for myself, being a Jew. I think they should be held responsible in a great measure, in this war, that they have not acted themselves the way they should have. I believe that the war has shown they were

not all yet fit for self-government, and I am saying that to you, and I know I am not talking any propaganda or anything of that kind in making the statement. It is my deduction from what I have seen.

The CHAIRMAN. Is it your understanding that such a commission could go into Mexico now?

Mr. TEITLEBAUM. I think so.

The CHAIRMAN. Have you ever read the Mexican constitution of 1917?

Mr. TEITLEBAUM. I have only glanced at it.

The CHAIRMAN. I thought so. You are not familiar with the provisions of article 27 of the Mexican constitution?

Mr. TEITLEBAUM. No, sir.

The CHAIRMAN. I supposed that when you made such a recommendation you did not know anything about the constitution. You do not know anything about the order issued to all governors of the States to inforce the provisions of the constitution against the teaching of religion, either in the schools or any kind of religion, in Mexico? You are not familiar with that?

Mr. TEITLEBAUM. No, sir; I did not know that was the case. Still, my recommendation is offered with a view of trying to correct that situation.

The CHAIRMAN. Now, you spoke of a commission to study damages. What do you propose that commission shall do after it arrives at a solution and reaches a unanimous agreement, in the event it does?

Mr. TEITLEBAUM. I think public sentiment in both countries is all that is necessary to have them thoroughly understood.

The CHAIRMAN. Public sentiment where?

Mr. TEITLEBAUM. The people on both sides.

The CHAIRMAN. Understand what?

Mr. TEITLEBAUM. Understand the case—each individual case as it comes up—if the proper spirit is shown by both sides to get to the bottom of some of these difficulties.

The CHAIRMAN. We will agree that we have done that, that the commission has unanimously agreed and has gotten to the bottom of it to your satisfaction; then what?

Mr. TEITLEBAUM. Then we should know that the other side is wrong, which was my reason for contending that those people had been more sinned against than sinning.

The CHAIRMAN. Well, suppose that is shown; then what?

Mr. TEITLEBAUM. I have got such confiding faith in the manhood of the United States that when they understand that, they knowing the standard of civilization, that they would exercise their charity and patience, which I know would be a very wise thing to do.

The CHAIRMAN. Then what?

Mr. TEITLEBAUM. Then send the men who are responsible for these troubles, we would invite them——

The CHAIRMAN. Suppose we have done away with all these troubles. Suppose we have eliminated them, brought every American out of Mexico, turned over every dollar of American property in Mexico to the Mexicos, and have gotten out of Mexico, then what?

Mr. TEITLEBAUM. I do not suggest getting out of Mexico. It is a world necessity that we should have the right to go into Mexico and to trade with them and traffic with them, just the same as other nations.

The CHAIRMAN. Suppose the report of this commission is that that is the best way to avoid trouble, and we actually do it, then what?

Mr. TEITLEBAUM. I am not in favor of getting out of Mexico.

The CHAIRMAN. Suppose we do that, what will happen in Mexico?

Mr. TEITLEBAUM. I think I know those people on the other hand are fair enough, when we know them, and meet with them, they will understand our intention and what we propose to do, when they see that we have some sympathy with them. I am sure they would. It is not my idea of getting out. My idea is to go in, and to have manufactories, branch manufactories, and to help to develop Mexico, and bring up the standard of wages and the standard of living.

The CHAIRMAN. Do you know anything about the established standard of wages and standard of living in Mexico?

Mr. TEITLEBAUM. No, sir; but I know it has increased very materially.

The CHAIRMAN. Under whose efforts?

Mr. TEITLEBAUM. Time, if nothing else. The fact that Mexicans have come here, and we have gone down there, and the motion picture business. By the way, there is one of the greatest troubles that we have had with Mexico, is through this motion picture business. the line of conditions that we show, not only the Mexicans, but our Americans, through permitting these pictures to go down there.

The CHAIRMAN. Let us get back to something. You were talking about factories. Did you ever know a Mexican to establish a factory?

Mr. TEITLEBAUM. No, sir; but I know there is a spirit essential to bring husbandry to the country. I am very hopeful that we will see the time that Americans will be welcome.

The CHAIRMAN. We all hope that, Mr. Teitlebaum.

Mr. TEITLEBAUM. We have got to lend ourselves to help to bring this about.

The CHAIRMAN. What do you think we have been doing for 10 years?

Mr. TEITLEBAUM. We have not improved our opportunities as we should have, from the knowledge that I have of it.

The CHAIRMAN. We have let the Mexicans alone, so far as intervention is concerned.

Mr. TEITLEBAUM. Yes, sir; but we have held a club over them all the while.

The CHAIRMAN. What do you mean when you were talking about the Mexican people and those who governed them, the distinction you were attempting to make between them?

Mr. TEITLEBAUM. The Mexican people and a lot of the men who govern them. I think some of them are honest, and a lot of them are very much the other way.

The CHAIRMAN. You tried to get them together, and you did not succeed, did you?

Mr. TEITLEBAUM. If one man could himself succeed as well as I have——

The CHAIRMAN. What has been your success? What have you done?

Mr. TEITLEBAUM. I had the people listen to me. They have been in sympathy with me. They knew I was doing it without any com-

pensation. They knew that I have done everything to try to serve and lend service and confidence.

The CHAIRMAN. They gave you permission to serve the Mexican people against themselves?

Mr. TEITLEBAUM. I didn't need their permission. I am simply trying to make amends for the things that I say. I am not gifted with the speech or mind of being able to express myself fluently.

The CHAIRMAN. Then you tried to serve them yourself, and with what success did your efforts meet?

Mr. TEITLEBAUM. I am satisfied if it has been good. I am very, very proud of it. I think it is the greatest individual movement for peace on record, just what I have succeeded to do. I know that Gen. Angeles——

The CHAIRMAN. Yes; you saw his picture lying there with a bullet through his body?

Mr. TEITLEBAUM. Yes, sir. He has been sacrificing to the cause, and I told him when he was talking about taking his boy away from college down there that he had no business to do that, and he said he was willing to sacrifice anything for the good of his country.

The CHAIRMAN. Why did you tell him that?

Mr. TEITLEBAUM. I thought the boy, being 15 years old at the time, had no right of being at the front, and I did know that Gen. Angeles was at the front, and did go to the front, wherever there was a front.

The CHAIRMAN. You approved of his going, did you?

Mr. TEITLEBAUM. I did.

The CHAIRMAN. In the revolution against the Carranza Government?

Mr. TEITLEBAUM. Yes, sir. I don't know about the Carranza Government. I mean against Huerta.

The CHAIRMAN. Oh, well, you know that was against the Carranza Government, and that he was executed by the Carranza Government.

Mr. TEITLEBAUM. Very true.

The CHAIRMAN. Just wait a moment.

Mr. TEITLEBAUM. He died for the cause.

The CHAIRMAN. Thank you very much. We will close this hearing.

Mr. TEITLEBAUM. I thank you, sir.

(Whereupon, at 5.30 o'clock p. m., the committee adjourned subject to the call of the chairman.)

SATURDAY, MAY 8, 1920.

UNITED STATES SENATE,
SUBCOMMITTEE OF THE COMMITTEE ON FOREIGN RELATIONS,
Washington, D. C.

The subcommittee met, pursuant to the call of the chairman, at 11 o'clock a. m. in room 128, Senate Office Building, Senator Albert B. Fall (chairman) presiding.

TESTIMONY OF MR. WILLIAM GATES—Resumed.

(See p. 305, printed record.)

(The witness was duly sworn by the chairman.)

The CHAIRMAN. Mr. Gates, it was really unnecessary to administer the oath to you, as you have been before the committee here before. I desire to have you very briefly identify correspondence referred to in your former hearing, first.

Mr. GATES. Yes, sir.

The CHAIRMAN. Before you left the stand in your former hearing you had referred to a further letter to Secretary of War Baker.

Mr. GATES. A letter from him to myself and one to him.

The CHAIRMAN. Have you those letters with you?

Mr. GATES. The original of that letter I gave to Judge Kearful, and I do not find he has returned it to me, but I have a copy of it here. I could not identify it at that time, because Judge Kearful was not here and it was among his papers. It was a letter from Baker to me of August 10.

The CHAIRMAN. Examine this paper.

Mr. GATES. That is it.

The CHAIRMAN. The document which has just been handed to you you say is the letter to which you referred?

Mr. GATES. That is the letter to which I refer.

The CHAIRMAN. Very well. Let that be a part of the testimony at this point.

(The letter referred to is as follows:)

WAR DEPARTMENT,
Washington, August 10, 1919.

MY DEAR MR. GATES: I have your letter of August 6.

I have not seen David Lawrence and have not communicated with him. I have not talked with anybody else about you or any of the information you have given me about Mexico beyond transmitting to the State Department for its information the letters you sent me descriptive of Mexico, as you saw it, and of its people, as you moved among them.

There is no mystery in either our correspondence or our conversations. You have traveled in Mexico; you came to me to tell me what you saw and what you thought about what you saw; I listened to you with interest because I knew of your opportunities for observation, and you wrote me further information. All of this was perfectly proper for you to tell me and for me to hear. I suggested your seeing the State Department and the War Department's Bureau of Military Intelligence in order that they might match up the facts you brought to their attention with what they learned from other sources of information. This you did.

I have not the slightest objection to your producing your letters to me whenever you desire to produce them. I do not think they ought to be produced in the newspapers for the purpose of either getting you into a controversy with David Lawrence or appearing to raise a controversy between David Lawrence and me, since I have had no contact with him on the subject.

Cordially, yours,

NEWTON D. BAKER.

Mr. WILLIAM GATES,
2016 Mount Royal, Baltimore, Md.

Mr. GATES. I think it would be well, by your permission, to complete that correspondence. On November 30, in the Jenkins matter, I wrote another letter to Mr. Baker, which I think ought to go in my testimony to complete the Baker series.

The CHAIRMAN. Let me see that, please. [After reading letter.] Let us see if we can not get at this by question and answer, instead of putting this entire document in the record.

You wrote Secretary Baker on November 30 in reference to the Jenkins matter?

Mr. GATES. Yes, sir.

The CHAIRMAN. And the probability of an expedition into Mexico in connection with it?

Mr. GATES. Yes, sir.

The CHAIRMAN. You inclosed certain documents in that letter of November 30?

Mr. GATES. Yes, sir.

The CHAIRMAN. Those documents were what?

Mr. GATES. These were the papers which I referred to in my correspondence with Secretary Baker as the basis for the rehabilitation of Mexico, which had been consented to by the various friends of the United States among the revolutionists in Mexico, and finally there was an appeal to the President and the people of the United States signed by the different revolutionists and filed on September 10 at the White House. Those three documents were inclosed in the letter to Mr. Baker, which documents I have copies of here.

The CHAIRMAN. We will be glad to have you file them with your evidence, not to be incorporated with the evidence at this point, but to be printed with it, as an appendix to your testimony.

(The documents referred to were marked, respectively, "Exhibit 4," "Exhibit 5," and "Exhibit 6," and are printed in full at the close of the testimony of this witness.)

In this letter you state that there are in Mexico five main organized bodies in the field against the Carranza government: Those of Morelos, formerly under Zapata, now under Magana; those of the State government of Oaxaca, under Meixueiro; the forces under Diaz; Pelaez and Villa; and you state that you are in touch with all of them except Villa, directly?

Mr. GATES. That is correct.

The CHAIRMAN. And the documents which you have just filed are referred to in that letter in that connection?

Mr. GATES. Yes, sir.

The CHAIRMAN. I think that will cover the letter proposition.

Mr. GATES. Yes, sir.

The CHAIRMAN. Now, before proceeding with your testimony, unless you have something on that particular point you desire to say, I desire to ask you a few questions.

Mr. GATES. I think of nothing now, Senator.

The CHAIRMAN. Mr. Gates, when did you first become interested in Mexican matters and the study of Mexico?

Mr. GATES. That was over 20 years ago.

The CHAIRMAN. What direction did your interest take, or in what direction did it lead you, what particular study?

Mr. GATES. The study of the language, and the hieroglyphics, and archeology, and early history of the Indian races.

The CHAIRMAN. What particular Indian race?

Mr. GATES. Especially those of the south, in Yucatan, Guatemala, and East Chiapas, known as the Maya people.

The CHAIRMAN. In connection with your efforts in Mexico, and your studies and research, have you ever received official recognition from any Mexican body or university or official institution engaged in such work?

Mr. GATES. While I was in Mexico City, in the course of a trip from June, 1917, to May, 1918, the National Museum of Mexico, which corresponds to our own Smithsonian, the leading head body, as a recognition of my position in these studies, conferred upon me the title of Honorary Professor of the Museum, a title which is held by no other American and only by three Europeans.

The CHAIRMAN. Have you documentary evidence of the statement you have just made?

Mr. GATES. It is this, that is just handed to me.

The CHAIRMAN. That is the document you refer to?

Mr. GATES. That is it.

The CHAIRMAN. It is in Spanish, of course?

Mr. GATES. Yes, sir. It was accompanied by an officio to me direct, giving the reasons for appointing me.

The CHAIRMAN. The document will be translated by the official translator of the committee, and the English translation placed in the record.

Mr. GATES. Very well.

(The document referred to is as follows:)

UNITED STATES OF MEXICO.

Department of the University and Fine Arts.

United States of Mexico, office of the director general of fine arts, section 1, No. 0345.

The department of the university and fine arts, by direction of the citizen constitutional President of the United States of Mexico, has been pleased to appoint you an honorary professor of the National Museum of Archæology, History, and Ethnology, in consideration of the merits and other aptitudes that concur in you.

I communicate it to you for your information and consequent purposes.

CONSTITUTION AND REFORMS,
Mexico, January 24, 1918.

The director of the National University, Jose N. Macias, to Dr. William Gates, National Museum of Archæology, History, and Ethnology, Mexico. No. 83.

In communication No. 24, of date the 7th instant, I stated to the director general of fine arts what follows:

"The regulations of this museum designate two classes of professors, honorary and regular, and it considers as honoraries the Mexicans or foreigners who most distinguish themselves in the matters which the establishment cultivates and which the superior authorities appoint on nomination by this office.

"Up to date only the distinguished Americanists the Duke of Loubat, Alfred P. Maudslay, and Edward Seler, French the first, English the second, and German the third, have been appointed honorary professors. For some time this institution has not granted this distinction to any other person, and, as there is now in Mexico the great man of science and eminent Americanist, Dr. William Gates, of North American nationality, who has not only made valuable studies in the archæology, ethnology, and anthropology of Mexico, but is preparing to undertake a tour of study through some regions of our country, a tour from which this museum expects a great benefit, and is morally attached to Dr. Gates, whose labors on the ruins of Yucatan are the most complete and remarkable, I take the liberty to propose to that honorable office of the director general of fine arts to be pleased to direct, in consideration of all these reasons and if it sees fit, that said gentleman be appointed an honorary professor of the museum, by which Mexico will render homage to one of the most serious savants of America and at the same time this institute under my charge will be honored by counting Dr. Gates among its eminent professors.

"In the expectation that you will be pleased to act favorably on my petition, in which the regular professors of this museum are in accord, I reiterate to you my assurances of distinguished consideration."

Which I have the honor to transcribe to you for your information and satisfaction, presenting to you my warmest congratulations for that appointment which does so much honor to the institution under my charge and sending to you the original of said appointment issued in your favor.

I reiterate to you the assurances of my distinguished consideration.

Constitution and reforms, Mexico, January 23, 1918.

The director, Luis Castillo Ledo, to Dr. William Gates, present.

The CHAIRMAN. Now, Mr. Gates, in pursuing your study of archæology and ancient civilization, particularly in southern Mexico, have you investigated, translated, and arranged certain documents that came to your information from original sources, as near as possible?

Mr. GATES. I have. Do you mean in regard to language or politics? I will answer yes to both.

The CHAIRMAN. I am speaking now of the ancient civilization of the Indian tribes.

Mr. GATES. I have.

The CHAIRMAN. To what extent have you collected original documents and evidence concerning the Indian tribes of Mexico?

Mr. GATES. Starting with the Maya race, which extended slightly over the border of Guatemala into Honduras, covered all of the territory of Yucutan and part of Chiapas, and then going on through the Zapotecs and other races, practically constituting the territory of civilization in Mexico at the time of the conquest. I own myself about one-half of all the known existing manuscripts in the world, and I have photographed about 95 per cent of the manuscripts in other libraries of the world which I do not own.

The CHAIRMAN. Mr. Gates, more recently and at the present time are you engaged in any work of that kind?

THE TRIBES OF MEXICO
ACCORDING TO OROZCO Y BERRA
UNITED STATES
MEXICO
ARIZONA
NEW MEXICO
TEXAS
LOUISIANA
MISSISSIPPI
GULF OF MEXICO
GULF OF CALIFORNIA
GULF OF CAMPECHE
GULF OF TEHUANTEPEC
PACIFIC OCEAN
LOWER CALIFORNIA
TROPIC OF CANCER
Longitude West from Greenwich
Scale of Miles.
PIMA ALTO
APACHE
OPATA
SERI
PIMA BAJO
CAHITA
CONCHO
TOBOSO
COAHUILTECO
IRRITILA
TAMAULIPECO
CUACHICHIL
ZACATECO
PAME
HUASTECO
OTOMI
TARASCO
MIXTECO
ZAPOTECO
MIXE
ZOQUE
CHONTAL
COCHIMI
GUAYCURA
PERICÚ
HUICHOL
TEPEHUAN
TEPECANO
TEULES
CHICHIMECA
CAZCAN
COCAY
TECUEXE
MEZQUITIC
CATARINA
AZOQUELTAN
ZAMORA
TZINTZUNTZAN
PATZCUARO
MORELIA
PERIBAN
ZACAPU
MAZAHUA
TOLUCA
MEXICO
TEOTIHUACAN
TEXCOCO
TLAXCALA
CHOLULA
PUEBLA
TEPOZTLAN
CUERNAVACA
XOCHICALCO
POPOLOCO
MAZATECO
CHINANTECO
MONTE ALBAN
OAXACA
XOXO
MITLA
ZACHILA
CUICATLAN
QUIENGOLA
TEHUANTEPEC
CHIAPANECO
ZOTZIL
SAN CRISTOBAL
ZENDAL
PALENQUE
SAN JUAN BAUTISTA
MENCHE
OCOCINGO
PIEDRAS NEGRAS
FRONTERA
CARMEN
COMALCALCO
CAMPECHE
Bank of Campeche
VERA CRUZ
JALAPA
MISANTLA
CEMPOALLAN
TUXPAN
PAPANTLA
TOTONACO
TUZAPAN
METZALTOYUCA
PANUCO
TAMPICO
VICTORIA
PISONES
JANAMBRES
MONTEREY
SALTILLO
EAGLE PASS
CIUDAD PORFIRIO DIAZ
QUERETARO
PACHUCA
TULA
SAN LUIS POTOSI
AGUAS CALIENTES
GUANAJUATO
ZACATECAS
QUEMADA
CHILPANCINGO
ACAPULCO
MANZANILLO
COLIMA
ZAPOTLAN
TUXPAN
GUADALAJARA
CHAPALA
TEPIC
SAN BLAS
Las Tres Marias
MAZATLAN
PUEBLO VIEJO
MESA DEL NAYARI
LAJAS
DURANGO
ZAPE
SABAIBO
CULIACAN
VACOREGUE O GUASAVE
GUADALUPE Y CALVO
BALORIGAME
SAN MIGUEL
CUSARARE
NONOAVA
CARICHIC
CHIHUAHUA
TUTUHUACA
TEMOSACHIC
YEPACHIC
SAHUARIPA
CASAS GRANDES
GALLEGO
EL PASO
CIUDAD JUAREZ
DEMING
BISBEE
HERMOSILLO
GUAYMAS
I. del Tiburon
Rio Grande
Rio Yaqui
Rio Mayo
Rio Fuerte
Rio de Las Balsas
Rio Santiago
Rio Panuco
H. B. LLOYD, DEL.
THE MATTHEWS-NORTHRUP WORKS, BUFFALO, N. Y.

Mr. GATES. For the past eight months I have devoted myself exclusively, and expect to continue to do so, in preparing dictionaries, grammars, hieroglyphic codes, and so on for publication.

The CHAIRMAN. With whom, if anyone, are you associated in such work?

Mr. GATES. Well, that practically would name the various people interested in archeology in this country.

The CHAIRMAN. With reference to the details of the work, are you associated with or connected with any institution in the United States?

Mr. GATES. Perhaps I should give you a list of the institutions. I recently joined in the formation of the Maya Society.

The CHAIRMAN. Who are the officers of that society?

Mr. GATES. The officers of that society are myself as president; Herbert J. Spendor, of the American Museum of Natural History in New York, as vice president; and S. K. Lathrop, secretary-treasurer. The executive council consists of those officers and Messrs. Marshall Seville, of New York, and E. P. Wilkins, of Philadelphia, as its members. I can quote in two words the objects of the body. "To promote a knowledge and better understanding of all matters pertaining to the Indian races of Mexico and Central America, past and present, more particularly the Maya people." The members are members of the Smithsonian Institute, the Bureau of Ethnology, University of Pennsylvania, American Institute of Archeology, Field Museum, and so on.

The CHAIRMAN. Are you familiar with and have you had anything to do with the preparing of tribal maps of Mexico, or any portion of the so-called Republic of Mexico?

Mr. GATES. In connection with a publication just issued, a very large work, I wrote a linguistic chapter on the subject and prepared a linguistic map of the Maya race in southern Mexico, using for that Bureau of Ethnology sources and Orozco y Berra and several others.

The CHAIRMAN. In connection with your studies of the work of Orozco Berra, have you examined a map prepared from these sources supposed to contain, as accurately as it is possible to set it forth, the boundaries of the different Indian tribes of all Mexico, as well as those of southern Mexico?

Mr. GATES. I have.

The CHAIRMAN. Will you refer to Lumholtz's Unknown Mexico and the map in connection with that book, and state from your knowledge and research whether that map prepared by Lumholtz upon the data of Orozco y Berra, and from the examination of ruins, is comparatively accurate, in your judgment?

Mr. GATES. Another man might make some minor differences, but I don't believe anybody could hit it much closer. I think that map is as closely correct, with some exceptions down in the south of Mexico, where I have myself confirmed some details, I think that map as a whole is as correct as you can probably get it.

The CHAIRMAN. This map will be placed in the evidence and reprinted at this point.

(The map referred to faces this page.)

The CHAIRMAN. You know something of the languages of the different tribes of Mexico, and, of course, you are familiar with the

research of the Smithsonian Institution along that line, or at least with the publications containing the research of their own agents and other parties' agents?

Mr. GATES. Yes, sir.

The CHAIRMAN. Do you know how many distinct languages, as differentiated from dialects, are in the various States of Mexico; how many distinct tribes of Indians occupied that country?

Mr. GATES. It is my habit never to give a specific detail on those questions without referring at the moment to my source, which is a habit that has grown upon me, so that I am not at the moment able to do more than say I imagine about 25 or 30. I do not want to make that as a scientific statement without actually looking up the record.

The CHAIRMAN. I will ask you to refer to the original publication, which you will find in my office across the hall, and correct me if I am wrong in stating that Lumholtz and other authorities places the number at 50 distinct languages, and something like 500 dialects spoken in Mexico?

Mr. GATES. I think I can cover that at the moment. The Maya race has at least eight separate divisions, mutually unintelligible, by which I understand the language is as different as French is from Spanish, and about 25 or 30 dialects among the Maya races alone. Taking it that way, when I speak of 25 or 30, I am speaking of the Maya race alone. I am quite satisfied without further reference, to accept Lumholtz's statement of 50 and 250—50 tribes who can not understand each other's talk, and perhaps 250 dialects mutually unintelligible within their own race.

The CHAIRMAN. The purpose of this line of examination is to give the American people some idea of the population of Mexico as it exists now.

Mr. GATES. Yes, sir.

The CHAIRMAN. Which I understand to be the grafting from the original Indian stock, with a dialect separate from the supposedly Spanish bred.

Mr. GATES. There are 10,000,000 Indians, of which 2,000,000 only speak their own language, and at least 8,000,000, I understand, are pure bred.

The CHAIRMAN. You have referred to a trip which you made some years since to Mexico, when you were honored by being made a member of this Mexican archeological society. When did you make that particular trip? When did you leave for Mexico?

Mr. GATES. From the middle of June, 1917, to May, 1918.

The CHAIRMAN. Where did you start for? What part of Mexico?

Mr. GATES. I started from New Orleans, went to Yucatan, down about 800 miles on horseback through Yucatan, went to Vera Cruz, to the City of Mexico, back into the State of Vera Cruz, and up into the mountains to see revolutionary territory then under the control of Felix Diaz and to meet him, back to Mexico City, down south, up into Morelos, where I spent several weeks with Zapata, then to Oaxaca, where I spent two weeks going to see the ruins of Mitla and Monte Alban. I did quite a little bit of visiting of ruins. It was really an archeological trip. From there I went up into the

mountains of Oaxaca, where I spent several weeks with Meixuerio, rode overland down over the Oaxaca Mountains to the Isthmus of Tehuantepec, and out through Salina Cruz, going about 1,500 miles on horseback.

The CHAIRMAN. Was the sole object of that trip archeological research?

Mr. GATES. With a very definite idea in the back of my head that I would like to know what was going on in Mexico, and could not find out any other way.

The CHAIRMAN. Who financed that trip?

Mr. GATES. I did.

The CHAIRMAN. Did you have any assistance from anyone else?

Mr. GATES. None.

The CHAIRMAN. Who accompanied you?

Mr. GATES. Nobody.

The CHAIRMAN. You made the trip on horseback or mule back?

Mr. GATES. Yes, sir.

The CHAIRMAN. You had your Mexican or Indian moso traveling with you, did you not?

Mr. GATES. At times entirely alone, at times with a moso.

The CHAIRMAN. You have referred to and placed in the record correspondence between yourself and Secretary of War Baker, and you have written for the public press, concerning Mexico, the political affairs of Mexico, the social and political conditions in the Republic of Mexico. Have you been employed by anyone to do that writing?

Mr. GATES. By nobody, nor was it suggested to me by anybody to do it.

The CHAIRMAN. Do you mean to say that in all of your study, making this great collection which you have made, of ancient literature, documents, etc., and in your personal investigations, trips, tours in Mexico, coming in contact with the different factional leaders of Mexico, the Mexican and Indian people, that you have financed yourself entirely?

Mr. GATES. Certainly.

The CHAIRMAN. Pardon a personal question. Are you a man of independent means?

Mr. GATES. I am. I retired from business about 15 years ago and put money making out of my life entirely.

The CHAIRMAN. Then you are not a propagandist in the pay or employed in the interest of any faction in the United States or Mexico interested in Mexico?

Mr. GATES. Neither actual nor possible.

The CHAIRMAN. Then, if you have been classed and referred to by people in the United States and in Mexico as the agent of Mexican bandits, you at least have not been in the financial pay of such bandits?

Mr. GATES. Decidedly not, of those poor ragged peons down in Mexico.

The CHAIRMAN. On that trip did you meet Felix Diaz?

Mr. GATES. I did.

The CHAIRMAN. Felix Diaz was a nephew of former President Porfirio Diaz, was he not?

Mr. GATES. Yes, sir.

The CHAIRMAN. What was he doing when you met him in Mexico?

Mr. GATES. He attacked the town of Paso del Macho with his forces, trying to cut the railroad there, just as I was passing in to Paso del Macho.

The CHAIRMAN. In what State?

Mr. GATES. In the State of Vera Cruz, just east of the mountain range.

The CHAIRMAN. Do you mean he was a revolutionist against the Carranza Government?

Mr. GATES. Yes, sir.

The CHAIRMAN. Have you knowledge from information and sources which you consider reliable as to what has been the occupation of Felix Diaz from that time until this time?

Mr. GATES. I think he has continued in the same territory and in the same occupation.

The CHAIRMAN. You spoke of Zapata. Did you meet Emiliano Zapata at that time?

Mr. GATES. Yes, sir; I spent several days with him, and several weeks with his company.

The CHAIRMAN. In what State?

Mr. GATES. Morelos.

The CHAIRMAN. How far from the city of Mexico?

Mr. GATES. We were under the southern shadow of Popocatepetl the mountain, but in the middle of Morelos, perhaps 50 miles.

The CHAIRMAN. From the city of Mexico?

Mr. GATES. On a direct line.

The CHAIRMAN. Did you see the followers of Zapata?

Mr. GATES. I did; lived with them.

The CHAIRMAN. Do you speak the Spanish language?

Mr. GATES. I do.

The CHAIRMAN. Did you find these people speaking the Spanish language? Were you able to converse with them?

Mr. GATES. Easily.

The CHAIRMAN. Most of the followers of Zapata speak other languages than Spanish, do they not?

Mr. GATES. I imagine most of them speak Aztec also, but heard no Aztec.

The CHAIRMAN. Did you have conversations with Zapata and his leaders and his men as to their objects, what they were doing?

Mr. GATES. Quite a number of them.

The CHAIRMAN. What were they doing? Were they supporting the Carranza Government?

Mr. GATES. Opposing the Carranza Government.

The CHAIRMAN. What were they seeking to do?

Mr. GATES. Land for the people of Morelos, for the common people of Morelos, and nothing else.

The CHAIRMAN. Do you know what has become of Zapata?

Mr. GATES. He was betrayed under a flag of truce and assassinated by Col. Guajardo, who was commended by Gen. Pablo Gonzalez for the act.

The CHAIRMAN. Pablo Gonzalez admitted in the public press that he had sent Guajardo out for that purpose.

Mr. GATES. He did.

The CHAIRMAN. Under orders of the first chief, Carranza?

Mr. GATES. I have a detailed report which was made by one of Zapata's subordinate followers to Magana in regard to what happened. That report has not been printed, but it was sent to me privately.

The CHAIRMAN. Since Zapata's death, do you know whether his followers have attempted to maintain themselves in arms and opposed to the Carranza Government?

Mr. GATES. I do know actually that they have.

The CHAIRMAN. You spoke of Meixuero in Oaxaca. Who is Meixuero?

Mr. GATES. Meixuero is a man of culture, whose father was a governor of the State before him. He was himself elected governor, but resigned in order to do better work, and has been the leader of the State forces of Oaxaca, from the time when in 1915 the Carranza general invaded Oaxaca. Meixuero is a cultured man, nearly a full Zapotec Indian.

The CHAIRMAN. The majority of the inhabitants of the State of Oaxaca are of what blood?

Mr. GATES. The Zapotec and Miztec races, which are as close as Spanish and Portuguese, two dialects and one language. They occupy practically the whole of the State of Oaxaca.

The CHAIRMAN. Do you know of what blood the Liberator Benita Juarez was?

Mr. GATES. Pure bred Zapotec.

The CHAIRMAN. Do you know, from your investigation and research, of what Indian stock Porfirio Diaz was?

Mr. GATES. About one-eighth Miztec—another branch of the Zapotec.

The CHAIRMAN. Do you know of what blood Vittorio Morelos was—the man who gave the first constitutional government to Mexico?

Mr. GATES. No; I don't remember. I am not able to recall that at the present time.

If it interests you, Senator, in passing. I have the original proclamation issued by the Carranza representative in Oaxaca in 1914, that the State government, congress, and all, should cease its function—including the judiciary.

The CHAIRMAN. That was the State government of Oaxaca?

Mr. GATES. That was the State government of Oaxaca, and in the interest of the revolution, the Carrancistas had taken possession of the State. The result was the secession.

The CHAIRMAN. Who was that signed by?

Mr. GATES. Miguroa. That is his original proclamation on entering the State, and that resulted in Meixuero and Zapata declaring the State sovereignty reassumed which had prevailed in Mexico, and that is the original proclamation of the reassumption of that sovereignty. That is the original document of the reassumption of the State sovereignty of Oaxaca, which had prevailed in Mexico, and it is dated the 3d of June, 1915. It has been signed by Meixueiro and his officers, and that has continued from that day to this, administering the interior of the State under the State officials.

The CHAIRMAN. The State government—the legal constitutional State government of Oaxaca—has never admitted or submitted to the Carranza Government?

Mr. GATES. No, sir. Temporarily, prior to that, they had given adherence to Carranza in the early days, in his entry in 1914, but following that invasion of the State's rights, they repudiated him.

The CHAIRMAN. That invasion took place in 1915, did it not?

Mr. GATES. In 1914; November, 1914—when Carranza was in Vera Cruz.

The CHAIRMAN. The declaration you speak of—signed by the State officials and Meixueiro——

Mr. GATES. Was in June, 1915.

The CHAIRMAN. Did you ascertain from Meixueiro and his associates what their purposes were, why they opposed the Carranza régime or government?

Mr. GATES. Because of its illegitimacy, because of its anti-Americanism which they regarded as fatuous and not the proper policy for Mexico, and because of its aggression upon the homes and property of the people of Oaxaca.

The CHAIRMAN. Now, you referred in one of these communications to Secretary Baker to one Pelaez. Who is Pelaez?

Mr. GATES. I do not know whether Pelaez is an Indian or not. I imagine he has Indian blood.

The CHAIRMAN. Where is he operating and what is he doing; what has he been doing?

Mr. GATES. Up in the oil region, behind the coast, where, since about 1916, he was moved to protect his neighbors from violation of their homes and their women by the Carranza soldiers, and that led to the development of a protective body which protected the oil wells from Carranza soldiers and German and radical bolshevists' efforts to impede the oil supply at the time when we needed oil.

The CHAIRMAN. These documents which you inclosed to Secretary Baker, containing a statement of objects by Felix Diaz, the Zapatas, the Oaxacans, Meixueiro, Pelaez, set forth their opposition to the Carranza government?

Mr. GATES. Yes, sir.

The CHAIRMAN. About how many men did you understand were followers of Zapata? I mean men able to bear arms.

Mr. GATES. It is a difficult question to answer, because the whole organization was that of a yeomanry which tilled their fields without pay and took their guns when it was necessary. Practically, the various leaders lived with a small immediate body of 50, 25, or, possibly, 100 men. I do not think I ever saw 100 at once, either with Meixueiro, Zapata, or Felix Diaz. And from my travels through the country, my talks with the common people as I went, I am satisfied that either of them could have amassed, if necessary, several thousand men.

The CHAIRMAN. You did not meet Pancho Villa or Francisco Villa?

Mr. GATES. No, sir; I did not.

The CHAIRMAN. Did you learn anything of his objects, and as to the number of men he had, and as to whether he lived about as the other leaders whom you visited?

Mr. GATES. I understood him to be very much in sympathy and pursuing the same line. I would imagine that, with the differences between the north and the south, their cases were parallel, and that he was in agreement with the south. I knew that from the fact that

Zapata spoke of communications passing between him and Villa, and even wrote to Villa and told him that if I ever came Villa's way I was a friend of the common people of Mexico.

The CHAIRMAN. As a matter of fact, after the revolution of Huerta, and during that revolution, when the conventional government of Mexico was formed, which resulted in the election or selection by that convention of Eulalio Gueterrez as the President of Mexico, Mexico City was occupied by the joint forces of Zapata and Pancho Villa, was it not?

Mr. GATES. Yes, sir.

The CHAIRMAN. That was prior to the recognition of Carranza by this Government, and they occupied the city until that time?

Mr. GATES. That was the middle of 1914, June, 1914, I think.

The CHAIRMAN. So that the forces of Pancho Villa and Zapata were cooperating at that time?

Mr. GATES. They were.

The CHAIRMAN. Were you in Mexico during an election of any kind?

Mr. GATES. I was in Yucatan on the day of election.

The CHAIRMAN. What was that election? Was it a general election?

Mr. GATES. That election was for the governor of the State and the legislature. In fact, I have a ballot here somewhere among these papers. It was a public election, around a table put up in different places publicly, in which the government had appointed the inspectors of the election for both parties.

The CHAIRMAN. Were there two parties?

Mr. GATES. Oh, yes; there were two candidates. There was Castro, who was the Alvarado bolshevist candidate, and a man opposing him. The board which the government appointed as inspectors represented both candidates. The Indians then came up, and the most of them not being able to read or write, stood in an open body in the middle of the street and would say, "I want to vote for so and so," and his name was written down, a ballot was cast, and so Castro was elected, with the provision that if you did not vote that year you could not vote the next year, and then the government keeps the records of the voting last year, so that it becomes quite complicated.

The CHAIRMAN. You say these were general elections. Did you ever have your attention called to a proclamation concerning the election and qualifications of voters, etc.?

Mr. GATES. I have, in the first place, in the official Government report of the election for the constitutional convention, which was to adopt this famous constitution of 1917, the original terms upon which people could vote. I can abbreviate them with a word. Nobody who has served under any former government, nobody who has carried arms under any former government, could vote. Nobody could vote who was not a Mexican citizen, or who had not been actively practically helping Carranza. That was the constitutional convention. In the town of Paso del Macho, where I was waiting to go out to see Felix Diaz, I think there were very few of the people in the town who voted. At this time the State of Vera Cruz had been supposed to be taken out of the preconstitutional dictatorship, and had become an ordinary constitutional unit in election.

The CHAIRMAN. When you say the preconstitutional dictatorship, do you mean the Carranza Government?

Mr. GATES. That period of the Carranza Government in which he declared a preconstitutional period, in which decrees and military government was the method.

The CHAIRMAN. That paper which you hold in your hand, printed in Spanish, is the original proclamation of that constitutional election, is it?

Mr. GATES. A constitutional election after the State had become a constitutional State.

The CHAIRMAN. The first constitutional election?

Mr. GATES. I do not know whether it was the first or not. It was for the governor of the State.

The CHAIRMAN. Who is that signed by?

Mr. GATES. Candido Aguilar, the son-in-law of Carranza, at that time governor of Vera Cruz, and afterwards foreign minister.

The CHAIRMAN. How did he happen to be governor of Vera Cruz? Had he been elected governor of Vera Cruz?

Mr. GATES. He was first appointed and I imagine, I can not answer definitely, I think it most probable that he had had some sort of an election, probably the sort of an election that Castro had in Yucatan following his appointment. At all events, he was called the preconstitutional governor. I suppose afterwards there was an election; I don't know.

The CHAIRMAN. That document is in Spanish. Can you read it in English?

Mr. GATES (reading):

Candido Aguilar, constitutional governor of the free and sovereign State of Veracruz-Llave, to the inhabitants thereof, know ye:

That the honorable legislature of the same has been pleased to address to me the following decree:

Number 20. The honorable legislature of the free and sovereign State of Veracruz-Llave, in the name of the people, decrees:

Only article. An addition is made to the electoral law on the free municipality of date of November 14, 1917, with the following transitory article:

ART. 6. The election of municipal functionaries, in one or more of the persons herein mentioned, shall be void:

I. Those who by any means undertook the overthrow of the lawful Government of the Republic, emanated from the elections of 1911.

II. Those who carried out the barrack uprising (cuartelazo) in 1913, or in any manner contributed to its realization.

III. The functionaries, authorities, and public employees emanated from the usurping Government; and those who, having emanated from the lawful Government sanctioned and collaborated, in an effective manner, in sustaining the usurper.

IV. Those who have figured actively in any of the factions opposing the constitutionalist Government, or who continue to be hostile to the present Government of the Republic; and

V. Those who economically, through the press or in any other manner duly verified aided or have stated their adhesion or sympathy with the usurping Government or factions hostile to the present government.

Given in the honorable city of Cordoba December 5, 1917.

CUSTAVO BELLO, *Deputy President.*
C. MURRIETA, *Deputy Secretary.*

Therefore I order it printed, etc.
Constitution and Reforms. December 6, 1917.

C. AGUILAR.

Licentiate JOSE M. MENA,
Secretary of State.

The effect of which is that anybody opposed to Carranza can not be elected as constable.

The CHAIRMAN. In this connection I have a translation of a proclamation issued by Castro, the governor of Yucatan, which I desire to have incorporated in the record following the proclamation of Aguilar just read by the witness.

(The document referred to is as follows:)

[Office of the secretary general of the preconstitutional government of the State of Oaxaca, Oaxaca de Juarez. Department of the treasury, fiscal section. Circular No. 14.]

With the approval of the citizen governor and military commander of the State, the public in general is informed that, beginning on this date, private individuals, and especially lawyers, are prohibited from coming to discuss with this government the administrative affairs of the common councils, with the warning that infraction of the present provision will be punished with a fine of from $5.00 five pesos to $500.00 five hundred pesos, in the discretion of this government. Municipal presidents are likewise warned to abstain from going to said persons to consult them on their affairs, which they must do directly with this government, likewise with the warning that in their case the infraction will be punished as it deserves.

CONSTITUTION AND REFORMS.

OAXACA DE JUAREZ, *December 23, 1916.*

The chief clerk in charge of the department, I. Olive.
Electoral law of August 1, 1916, Oaxaca.
Transitories:
ART. 1. For this occasion the following can not be elected:
I. Those who have fought the present government with arms.
II. Those who have held public offices in hostile factions, and
III. Those hostile to constitutionalism.
Given in the palace, etc.
The governor and military commander of the State, general of division,

J. A. CASTRO.

The CHAIRMAN. That election referred to in the proclamation of Aguilar was for delegates to the constitutional convention which framed the constitution of 1917 and its famous article 27?

Mr. GATES. Yes, sir. I would like to say that the reports of the Carranza officials to that convention noted the complete apathy of the people in that election. It says the election went on "as if we were still under the Porfirian terror, and although there were over 70,000 inhabitants in that State in some districts not 20 people voted." It then says that—

The result is that notwithstanding the purely political antecedents of the people chosen for the constitutional convention which adopted the constitution of 1917, by the paucity of their understanding and their intellectual weakness they afforded no good in the august chamber of the Government.

That is the statement in the Carranza official report made to the convention and which Carranza presented to the people in 1917.

The CHAIRMAN. In your study of the conditions on the ground did you have your attention called to the purposes of the leaders of the Carranza government, as set forth in any public way, with reference to the so-called labor organizations in Mexico?

Mr. GATES. I not only saw that practiced in the place where it had its greatest "vogue" and its greatest expansion, in Yucatan, but I also traced it historically through the newspapers over the whole

period of Zapata's and Villa's occupation in the early days, including the delegates to the constitutional convention.

The CHAIRMAN. Did you ever hear of an organization in Mexico corresponding in any degree to what is known as the I. W. W. organization in the United States?

Mr. GATES. The I. W. W. organization in the United States had its branches, or if not its branches, it was organized in Mexico as the "Casa del Obrero Mundial." That is a liberal translation of "Industrial Workers of the World."

The CHAIRMAN. Did you secure any information as to the cooperation of the Government, or Government officials, with reference to that organization known as the Casa del Obrero Mundial?

Mr. GATES. I have two documents which I shall link together very briefly. When Carranza entered Mexico City in 1914 he was offered by Villa and Obregon the provisional presidency, provided he would call an election at once for a congress and introduce the governmental reforms needed. Carranza refused. Villa and Zapata were too strong for him, and he left the city in the summer, and about November was in Vera Cruz. Salvador Alvarado had been commandant militar in Mexico City.

The CHAIRMAN. The American forces waited in Vera Cruz until Carranza arrived there?

Mr. GATES. The American forces waited at Vera Cruz until Carranza arrived there.

The CHAIRMAN. And turned it over to him?

Mr. GATES. Yes, sir. I think it was November 23. Salvador Alvarado is the center of the entire Bolshevist question. He is the man who expected to make a Bolshevistic state of Mexico, after Yucatan.

The CHAIRMAN. The whole Republic?

Mr. GATES. The whole Republic. After Carranza reached Vera Cruz and issued that decree, dated December 12, making himself dictator, as you know, on the 6th of January, 1915, there was drawn up in Vera Cruz a document entitled: "Revolutionary confederation. Defense and realization of individual autonomy and of the rights of the collectivity. Within the constitution social reforms will be realized, which will emancipate the people." I will introduce the whole of it, which appeared in the official Alvarado publication, The Voice of the Revolution, and I will refer specifically to section 4.

To collaborate with citizens in the annihilation of the clerical, bourgeois, and military reaction, propagating and diffusing in the country and abroad the principles of the revolution.

In short, an anticapitalist organization. That was signed for the central organization committee by—

Gen. Alvaro Obregon, Engineer M. Rolland, Gen. Salvador Alvarado, Gustavo Espinosa Mireles, Gen. Maclovio Herrera, Rafael Nieto, Engineer Alberto Pani, Gen. Gabriel Gavira, Jesus Urueta, Dr. Atl. Luis Cabrera, Gen. Manuel M. Dieguez.

About the same time a plan was arranged by which Alvarado was to have the State of Yucatan to begin with the capitalists over there. He went on south, was appointed governor of the southeast, and proceeded to invade Yucatan, which had declared for Carranza, who

had freed the slaves under a decree abolishing wage peonage. The governor of Yucatan was a native Yucatecan, who first had allied himself with Carranza, after Carranza had left Mexico City in the hands of Villa and Zapata, and the whole State was in accord with Carranza when Alvarado proceeded to invade it as a part of this Bolshevist plan then developing.

I have one document here which I should like to read one line from. On his entry in March 2, 1915, before he came into Tenabo, Alvarado issued a proclamation, of which this is the original, to the people, in which he said:

Blood will run in torrents, families will weep in helplessness over the loss of the father, the husband, or brother. Owners will see their plantations disappear in many cases, which, being the theater of battles, those engaged in the struggle will burn. Ruin and desolation will invade the country and cities and more will die of want than in the contest. And all these horrors, for ambitious wretches to flee with the booty, the proceeds of their robberies, and exemplary punishment to fall on the deluded for their crimes.

Do not doubt it. Yucatan can not resist the valor of numerous veteran troops.

The CHAIRMAN. That will be translated and incorporated in the record.

(The document referred to is as follows:)

PROTEST AND PROMPTING—GEN. ALVARADO ADDRESSES THE PEOPLE OF YUCATAN FROM TENABO IN MARCH, 1915, WHEN BEGINNING A VIGOROUS CAMPAIGN AGAINST THE REACTION OF ARGUMEDO.

With profound indignation I have just learned that the traitor Abel Ortiz Argumedo has committed the infamy of spreading, among the constitutionalist forces now in Yucatan, the atrocious calumny that I am a rebel against our First Chief Venustiano Carranza and that I have ordered Gen. Ramon Sosa and the officers of the staff of Gen. Garcilazo shot, keeping the latter in prison. I protest with all my energy against such criminal falsehoods.

That these forces may not be deceived, and to avoid the great disgrace of valiant soldiers consecrated to the same constitutionalist cause fighting against each other in the campaign I am conducting against the real rebels and traitors, Ortiz Argumedo and accomplices, I hasten to say to them, on my honor as a soldier, which I esteem more than my life, that it is all a criminal tissue of monstrous and brutal lies; that Gen. Garcilazo and his staff, treated with every consideration on my part and by Col. Joaquin Mucel, the worthy governor and military commander of Campeche, is in Vera Cruz with our first chief, together with his officers, and, finally, Gen. Ramon Sosa, at the head of his valiant soldiers, is operating under my immediate orders in this campaign, and very soon you may see him on the firing line.

Col. Jose Jimenez, Maj. Abraham Rodriguez, and other field and line officers, as well as all of yourselves who respectively belong to the constitutionalist forces under command of Gens. Garcilazo and Sosa, must know my antecedents and my doings as a patriot and as a soldier in defense of the people; you must know that recently, after I had taken part in the bloody capture of Puebla, rescuing that city from the hands of the Zapatistas and Villistas, the citizen first chief intrusted to me the command of the army corps of the southeast, to which you belong, and with these forces, which have given such proof of their valor and patriotism, I come to fight for our holy constitutionalist cause here in Yucatan, to annihilate, if it should be necessary, this small group of traitors who have rebelled against our cause and against our esteemed and upright first chief, Venustiano Carranza. And I say small group of ambitious traffickers of public palces because I am convinced that the real people of Yucatan, composed in an immense majority of laborious citizens, honest workers, and farm laborers, must be with us and identified with the revolution and our first chief, who, among other transcendental reforms, is restoring lands to the poor, establishing justice, and breaking the chains of slavery.

Let the laborious and worthy people of Yucatan think these wretches are driving the heedless to die needlessly. Let them think that, when the struggle

begins, laborers will be without work, homes without bread, farms without laborers. Blood will run in torrents, families will weep in helplessness over the loss of the father, the husband, or brother. Owners will see their plantations disappear in many cases, which, being the theater of battles, those engaged in the struggle will burn. Ruin and desolation will invade the country and cities and more will die of want than in the contest. And all these horrors, for ambitious wretches to flee with the booty, the proceeds of their robberies, and exemplary punishment to fall on the deluled for their crimes.

Do not doubt it. Yucatan can not resist the valor of numerous veteran troops. Even though it might do so in the first encounters, the head of the revolution would send more and more, and Yucatan, without revenues, would exhaust her resources in sustaining forces and would succumb without remedy.

Don't wait for us to weep late and in vain over such calamities. Get away from the evil and perverse instigators who are pushing you into an abyss. Come to my side, I urge you in the name of constitutionalism. Let us avoid the catastrophe and together work for the fatherland and for the State.

And you, soldiers of the fatherland, don't allow yourselves to be dragged along by deception and intrigue.

Your place of honor and combat is here under my orders. Come, work in the presence of our glorious banners. I await you with open arms to make our blessed constitutionalist cause triumph once more by carrying this revolution to its termination, the savior of the Mexican people.

General headquarters at Tenabo, March 2, 1915.

SALVADOR ALVARADO,
Commander in Chief of the Army Corps of the Southeast,
Governor and Military Commander of Yucatan.

Mr. GATES. As an immediate consequence of the revolutionary confederation agreement signed by the 12 whose names I have read, the Voice of the Revolution, on the 15th of July, 1915, printed the following:

The constitutionalist revolution and the House of the Workers of the World enter into a compact.

Faithful to its purpose, the revolution will improve the condition of the laborers.

Then follows the celebrated agreement between the constitutionalist revolution and the I. W. W. between Rafael Quintero, secretary of the interior for the first chief, and a representative committee of the workmen of the I. W. W. for the whole of Mexico. Among other things, it provides this:

The workers of the House of the Workers of the World shall make active propaganda to win the sympathy of all the workers in the Republic and of the Workers of the World for the constitutionalist revolution by demonstrating to all Mexican laborers the advantages of joining the revolution, since the latter will make effective for the laboring classes the improvements the latter seek through their groups.

It also provides in another paragraph:

The workers who take up arms in the constitutionalist army and the workwomen who give their services for attention to and treatment of the wounded or other similar services shall have but one denomination, whether they be organized in companies, battalions, regiments, brigades, or divisions. All shall be designated as "reds."

The CHAIRMAN. That article will be translated and the translation printed in the record.

(The document referred to is as follows:)

[From La Voz de la Revolucion, Merida de Yucatan, July 15, 1916.]

The constitutionalist revolution and the House of the Worker of the World enter into a compact.

Faithful to its purposes, the revolution will improve the condition of the laborers.

To our editorial table has come the compact entered into between the constitutionalist revolution and the House of the Worker of the World, composed of the numerous groups of labor syndicates in the Republic, and we publish it to show that the labor element is allied to the revolutionary cause which is headed by the First Chief Venustiano Carranza.

COMPACT ENTERED INTO BETWEEN THE CONSTITUTIONALIST REVOLUTION AND THE HOUSE OF THE WORKER OF THE WORLD.

In view of the fact that the workers of the House of the Worker of the World adhere to the constitutionalist government headed by Citizen Venustiano Carranza, it has been agreed to put on record the relations of said government with the workers, and those of the latter with the former, in order to determine the form in which they are to give their collaboration with the constitutional cause, the following sign the present document for the purpose: For the House of the Worker of the World: Citizen Rafael Quintero, Carlos M. Rincon, Rosendo Salazar, Juan Tudo, and Celestino Gasca, appointed as a committee to the first chief of the constitutionalist army, in charge of the executive power, for the revolutionary committee of the City of Mexico, which, in its turn, represents the House of the Worker of the World, and by Licentiate Rafael Zubaran, secretary of the government of said first chief.

First. The constitutionalist government reiterates its resolution, stated in the decree of December 4 of the year last passed, to improve, by appropriate laws, the condition of laborers, issuing during the struggle all the laws that may be necessary to carry out that resolution.

Second. The workers of the House of the Workers of the World, for the purpose of hastening the triumph of the constitutionalist revolution and intensifying as far as possible the unnecessary shedding of blood, put on record the resolution they have taken to collaborate in an effective and practical manner for the triumph of the revolution and to take up arms either to garrison towns that are in the possession of the constitutionalist government or to fight the reaction.

Third. To carry out the provisions contained in the two preceding clauses, the constitutionalist government will, with the solicitude it has heretofore employed, attend to the just claims of the workers in the conflicts that may arise between them and their employers as a consequence of work.

Fourth. In towns occupied by the constitutionalist army, and that the latter may be unhampered in meeting the needs of the campaign, the workers shall be organized in accord with the military commander in each place for the protection of the same and the preservation of order.

In case of the evacuation of towns, the constitutionalist government, through the respective military commander, shall notify the workers of his decision and furnish them every kind of facilities to reconcentrate in places occupied by constitutionalist forces.

The constitutionalist government, in cases of reconcentration, shall give aid to the workers, either as remuneration for the work they do or as fraternal assistance, until work is furnished them to enable them to meet the main needs of subsistence.

Fifth. The workers of the House of the Workers of the World shall make lists in each one of the towns where they are organized, and at once in the City of Mexico, including the names of all their companions who solemnly offer to comply with the provisions of clause second. The lists shall be sent as soon as they are completed to the first chief of the constitutionalist army, that he may be informed of the number of workers who are disposed to take up arms.

Sixth. The workers of the House of the Workers of the World shall make active propaganda to win the sympathy of all the workers in the Republic and of the Workers of the World for the constitutionalist revolution by demonstrating to all Mexican laborers the advantages of joining the revolution, since the latter will make effective for the laboring classes the improvements the latter seek through their groups.

Seventh. The workers shall establish revolutionary centers or committees in all the places they judge convenient to do so. The committees, besides the propaganda work, shall supervise the organization of labor groups and their collaboration in favor of the constitutionalist cause.

Eighth. The constitutionalist government shall, in case it be necessary, establish colonies of workers in zones which it has dominated to serve as a

refuge for the families of the workers who have declared their adhesion to the constitutionalist cause.

Ninth. The workers who take up arms in the constitutionalist army and the workwomen who give their services for attention to and treatment of the wounded, or other similar services, shall have but one denomination whether they be organized in companies, battalions, regiments, brigades, or divisions. All shall be designated as "reds."

Constitution and reforms.

Greeting and social revolution.

Honorable Veracruz, February 17, 1915.

Signed: Rafael Zubaran Capmany, Rafael Quintaro, Carlos M. Rincon, Rosendo Salazar, Juna Tudo, Salvador Gonzalo Garcia, Rodolfo Aguirre, Roberto Valdes, Celestino Gasca.

Mr. GATES. Alvarado was soon joined by a man named Habermann, a German who left this country about that time to escape the draft, and who became in a large way the brains behind an agitator named Felipe Carrillo, and proceeded to organize leagues of resistance all over the State of Yucatan, whose name explains their purpose. Some time later, when Alvarado and Pablo Gonzales began to jockey for the presidency, Pablo Gonzales sent a man over there that took 3,000 rifles from these leagues of resistance. Felipe Carrillo became a member of the legislature, and was appointed temporary governor of Yucatan, in the absence of the elected governor. I have here, simply for verification, a printed document issued by him as such governor. He was also president of the league of resistance, and I have a document signed by him in facsimile as president of the league of resistance.

At the election in Yucatan a liberal candidate appeared and Felipe Carrillo went to a store and bought a gross of knives, and attempted to invade the precinct against the law, and when the liberal candidate objected they carved him up, and then arrested him for being carved up.

That same Felipe Carrillo, while a member of the legislature, made a speech, of which I have a copy that I will hand to the stenographer, stating that "the haciendados have bought the courts. Let them remember the Indian uprising of 1847. If they attempt to stop us we will cut the throat of every white man who was left alive in 1847." That is the same Felipe Carrillo who was the right-hand man of Alvarado in this whole matter, the chief propagandist of the acting governor of Yucatan.

The CHAIRMAN. Has this same Felipe Carrillo visited the United States?

Mr. GATES. In the early part of this year he visited this country, traveling from California to New York, whence he sailed for Yucatan a few days before the May day troubles of last spring. On this entire trip he was in conference with one radical leader after another, making various speeches. While in Chicago he received from the secretary of the Socialist Party, located there, an autographed letter addressed to "Comrade" Gen. Alvaro Obregon, asking his views as to an appropriate time to start combined and joint action on the part of the Socialists of Mexico, Cuba, and the United States and Canada. This letter he took with him for delivery. He spent some time with Morris Hilquit, at Saranac Lake, arriving at New York, he made several addresses in Newark, Upper New York, etc., just before the above May-day events, and his own sailing.

He visited the so-called party of soviet "ambassador" L. A. C. Martens, and delivered to him a letter officially addressed to Martens, by the socialists of Yucatan, stating among other things that "we have here a government greatly like yours of Russia" and looking toward cooperation. This letter Martens answered in the same spirit.

I have had all the above letters in my own hands, and have read them. They or their copies could be found in the proper hands in this country. They came to my eyes by a fortunate chance, quite casually, on April 30 last.

The CHAIRMAN. April 30, 1919?

Mr. GATES. Yes, sir. Felipe Carrillo also made a large collection of the most radical printed matter. One thing I particularly remember was a brutal cartoon of Samuel Gompers driving a knife into the back of "Labor." When Carrillo was about to sail, he was officially vouched for by the Mexican consul general in New York, as being in this country by the authority and approval of the Carranza Government.

The CHAIRMAN. That was Denegri?

Mr. GATES. Yes, sir. Mr. Lamb told me of those letters. The man who saw these letters was an employee of the customshouse, named Manley, who made the note which attracted my attention to it, and at my suggestion Mr. ——— sent over the Ward Line pier, where these letters were to be sent from, and the suit cases were brought back and I saw all of that original correspondence, including Marten's signature. I saw the signature of Obregon.

The CHAIRMAN. You saw the letter to Obregon?

Mr. GATES. Yes; I saw the letter to Obregon, and I should like to connect that in this way. Mexico had inaugurated a military régime, Carranza keeping the political balance. Something over a year ago Alvarado began to jockey against Pablo Gonzale for the presidency. Then began the fight in Yucatan. Throughout the whole Carranza administration Obregon had been rather outside the breastworks. I have the connection of Obregon with the bolshevist movement, and this convention in 1915, and the fact that Felipe Carrillo, Alvarado's agent, was taking back a letter addressed to Obregon.

The CHAIRMAN. Do you know from the public press or otherwise whether Salvador Alvarado has been in the city of Washington recently?

Mr. GATES. I am told he has been.

The CHAIRMAN. Do you know what he claims to be his mission here?

Mr. GATES. I am told he claimed to represent Obregon. I am satisfied it is a straw horse of his own ambition along these socialistic lines. I think he is trying to make use of Obregon. I have heard his connections are not so directly with Obregon as they are with P. Elias Calles. I think that is it.

The CHAIRMAN. P. Elias Calles, who is now one of the supposed leaders of what is known as the Sonora movement?

Mr. GATES. Yes, sir; which is also headed by Dela Bacca, who is an Alvarado commander.

The CHAIRMAN. Have you read the declaration of purposes or principles issued by Calles and others on April 5 of this year, in which they declare for the constitution of 1917?

Mr. GATES. I am not sure that I have, Senator. I have tried to forget Mexican matters the last few months, and get back to my book; but I am aware generally of that attitude.

The CHAIRMAN. Do you read Spanish?

Mr. GATES. Yes, sir.

The CHAIRMAN. Have you ever seen one of these little printed documents?

Mr. GATES. No, sir.

The CHAIRMAN. What do you understand it to be?

Mr. GATES. An application of membership of the Metal Mining Workers to the I. W. W.

The CHAIRMAN. What is the local number?

Mr. GATES. Local number 800.

The CHAIRMAN. Have you heard of that local, No. 800, in different portions of the United States?

Mr. GATES. No; I have not. What is local No. 800?

The CHAIRMAN. It seems to be the name which the I. W. W. has used for the metal workers. This application is written in what language?

Mr. GATES. Spanish, with a seal in English, "Industrial Workers of the World," I. W. W. label. It is an application for membership, with the words "Membership card." That is all there is in English. The rest is in Spanish.

The CHAIRMAN. Have you noticed anything in reference to a meeting of the Pan-American Labor Conference in Laredo, Tex., in 1918, and in New York in 1919?

Mr. GATES. I have at different times heard a good deal about that, and I made some definite notes, but I have no notes upon it here. I have regarded it as a very serious element in all this matter, of which a good deal was cooked up, and I wished I could get at the inside of what was done there. Some radical Latin American members from the eastern meeting at least later appeared in Yucatan, and I found their trail.

The CHAIRMAN. Glance over this statement which I hand you.

Mr. GATES. Yes; you have got it. It means business, too; and that is Alvarado's ultimate plan by which he hoped to secure the presidency of Mexico and put us in our place.

The CHAIRMAN. This document will be placed in the record.

(The document referred to is as follows:)

[From La Nueva Solidaridad (The New Solidarity), Chicago, second fortnight of October, 1919.]

GOMPERS AND MEXICAN LABORERS—STATEMENT OF J. D. BORRAN, MEXICAN DELEGATE TO THE PAN AMERICAN CONFERENCE.

As I was not permitted to speak or read the propositions received from the Case del Obrero in Tampico with instructions to present them to the Pan American labor conference in New York, I am obliged to appeal to the free press of the United States to express the ideas and thoughts of a majority of the laborers of Mexico, so that the proletariat of North America may form a clear idea of our aspirations and not believe us united in a repugnant fellowship with the leaders of the American Federation of Labor.

I will begin by saying the laboring people of Mexico have no sympathy with the American Federation of Labor; that they do not accept its policy as a basis for our struggle; that they reject the intervention of the authorities in their affairs; that they consider Gompers a charlatan and that they do not believe in the grand words of liberty by which powerful America seeks to deceive the world.

Invited by the council of leaders of the Pan American Federation of Labor, we came animated with the best intentions and with the hope of being able to contribute to the advancement of the laboring class and to do all we can to overcome the difficulties that separate us from the American Federation of Labor, and to organize the much-to-be-desired union of all the laboring people on the continent.

Although we know from experience that the American Federation of Labor does not keep the agreements it contracts with other labor unions, although it is duly diligent to carry out such as it contracts with the bourgeoisie, we are disposed to discuss with the other delegates and to organize with them, if we can reach an understanding, the great federation of America, which will represent the sentiment of all of us and will work for the liberty of all the oppressed.

Pursuant to these desires and to our principles, the Case del Obrero of Tampico transmitted through me to the Pan American Congress the following resolutions and recommends them as by-laws of the Continental Federation:

1. The Pan American Federation shall endeavor to group together all the labor organizations on the continent, all the organizations that are eligible under its principles.

2. The organizations composing the federation shall be self-operating among themselves, and the executive committee may refuse them its support in case any one demands it, provided it does not depart from the principles of the federation.

3. The Pan American Federation shall have nothing in common with the bourgeoisie or with the government of the bourgeoisie; the international solidarity of the laboring class shall be established as the principle of its struggle, and it will fight against any government that is imposed by force.

4. The Pan American Federation shall agitate the idea of the creation of rationalistic schools and liberating publications, and shall educate the laborers so that they may be capable and able to take possession of the wealth of society at a given moment, and regulate production and consumption.

5. The Pan American Federation shall hold communism as the ultimate ideal of its struggle and the acquisition and socialization of property as its immediate purpose.

6. The Pan American Federation shall not aspire to any dictatorship nor shall it unite with any government, and it shall use force to combat force.

7. The Pan American Federation recognizes as sisters the Republics of Russia and Hungary and will boycott the industries of any Government that imperils their existence and will aid them morally and materially, provided they do not depart from the principles heretofore followed.

8. The Pan American Federation recognizes as good the government of the soviets and will endeavor to include the same in its program as soon as may be possible.

In these resolutions are condensed the aspirations of the laborers of Mexico, and, in offering them as principles for the functioning of the Pan American Federation, the Case del Trabajador of Tampico is animated by the desire that they may also be the aspirations of all the laborers on the continent and that they be made known to all the oppressed at a no distant future.

It is not my purpose to write in detail the happenings of the four days of the Pan American convention held in New York. It was not a congress of laborers, nor was it composed of laborers. Of the 25 delegates only 2 were laborers. All the others were lawyers, bourgeoisie, and leaders in labor questions, all of them, including Mr. Gompers. There they discussed the League of Nations, the invasion of Santo Domingo and Nicaragua, and the danger these things might bring to Mexico. Of the problems of laborers, of the misery and the injustices that are destroying the laboring class, they have said nothing and, when I asked them to allow me to read my resolutions, and to speak about them, they rejected my request by 23 votes to 2, presenting the anomalous situation of 23 men, 23 representatives who rejected those propositions when they did not know them.

They did not permit me to read nor did they permit me to speak, and from this the laborers of all the continent can judge what sort of a convention was that which met in New York.

I must say that in view of the good intentions that animated me in coming to the convention, nothing except that occurred to molest us. Nevertheless, I believe if we had reached an agreement, nothing practical would have resulted from it. The American Federation of Labor agreed with us in the conference held in Nuevo Laredo a year ago to use its influence to obtain justice for industrial prisoners (I. W. W.'s in prison), and at the last convention the general strike for the liberty of Mooney which they had accepted was boycotted. The federation agreed with us to establish an agency in New York to educate laborers reaching there in ignorance of the struggle of classes, and the federation carried out its agreement by recommending to the American Senate to pass a law restricting immigration. The American Federation of Labor agreed with us to struggle for the right of assembly, of speech, and the press, and approved a resolution in its convention to expel from its organizations all members of radical tendencies.

I believe these lessons of the past give a clear idea of what the officers of the American Federation of Labor are capable of and of how they fail to carry out their agreements with the laboring class, and of how in their last convention they agreed to do nothing against the interests of the bourgeoisie.

In conclusion, I have the pleasure of saying in my own name and in that of the majority of the laborers of Mexico, that we do not consider Gompers a genuine representative of the laboring class of America.

We know that here you fight, that here you know how to die for them as we know how to fight and die. This encourages us; this comforts us; this brings us the full conviction that sooner or later we shall embrace as brothers to march forward united to the conquest of our emancipation.

Mexico burns with the secret fever of rebellion which no human power can control. And it is a great satisfaction to us, the laborers of the three Americas, to say to you that in that rebellion are conceded the aspirations of the proletariat of the universe.

Free men of America, in the name of the laborers and in my own name, I give you a fraternal embrace. We are with you. Be sure that our acclaim will be the echo of your acclaim, that our protests will mingle with yours, and that you will have our aid and our support, unconditional and decided at any time and on any occasion you need it.

Laborers of America, long life to the liberty of the world. Long life to the universal union of the proletariat.

We have given a place to this article not because we approve it, but to show once more the unfitness of the American Federation of Labor and its offshoot, the Pan American Labor Federation, at the present time, and having given this space to Comrade Borrán, we desire to speak and to ask a few questions. Why so many efforts to form another new organization when we already have the I. W. W., which does everything desired, given the support and attendance of those concerned? Have you studied, perchance, or taken into exact account the principles and program of the I. W. W.? Now that many thousands of laborers in all parts of the continent know and form a part of the I. W. W., or the Industrial Workers of the World, would it not be a labor of disorganization and a turning aside to form another international labor organization? Why not unite all of us who are conscious and consequential in one sole grand union, such as the I. W. W., with its ample and revolutionary bases and principles, so as not only to fight daily against the capitalists, but also to take possession of the earth and industries and organize production and distribution when we succeed in routing capitalism and as soon as this falls by its own weight and corruption and the moral and material bankruptcy of the present system?

Mr. GATES. I can not express myself too seriously as to the purpose and menace of that document.

The CHAIRMAN. That document, of course, refers to the fact that the writer, representing the Tampico branch or local of the Mexican I. W. W., was not permitted to express his sentiments at the Pan American Union in New York, and therefore he writes them to Solidarity.

Do you know anything of what took place, as printed and published in the public press of this country, in the meeting of the so-called Pan American Labor Union, or Pan American organization of the workingmen, held in Laredo, Tex., on November 13, 1918, attended by William B. Wilson, Secretary of Labor, of the President's Cabinet; Samuel Gompers, Duncan, and other prominent American labor leaders; and by Morones and other prominent Mexican labor leaders; by the then Governor George W. Hunt, of Arizone, later named as minister to Siam; attended by delegates from different Mexican organizations and by delegates from the different labor organizations of other Latin American countries? Were you familiar with anything that took place there?

Mr. GATES. I have known of that meeting. I am satisfied I have read something from it; and, if my memory serves me, I wrote in one of my articles that if we could get the unpublished actions of that meeting they would be illuminating.

The CHAIRMAN. The committee has them. At least, one of the members of the committee has them.

Do you know Mr. Antonio Villareal, of Mexico?

Mr. GATES. I know him by name. I have his name in several documents, but I don't know much about him.

The CHAIRMAN. Have you heard his name mentioned recently, or seen it in the public press, in connection with Salvador Alvarado and P. Elias Calles?

Mr. GATES. I don't think I have. I am only reading the high lights of Mexican matters now. He was a member of that alliance. I think I have his name in a printed proclamation. I didn't pay much attention to it.

The CHAIRMAN. He was one of the organizers of the Mexican labor revolutionary junta organized in the United States in the year 1905, along with Ricardo Magon, Robela, Ceralio, and the other Magon, brother of Ricardo, and others, who were arrested in Los Angeles for violation of the neutrality laws.

Mr. GATES. Was it Ricardo or the other brother that was arrested?

The CHAIRMAN. Ricardo. The other Magon was a cousin of Ricardo. His first name I don't remember. I think it was Enrique. Villareal was a member of that first organization. They were arrested and tried for violation of the neutrality laws and convicted in 1908, at which time the American Federation of Labor, then in session at Denver, Colo., through its president, Mr. Gompers, wired sympathy and offers of assistance to the revolutionary junta, of which they were members. Later, after serving their time, they were arrested, tried, and convicted in Los Angeles for an invasion of Mexico, sending armed forces into Mexico, particularly into Lower California.

Mr. GATES. I think I remember that.

The CHAIRMAN. Have you heard of Mr. John Kenneth Turner?

Mr. GATES. Yes, sir.

The CHAIRMAN. And Lazaro Gutierrez de Lara?

Mr. GATES. Yes, sir.

The CHAIRMAN. Have you read Barbarous Mexico?

Mr. GATES. No. It was too stiff for me. I have read extracts. I know the character of the book, but I never read it through.

The CHAIRMAN. Do you know anything about that invasion of Lower California?

Mr. GATES. No, Senator; I do not. I don't think I can testify to anything about it.

The CHAIRMAN. You do not recall it?

Mr. GATES. I do not.

The CHAIRMAN. It is on record of the archives of the Senate committee that Mr. John Kenneth Turner was one of the collecting agents of money furnished from various sources, including locals of the I. W. W., and Lazaro de Lara was one of the members.

Mr. GATES. I am quite ready to believe it.

The CHAIRMAN. And they engaged in the invasion of Mexico for the purpose of establishing a socialistic republic in Lower California at that time.

Mr. GATES. Oh, I did hear of that. I remember now. I heard of it with that object.

The CHAIRMAN. It is interesting, in view of the claims of these certain gentlemen at this time that certain Americans are trying to intervene by armed force for certain purposes in Mexico, that some of these same people were convicted of intervening with armed forces in Mexico, by the United States court; and certain gentlemen who are most loud now in criticizing the investigations of this committee were shown by the record in the court to have been the leaders in the intervention at that time.

Mr. GATES. I have a little personal experience in connection with that, that is so much in that line it is worth telling you. A labor paper in New York was making a great noise over the fact that in one of my letters I said I had telephoned a protest to Washington against giving Carranza permission to send troops across our soil to attack Villa, stating to the officer to whom I telephoned, Gen. Churchill, who at once saw Secretary Baker and Mr. Polk, that if we did that nothing could stop Villa from raiding our border, and we would be responsible for it. The labor paper in New York published a loud headline, "Gates and the allies of the oil people fomenting a Villa raid on our people and confesses it." That was the Call. Of course, if it had been worth while suing it, I would have done it, but who wants to sue the Call?

The CHAIRMAN. Have you read a report published by this committee, containing a translation of a photostatic copy of a letter signed by Venustiano Carranza, with reference to certain plans which would be put in operation in the United States?

Mr. GATES. I have heard of that, but I have not yet read it.

The CHAIRMAN. In connection with that and other matters, the committee will file not to be incorporated in the testimony at this point but as an appendix to it, a report of one of its special investigators concerning the I. W. W. activities on this side and on the other side recently.

(The document referred to was marked "Exhibit 12," and the same appears in full at the close of the testimony of this witness.)

Mr. GATES. Just to get rid of it, too, I find on this question of interference in elections, I have a copy I made of an official document in the State of Oaxaca that I might submit.

The CHAIRMAN. Yes; that has been incorporated in the record in connection with the proclamation of Aguilar.

Mr. GATES. Oh, yes; I believe it was. I have an appeal made to the Governor of the State of Puebla, by various and numerous residents, of the way the Carrancistas were treating the common people, robbing them and carrying on all kinds of atrocities.

The CHAIRMAN. That may be filed also, but not printed in the testimony.

(The document referred to is herewith filed, but not printed as a part of the testimony.)

The CHAIRMAN. The committee will be in recess until 2.30 this afternoon.

AFTER RECESS.

At the expiration of the recess, the committee reconvened, Senator Fall presiding.

TESTIMONY OF WILLIAM GATES—Resumed.

The CHAIRMAN. I want to ask you if you have had your attention called to a history of the organization of labor in the early days in Mexico, from the year 1910 down to September, 1916, made by one of the original Mexican labor organizers in Mexico?

Mr. GATES. Have I heard of it?

The CHAIRMAN. Have you read that?

Mr. GATES. I have read it. It agrees throughout with the result of my own research into the subject.

The CHAIRMAN. This will be incorporated in the record at this time.

In the year 1910, the printer Amadeo Torres, Spanish socialist, endeavored to unite all the printing workingmen of the city of Mexico. From this work resulted the Confederacion de Artes Graficas, Graphic Arts Confederation, having become members of this, printers, binders, linotypist engravers, etc. Among the members of the Confederacion de Artes Graficas, were well known through their facility of word Rafael Quintero, Anastasio Maria, Fernando Rodarte, N. Armenta, and Frediswindio Elvira Alonso, these two last ones Spaniards of socialist ideas.

That was after the dismissal of the Barcelona journalists in Spain.

The two last-named parties, due to advice of some renowned Maderistas, began to give to the Confederacion de Artes Graficas certain political orientation, and to that the Mexican tipographer Jose Lopez Donez did not agree, as he claimed the society should be with mutual ends only. On this object the newspaper of that time had discussions.

In 1911, a few months after the Confederacion de Artes Graficas was established, some of the members separated themselves headed by Rafael Quintero and at once started the establishment of the Case del Obrero Mundial, having opened their offices at a house known by Estan co de Hombres, where the rents were paid for by enemies of the Gen. Porfirio Diaz's Government.

Rafael Quintero's name appears prominently in the discussions of the Pan American Federation of Labor in Laredo, Tex., on November 13, 1918:

Quintero, Armenta, Marin, Rodarte, and Elivera Alonzo, commenecd to make revolutionary propaganda amongst the workingmen, being so active that on several occasions the directors of the Casa Mundiay were called to the presence of the authorities and their attention called to the fact that they should not cover themselves under the name of the institution to do their political work.

Diaz Government fell and then the institution named "Casa del Obrero Mundial" declared itself openly revolutionary and claimed the premium of its work

which had helped to overthrow the Diaz Government, from the party that had the triumph.

Elvira Alonzo was named general manager of the Vida Nueva printing office, this being a paper established by Mr. Madero to be his defensor. Others received secret commission from Gustavo Madero and for their work received different amounts of money.

During the 18 months that Madero was at the head of the Government, Quintero and partners got about 4,000 members of both sexes for the Casa del Obrero Mundial due to the active propaganda and to the help received from the Government.

When the Maderista party fell, the directors of the Casa Mundial kept on playing politics and many of the members left the city of Mexico to go with the armies of Zapata at the south and Carranza to the north, having paid for all their expenses the treasury of the Casa del Obrero Mundial. Practically Rafael Quintero, Armenta, Rodarte y Elvira Alonzo were agents of the revolutionary party which was fighting against Gen. Huerta's government. The government knew this; but these parties were protected by the name of the corporation of which they were directors.

When Huerta fell, when the Carranza army took possession of the City of Mexico, they organized in a procession as members of the Casa del Obrero Mundial to congratulate Mr. Carranza for his revolutionary work and also to congratulate their friends who entered in a triumphal way to the city. Carranza at once told Quintero and Elvira Alonzo that they could choose the house that they liked the best to make them a present of it as a premium to the institution for the help rendered to his party to fight against the Huerta government. The directors of the Casa del Obrero Mundial wanted the building occupied by the Sanz Hotel, but I do not know for which reason Carranza did not want to give it, although he told them to look for another one in better conditions, having decided that it should be the building occupied by the church and convent of Santa Brigida, on San Juan de Letran Street, in front of the American Club. It was there that the Casa del Obrero Mundial was placed, having left a hall so that there the workingmen could have their meetings, workingmen of the different works who had come under the flag of this poltical-mutual-socialist institution.

Nevertheless, immediately after Carranza had entered the City of Mexico, the public began to hear about the disagreement between the first chief and Pablo Gonzales. Quintero and partners, wise enough, understood that until those differences were settled they should not declare themselves either in favor of Carranza or Villa. It was thus that they decided to observe a waiting policy, being this the first time that the Casa del Obrero Mundial was neutral in political questions.

Carranza was dashed from the capital of Mexico and Emiliano Zapata took possession of it. Again the members of the Casa del Obrero Mundial organized a parade with 5,000 persons of both sexes to congratulate Zapata and the "brother" Gomez, a workingman who returned to Mexico City changed into a general. The directors of the Casa del Obrero Mundial arranged with Zapata through "brother" Gomez that they be allowed the use of the same building. This was the only grace which the Villismo and the Zapatismo united granted to the directors of the Casa del Obrero Mundial. They disliked this and patiently waited for Carranza to take again the City of Mexico, which happened a few weeks after. In this instance Quintero and partners entered decidedly into politics by side of Carranza and began to organize two divisions of infantry, which were named "red divisions," promising the workingmen that would become soldiers that their military services were to be reduced only to keep such cities where they would be no danger of fight. The red divisions were entrained to Vera Cruz and from there were sent to fight at El Ebano, where they fought against the soldiers of Gen. Urbina (Thomas). After this Gen. Urbina was chased from the oil region; the red divisions returned to Mexico City, being very angry because they had been deceived. Then, in 1914, Rafael Quintero and Frediwindo Elvira Alonzo were recognized as coronels in the constitutional army and at the same time occupied important positions in the board of directors of the Casa del Obrero Mundial.

When Carranza settled in Mexico City he began to render help of all kinds to his allies of the Casa del Obrero Mundial: To Rafael Quintero, to whom he had already made coronel, granted him a commission of the de facto government in Barcelona, with the object that he would have meetings with the anarchists of that city. The work of Rafael Quintero in Barcelona Spain) was

noted, because this man, in a workingmen meeting, gave out a speech with such demagogic ideas that the police had to interrupt him and send him to the headquarters accused of disturbing public order. Through the influence of the other Carrancista agents in Spain he was let free; but, nevertheless, he had to suffer several days' arrest and his name was recorded in the prison of the Catalan capital.

Frediwindo Elvira Alonzo also was prsented with the title of coronel, and, moreover, named particula secretary of Gen. Hiriberto Jara, who has been governor of the federal district and at present is the governor of the State of Vera Cruz. A few weeks ago Elvira Alonso was fired of his employment, and is now in jail for his bad handling.

The rest of the members of the Casa del Obrero Mundial were presented with fine shops of different industries, as a prize for their work in favor of the Carrancistas. These shops were the ones intervened by Carranza. To whom it was not given the shop, he was named manager of those that Carranza left for himself or his nearest friends or generals.

Such is the history of the so-called "Casa del Obrero Mundial" of Mexico, who, as it is assured, is in intimate contact with the Casa del Obrero Mundial of the United States.

SAN ANTONIO, TEX., *September, 1916.*

Also the statement of Eloy Armenta will be incorporated in the record at this point.

(The document referred to is as follows:)

The House of the Worker of the World in Mexico was inaugurated in reality the 16th of September, 1910, in Belen prison, because the undersigned organizer, Eloy Armenta, was imprisoned there, to which place he had been sent by the Madero Government. Later, after the House of the Worker was founded and constituted in federations of labor and schools on the rational scientific method, the revolutionary syndicalist method followed by the general federation in France was adopted by the labor groups. The declaration under affirmation was made, by which it was required that no member of the syndicates should take an active part in politics or militarism, the association being defined by the slogan of labor, education, science, and struggle for social transformation. Its first domicile was on Matamoros Street, No. 105, in the City of Mexico, where the association remained till the barrack uprising (cuartelazo), on which date it offered its services to the Neutral Red Cross, and because of a meeting, the organizer—Armenta—was again imprisoned and exiled, together with Miguel and Celestino Porrondegui, Jose Coldao, and Jose Santos Chocano. At the fall of Gen. Huerta, and on his return from exile, a meeting was held for Armenta in the Lyric Theater in Mexico.

The 17th of February, 1915, the House of the Worker of the World, represented by 67 leading members and Zubaran, in representation of Carranza, entered into a compact by virtue of which the convent of Santa Brigida was ceded to them and $500,000 with which Carranza honored the association, for which later, by acting contrary to its principles, it paid dearly at Celaya and Ebano with the blood of its battalions which in the end gave the victory to Carranza. Later the Houses of the Worker of the World have been persecuted from Yucatan to Tampico and in the City of Mexico itself the house was closed by order of Obregon, and, as a result of this, at the beginning of the current month, Dr. Atl or rather Gerardo Murillo, who officiated as president of the parent association, was imprisoned. There were in the Republic 36 Houses of the Worker of the World, the number of associates reaching 800,000, while 52,000 belonged to Santa Brigada alone.

The affinity that exists between the House of the Worker of the World of Mexico and the W. W. of the United States and the Confederation of Paris is absolute, both in the identity of their constitutions and in the identity of principles and tendencies.

The founder of the House of the Worker of the World, Eloy Armenta, did not sign the compact referred to with Carranza and this caused him to be held 183 days without communication in the dungeons at Vera Cruz until he was deported the second time.

The CHAIRMAN. Do you know the position the officers of the American Federation of Labor took, if any, with reference to this agree-

ment between the Carranza Government and the labor organizations of Mexico?

Mr. GATES. I know of one paper, of which I have a copy in my files, showing Samuel Gompers as congratulating the Casa del Obrero Mundial, as follows:

We learned with intense interest of the historic agreement between the Casa del Obrero Mundial and the constitutionalist government, and signed on behalf of that government by Rafael Zubaran, Capmany.

That is the agreement which was referred to in those newspaper articles I mentioned this morning.

The CHAIRMAN. The letter from which the witness has just read will be printed in the record with his testimony.

(The document referred to is as follows:)

APPEAL TO MEXICAN LABOR.

AMERICAN FEDERATION OF LABOR,
Washington, D. C., May 23, 1916.

SECRETARY,
Casa del Obrero Mundial, City of Mexico.

DEAR SIR AND BROTHER: Permit me on behalf of the American Federation of Labor to send fraternal greetings to the Casa del Obrero Mundial, to the entire labor movement of Mexico.

The labor movement of North America has seen with what splendid courage organized labor in Mexico has, from the time of the late Francisco I. Madero, demanded and obtained recognition for the cause of labor and justice in our sister republic.

From time to time the American Federation of Labor has received confidential reports from delegates duly accredited by your organization and others who come to Washington in behalf of the Mexican cause. From these delegates the executive council of the American Federation of Labor has learned how deeply the spirit of international brotherhood has guided all your struggles in Mexico. We learned with intense interest of the historic agreement between the Casa del Obrero Mundial and the constitutionalist government, and signed on behalf of that government by Rafael Zubaran Capmany.

We have learned with what bravery and determination the Mexican miners in the State of Arizona organized and struck work with their brother Americans of the North, and won advancement for themselves and the cause of international solidarity.

All these facts point to the necessity of a still closer understanding between the workers of all the Americas, particularly in this crisis in the world's history. To this end, and to propose a practical method of mutual cooperation between organized labor in Mexico and the United States, I suggest that at a date to be agreed upon, representatives from the Casa del Obrero Mundial, and as many other of the labor organizations in Mexico as possible, meet for a conference in El Paso, Tex., with representatives of the American Federation of Labor. Matters for the mutual welfare of the sister republic could then be discussed and a future cooperative policy outlined.

With you I agree that the future peace of the world rests in the hands of the wage earners, and this is most cogently expressed by the organized labor movement of each and all countries.

I hope to hear from you as soon as possible as to the actual conditions of the Mexican labor movement at the present time, and to receive a reply to the suggestion I have made herein.

Fraternally, yours,

SAMUEL GOMPERS,
President American Federation of Labor.

Mr. GATES. I just wish to read this brief statement from a document I have:

Before me lies a recent Mexico City newspaper, with photographs of a poster advertising copies for sale of the Russian bolshevist constitution on the walls of the Government buildings in Mexico, and a clerk at the window of the Chamber of Deputies selling copies.

The CHAIRMAN. Mr. Gates, we have referred once or twice to a meeting of the Pan American labor conference at Laredo, Tex., on or about November 13, 1918. I have had handed to me and have before me a copy of a newspaper entitled "Pan American Labor Press, San Antonio, Tex., U. S. A.," with a subtitle in Spanish, "El Obrero Pan Americano," and under it in Spanish, "The Organ of the Pan American Labor Movement." That paper contains in parallel colums an account of the meeting, the speeches, discussions, etc., that took place at that meeting, both in English and in Spanish.

I notice among the proceedings of that convention that there were present Secretary of Labor W. B. Wilson, Mr. Samuel Gompers, Duncan, and various other members of the American Federation of Labor, and labor organizations, including Mr. Murray, the secretary of the Pan American Federation of Labor; that the committee on resolutions made a report, the third article of which provides:

That facilities be granted to Mexican workers which should place them in a position, were they willing, to join the labor organizations in the United States, and that without curtailment of the support and privileges which such organizations allow to their own members.

I notice that the sixth proposition, submitted by the Mexican Federation of Labor, was as follows:

Sixth. That an agreement be reached as to the best way for finding honorable means to exert influence so that justice and protection be imparted to those working men who, for various reasons, are deprived of their liberty in the jails of the United States.

I notice this proposition, offered by the Mexicans, and reported by the committee on resolutions, at once aroused a good deal of discussion. As you are interested in the social conditions of Mexico, and familiar to a great or less extent from your experience and observation of such conditions, and have been interested in the labor question and in the international labor question, with your permission, I am going to read a portion of this discussion pro and con, as it appears here, in connection with your testimony at this time, and see whether you understand that the ideas set forth by the Mexican delegates are those which you understand to be those held by the Mexican labor organizations generally in Mexico.

It appears from the minutes of this meeting that Delegate Green, referring to the sixth proposition submitted by the Mexican Federation of Labor, and who was chairman of the committee on resolutions, said:

Mr. Chairman, regarding the sixth paragraph we recommend that the executive council of the American Federation of Labor make an investigation of the question referred to herein and take such action in connection therewith as they deem necessary.

Now, that at once aroused the delegates, and particularly Mr. Gompers, president of the American Federation of Labor, who was presiding over this Pan American Labor Conference, Mr. Gompers demanding to know what the Mexican delegates meant by proposing that resolution. Various Mexican delegates, and various other delegates, principally Americans, took part in the discussion. Quoting from Mr. Gompers:

For the information of all the delegates, let us know specifically what there is in mind. What is it; what offenses are charged against them; what they are in jail for?

Delegates MORONES. We are not able to give references or mention names, but in as much as the information has come to us, we desire to obtain information for ourselves through the proposed investigation, and thus have the opportunity to rectify the statements made in the propaganda that has been spread throughout Mexico. Also, we would have the pleasure of being the first to obtain the object of justice we seek.

It appears that some of the Mexican delegates supported the Green suggestion, with the amendment that Mexican delegates should be represented upon the investigating committee. The discussion grew warm, when Delegate Quintero, of the House of the World's Workers, Mexico City, said:

I am going to make a frank statement in reference to that proposition to which Comrade Morones has alluded, due to the fact that Mr. Gompers wants us to speak clearly about it. In the mind of the Mexican workmen, as well as those organizations affiliated with the Mexican Federation of Labor, the Federation of Syndicates, and the House of the World's Workers, it is not to prisoners in general that we refer, as suggested by Mr. Gompers, but to the workers who belong to the I. W. W. (the Industrial Workers of the World), who were jailed by the American Government on the charge of having made an active propaganda against the recruiting of soldiers.

It appears that the discussion was continued by Delegate Tobin, of the American Federation of Labor, Delegate Salcedo, of the Mexican Federation of Labor, or rather, of the Mexican Newspaper Workers' Union, and others, during which Delegate Ruiz, Grand Union of the Industrial Workers of the World, Torreon, Coahuila, said:

Mr. Chairman, it is not in my mind to make incriminations in a formal manner in any way whatever against the American Federation of Labor. But we have the information or knowledge in the union at Torreon called the Industrial Workers of the World that the American Federation of Labor in the United States has followed the policy that whatever is not worthy the American Federation of Labor is against it; and, according to our information, it is for that reason that the Industrial Workers of the World are looked upon with the degree of hatred, of dislike that I have spoken about. I say that if the American Federation of Labor is seeking to establish a principle of universal fraternity which would benefit all labor organizations, then the American Federation of Labor should act condescendingly in reference to the methods heretofore employed by the Industrial Workers of the World and not antogonize them in any sense, because if you are talking of democracy within the ranks of the American Federation of Labor they should be left alone to think freely and be permitted to develop their propaganda in the way that they understand it; for it is a contradiction to proclaim liberty and on the other hand gag the free right of speech in another way.

Delegate Alpine, and other Americans, undertook to reassure the Mexican delegates, and to convince them that the American Federation of Labor was really a democratic labor organization, etc. Mr. Gompers finally spoke at some length, calling attention of the Mexican delegates, among other things, to the course of the American Federation of Labor with reference to the Mexican political troubles. Among other things, he said:

At the outset let me say that there is a peculiar notion prevailing among some of the delegates, who seem to think that it is a gracious act on their part to accept the invitation and attend this conference.

The invitation to participate in this conference is the result of years of work of the American Federation of Labor to assist the Mexican people. It had its beginning when there was a revolutionary element among the working people of Mexico against President Diaz, and we supported every effort made by the Mexican workers and the Mexican people for the overthrow of Diaz.

When the Mexican revolutionists found their way into the United States, it was the organized American labor movement that protested against the Government giving up to Diaz the men, the Mexican revolutionists, who were in the

United States, and it was the American labor movement which prevented our Government turning the men over to Diaz, who probably would have had them put in jail or killed.

We were with the movement of Madero so that the people, the working people, of Mexico might have the opportunity of free development. It was the American labor movement that helped to destroy and overthrow the assassin, Huerta. And it was the American Federation of Labor, when Mexico and the United States were at the point of war, that stepped in and did everything within its power to prevent a conflict between the two countries.

Whether in Russia or Ireland, whether in Mexico or in any other country on the face of the globe, wherever the people endeavor to secure freedom and justice, the American Federation of Labor puts forth its best efforts to assist them.

The work of the American Federaltion of Labor for the people and the working people of Porto Rico has put them in conditions economic, political, and sociological equal if not better than any other people in any Central or Latin-American countries.

Come back for a moment to Mexico. Two years ago when the proclamation was issued by Carranza making it a criminal offense punishable by death for any workman to engage in a strike, it was the American Federation of Labor which compelled the adoption in the Mexican constitution of the right of the workmen of Mexico to strike for their rights.

* * * * * * *

It is all very good for any one to say, "Why not give these people, the I. W. W., the opportunity to live and work out their own propaganda just as they want to?" But I want to say this to you, my friends, that we have one labor movement, cohesive, militant, and determined, in the United States of America, and because we have one labor movement in America we occupy a position of power and influence to bring a better time into the lives of the working people of our country.

The I. W. W.'s in the United States are exactly what the Bolsheviki are in Russia, and we have seen what the I. W. W. Bolsheviki in Russia have done for the working people in Russia, where the people have no peace, no security, no land, and no bread.

Among other speakers on the proposition, Delegate Green again addressed the conference, and among other things said:

When Bill Haywood, the leader of the I. W. W.'s in America, was on trial at Boise, Idaho, in days gone by, charged with murder, it was not the I. W. W. that furnished him the money that enabled him to prove his innocence, but it was the bona fide organized labor movement of America that gave him money which paid the bill in order to free Bill Haywood. That trial alone cost the organized-labor movement of America hundreds of thousands of dollars. And after Bill Haywood, the leader of the movement, was set free, because of the money supplied by the organized-labor movement in America, he was so ungrateful that he started out to organize a dual movement and destroy the very union which had saved his life.

Practically from the day he was given his liberty—after the organized-labor movement had out of their pockets poured in thousands of dollars in an effort to set him free—he began to develop his plan to sow the seeds of poison in the organized-labor movement and undermine it. Ever since that day he has not let an opportunity go by to attempt to destroy the American Federation of Labor, and the results of the poison he has sown are shown in the attitude that some of you have taken here.

Mr. Gates, it appears from the proceedings as published of this labor conference that Mr. Gompers very vigorously opposed any sympathy with the I. W. W. in the United States, and attacked the organization in this country, and that many of those Mexican delegates, and particularly Quintero, apparently entertained the belief that Mr. Gompers's opposition was to the I. W. W. as a rival organization of the American Federation of Labor. The resolution apparently was not voted upon, but was referred to the executive committee after a lengthy discussion.

From the statements made by Mr. Gompers as to the participation of his organization in Mexican political affairs, and from the trend of that controversy at Laredo, and the expressions of the different delegates, and from what you know yourself personally of labor conditions and of the peculiar characteristics of the inhabitants of Mexico—or at least of 80 per cent, constituting the working class of Mexico—in your opinion, does Mr. Gompers or does the American Federation of Labor really understand the Mexican labor condition, and, in your opinion, can the ordinary Mexican laborer, member of the Casa del Obrera Mundial and allied kindred organizations, appreciate and understand the principles of trade-unionism as practiced by the trade-unionists of the United States?

Mr. GATES. No, to both questions.

The CHAIRMAN. Then, when the Mexican workingman, or Indian, or half-breed citizen, ordinarily known as the Mexican, has preached to him doctrines of freedom and equality, and hears criticisms and abuse of the employers, is it your judgment that the impression made upon him is that he shall obtain relief through peaceful means—by the ballot, by organization, by the strike, or by other methods common to the intelligent workingmen in other portions of the world—or that he should adopt other means to attain his ends; and if so, what means?

Mr. GATES. The only means they know of down there is a revolt, when conditions have become intolerable.

The CHAIRMAN. What do you mean by "revolt"?

Mr. GATES. By arms and by force, to take the gun. I recently attended a lecture at which the lecturer used a phrase that sunk in my mind, and which I think answers your question. He showed on the screen a picture of the places in Mexico City where the poor people, especially the Indians, herded and lived, and said, "If a man came to you, living there, and he said, 'Come, get liberty,' would you not go and fight, if only for a chance to hope?"

The CHAIRMAN. Does liberty, as spoken of by these people, mean liberty as we understand it, or does it mean individual license to do what you please?

Mr. GATES. As used by these propagandists, in every case, license to do as they please. As understood by the Indian, or the ordinary worker, it means the liberty to have his own little home and be let alone; but to those who prey upon him it means a chance to loot, and shoot and rape.

The CHAIRMAN. Then, granting, as we all grant, the sincerity and purity of the motives of Mr. Gompers, in interfering, as he says that he has interfered, with the political affairs of Mexico, in your judgment, has that interference, with the results which he has mentioned in this speech to the labor conference, has such effort and such interference upon his behalf resulted beneficially or injuriously to the common people of Mexico?

Mr. GATES. They have resulted injuriously to the common man in Mexico, and the health of Mexicans themselves, equally as has the interference which has been going on by President Wilson for the past eight years, against which Mexico has been fighting—ignorant interference in the affairs of other people and telling them how to behave.

The CHAIRMAN. In view of the statement that Mr. Gompers made that the American Federation of Labor secured or forced the incorporation into the Mexican Constitution of the provision allowing strikes, have you had your attention called to the strike order of Carranza to which he referred?

Mr. GATES. I have.

The CHAIRMAN. Have you a copy of that order before you?

Mr. GATES. I have.

The CHAIRMAN. That may be placed in the record at this point, as a part of the testimony.

(The document referred to is as follows:)

CARRANZA'S DECREE OF DEATH TO BREAK UP STRIKE.

AUGUST 1, 1916.

Venustiano Carranza, first chief of the constitutionalist army, charged with the executive power of the nation, and in view of the extraordinary faculties in me vested, and considering that the conduct of the labor syndicates in the present case constitutes without doubt an attack on public peace, for, as it has been shown, it is inspired by the enemies of the Government with the intent and purpose of making it impossible to avail itself of its own resources so much needed for the pacification and reestablishment of order in the country, and discriminating against the constitutionalist paper, depriving it of the value fixed upon it by law, and as it could happen that the law of January 25, 1862, should not cover other cases and persons besides the principal promoters of the present strike, it is indispensable to widen the scope of the said law and make it applicable to cases which surely would have been covered by it had this means of disturbing the public peace and antagonizing the government been known at the time it was issued.

In view of the foregoing, I have decreed the following:

Article 1. Besides the disturbers of the public peace, punished by death, as prescribed by the law of January 25, 1862, the death penalty will also be imposed on the following:

1. Those who may incite the suspension of work in factories or enterprises destined to public service, or who may propagate the suspension of work; those who preside over meeting in which it is proposed, discussed or approved; those who may defend or sustain same; those who may approve or subscribe same; those who may assist to those meetings and not withdraw from same upon learning their object; and those who may endeavor to make it effective upon being declared;

2. Those who, availing themselves of the suspension of work in factories or enterprises mentioned, or in any others, or with the object of aggravating or imposing it, should destroy the property of the enterprises employing the workmen interested in the strike or in any manner cause its deterioration, or deteriorate or destroy the property of any enterprise whose workmen it is desired should join the strike; and those who with the same object in view provoke public disturbances, be it against public employees or civilians, or employ force against the person or property of citizens, or who may take possession of, deteriorate, or destroy public or private property; and

3. Those who by threats or force prevent others from lending their services to the companies or enterprises against which the strike is declared.

Article 2. The offense to which this law refers will be of the competence of the same military authority authorized to judge and punish offenses prescribed by the law of January 25, 1862, and will be prosecuted and punished in the same terms and proceedings as prescribed by decree No. 14 of the 12th of December, 1913.

I, therefore, order it printed, published, and circulated for its due observance.

Issued at the City of Mexico, on the 1st day of August, 1916.

V. CARRANZA.

Mr. GATES. In addition to that I will say I heard in Yucatan—I did not believe it until it was demonstrated to me beyond a doubt—that Alvarado had issued a similar decree in the preconstitutional period

that anyone who talked against his agrarian legislation should be shot. And Yucatan is the most peaceful part of the world. The Yucatacans are noted for their smiling peacefulness. They are always smiling.

The CHAIRMAN. The statement contained in Mr. Gompers's speech and in various articles which he has published as to the success of his efforts with reference to the Madero revolution, and also his statement that the American Federation of Labor embraces all the great labor organizations of the United States, except the four railroad organizations, suggests to me another question which I desire to ask you.

Do you know what became of the American railroad men employed on all of the railroad lines in Mexico prior to the incoming of the Madero administration?

Mr. GATES. I have at various times heard, and I have seen some papers, and I have here some papers, reports of railroad men there, of which I had already heard, of a systematic discrimination against the American workers upon the railroads of Mexico, which, if my memory and information is correct, resulted in their having to leave practically en masse.

The CHAIRMAN. What paper do you refer to? Have you there a report of any of the officers of the railroad organizations operating in Mexico?

Mr. GATES. That is what these are. They are engineers and conductors and members of the railroad organizations. One was the Order of Railway Conductors.

The CHAIRMAN. I notice one signed by W. K. Suit, chief conductor.

Mr. GATES. Yes, sir.

The CHAIRMAN. That will be placed in the record at this point.

(The document referred to is as follows:)

[The Railway Conductor, Vol. XXLX, pp. 444–445.]

GUADALAJARA, MEXICO, *April 18, 1912.*

To the officers and members, Division 564, O. R. C.

BROTHERS: It is with profound regret that it has become my duty to announce to you the necessity of surrendering the charter of our division. However painful it may be, it would be more so if I could look back over the events that have transpired in the last two years with an impartial eye and see where it was due to our failure in doing our duty either as conductors in railroad service or to a lack of loyalty to the Order of Railway Conductors. The discontinuation of the division is due to the never-ceasing agitation of the unreliable railroad element among the Mexicans that never has and never will do good service.

This same class of people has succeeded in ruining the only effective government that Mexico has ever had, and they are now engaged in destroying the business institutions that have been built up by foreign talent and money during the last 30 years of peace and prosperity.

They have also taken advantage of the weak and tottering government at a time when they have not the strength to resist and have captured the greatest business institution in Mexico and will proceed to wreck it as they have the Government.

We did not lose our positions because we are making demands that are unreasonable. We have lost them because the railroad management, working under the support of the Government, has annulled the agreement for the purpose of forcing us out of the service, as they see it, a few at a time, so that it will not cripple the service, and at the same time knowing that they have us at their mercy.

I am proud to know that each and every one of you are not only true Americans, but that you are loyal O. R. C. brothers, and that all of you have responded to the demand for justice.

Our experience in Mexico and the history of the Texas colony under Mexican rule has taught us that the moment he becomes your master he sets himself upon a royal throne and expects you to worship him, and if you dare to resent his rule you make of him a lifelong enemy, and from that time on you are never free from his treachery, and for that reason you have chosen to go down in defeat, fighting like the brave defenders of the Alamo, rather than to submit to a brutal ruler and be slaughtered like the Texans at Goliad.

We may be defeated in one sense of the word, but by the fight you have made you have saved your pride and dignity and have assisted in creating a sentiment in the civilized world that will some day bring results.

By the assistance of the O. R. C. the undesirable railroad man has been removed from Mexico and the company is now losing the best men that have ever worked in Mexico, and from the various tests of diplomacy, judgment, and nerve to which you have been subjected in the past 18 months, I feel free in saying that you stand head and shoulders above any public servants in the world to-day. Like the captain of a ship, a conductor's first duty is the care and protection of his passengers.

The Madero rebellion broke out in Mexico about the time the sentiment against the Americans was so strong, partly on account of the rapist, Rodriguez, who was lynched in Texas, and partly because the Americans had the best railroad jobs. In addition to this sentiment against us, we came in contact with both of the bitter factions and were often asked by both parties to express our opinions regarding the situation. We saw the rough element gradually get bolder; we saw thieves and pickpockets, who had been in prison, reappear and begin their bold work; we saw the army and the local authorities lose control of the people; we saw the small bands collect and move about, as we passed through the country. In fact, by virtue of our position, we held the pulse of the nation in our hands, and when we realized that the peon mobs could be called nothing but bloodthirsty savages, we all made up our minds, for the protection of the women and children, not to allow any soldiers to ride on passenger trains through the dangerous territory, where the rebels were likely to hold the trains up, knowing that if they saw soldiers they would not hesitate to shoot into the trains and kill everybody in sight in an effort to kill a few loyal soldiers.

By this method, you have made enemies of one faction, while your motives were not understood by others. Many trains were delayed, and in some cases you have refused to go into the danger zone and tie up trains, until you were sure that the line was safe for your passengers. Some of you were subjected to the vile abuse by army officers, and threatened to be placed in irons. Other people openly asked the question, "Are you in sympathy with Madero and the rebellion?" "Are you openly taking part in the fight to overthrow the government?" While others boldly asserted that you should be shot down on the spot. But with all the intimidations, not one of you retreated from the stand you had taken, which showed your rare judgment and nerve to back it up, and after mature reflection the traveling public, which represents most all of the nations of the earth, realized that you were right, and that you did not do this through sympathy with any faction, but to protect your passengers, and they indorsed your actions. Although some of you were ordered taken out of service by the government, not one of you lost your positions.

Neither the railroad company nor the public can afford to lose such servants as you are, but just and right can not prevail under existing circumstances. The American tourist, who formerly found a courteous guide on every passenger train, in the form of an American conductor, will now spend his vacation in some other part of the world, realizing that he would be among people who do not know how to appreciate him, and the hundreds of poor beggars who gathered up the pennies freely given by Americans in days gone by will go hungry to bed in the future.

The United States of America, by the Monroe doctrine, assisted by sending an American Army to the Rio Grande in 1865, handed Mexico her liberty on a silver platter and has protected her ever since. Our reward is now being received in the form of about nine-tenths of our citizens fleeing from the country under humiliating circumstances to save their lives, while others are being shot down like mad dogs by a lot of savages whose brains are pickled in alcohol and their nerves wrecked by immoral living, and who, convinced

that they can not compete with honest business men in respectable pursuits of life, have turned loose to lay the country to waste in their own natural way. Every American who has been in touch with the situation, and every citizen of other civilized countries, sees the necessity of adding the "big stick" to the Monroe doctrine, and the only question is, "When will it be done?"

Every voter of the hundred thousand conductors and engineers in the United States of America should see that this question is put to the candidates for President of the United States in the campaign which has opened here, and not let them get away from it until they have fully expressed their opinions in public on the question.

I can not refrain from expressing my special appreciation of the never-tiring efforts of our secretary, Brother A. W. Earnest, for his work for the good of the order, and especially in behalf of Brother James A Cook while he was in prison at Guadelajara, partly due to the same influence of the same element that is destroying the country in an effort to humiliate the American railroad men and drive them from the Republic. Also Brother D. A. Kelly, our local chairman of the grievance committee, who has had to fight on every inch of ground he has covered for many months, and has proven a true and loyal brother and a first-class grievance man in every respect. Also our general chairman, Brother T. Eccles, of whom I can say that in all of my 23 years of railroading I have never known a brother to have to face so many complicated and humiliating questions. Nor have I ever seen a man handle them as successfully as Brother Eccles has done.

But there is a limit to all things, and we have arrived at the limit of our endurance and forebearance in Mexico, and may God be with you all, and deliver you to the other side of the Rio Grande in safety.

I thank you all for the support and respect you have shown me in my efforts to serve the order and the brothers.

Yours, in P. F.

W. K. SUIT, *Chief Conductor.*

Mr. GATES. And there is also a resolution at a special meeting, thanking Brother Suit for his "untiring efforts in our behalf, and in particular for his letter announcing the necessity of disbanding the division."

The CHAIRMAN. That is the Guadalupe local I presume?

Mr. GATES. That is the Guadalupe local.

And here is another letter from Laredo, Tex., signed by Corrigan and Curtis.

The CHAIRMAN. That appears to be an address to the American people.

Mr. GATES. It is.

The CHAIRMAN. Corrigan is an official of the Brotherhood of Locomotive Engineers, and Curtis is vice president of the Order of Railway Conductors. Those documents, the resolution you referred to, and this address to the American people may go in the record at this point.

(The documents referred to are as follows:)

THE RAILWAY CONDUCTOR.

[P. 443, Vol. XXIX.]

GUADELAJARA, MEXICO.

The following is from the minutes of a special meeting held April 18, 1912:

"Moved and seconded that a vote of thanks be extended our chief conductor, Brother W. K. Suit, for his untiring efforts in our behalf, and in particular for his letter announcing the necessity of disbanding the division, giving an outline of the situation in this country, and that a copy of this letter be sent to each member of the division and to the Railway Conductor. Carried unanimously.

Yours, truly, in P. F.,

A. W. EARNEST,
Secretary Division 540.

ENGINEERS AND CONDUCTORS RETIRE FROM SERVICE OF THE MEXICAN NATIONAL RAILROAD.

[From Locomoive Engineers' Journal, Vol. XLVI, 1912, p. 599.]

LAREDO, TEX., *April 17, 1912.*

To the American public:

Believing that the American people are interested and that they have a right to know the facts in connection with the forced withdrawal from the service of the National Railways of Mexico of several hundred American citizens who have for many years been employed by these railways as engineers and conductors, we submit the following statement covering the situation: We are prompted to do so because we feel that the flagrant discrimination by the Mexican Government against American citizens is deserving of consideration at the hands of the American people.

It is well known that when American capital was invited to Mexico to develop that country through railroad building, it was necessary to secure from the United States, or some other foreign country, experienced men to operate the railways owing to the fact that the native citizens were totally incapable of doing so. The engineers and conductors were generally secured in the United States, and went to Mexico under assurances of fair treatment as to wages and conditions of employment, which were set forth in contract stipulations between the management of the railways and committees representing these employees. This arrangement operated to the mutual satisfaction of all concerned, and no serious controversy arose between the railways and the organizations of engineers and conductors until the Mexican Government secured control of the greater part of the railway mileage of Mexico; but since that time there has been carried on a deliberate and sustained system of discrimination against American engineers and conductors, the sole purpose of which was to force American empoyees out of the service without regard to the fact that many of them have worked faithfully for these railways for from 20 to 30 years, having left the United States in the prime of manhood when there were practically no Mexican citizens capable of performing the duties of engineers and conductors.

These men have given the best years of their lives to the service of the Mexican railways, as well as giving the benefit of their knowledge and experience to the Mexican people, and now, upon the demand of certain labor organizations of native sons, who have taken for their slogan "Mexico for Mexicans" and who covet the positions that have been filled so long and efficiently by the Americans, the Mexican Government basely ungrateful of the services rendered by the Americans, has issued instructions through its secretary of communications abrogating the agreements between the railways and the American employees, and imposing conditions upon said employees impossible of fulfillment.

A word here as to ownership of the railway properties involved may be of interest: Out of a capitalization of nearly $450,000,000 the Mexican Government has only put into the properties in actual cash approximately $4,500,000. It is true that in exchange for $49,400, more than one-half of the $230,000,000 authorized stock, the Government guarantees the principal and interest on certain outstanding bonds. While this deal gave the Mexican Government control of the railways involved, under certain unknown contract limitations, it did not make said railways exclusive Government institutions to the extent of justifying the clamor of Mexican citizens that none but Mexicans were entitled to employment thereon.

We quote below from the declaration of principles of one of the native Mexican organizations to show that the fact of being an American would prohibit one from continuing in the employment of the Mexican railways:

"Society of the Defenders of the Rights of Mexican Railroad Men. Slogan, Mexico for Mexicans. The Mexicanization of the national railways has become an imperious necessity and should be done, not only by placing Mexicans in positions as firemen, brakemen, engineers, conductors, and dispatchers, but by elevating them to the high positions of administration, making them general agents, general superintendents of divisions, motive power, etc. The society has been projected with the sole object of forcing off, and carrying into effect, the Mexicanization of the Mexican railways, etc."

In addition to the above there is abundant evidence to show that the purpose of the Mexican organizations, supported by the Mexican Government,

is to eliminate American employees from the service of Mexican railways. It is estimated that there are something like 600 American engineers and conductors in the service of these railways, and these men were forced to retire upon dictation of the native labor organizations of Mexico, supported by the Government, in the face of the fact that, as shown by the preliminary report of the thirteenth census, there are in the State of Texas alone 123,817 native-born Mexicans enjoying freedom of employment in accordance with their capacity, and suffering from no discrimination on account of their nationality from either the Government of the United States, American employers, or organizations of employees.

In view of the determined attitude of the Mexican Government to displace Americans, and after having exhausted every possible means of securing such terms as would guarantee fair and just treatment, the American engineers and conductors decided to withdraw from the service of the National Railways in a body instead of suffering themselves to be displaced in small numbers at a time at the convenience of the authorities, and in the meantime not only place their lives in jeopardy, but be subject to humiliation and insult at the hands of Mexican employees and organizations coveting their positions and desiring their hasty departure.

We have every reason to believe that our Government has not only been fully advised as to the foregoing, but that it has, through diplomatic channels, made representations to the Mexican Government in our behalf, for which we are duly grateful; and in common with thousands of our countrymen, who have been forced out of Mexico, leaving millions in property behind them on account of dangers due to the strong anti-American feeling existing there, we submit our wrongs to such further consideration as may be proper for our Government to give them.

E. CORRIGAN, A. G. C. E. B. of L. E.
E. P. CURTIS, V. P., O. R. C.

The CHAIRMAN. Did you ever hear of the American Federation of Labor interesting themselves in behalf of these American railroad men who were run out under the Madero administration?

Mr. GATES. They may have done so, but I have not heard of it.

The CHAIRMAN. Then, I presume, that is one of your reasons for thinking that possibly the American Federation of Labor does not understand labor conditions in Mexico?

Mr. GATES. Part of them.

The CHAIRMAN. The committee has had the testimony of Charles A. Gardner, taken at San Antonio, Tex., one of the railroad men driven out of that country, so we will not pursue that line further.

Now, Mr. Gates, from your knowledge of Mexico and Mexican conditions, I want to ask you, in your opinion, with reference to the great majority of the common people of Mexico, a large per cent of the total number of people inhabiting that country, Indians, or so-called Mexicans, constituting possibly 85 per cent, what is the feeling among those people generally, the Zapatistas, with whom you are familiar, the Zapotecs, in Tehuantepec, the Yucatecans, the followers of Meixueiro, of Pelaez, and even those who have acquiesced in the Carranza régime, with reference to America and to the United States?

Mr. GATES. I found nothing but friendship and a desire for American cooperation on all sides throughout my entire trip throughout the country, except with those small bodies of people constituting the present official Carranza military dictatorship and those who are profiting by it. That is, that Pan-Latin, one big union, bolshevist aggregation of which we have been talking, represented by Carranza's desire to put the Saxon in his place, hatred of the American, to drive us out, and Alvarado's desire to erect a syndicalistic State.

The rest are very friendly to the United States and welcome our cooperation, although patriotic in desiring to retain the sovereignty of their own country.

The CHAIRMAN. Are you or not in favor of armed intervention by the United States in Mexican affairs?

Mr. GATES. I have stated myself to be as pronounced an anti-interventionist in that sense as you will find in the United States. I wouldn't consider that, after having wrecked Mexico with eight years of political interference, with maintaining in power a dictator whose personal reaction was the same as that of our present incumbent, who has been maintained in power solely by his will, against the will of the Mexican people, who have been fighting for their own homes, during which time Mexico has been reduced to misery; if we take advantage of that situation, if the result is what it seems to me the necessary end to which it would tend, and enter upon an invasion, an armed intervention into Mexican affairs, it would be a stain upon our American honor that we would never have an opportunity to explain away, and would support those people in the belief which they hold of this Government that, especially in the later years, in the past eight years, its policy has been Machiavellian. I wish to put that as clearly and plainly as I can put it. It has been my policy and belief throughout the whole. I found it all through Mexico.

The CHAIRMAN. Suppose there is no friendly interference, or interference of any other character by this government, in some way in Mexican affairs, what will be the immediate future of Mexico, in your judgment?

Mr. GATES. In my judgment, the present break up of Carranza is the breaking up of exploiting among themselves. I would anticipate—no man can prophesy—but from the events of the day, I would anticipate the early triumph of some of the leaders, apparently at present Obregon; within a year or so, dissension; then continuing quarrels; finally, if that continues from now until next year some time, assuming that President Wilson chooses to take no step at all, which it must be assumed he will not do after his message to you thanking you for the opportunity to tell you that foreign affairs are none of the Senate's business, that Mexico for the rest of this year will know a depth of degradation to which the past 10 years would look like heaven. That is what I look for.

The CHAIRMAN. I thank you very much for your interesting and intelligent testimony, and your enlightening statement and assistance which you have given to the committee.

Mr. GATES. May I say that what we need with Mexico is Mexican sympathy. They can receive us with open arms there. They need our help. If we tender it to them in the right way it can be given, and we can have a certain friendly interest in our neighbors at our side. But she does need our help, and all the more she needs it because officially she has been put where she is. I regard that as imposing upon us the responsibility. We should have a sympathetic understanding of her needs. She not only needs a great big loan to finance a receivership, but she needs reclamation, she needs restoration of industry, and above all, at the bottom and beginning the end of the whole, is the enabling of the common man in Mexico, which

largely means the Indian, to have a little something to hope for and a home he is not afraid he is going to be robbed of. When there can come to us anybody out of the present chaos, if any opportunity should come out of that chaos, for the decent element with whom we might work, we might still save the situation and our honor; but we must do it with sympathy and with kindness.

The CHAIRMAN. Do you think that mere sympathy and understanding, without actual assistance, will avail anything in Mexico?

Mr. GATES. No. It means going down there and taking off our coats and helping them economically; and also backing up in some way—that is difficult to say, because it looks like interfering—but backing up in some way, such as is proper, international relationship, a stable currency, and decent government.

The CHAIRMAN. Will mere recognition of such a government by the United States avail anything?

Mr. GATES. If the recognition of the United States amounts to anything at present, flouted, as it has been, in all Latin-America; if we can get our recognition respected it would go a long ways, but it has not been respected since Bryan became our Secretary of State. We must back-track on that before our influence amounts to anything, and when we back-track then we can restore health.

The CHAIRMAN. Would you extend help to Mexico merely by recognition and leave her to secure financial aid from individuals in this country, or would you extend that financial aid directly by this Government to a government which would receive it in the proper spirit?

Mr. GATES. I would give it by this Government if it was received with the proper spirit. My views upon that are represented by the document that I attached to my letter to Secretary Baker. They involve a rehabilitation of Mexico, and how it could be done without putting her into a receivership or giving her a political dictatorship. I hoped that the opportunity might come, if President Wilson would come to the position of recognizing Carranza as impossible, that something be done, and consequently I made these suggestions in my correspondence with Secretary Baker. I had the cooperation of a good many people in that, and it is not political and not a financial receivership.

The CHAIRMAN. Those suggestions are in those documents?

Mr. GATES. Yes. I believe it could be done along those lines.

The CHAIRMAN. The committee is very much obliged to you, Mr. Gates. The committee will adjourn, subject to the call of the chairman.

EXHIBIT 4.

To the President and the people of the United States of America, our neighboring Republic:

In this hour of crisis, when it is held in the balance of the fates whether our country shall live as an independent sovereign nation, we make you this appeal:

For over six years our country has been torn by civil strife; for five of those six years a large part of its territory has been the prey of the most cruel and brutal tyranny our country has had to endure in all the past century of its efforts toward freedom.

In 1914, after the overthrow of Huerta, Venustiano Carranza, as first chief of the army, named "Constitutionalist" because the object whereby it sought

the cooperation of the whole country, was the restoration of the constitutional order broken by usurpation, with the return to a lawful régime under that constitution which cost so many lives and so many years of struggle before it came into being as the Palladium of our Liberties—Venustiano Carranza, we say, was then offered the support of the country, tendering him the provisional presidency, and calling upon him for the immediate convocation of national elections, and the submission to the coming Congress and the several States, in due and constitutional form, of whatever legislative reforms the condition of the country demanded.

Refusing everything but the provisional presidency, which he promptly expanded by his own sole autocratic decree into omnipotent powers, legislative and judicial as well as executive, Venustiano Carranza made himself the actual irresponsible dictator of Mexico, to a degree that is paralleled by no previous instance in our entire history.

Annulling by a stroke of his pen that constitution he had sworn to defend and restore, he proclaimed a "new thing" in the affairs of States—a "pre-constitutional period," wherein by the power of the sword and bullet alone, in a country of peaceful citizens deprived by his decree of even the smallest weapon of self-defense against the "banditry" he claimed to be resisting, he and his adherents set out to fasten laws and regulations violative of every sort of justice and right, for the sole profit and enrichment of his civil and military supporters. With the most unbelievable shamelessness, in a so-called democracy, a so-called government for the benefit and protection of the "oppressed," decrees were issued depriving all save his own supporters of even the semblance of the right of suffrage. Elections through his whole period, in those few cases where they have been ostentatiously held, have been the veriest farce.

At the end of 1914 and the beginning of 1915, while still holding only a part of the national territory, and himself remaining in Vera Cruz, he and his adherents consummated an offensive and defensive alliance, by formal signed treaties, with that organization of international opposition to democratic and free institutions by the support of the majority, known now in various countries as Bolshevists, Syndicalists, Spartacides, I. W. W., and, among us, the Casa del Obrero Mundial.

At the same period, Carranza, guided by his personal feelings against the allied nations, entered into relations with Germany; and with the German minister came German emissaries preaching then, four years ago, all the radical antisocial doctrines of the extreme Left to-day, just as two years later similar German emissaries carried the same doctrines of antidemocracy and destruction to Russia.

Throughout the entire period of the Great War, Venustiano Carranza, with his circle of adherents, Salvador Alvarado, Pablo Gonzales, Alvaro Obregon, Luís Cabrera, Candido Aguilar, and many others, made a mockery of Mexico's pretended neutrality, gave all possible aid and comfort to the German side, and promised full future alliances, military and commercial, thus compromising the honor and safety of the country, and the peace of the Western World, in his insane and despotic plans.

The diplomatic record of the past years has been one to bring shame to the face of every Mexican who cares for his country's international repute; and these long-continued and scarcely veiled insults are continuing to this day. All this relying upon the unwillingness of the American Government to resent such provocations by an attack upon a weaker nation at her border, already exhausted by the struggles of these years.

During these six years our country has been reduced to the lowest abyss of misery; nowhere in territory which can be reached by the armed bands of Carrancistas, masquerading as "bandits" or as "Constitutionalists" in turn, is life or honor or property safe. Production and all the course of business is almost at a standstill; our railroads do not run, save on a few lines, where all the remaining equipment is concentrated. With a budget nearly twice that of the nation 10 years ago, two-thirds of the revenues go into the maintenance of this army of depredation, the great part of the whole passing by padded pay rolls into the pockets of the higher officers; while throughout the whole country, wherever the control of Carrancismo reaches, to live by license has become the normal mode. We are facing years or decades to remoralize and make sane the general order, and bring about again the habits of peace and order in life.

Our school-teachers are reduced to actual stravation, being kept for months without even the pittance assigned them for their part in the social work, the hope of the future State; while for everyone in the protected circle of military

and civil authorities, there is the most complete immunity for any possible form of crime against person or property. The mere catalog of the unpunished crimes openly committed by these high and low officials and officers, from burglary, highway robbery, murder, and attacks upon women to "banditry" and the most shameless graft and looting of the public treasury, would fill a volume. The resources of the country are stripped bare.

At this time also, following a long period of illegal and despotic confiscations of foreign-owned properties, formerly in production to the enrichment of our country, the violation of treaty-guaranteed rights of those who had been invited by the credit and faith of the Nation to cast their lot among us for residence or business, and the murder of many hundreds of foreign citizens, we are oppressed by an accentuation of all these conditions that threatens the very life of the Nation, destroyed by its self-constituted masters.

The so-called Government of Carranza does not control more than a fraction of the territory of the country. With control of the main ports and the railway lines and equipment, and thus controlling the wires and the mails, it is able to make a show of administration through the Republic. Along these lines, and the towns and cities held in this way, the rule is that of armed soldiery in an unarmed and defenseless populace—the rule of terror.

Away from these railroad lines, and where the Carranza soldiers can not pass save in major force, Mexicans of every rank have united for their own protection and that of their homes and laws, under different leaders. Such organized protecting and defensive bodies of citizen soldiery have maintained themselves intact through these years of trial; and though with scanty resources, with no help or support from abroad, or any ability, owing to international neutrality laws, to bring in any form of supplies—for which, indeed, they have lacked and do still lack the resources for payment—these bodies do now control and protect the greater part of the national territory.

In the latter months of 1914, when Venustiano Carranza refused the proffered support of the entire nation for a restoration at once of the constitutional order, and finding himself outnumbered in the convention of his own calling, retired to Vera Cruz to proclaim himself sole dictator and legislator for the Mexican people, with his syndicalist and German allies, he was disavowed by Smiliano Zapata and Francisco Villa, with their supporters in the south and in the north. Although Carranza was enabled some months later to take the capital, and then supported by the main arteries of import and the resources of the country was able to extend his régime of destruction, military oppression and robbery through the Republic, these two forces have maintained themselves unconquered through the ensuing five years, to the present.

In July, 1915, aroused to her own self-defense against these attacks upon law and life, and by the usurpation effected in the proclamation of the "preconstitutional period," the free and sovereign State of Oaxaca reassumed her sovereignty under the constitution, until order and the constitutional régime could be again established in the nation. From that time until the present this State has continued in the lawful and constitutional administration of the greater part of her territory, under the lawful State authorities, duly and constitutionally elected in December, 1914; and by the aid and services, and the lives, of her sons, has defended herself and them.

In 1916, for the purpose of ending this era of usurpation, and of fulfilling the obligation resting on all Mexicans to sustain and restore the constitution, which by its specific terms proclaims that it shall not lose validity by reason of any rebellion or usurpation, there was organized the "National Reorganizing Army" under the leadership of Gen. Felix Díaz, as the effective outcome of protests voiced by him since 1914; and in the last three and a half years this force has extended its effective protection through different States of the Republic.

Some time before the rural population of the northeastern parts of the Republic, attacked by the Carrancista despoilers in their most essential rights, took arms to defend them and to restore law and order, placing Manuel Peláez as commander in chief of the National Guards; upon the attempt of the illegal Querétaro Assembly to impose a new constitution on the country, these guards were reorganized as the "revolutionary army," to support and reinstate the national constitution of 1857; at the same period, in the trying times of the Great War, when the fates there hung in the balance, and the weights in that balance were the supplies of oil without which the allied navies would have been powerless, and when for a time there was but a few weeks' supply of this fuel on hand, the Carranza soldiers, aided by German-paid agitators, were seeking

to capture and destroy the wells on which that supply depended—these forces, under Manuel Peláez, firm in the defense of the rights made sacred by the constitution of 1857, and faithful to the cause of democracy and freedom in the world, protected, and still do protect, life and property in the Tampico and adjoining regions.

To-day the truth has come to light; and to-day Venustiano Carranza, your enemy, as he and his circle of officials are ours, is threatening to draw upon us the natural result of his and their crimes. We are about to be made to suffer for the crimes of those who have murdered our fellows. We—all Mexicans—are being cried against for the deeds of our oppressors. Mexico is about to be called and treated as the enemy of your great democracy on account of the deeds we have now for five years resisted with our blood, committed by those few evil men who by their intrenched position have been enabled to do all these things. Carranza and the entire circle of his supporters without one single exception, have betrayed you and your placed trust and hopes as he did us and the support we gave him at that time.

We are fighting for our liberties and our homes. The war in Mexico will never cease until that fight is gained. It can not cease. And confident thus in the truth which is now in its full time coming to the light, we appeal to you, the President of the United States, and to you, the people of those United States, to give us that measure of relief and recognition to which we are entitled.

You, Mr. President, we ask to grant us that recognition which is the bounden right of all who fight for their homes, their liberties, and their laws. We ask that we may be heard; that we may have a standing from which to speak and plead the cause of oppressed Mexico and her children.

In order to establish this right and in order that there shall not come that invasion of Mexico which we know is as far from your desires as it would be destructive of all our hopes and aspirations as free men, we will participate in a conference of all the leading organized elements now dividing the control of the territory of the Mexican Republic; that at this conference shall be considered the reconstruction and restoration to national health of the country that is ours and for which we and our fathers have fought. We ask that in this way the great principles for which the peoples of the Western Hemisphere have declared themselves—the principles o fdemocracy, self-government, the right of every individual to life, liberty, and the pursuit of happiness—shall be once more established and that your country and ours may go on as sister Republics, different in inheritance and blood, yet united by bonds of friendship and cooperation and with those common objects brought to birth for France in 1789, for you in 1776, and for us in 1810 and in 1857.

Toward this end we, the signers hereto, for ourselves and all those we represent, and those who have intrusted to us their defense, pledge to you hereby our united cooperation in the protetction of life and property throughout the territory of the Mexican Federation. We pledge ourselves to unite in the formation of a provisional administration upon a coalition basis of the liberal elements—those elements that seek true democracy and the welfare of the Nation, to its lowest and humblest citizens, instead of personal power and authority or personal aggrandizement.

For this great work of reconstruction of our distracted and desolated country, now in a like condition with so many other countries in the world, help in resources and cooperation must be had. International problems must be met and solved; rights must be adjusted and protected; the work of rehabilitation itself must be protected, especially in its earlier stages. To this end we frankly ask your aid, without humility or the derogation of self-respect; for we have suffered at the hands of oppressors, and we are economically destitute; we have no resources left, save our love for our country and our self-respect as men and Mexicans. But our country is rich in herself, and by our work, once started on the road, can rebuild all. You, the American Nation, almost alone now among the peoples of the earth, are economically undestroyed after the efforts of the past years. We believe that a way can be found whereby you will gladly give, and we can honorably enter into cooperation to that end, to your great advantage as to that of our country, and yet neither violative of Mexico's independent political self-determination nor submitting her to a conscienceless or usurious financial control.

This we believe of you, Mr. President, and we also believe it of the heart of the American people.

To you, therefore, we address this appeal, in this critical hour of our country and in the affairs of the world.

For the "liberating" of the south and its general in command (first by appointment by Gen. Emiliano Zapata, and since the latter's death, by ratification of the officers and men):

GILDARDO MAGAÑA,
[SEAL.] By J. AMEZCUA.

For the free and sovereign State of Oaxaca, in resumption under the constitution of its independent sovereignty, until the rule of that constitution shall be again recognized throughout the Republic, and for the general in command of the defensive forces of the State.

GUILLERMO MEXUEIRO,
[SEAL.] By WILLIAM GATES,
SAMUEL G. MEIXUEIRO.

"Constitution of 1857," the revolutionary army in control of the northeast of the Republic, general in command.

MANUEL PELÁEZ,
[SEAL.] By Dr. MOISES LÓPEZ.

Commander in chief of the "national reorganizing army."

GEN. FÉLIX DÍAZ,
[SEAL.] By PEDRO DEL VILLAR.

Memorandum (not a copy of the original document): The foregoing was prepared in triplicate, for convenience and saving of time in the attachment of the signatures. No primacy among the signers is, therefore, implied in the above order.

The originals were delivered at the White House on September 9, 1919.

A true copy.

[SEAL.] W. G.

EXHIBIT 5.

To the Nation:

Revolutions are social necessities, crises which arise when Governments have closed the legal roads to the political progress of peoples; they strive for principles of social improvement, and ever inscribe on their banners the great desires of those peoples. Should this not be so, should a revolution not carry from its beginning a great promise of social redemption, it would be dead from the cradle; and if later actions did not lead to the discharge of this promise the revolution would equally be condemned to death. For the inexorable laws of nature, which impose themselves alike upon individuals and peoples, establish conservation as a universal principle, and neither peoples nor individuals change the normal course of their life, or break the regularity of their existence, or venture upon great risks, except in presence of some greater benefit, before the vision of a greater happiness, or facing a future that augurs elevation in the moral order, progress in the material. For this reason we repeat: revolutions which have not been the explosion of true ideals, or those which have later abandoned them, can not prosper; and armed movements that seek to impose them, never can succeed in so doing, for as said before, peoples as individuals react to the sentiment of conservation, and conservation necessitates betterment.

These clear and simple premises explain why Carrancismo and the socalled "Constitutionalist" forces sustaining it have not been able after more than two years, and never can be able, to reestablish and consolidate peace in the Republic.

The Carrancista movement arose on the 26th of March, 1913, in accord with the plan of Guadalupe, on the bases of disavowing Gen. Victoriano Huerta as President of the Republic, as a usurper, and disavowing as accomplices in his usurpation the legislative and judicial powers of the federation, who had recognized Gen. Huerta, as well as the State authorities who had accepted his Government. The entire plan therefore rested on the respect due to our constitutional laws, guaranteed in our Magna Carta, and in the duty resting on all Mexicans to sustain those laws, even by force, when reason can no longer make itself heard.

Carranza, then, on rising in arms, proclaimed the supremacy of the Constitution and offered the Republic the defense of its violated principles. It was in truth a great promise. The Code of 1857 cost our ancestors so many and so great sacrifices; so often has it been repeated that this code is the genesis of our political education and destined as the cement to our condition as free men; and so intimately have we been convinced of these truths that all Mexicans who

have not lost faith in the reconstruction of our country feel ourselves profoundly moved and threatened when the precepts of that constitution are in danger—and at the same time feel ourselves strong to defend and maintain them unharmed. To this it is due that Don Venustiano Carranza, a man without any notable past, found political allies in the Republic, and that his call awoke echo in the breasts of many Mexicans.

After a year and a half of contest, Carranza arrived at Mexico and, with the name of first chief of the so-called constitutionalist army, assumed the provisional presidency of the Republic. Carranza then changed radically, breaking with the principles by which he had triumphed. His ambitions, of low order and founded on no democratic education, together with the evil counsels of his favorites (who were many and without morality), brought him to forget all—absolutely all—his promises; and by a sanguinary irony of fate, the author of the Plan of Guadalupe, he who had in the name of the constitution disavowed Gen. Huerta and the other Federal powers, upon assuming the Executive Office, himself declared abolished that very constitution and all the laws derived from it, He decreed that his Government would exercise its functions in a "preconstitutional" period—outside of the constitutional order; outside of all law. By this means Carrancismo cast the Republic into the most absolute anarchy and despotism; all rights and all guarantees disappeared; no one knows where his property begins nor ends, nor knows how long he can dispose of his liberty nor his life; from that time the constitution and all the rest of the laws became substituted by the arbitrary will of Carranza and his favorites, thus establishing a purely personal Government—an oligarchy, odious and impossible to bear. With the ideals dead, disorganization came of necessity. Villa, in spite of his crudeness (rudeza), saw that Carranza and his people were throwing the Republic into chaos, and demanded his withdrawal; Zapata, who until then had shown himself in general terms in sympathy with the revolution in the north, likewise demanded that Carranza surrender the power in order to do away with personalism and bring peace. The State of Oaxaca, that heroic and glorious State, which had maintained itself in peace in the midst of disorder, without losing its normal life; which by its antecedents and its importance also figured as one of the factors upon whom rested the solution of the national destinies; that State, loving peace and the law, divorced itself from Carrancismo, demanding of that faction the respect for its sovereignty and the consideration due to the Oaxacan people and their legal and established Government.

Carrancismo had gone too far upon the wrong path to consent to abandon it. Its leaders had tasted the gratifications of command and enjoyed the fruits of their robberies; they came to consider as their sworn enemies not only those who opposed them but those who, of morality or for shame, refused them their support in the enterprise of destruction and infamy they had embarked upon. It was the beginning of a new war more sanguinary and more cruel than what had preceded. Hostilities first broke out with Villa, then with Zapata, and later with many other leaders; and finally this State of Oaxaca was invaded, the last refuge of the liberties and the last bulwark of our institutions. It amounted to nothing that the constitutional authorities of the State showed that order reigned throughout its territory, that public services were carried on efficaciously, that the people were in full enjoyment of their rights, and that the Government had implanted the reforms demanded by the progress of enlightenment and the needs of the time. All this availed nothing, we repeat; Carrancismo needed the booty of war, and the State of Oaxaca was invaded.

Carrancismo had shown itself ready for everything, absolutely for everything in order to continue possessing itself of the last remnants of spoil that still remain on the blood-marked body of the country. This ill-omened faction has by its conduct brought upon us invasion from outside, while it continues its fratricidal war, instead of repenting and mending its errors to the preservation of national integrity and dignity. But there is yet more. That felony we know as Carrancismo has passed the limits of the imaginable, inviting good Mexicans, patriots in heart, who, unwilling to light more fires of destruction within the nation's homes had retired to private life—inviting these worthy sons, we say, for the repelling of intervention, and then when they had responded to that call, surprising their good faith, forced them into the civil struggle.

With our national integrity compromised, and the Republic plunged into anarchy and the most unbridled despotism known in all our history, it is matter of the most urgent and imperious necessity, to bring once more our good

faith into play, to send out the call to all good Mexicans and to make a supreme effort to reorganize its energies for the work of reconstruction, for true national reconstruction. The present moments are definitive, and we should take advantage of them; the safety of our country demands it. The problem is arduous and difficult, especially because first of all there must be extirpated the condition of armed chieftainship (caudillaje), the indispensable prerequisite to the doing away with personalism in Government; preventing the resting of the national destines at a given moment in the hands of but one or two individuals, instead of lying in the hands of the Nation itself or its representatives. To this end there lies but one road open; to work from the periphery to the center; that is, to stimulate and bring about the reorganization of the larger number of the States of the Republic, that these may in turn bring about that of the Republic itself. It is a proceeding analogous to that followed by the States of the American Union in 1778, and will give us protection against that central absorption of power which the Federal powers have through our whole political life, in every epoch, practiced against the State authorities, and place us in the only condition permitting the reconstruction of our nationality and the salvation of our territory.

To the State of Oaxaca there falls the honor and satisfaction of setting the example to the rest, its sisters. Its constitutional authorities, which to this day have not ceased to function, in spite of all the obstacles in their way, will soon reestablish themselves in the State Capital, and our efforts will soon give them the complete control of the entire territory of the State.

In the other States of the Republic where men of good faith still are fighting against Carrancismo, this example should be followed. Those military commanders which carry on operations along these lines in those States, can count for our aid to that end; and with the purpose that as soon as any State is freed of the menace of Carrancismo, those commanders shall at once designate a provisional governor who will immediately convoke the people to the election of legislatures.

The legislative branch duly organized, without loss of time elections for the executive and judicial State authorities shall follow.

When the majority of the States shall have been reorganized upon the lines thus indicated, in accordance with the constitution of the Republic and the other general laws, and its own State Constitution and the laws appertaining, the representatives of these States shall convene for the nomination of a provisional president, whose principal mission shall be the immediate calling of elections through the Republic for the National Congress. And with this body in session, he shall call elections in the Republic for the remaining Federal authorities.

Mexicanos, the country calls upon us for a new sacrifice; let us respond with resolution and love to the call, and bearing the sacred banner of our constitution, let us fight on until we win that its beneficent shadow covers and protects all.

PLANS.

First. There is reestablished in the Republic the dominion of the general constitution of the 5th of February, 1857, with its additions and reforms legally adopted by the means which itself provides, and with the laws of reform and the others derived therefrom.

Second. C. Venustiano Carranza, first chief of the so-called constitutionalist army, is disavowed, with all the authorities that he has imposed.

Both citizen Carranza and those others who under his so-called government have held the position of authorities, shall be judged in accordance with the laws, for usurpation and such other crimes as they may have committed.

Third. The States adhering to the present plan, and in which the constitutional authorities have disappeared, shall make all effort to free themselves from Carrancista control, and suceeding in this shall reorganize themselves under the Federal and State Constitution and the laws appertaining. For this purpose, the military leaders in each such State, opposing Carrancismo, shall in the shortest time possible meet to nominate a provisional governor, choosing for that post a native of the State itself, and a man whose character and firmness shall afford guarantees to the cause. With no loss of time the provisional governor shall call extraordinary elections for deputies to the State legislature. This body once reestablished, in order to proceed at once upon legitimate paths, shall as its first act appoint an acting governor, choosing for that post the person designated as provisional governor, if it sees fit. The acting gov-

ernor shall then at once convoke elections for constitutional governor, and members of the judiciary.

Fourth. All the States adhering to this plan shall, without the need of further agreements, constitute an offensive and defensive league against Carranzismo, shall maintain constant intercommunication, and their governors and military leaders shall act in concert in the general operations.

Fifth. The forces organized in support of the present plan shall be known as the "Army of restoration of the Republic." (Ejército Restaurador de la República.)

Sixth. As soon as a majority of the States shall have been duly organized under the constitutional order, the government of each one of those States shall name a representative to attend an assembly at a date and place to be duly set. In such gathering the representatives then of a majority of the States shall agree upon, and shall nominate by not less than a majority of votes, a provisional president of the Republic, who shall not be a military leader in the command of a force. This provisional president shall be recognized and supported by all the reorganized States, shall at once take possession of his office and call immediately extraordinary elections for Deputies to the National Congress. This body in session, it shall as its first act nominate an acting president, who may be the same as already named provisional president. This done, the acting president shall at once call extraordinary elections for constitutional president, and members of the judiciary.

Seventh. The offices of President of the Republic, and governor of any of the States, shall not devolve upon military leaders in command of a force. Such leaders can be nominated and elected for said offices, after the lapse of a year of separation from their military service.

Eighth. The President of the Republic and the governors of the States, provisional, acting or permanent, shall maintain from the moment of their assuming office that all their acts, and the acts of all other officials within their jurisdiction, shall conform strictly to the principles of the constitution of 1857, which is declared in force; causing to be restored to their owners immediately all property confiscated from them by the Carranzista or any other faction, and procuring that thenceforward all nationals and foreigners shall enjoy in their persons and interests the guaranties which the said constitution assures. The same authorities shall at once bring about the repatriation of the Mexicans now driven from the country by political persecution and the lack of guaranties—those who may have been guilty of crimes remaining subject however to the law.

Ninth. The new emissions of paper money put out by the so-called constitutional government headed by C. Venustiano Carranza are declared null and of no value.

The invitation is extended to all the States, to all military commanders, and to all Mexicans of good will, with distinction of political party, that, forgetting hatreds and past divisions, they adhere to the present plan, second it with efficacy, and cooperate with all their ability toward the early reorganization of the Republic, which means the salvation of our country.

Ixtlan de Juarez, State of Oaxaca, October 11, 1916.

For the division "national integrity" and the other restoring elements of the north of the Republic.

J. ISABEL ROBLES,
General of Division.

For the division of the "Sierra Juárez" and the other restoring elements of the free and sovereign State of Oaxaca.

GUILLERMO MEIXUEIRO,
General of Division (Lic.).

(NOTE.—Not long after the issuance of the above document, J. Isabel Robles, one of the most respected by all the various elements in the country, opposing the Carranzistas, was killed in the north of Mexico. After that, for lack of resources, Gen. Meixueiro, in cooperation with the State authorities, elected in the close of 1914, was able only to maintain defensive operations in the State away from the State capital and the railroad lines.)

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1. The immediate clean-up of the customhouse and port services, stopping absolutely every kind of robbery and extortion, such as is now a national scandal. Nothing could more immediately influence public opinion in this country

and elsewhere than a change of that kind right where it is first felt by all persons doing business in or entering the Republic.

2. Immediate steps to relieve the demoralization and beggary of the lowest classes, not by charity but by work and care. If necessary, appeal for assistance in this matter to outside agencies—Red Cross or other—as is now being done for suffering, destitute peoples elsewhere. Do something at once in Mexico for those who need it most.

3. Immediately institute the rule in all public services, including the railroads, telegraphs, and all civil offices, of prompt, courteous, and willing service to the public. Give that which is coming to characterize our best conducted businesses—what we refer to as service. If a traveler enters the wrong railroad office for train information, let him not be dismissed with no effort to help him. And especially let this include the expediting of routine. If a matter can be disposed of when presented or a signature pro forma attached in 10 minutes, let not the public servant require the visitor to come back three or four times, at a waste of many hours, solely to impress the visitor with the clerk's authority and ability to make him wait. This fault is an economic waste and, besides, involves a totally wrong view of public service, that the egotism of a clerk should gratify itself at the cost of the service he is there to render, and the result of the opposite conduct is instant and far-reaching. Insist on good treatment, buen trato, in all public services, and you will remoralize everything; and it can be done easier in Mexico that here, provided the man at the top means business.

4. That there be immediately selected, with greatest care, a corps of men, similar to those organized under our agricultural department and similar bureaus, to visit the local pueblos and towns throughout the Republic, to consult with the local authorities as to the needs or openings in each place for works of improvement or local development; also to consider local questions of stimulation of agricultural activity; improved methods, introduction of fertilizing, rotation of crops, possible new products in the different localities, questions of transport, road improvement, etc. That in this work the interest of the local authorities, ayuntamientos, etc., be so enlisted as to make them coworkers in reconstruction; give them something to do that strikes right at the welfare of their community and every man in it, making them realize that for the first time in their experience the Goevrnment is coming to do something for them. This will not be easy at first; similar efforts in this country have had to meet all manner of suspicion and obstinacy from farmers and others, the very ones to be benefited; but time will make a change, provided the work is gone at sincerely, intelligently, and without either taking or permitting private graft or profit in the introduction of the new order. I am completely aware that this would be called by nineteen men in twenty a hopelessly Utopian impossibility, in Mexico; but I am only the more convinced that once affronted with real intention, more than half the struggle would be over, and that its very apparent impossibility would only make it more possible. For in Mexico, lo que quiere el Gobierno, va. In the early stages of the work, I would urge calling upon the officials in this country for assistance, in experienced men, already with training and tact in the solution of similar problems here. In this connection the Pan-American Union could be and would gladly be, of the greatest possible aid.

There is one element in this connection which I also regard as of the very greatest import. I am going to anticipate that a political recognition of the new Mexican administration might for various reasons, historical and other, be delayed; also that financial aid on a large scale might require long negotiations to bring about an accord with both Washington and New York. But the Government at Washington could not possibly refuse coperation in a nonpolitical reconstructive work of this kind; and it could be granted without implicating the State Department, and without even actual formal recognition of the new government in Mexico. Its actual, real, and practical verification would be of untold weight in bringing about confidence in this country.

But one condition would be absolute: No private or political profit must be even permitted, anywhere in the whole matter; at every point it must be carried on as free from taint as was the work of the Commission for Relief in Belgium. No commercial interests, no persons in Mexico City, nor any local pueblo agents, presidentes, or other officials, must gain one centavo of individual profit, beyond legitimate pay for services rendered—open pay and open services. It is this one fact alone that would bring the change quickly; it is that which is of even more importance than the details of improvements. Permit private

gain, and you kill the spirit of cooperation, which is the one great thing that would rebuild the whole; arouse interest not for personal ends, but (even if only in one or two in a town at first) in the work itself as the object—and you will soon have a force back of you that will make the Government impregnable. And if recognition and external loans have not come at first, they will have to come because of that one thing.

5. Immediate and stern repression of disorder everywhere. I have put this fifth instead of first, as would generally be done, because it needs no argument. But also more because with the four preceding policies started this will be a problem of one-fourth the difficulty. Remoralize conditions by substitution of worthy and interesting activities that involve prosperity, and the need of repression is minimized at once. There will be abandoned and demoralized elements after these years of disorder that will resist any decent order, but begin by remoralizing where it will be received, and then repress those who refuse to accept. Every peso spent in remoralizing will save five in punishing; though I do not mean in the least to be soft in the matter of discipline, when that is called for. But let the order be that of the hospital, where sanitation and discipline are both essential and coordinate. Let sanitation and discipline come first in the mind, for that is indeed the real object.

In doing this I would suggest that police functions be separated from the army as rapidly as possible, restoring the army to its old honorable position as a national entity of defense, not of an instrument for the control of Mexicans. This will accentuate the difference from the militarism of the day, and then the policia can be remoralized as the cooperative force of social order—its proper place.

Coincidently with the above five activities, there shall be at once undertaken and prosecuted the definitive solution of the national agrarian problem, along the lines indicated in sections 8 and 9 of the plan of Tierra Colorada. The activities under clause 4 above will be a supporting program in this connection, but I name the agrarian problem here separately and after the above five points, because it is a broad and national problem, requiring detailed consideration, and various legal and property questions, and quite certainly new and carefully studied legislation. It should be attacked immediately beyond all question, and in fullest good faith. Where immediate local relief can be given, as indicated in section 8 (Tierra Colorada), that should be done; it should be worked out both piecemeal and as a whole. Where it is possible to come to terms locally with landholders, and satisfy local needs by separate arrangements, that should be done without holding up any local need or want which can be so met in waiting on the whole new matter of national legislation.

As a part of this work, the whole question of national and local irrigation problems should be included, as indeed already included in the plan de Tierra Colorada.

In this connection the essential desires of Zapata must be met, and at the very outset; Zapata must be made to understand that this is so; and I could not refuse my own assistance in arriving at such a result there. After my intercourse with him, the relations of confidence established with him, Soto y Gama and Magaña, and especially now that I have definitely carried out what I assured him and them, but doing them public justice in my April article, I am hopeful of a successful issue. But it is also to be understood that there are three elements to the question, and not only one as Palafox thought. There is first the actual care for the small independent farmer; then the interests of the State and nation as a whole, and increased productivity; then the actual rights of the large landholders. Whatever the point of abstract justice or ideas, it would not be wise to deny any rights at all on the part of the latter—but that can be a very simple question: Mere dollars; they are not interested in their local home independence as the small farmers, nor is the national problem of development of production their object. There should be an adjustment, after frank discussion, and if need be compromise between the national need and the difficulties of large-scale production for which small and uneducated proprietors lately redeemed from total economic subjection are as yet wholly incapable. From my acquaintance with Zapata and the others I have mentioned, I do not fear the result of such conference; but the welfare of the local people—their actual welfare and raising to happiness must come first.

7. A definite study of constructive road building all over the republic; preparation for, and introduction of auto-truck transportation into the remotest parts of the country. No one single thing, save only that of remoralization of

the people after the debauch of looting and disorder of these past years, outweighs this in its future results.

I have placed the first five activities above at the head of all, because the one first thing most needed, and the base of all the rest, is remoralization of the people. There are other problems, the debt, railroad construction, and like national problems which are commonly put in front. These require great sums, and a foreign loan—before which must come confidence restored, and governmental recognition. These things have waited five years or more; let them wait another six months. State the point and the reason if need be; but if necessary, let them wait. They are all questions each of great complexity and compass; they involve time, long discussions, intricate study, and hundreds of millions. With the restoration of the constitution, the dangerous international questions will automatically disappear; trade and intercourse will come of its own motion; the owners of oil and mines will not need to be invited to resume, and their resumption will help in the restoration of new conditions, regardless of Wall Street or Washington. Then take a breathing spell on this for six months or more, frankly; but begin the other things above at once. And then:

8. The question of railroad reconstruction, financing, and extension.

9. Adjustment of the national finances, the debt, a new loan, and the circulating medium.

On these clauses 8 and 9 the matters agreed upon in the paper of February 5 last will be pertinent.

10. A sane, well-developed, and well-paid national secular educational system.

I have placed these three absolute essentials at the end, not because they can be in any sense ignored but because of their magnitude and of the issues and difficulties involved. None of them can be settled in a day or a month. Nos. 8 and 9 need foreign cooperation; No. 10 is something that must grow with the new order. All three can wait upon the urgent necessities of remoralization, bread, renewed interest in work, and production. They can not wait indefinitely, but they can wait six months. They have waited six years on disorder and demoralization; let them wait a little longer. And they will be indefinitely easier to handle, and on infinitely more favorable terms for Mexico from outside, after six months' actual progress in the first five clauses, the troublesome sixth in the way of disposal, and the seventh planned out as interrelated with clauses 4, 6, and 8 above. No. 7 will need financial assistance, which must be provided for in the settlement of No. 9 and in ways we have hitherto considered, but it ought to be put into the whole plan as a broad national program before we come to seek this assistance and foreign cooperation involved in Nos. 8 and 9.

In short, the idea in the foregoing items and their arrangement is that they can be done without outside assistance or recognition; that if they are so done, you need not worry in the least about loans or recognition; those must follow as day after night. But if you try to begin with 8 and 9, you have to worry about everything.

2016 Mount Royal Avenue, Baltimore.

The foregoing was incorporated in a letter, under date April 1, 1919, to the official Felicista representation in this country, as a formal proposal on behalf of the State of Oaxaca aid Gen. Meixueiro, and on my own part as an ally and friend, as a definite plan of procedure to be at once followed upon the entry of "the 1857 forces, the forces of law and decency into the capital." After ample discussion, the plan above was formerly accepted in toto, on behalf of Gen. Felix Diaz and "the national reorganizing army," in writing.

EXHIBIT 6.

To the Governor of the State, Puebla, Pue.:

The undersigned residents of the town of Tejupa, San Miguel Ahuacomulican, San Antonio Cuautla, Atzitzihuacan, Huilango, Tulcingo, San Pedro Ixhuatepec, San Francisco Nochitiopa, San Mateo Coatepec, San Juan Amecac, Santiago Tochimizol, Tepanapa, Yancuitlalpam, Zacatampa, San Miguel Tecuanipa, belonging to the districts of Matamoros and Atlixco, present ourselves before you to set forth: That, being greviously oppressed one and many times by the forces under the command of Gen. Jesus M. Guajardo and his subordinates, we are forced to raise our voice in demand of guarantees and justice.

Life in this region has become insupportable. Each time that the mentioned troops pass through it they leave the country veritbly desolated to such extent that they seem to mean to make it uninhabitable.

Far from showing by their conduct that they are soldiers of the law and the guardians of order, they enter only to sack the towns, carrying off with them everything they can take. Work animals, beasts of burden, hogs, fowls, turkeys—they seize and sweep everything clean in their expeditions, which are more like ventures of destruction and rapine than military expeditions. It seems that especially they make an object of robbing grain and cattle, to sell them in the neighboring towns.

What they can not carry off they destroy. They respect neither the cereals indispensable to life, which they scatter along the streets and roads, to feed their mounts, or for the mere pleasure of causing harm to their rightful owners. They destroy the fields and standing crops, break the doors, the roofs, and the scanty furniture and utensils of the houses. Not even the grindstones nor the humble pots and jars escape their destructive fury.

In the churches they commit veritable atrocities; they are not content with robbing whatever they can find, especially vestments and sacred vessels, but they even convert the churches into stables and use them for most abominable purposes.

But where they give freest rein to their appetites is in violation of the women. No conditions are respected by them; girls, married women, and even children of tender age and aged women are the victims of their unchained lust.

Ten, 20—even more—satyrs satiate their bestial instincts, one after the other, on the body of their victim, some of whom die and the rest are left in deplorable condition.

There have been cases where innocent little girls of 9, 10, and 11 years have been attacked, their weakness unable to withstand such excesses, so that they perish as a consequence, without there being any authority, any hand of justice to inflict the deserved punishment on their barbarous executioners.

With our rights thus all violated, treated like beasts, outraged in our dignity as fathers and husbands, wounded in our dearest affections, and deprived of all we have, to-day we cry out against such abuse, if there be even little hope of being heard.

These deeds, these attacks have taken place at other times on the invasion of this region by the battalions of Yaquis. Then also the towns formulated our complaints; we protested to the higher authorities, and were not heard.

Nevertheless, and though fearing that our voice will be lost, we appeal through you to the higher authorities, those who stand above these evil servants of the Government, these disloyal servants or defenders of society.

It is grievous to say, but the truth. We enjoy more protection from the rebels than from the forces of the Government. The revolutionists give more respect than these others—our families and our possessions.

Here it may be seen to what a point a Government instituted to guarantee order and inspire respect for the laws, is found incapable of complying with its mission, through the fault of its agents and the immorality of its troops, or at least of a part of them.

Firmly we believe that the public peace can not become a fact while this disorder subsists, so prejudicial to the good name of the Government and to its prestige.

It is not strange that in every town there are those who, seeing that their place as peaceful laborers does not suffice to protect them, prefer to unite with the disturbers of order, rather than resign themselves to continuing the defenseless victims of the forces of the Government.

And as to ourselves, who remain obedient to our duties, working for the support of our families, wearing ourselves out in the cultivation of the fields, exhausting our strength in procuring the needs of our wives and children, at every step we see ourselves interrupted in our work and forced to flee, knowing that the soldiery respect neither life, property, nor the honor of families.

On mere suspicion the most honorable and peaceful citizens are shot. Others are beaten and threatened with death. Homes are sacked and despoiled as if one dealt with enemies. The cattle, crops, and work tools stand in constant danger, to such degree that there is no recourse left to us modest laborers than to run to hide ourselves in the deepest parts of the forests, on the mere notice of the approach of the Government forces.

If this can be called the reign of order and law, the dominion of a genuinely constitutional and honorable régime, those better instructed than we can say.

We can only point to these acts, and lay them before the knowledge of the authorities. They will judge whether or no it is necessary to punish the guilty, and to take the needed steps to put an end to this intolerable series of attacks.

In the name of the law, in the name of the principles proclaimed for the welfare of the country that is to-day so gravely threatened, we ask for justice, and beg to hope that you will interpose your influence and your good offices with the higher military authorities, that these may prevent the continuance of these acts.

Protesting to you our respects, as mark of faith we give our signatures this 4th day of August of 1919.

EXHIBIT 12.

Dated: El Paso, Tex., December 5, 1919.
From: ———, special investigator.
To: Senate subcommittee investigating Mexican affairs.
Title: Mexican I. W. W. activities in the United States.

In the first part of May 1918, the Mexican consul, ———, at Clifton, Ariz., called at the grocery store of a Mexican named ——— in Clifton Ariz., and left a large assortment of printed matter, telling ——— to look it over and let him know what he thought of it. ——— was busy at the time and did not look at the literature until after the consul had left. When he did examine it, he found that it was a quantity of I. W. W. and pro-German literature. When he discovered this he became so frightened he immediately threw it in the stove, not wanting it to be found in his house, owing to the great unrest that was at that time in the Clifton-Morenci mining district. When the consul returned he told him what he had done with the literature and asked him if he was not afraid to be circulating matters of that kind. To this the Mexican consul replied that there was no danger of it being found out, because this matter came to him officially and no one would break his mail because he was a consular officer of a foreign country.

——— immediately reported the matter to a Mexican named ———, and requested him to report the matter to Sheriff Slaughter, of Clifton, which ——— did. From that time on a close watch was kept of the Mexican consulate, however, the local officers at Clifton were never able to catch him with any of this literature. It is believed that he became aware of the fact that ——— had reported the matter and desisted.

These facts can be substantiated by Sheriff Slaughter, of Clifton, Ariz., as well as ———, whose under-cover operatives reported this same matter to him at the time of its occurrence.

In September, 1918, a Mexican named Ignacio Acero left Jerome, Ariz., and went to Morenci, Ariz., stating that he was sent to this district to organize the Mexicans in behalf of an anarchistic movement. Acero had formerly been at Metcalfe, Ariz., and was president of the Metcalfe local of the I. W. W. in December, 1917, but owing to the fact that the companies got on to him, he was discharged and was compelled to leave that district at that time. In September, 1918, while at Metcalfe in connection with the organizing of the Mexicans, Acero said he was expecting to organize all the Mexicans in the United States and expected within a short time to be able to raise the red flag of emancipation, and stated that they would have the cooperation of all Russians, Germans, and Austrians in the country. That he believed in the triumph of the Central Powers, and that would spell victory for the working class of the United States. During the time he was in the Metcalfe-Morenci district he had the cooperation of Julian Guttierrez, president of the Mexican club for Clifton, Ariz.; Anastacio M. Maldonado, secretary of the Mexican Club, at Clifton; Manuel T. Viveros, president, and Pedro M. Reyes, secretary, of the Mexican Centro Club; also A. C. Valdez and Jose L. Payan, president and secretary, respectively, of the Circulo Mexicano. While Acero was able to organize some of the Mexicans in some independent groups, he was not able to bring about a socialistic anarchistic league embracing a majority of the Mexicans in the mining district, so he left the district and returned to Jerome, Ariz., stating that he would try and make the headquarters of the new league at that point.

After returning to Jerome, he wrote ———, stating that he was having fair success and that the socialistic anarchistic organization that he intended to

affiliate the Mexicans with was being well organized from California to Louisiana and that the immediate purpose of the organization was to start a revolution in the border States. That they would attempt to interest the colored people, with the understanding that if the revolution would be a success, they would be given the State of Louisiana. After some urging, ———, of Clifton, Ariz., agreed to represent Acero in spreading propoganda amongst the Mexicans relative to the new organization, and ——— agreed to act in this capacity in Metcalfe, Ariz. Acero also had a secret meeting in the Globe-Miami district during the month of September, at which meeting were five leaders of that district. This meeting was with the object of effecting an anarchistic organization. The man Acero and his coworkers had actually planned an uprising in the State of Arizona, to take place on September 24. On September 22, ——— sent his wife and family to El Paso, Tex., from Metcalfe, and advised his other Mexican workers to send their families out as the time had almost approached for their revolution to start.

In partial substantiation of this revolutionary movement, a reliable operative interviewed Col. ———, a Mexican revolutionist at that time in El Paso, Tex., wherein ——— stated:

"That on or about September 22, a note was left at his home, ———, which read as follows:

"'———. I have just arrived from Metcalfe, Ariz., this date. You have been recommended to me by Vicente Rubio, as a man with whom I can discuss an important matter, and also that you might direct me to other people in whom confidence can be had. If you know Benjamin Rios I would like to talk to him. I shall return at 9 p. m.

"'MANUEL G. GARZA.'

"At the appointed hour the man called, introduced himself as Manuel Garza, and stated that he had been sent to ——— by one Vicente Rubio. He stated to ——— that there was a revolution being formed in the States of Texas, Arizona, and New Mexico, and that he wanted ——— and his friends to join the movement against the Government of the United States. ——— asked who was back of the movement. Garza replied that the movement was made up of Mexicans and Americans, and that the Carranza garrisons along the border would help out if called on. ——— did not give Garza any satisfaction, but stated he would see him later. ——— stated that during the conversation he was trying to remember where he had seen this man Garza before. After he left it dawned upon him that the man's real name was Toribio Gaytan, who had in the early days of the revolution been an officer in the Carranza army. ——— also remembered Vicente Rubio as being an officer in the Carranza army during 1914."

It is presumed the reason that this Mexican called on ——— was that it was a known fact among Mexicans that ——— was at that time organizing a party of Mexicans to go to Mexico to take up arms with Francisco Villa, and since this occurrence ——— has crossed into Mexico and is at the present time in arms with Villa. At the time of reporting this matter, Col. ——— agreed to try to see the Mexican Garza and signify his willingness to go into the proposition, agreeing to keep the officers of this government advised of the movement. However, he did not see Garza any more, and shortly afterwards crossed into Mexico himself.

In further substantiation of the fact that some sort of a revolution was intended, attention is invited to the fact that an uprising was attempted in the Jerome, Arizona, mining district at daylight on the morning of September 24. In the fighting an American mine guard was killed and Anacito Acero, the organizer above referred to, was killed together with three other Mexican agitators. The proposition was quelled, due to the fact that the local officers had advance information something was going to happen, and by killing these four Mexicans the uprising was put down without any further trouble.

The uprising planned for the Morenci-Metcalfe district did not materialize, and it is a significant fact that October 9, 1918, ———, one of the organizers referred to, left that district and is at the present time supposed to be in Cannanea, Mexico.

The above data relative to the revolutionary movement can be substantiated by ———, who has original reports of his operatives who reported the occurrences mentioned.

Concerning other connections between Mexicans and the I. W. W. agitations in this country, I quote herewith from a copy of a report of a letter, viz:

"From Comite Local Union Minera Mexicana, Rosita, Coah., Mexico.

"To: Pedro N. Puente, Mexican consulate, El Paso, Tex.
"Dated: June 17, 1918.

"Writers using the I. W. W. greeting, 'Salud Companero' (Hail, comrade).

"And the watchword 'Trabajo, Fraternidad, y Justicia' (work, brotherhood, and justice).

"State they have received addressee's letter June 8. Have already asked the governor for a railroad pass and passport so that a committee may meet in Chihuahua to take Comrade Juan Hernandez Garcia safely to Rosita. They ask that addressee advise them by telegraph should anything occur."

The addressee of this letter is chief of the local secret service of the Mexican consulate in El Paso, Tex., and is so employed at the present time.

A significance which may connect with the letter just quoted, is the fact that in September, 1918, Juan I. Garcia was secretary of the Mexican Union at Morenci, Ariz., and was often in close consultation with ——— referred to in the statement of revolutionary activities mentioned in the first part of this report. It is not known whether this Garcia is the one mentioned in the letter.

Another significant occurrence is noted in the shape of a letter from Vincent St. John, secretary general defense committee, I. W. W., Chicago, Ill., addressed to "M. T. W., Branch 100, Apt. 551, Tampico, Mexico," requesting all secretaries of unions, branches, and defense committees in Mexico to change their present names and addresses in order to avoid the postal authorities.

At the time of writing this letter, St. John was under bond pending appeal on conviction in the United States district court at Chicago, Ill., under a charge of conspiracy to overthrow the Government. The documentary evidence referred to in this report can be obtained at such time as it is desired.

Additional reports will be submitted under this head.

Respectfully submitted.

——— ———,
Special Investigator.

(Whereupon, at 4.30 o'clock p. m., the committee adjourned, subject to the call of the chairman.)

MONDAY, MAY 10, 1920.

UNITED STATES SENATE,
SUBCOMMITTEE OF THE COMMITTEE ON FOREIGN RELATIONS,
Washington, D. C.

The subcommittee met, pursuant to call, at 2.30 o'clock p. m., in room 128, Senate Office Building, Senator Albert B. Fall presiding.

TESTIMONY OF GEORGE AGNEW CHAMBERLAIN.

(The witness was duly sworn by the chairman.)

The CHAIRMAN. You may state your name to the committee.

Mr. CHAMBERLAIN. George Agnew Chamberlain.

The CHAIRMAN. Mr. Chamberlain, where do you reside?

Mr. CHAMBERLAIN. My physical residence is at Capitan, N. Mex.

The CHAIRMAN. What is your occupation at the present time?

Mr. CHAMBERLAIN. At the present time I am writing.

The CHAIRMAN. What has been your occupation prior to the present time?

Mr. CHAMBERLAIN. I was in the Consular Service of the United States for a period of 17 years, with an interim of two.

The CHAIRMAN. At what stations did you serve in the Consular Service?

Mr. CHAMBERLAIN. Bahia, Rio de Janerio, Pernambuco, Lorenzo, Marcos, and Mexico City.

The CHAIRMAN. What was your official position at Mexico City?

Mr. CHAMBERLAIN. Consul general.

The CHAIRMAN. When did you go there?

Mr. CHAMBERLAIN. In May, 1917.

The CHAIRMAN. You are familiar with the Spanish language—speak, read, and write it, do you?

Mr. CHAMBERLAIN. I do.

The CHAIRMAN. You had had consular experience in South America and other Latin American countries prior to going to Mexico, had you not?

Mr. CHAMBERLAIN. I had.

The CHAIRMAN. How long did you remain in Mexico City or in Mexico as consul general?

Mr. CHAMBERLAIN. Until August 1, 1919.

The CHAIRMAN. Then your period of service would practically cover the period of the war, in so far as the actual participation of the United States in the last war was concerned?

Mr. CHAMBERLAIN. Yes, sir.

The CHAIRMAN. Your service also occurred during the administration of Venustiano Carranza, after his recognition as President by the United States?

Mr. CHAMBERLAIN. Well, I was there at the time of his final recognition, I believe.

The CHAIRMAN. He was first recognized as de facto president, or "first chief," and later, in 1917, he was recognized as president de jure.

Mr. CHAMBERLAIN. That is correct.

The CHAIRMAN. Did you know the generals and governmental officials of Mexico who were participating in military and governmental affairs during your period of service there?

Mr. CHAMBERLAIN. Do you mean can I give you a list of them?

The CHAIRMAN. Were you personally acquainted with all or a majority of them, or the most prominent ones?

Mr. CHAMBERLAIN. No. I had no personal acquaintance with any except Pablo Gonzales, and that was in a casual, social way.

The CHAIRMAN. He was a military leader, was he not?

Mr. CHAMBERLAIN. Yes.

The CHAIRMAN. Did you know the minister of hacienda?

Mr. CHAMBERLAIN. Yes; I knew Luis Cabrera.

The CHAIRMAN. Corresponding to our Secretary of the Treasury?

Mr. CHAMBERLAIN. Yes, sir. I should say that during a good deal of that time Nieto was actually at the head of that department.

The CHAIRMAN. That was during the absence of Luis Cabrera?

Mr. CHAMBERLAIN. That was during the absence of Luis Cabrera, and also during the time that Luis Cabrera was really the minister of finance, but not so in fact, which was during the early part of 1917.

The CHAIRMAN. Did you know, or do you know, the minister of gubernacion, Aguirre Berlanga?

Mr. CHAMBERLAIN. I have met him.

The CHAIRMAN. Did you know Candido Aguilar, who was for a time minister of foreign relations?

Mr. CHAMBERLAIN. I have met him also.

The CHAIRMAN. Do you know what relation he bears to the President?

Mr. CHAMBERLAIN. His relation is son-in-law to the President.

The CHAIRMAN. Did you know Beltran? Did you know the chief of staff of Mexico military affairs, Barragan?

Mr. CHAMBERLAIN. I did not know Barragan.

The CHAIRMAN. Did you, during the period of your service there, make any investigation of the general conditions, governmental and otherwise, in the Republic of Mexico, and particularly about the officials in the administration of justice, and the administration of governmental affairs, military affairs, and so forth?

Mr. CHAMBERLAIN. I did.

The CHAIRMAN. I would like for you to state in your own language what you determined as to the conditions in Mexico, as to the Carranza Government, and as to the conditions as you understand them with your intimate knowledge to exist now in Mexico. Just tell the story of Mexico in your own language.

Mr. CHAMBERLAIN. You mean, Mr. Chairman, in relation to what?

The CHAIRMAN. The people in Mexico, who they are and what they are.

Mr. CHAMBERLAIN. And also with relation to our troubles in Mexico.

The CHAIRMAN. In relation to our troubles in Mexico, and our duties, if we have any, and the conditions as you know them in Mexico, the general conditions, what they are doing and what the Mexican Government has done with relation to its people; the whole story of Mexico.

Mr. CHAMBERLAIN. Well, Mr. Chairman, I should say that the first point I would like to take up along that line would be the commercial feature, which was my special province. During the war, as you know, the enemy trading act was enforced; and, as a result, the consul general of the twenty-odd consulates under his jurisdiction got an extraordinary amount of actual information as to trade conditions in Mexico, and in connection with that we we gained a good many facts that had nothing to do with trade at the time. But I should say that at the end of the war we had more complete and definite knowledge in regard to commerce with Mexico, what the requirements of Mexico were, and the means for supplying those requirements, than we ever had before in the history of any country. Owing to the burdens of the war regulations, the consular staff had gone up from four people to a staff composed of the consul general, five vice consuls, and six stenographers and clerks. Naturally, at the end of the war that establishment was very anxious to take advantage of all the information we had gathered. The obstacle to that was the fact that we had no policy whatever in Mexico.

The CHAIRMAN. That is the United States?

Mr. CHAMBERLAIN. The United States had no policy. Efforts were made, not only by the embassy, but by the consul general, to get some policy established. Those efforts were unsuccessful, and as a result, I took the stand of informing American citizens who were anxious to invest in Mexico at that time that as long as Americans continued to be murdered in Mexico, and there was no protection for life or property, the consul general and American officials in Mexico could give no assistance to Americans wishing to invest in Mexico. That letter had the sanction of the Department of State in this way, that it was sent to the Department of State and remailed by the department. That meant that the entire activities of the consul general ceased. It meant that we could take advantage of none of the consuls which we had, and I began then to think of resigning.

One reason we should have established a policy at that time was the improper practices of the Mexican Government. It was a matter of comment and well known in Mexico City publicly that there was a direct alliance between Carranza and the cabinet and the Spaniards in Mexico. The scheme had been very frequently exposed, but it was a scheme of dickering for protection, by which any company that happened to be established in Mexico would dicker with the nearest bandit or with the nearest Carranza official, and the Carranza generals evaded wiping out banditry in Mexico, for the simple reason that if the bandits would disappear there would be no cause for military organizations in Mexico. It was a vicious circle.

Quite aside from that, certain cabinet officers, aside from the military were well known to have received graft, in sums varying from trifling sums, one I know of that only amounted to $350, and the same man was willing to take a bribe of $75,000. These cases were numerous, but naturally I can not expose the names of the people who paid the bribes, for the simple reason that this country is not in a position to protect them.

One of the most evil features of the whole situation was the fact that Gen. Carranza could change the tariff on any imports into Mexico from one day to another. That does not sound like much in this case until you begin to apply it. It meant if you had a shipment of so many tons of caustic soda coming on to the market, and your rival competitor heard of it, he could dicker with the authorities and have the duty placed on caustic soda in such a way as to bring his product in at a very much lower rate than your product could come in, and thereby he could undersell you. I mention that because those things actually happened. The juggling of the duties was without any specific authorization of the legislature. They gave a blanket authorization to Carranza to change the duties when he wanted to. That juggling alone was a sufficient feature to make every man in business in Mexico either go out of business or become a briber. There were no two ways about it.

These were the conditions, commercially speaking, which made trade with Mexico absolutely impossible, unless we could lay down a policy and demand certain guarantees by which we could reduce the graft throughout the whole country. I am not using that word quite in the sense we use it in the United States. We have graft here occasionally in city and State government, but that graft is almost always attached to some construction, construction of buildings, something of that kind, some constructive feature that goes with the graft; but the graft in Mexico was such as to let the whole resources of the nation pass into the pockets of a few men. That single condition of graft and maladministration of public funds I believe to be the basis of every misery not only of Mexico itself, but at the foot of every difference that we have had with that country. It has also been the cause of the downfall of every Mexican government, including the government of Porfirio Diaz.

I wish to qualify that by saying that Diaz was probably as honest a man as ever ruled the country. I wish to cite one example. His pet project, which was the Caga de Prestamoos, which was a bank to finance the small farmers of Mexico, proved to be the most colossal failure of his administration, and was used to fill the pockets of his political backers. So even that administration was undermined by that eternal question of maladministration of public funds.

Senator BRANDEGEE. Do you mean that Diaz himself was guilty, or these officials that surrounded him?

Mr. CHAMBERLAIN. I do not believe that Diaz or Limantour, either one, profited in the slightest, but his official family, so to speak, did and used that to fill their own pockets. They were known as cientificos. The meaning of cientificos, as it was originally used, applied to 8 or 10 men, but by the Carrancistas it came to be applied to anyone that was in power at the time of Diaz.

Senator BRANDEGEE. The word was used before Carranza's time, was it not, and during the time of Diaz?

Mr. CHAMBERLAIN. Oh, yes; before Carranza's time the word was applied to a group of 8 or 10 men, but now it is applied much as the word bourgeois, or the well-to-do class. That is the sense it is used in now.

Senator BRANDEGEE. You have alluded to the completeness of the information which you acquired while you were there as consul general about these commercial matters. Is that in documentary form? I mean was the information or knowledge acquired by the office of the consul general reduced to writing anywhere?

Mr. CHAMBERLAIN. Absolutely. It was reduced in this way—that no firm in Mexico could make a shipment of goods to the United States or receive a shipment of goods from the United States without filing with the nearest consul——

Senator BRADEGEE. I do not mean that. What I mean is in reference to the knowledge you acquired as to this system of maladministration. Is that in documentary form anywhere? Did you keep a diary, or did you make that in the form of writing to any department in this country?

Mr. CHAMBERLAIN. Yes. All these things were reported to the Department of State at different times, either in the cablegrams or stated reports.

The CHAIRMAN. Then you conducted also a personal investigation of your own into the general conditions that existed prior to that time under the Diaz and other administrations; did you not?

Mr. CHAMBERLAIN. The knowledge I naturally acquired from being there and from studying conditions as I found them.

I can say that I think I have summed up more ro less the commercial situation.

Senator BRANDEGEE. Just one matter before you pass to something else. I did not understand the words you used, but you stated that from Carranza down through his heads of departments there was a form of graft or commission. Did you include Carranza in that system?

Mr. CHAMBERLAIN. I do not include Carranza personally, except for the fact that no one knows exactly what amount of money he received as an entertainment fund. I do not classify Carranza with his officials in the matter of graft.

Senator BRANDEGEE. You have alluded to the money paid by an importer who wanted to get a lower rate on his imports than his competitor; and you said he would pay it to the Carranza officials. Is it your idea that any of that got to Carranza himself?

Mr. CHAMBERLAIN. No; I think that was part of the perquisites of certain members of the cabinet.

Senator BRANDEGEE. Do you not think Carranza knew what was going on in that line?

Mr. CHAMBERLAIN. I think he did.

Senator BRANDEGEE. Do you think he could have prevented it, or was he powerless?

Mr. CHAMBERLAIN. No; I do not think he could have prevented it. I do not think that Carranza, when he accepted the plan of paying over 60 per cent of the entire revenues into the pockets of the military, when he accepted that he tied himself to the military, on the principle that they would remain faithful to him only so long as he could fill their pockets with loot. From that time on he

must have known all that was happening, and at the same time he had put himself in a trap from which he had no hope of escape.

I think the statement I have made covers the commercial situation, which forced me to see there was no object in remaining longer as consul general of Mexico. My hands were tied; there was nothing to do; and I could not spend money there under the conditions.

Senator BRANDEGEE. Did you recommend to the department any particular course of action which in your opinion would improve these conditions and protect American interests?

Mr. CHAMBERLAIN. I did.

The CHAIRMAN. What was the general nature of that?

Mr. CHAMBERLAIN. If you will allow me, I will lead up to that by stating the political conditions.

Senator BRANDEGEE. I will not ask you any questions at all. Perhaps it would be better to let you go on in your own way.

Mr. CHAMBERLAIN. I am very glad to answer your questions, but I just wanted to outline the political situation in Mexico during the two years I was there.

Senator BRANDEGEE. Very well. I think I probably throw you off from the continuity of your subject by interrupting, and do not accomplish as much as I would by letting you go ahead.

Mr. CHAMBERLAIN. Not at all; not at all.

The CHAIRMAN. You were treating conditions from a commercial standpoint, and now you want to cover the political features.

Mr. CHAMBERLAIN. I want to cover the political conditions for the same period of time.

The CHAIRMAN. And then industrial conditions, as distinguished from commercial conditions.

Mr. CHAMBERLAIN. There are no industrial conditions in Mexico. They have been destroyed. There are no industries left in Mexico, with the exception of certain companies which have continued through the payment of tribute. I will say that in all my experience in Mexico I can not name five large factories left to-day that are not run by Americans, and those, of course, are run under peculiar circumstances.

To sum up the political developments for the same time, I was naturally in closer touch with the embassy than the consul general ordinarily has occasion to be, and I know that period of two years contains an unbroken record of insulting acts toward the United States, such as have never been administered by any country to this country, or to any country on this side of the Atlantic, in the history of our country.

Senator BRANDEGEE. Who was our ambassador there at that time?

Mr. CHAMBERLAIN. Mr. Fletcher was American ambassador at that time.

I will only pick out a few of the high lights to show you the situation that existed.

Senator BRANDEGEE. You say you were in close touch with the embassy at that time about these matters?

Mr. CHAMBERLAIN. I was.

Senator BRANDEGEE. Will you state whether the ideas of the ambassador with yours?

Mr. CHAMBERLAIN. Absolutely.

Senator BRANDEGEE. And about the remedy or the course they ought to take?

Mr. CHAMBERLAIN. I can say that also. I am confident that Mr. Fletcher's views agreed with mine, from frequent conversations, almost daily, during the two years.

Senator BRANDEGEE. But you made reports to the department here, did you not, as well as to Mr. Fletcher?

Mr. CHAMBERLAIN. My reports were made to the department and sent through the embassy.

Senator BRANDEGEE. Forwarded by the embassy?

Mr. CHAMBERLAIN. They were addressed direct to the department.

Senator BRANDEGEE. But through the embassy?

Mr. CHAMBERLAIN. Through the embassy.

Senator BRANDEGEE. Very well. Proceed.

Mr. CHAMBERLAIN. Just to pick out a few high lights, to show what was the tendency in Mexico during those two years, the first effort that Mr. Fletcher made to establish actual and real friendly relations with Mexico was to obtain the release of over 2,000,000 rounds of ammunition which had been held on the border for a long time. He did that, I have every reason to believe, on the understanding that it would be taken in Mexico and used in Mexico as an evidence of the friendship of the United States, and would give the Mexican Government an excuse to show it was friendly toward us. Gen. Pablo Gonzales had something to do with that transaction, and what happened was this:

Carranza gave it out to the press that through the efforts of Mr. Bonillas, Mexican ambassador in Washington, 2,000,000 rounds of ammunition belonging to the Mexican Government, long held on the border, had been released. I would pick that out as a fair sample.

The CHAIRMAN. No credit was given to the American ambassador?

Mr. CHAMBERLAIN. None whatever, and no effort was made to show there had been any good feeling.

I am only going to pick out three characteristic actions. The second one, and a very vital one, was that Carranza, whenever things got a little strained, would send people up to you without any credentials. There was never any contention that any of these men should have power to negotiate; but he tried to make people up here think they were negotiating. On one occasion Mr. Nieto came up here for him, and his reception by the Department of State simply swept him off his feet by its sincerity. They said they wanted to deal with him in the best possible way. Ambassador Fletcher was cabled for to come up and form some agreement to wipe out the misunderstandings between the two governments. By the time they had finished the preliminary work toward such an agreement, Mr. Nieto, realizing that he had no power, said they would have to return to Mexico to continue their negotiations. So Ambassador Fletcher and Mr. Nieto returned to Mexico City, with a preamble which was called a prelimnary aim toward an understanding, a phrase of that kind in Spanish, an understanding between the United States and Mexico. Mr. Carranza, upon receiving that document, had it printed in the public press without any reference to the American ambassador, and repudiated Nieto, who fell from power, and never has recovered, from that date to this.

Senator BRANDEGEE. What position did he occupy?

Mr. CHAMBERLAIN. He was at that time in full charge of the ministry of finance. He was not minister of finance, but he was called subsecretary of finance.

Now, I will pick out as a third example the occasion when President Wilson made a speech before a delegation of twenty odd Mexican newspaper men here in Washington. I will not attempt to quote from that speech, but I will say it contained a reiteration of the assertion that no matter what occurred, this country would never exercise force against a weaker nation. The speech was cabled to Mexico and really produced a remarkable impression. People were really inclined to take it as evidence of a new friendly understanding between Mexico and the United States. Carranza immediately dug out our note of April 2, 1918, the only fighting note that the Wilson administration, for a very real reason, was forced into writing, and published it in the papers without any reference to the ambassador and without any comment whatever. That was the most complete answer he could possibly have given to the speech made by President Wilson, because anyone comparing the terms of the note with the speech made before the newspaper men by the President, had to take off his hat to Carranza. He won hands down.

Those are only three of his open unfriendly acts, each one growing in importance. That publishing of our note of April 2, before it had been answered and without asking the customary permission that is given by other countries or by their representatives, was a direct slap at the President of the United States, which was further than Carranza had gone at any time previous to that time.

Senator BRANDEGEE. It was probably a breach of diplomatic usage, was it not?

Mr. CHAMBERLAIN. It was also a breach of diplomatic usage.

While conditions were growing worse and worse and more and more outrageous, I have not touched on the oil confiscation, because that is well known throughout the country and has been testified to by a number of witnesses.

The political conditions just simply gave us one blow after another, each one harder than the one that went before it, which I think can be attributed to nothing but our declaration of hands off, no matter what Mexico did; watchful waiting without being watchful and without waiting, because if you don't get to some end you are not waiting; you are stagnant. I think those two policies simply carried the Mexican Government into doing things that they never would have dreamed of doing otherwise, and also gave a strength to Carranza that he never would have acquired if it had not been for his flouting of the United States with absolute impunity. That did more to make Carranza a figure, not only in Mexico but in all South America, than any other feature in his own country or any other country, and added tremendously to his own power. We made Carranza. If it had not been for us he never would have become the figure that he did.

Senator BRANDEGEE. Have you any evidence that there was any such policy as you have alluded to under the term of "hands off of Mexico, no matter what they do"?

Mr. CHAMBERLAIN. Yes; in the speech made by the President to the newspaper men. I can not quote it word for word.

Senator BRANDEGEE. That is accessible. But in your relations to the State Department, are there any instructions, or was there anything that came to your knowledge in the way of our governmental policy, aside from this speech of the President, that led you to think that the administration would not do anything in Mexico, no matter what Mexico would do?

Mr. CHAMBERLAIN. There would be no occasion for such an instruction coming to me, because the embassy was in full swing during all the time I was in Mexico, and no such instructions would be sent to the consuls or consul general under those conditions.

Senator BRANDEGEE. As to Carranza's apparent hostility, what is your explanation of why he should be hostile after the recognition given him by this country?

Mr. CHAMBERLAIN. The explanation is the strength that he found our weakness gave to him. I mean by "our weakness" our pacifism, our absolute quiescence. He found that when he slapped us, these blows increasing in force and willfulness, that with each one of those actions he became more powerful in Mexico. I will cite an instance:

Pablo Gonzales was concerned with the transaction to release the ammunition I spoke of awhile ago. Pablo Gonzales absolutely fell from power and never regained his power from that day on, while Carranza was more powerful than ever from that day. The same thing applied to Nieto. From the day Nieto tried to make that agreement between Fletcher and Nieto, while it seems incredible that anybody would oppose such a thing, yet that very fact caused the downfall of Nieto.

Senator BRANDEGEE. You do not think Carranza's hostility to this country was because he personally felt hostile to this country, but because he found by pretending to be hostile to this country it strengthened him in Mexico?

Mr. CHAMBERLAIN. I believe that was the major cause. I will say there are very few Carranza officials who have not a perfectly genuine touch of race hatred, in this way, that it comes from another period. I do not mean they hate the American because he is an American. The personal relations between Americans and Mexicans were excellent, but the mere fact that the Mexicans have no industry in their whole country to-day that is not capitalized and run by foreigners, and no two Mexicans will ever go into partnership in any constructive enterprise without an American who holds the money; that it is well known in their heart of hearts that they have no dynamic energy, is at the foot of all this great hatred.

Senator BRANDEGEE. It is also apparent, I would judge from that statement, that they distrust each other?

Mr. CHAMBERLAIN. They do.

Senator BRANDEGEE. What is the date of the speech the President made to the 20 newspaper men from Mexico?

Mr. CHAMBERLAIN. I do not remember the exact date, but our note of April 2d had been in the hands of Mexico's foreign affairs office for possibly two months. Consequently, it must have been more or less about June 1, 1918.

The CHAIRMAN. I have that note of the Government of April 2, 1918, followed by a very strong protest of August 12, 1918, in which it is set forth that they never had an answer from the Mexican Gov-

ernment to the note of April 2, which brought from Carranza the statement "If that means war, I am prepared for it."

Senator BRANDEGEE. Is that embraced in the record?

The CHAIRMAN. It is not as yet.

Senator BRANDEGEE. I should think that ought to be in the record.

Mr. CHAMBERLAIN. I think those two branches of development, the commercial and the political development, bring us up to the period of August, 1919, when I finally decided that I would prefer to resign from the service, although it was the only profession I have ever undertaken, and being in a position to write and say what I thought about conditions in Mexico.

You asked me some time ago, Senator Brandegee, whether this condition was ever pointed out to the Government or State Department, and I said I would lead up to it. I will say that I very emphatically pointed out to the department in at least one dispatch that if they publicly announced they would never resort to force, no matter what Mexico did, that immediately swept the foundations from the personal standing of every representative in Mexico, and that he became thoroughly ridiculous, and consequently I saw no chance for any representative to continue there. That point I know was very frequently borne in upon the department. You tell a man you will never hit him, no matter what he does, you put yourself in a position of weakness, because he is not bound not to hit you because you have tied your hands. That is what happened to us there time and again and made it impossible and ridiculous that a respectable man could continue to draw money for holding down a job in that country.

Senator BRANDEGEE. They found somebody to do it, though, did they not?

Mr. CHAMBERLAIN. I do not believe that any man in Mexico City to-day has crossed what you might call the new territory that lies between the man in official life and personal life. That is, an official representing the Government is under orders to do what his Government instructs him to do, but when his Government instructs him to do certain things that he can not stand for personally, when it gets to that point where he says, "That is all right; I have been in office and I have been carrying out the instructions of the Government, but now it has come to a point where I will not do this, because I will be too dirty in my own eyes"—when it gets to that, where he has to become an individual and not an official, the only way to do that is to give up his official position.

Senator BRANDEGEE. Who succeeded you?

Mr. CHAMBERLAIN. I do not know that anyone has gone to Mexico City. But when I make that assertion, I say there is a perfectly legitimate new territory that an official has a right to consider himself as the representative of his Government, carrying out his Government's instructions, and it is incredible that the can who succeeded me can know of the conditions that I knew about. Consequently, I do not mean any aspersions on any official who happens to be in Mexico at this time.

I think that concludes more or less the conditions as they were up to August, 1919. But while events have moved rather rapidly in the last few weeks I would like to point out that the condition of things, the danger and continued unrest in Mexico, is practically the

same to-day as when Carranza was in power, for the simple reason that we have no assurance whatever that the maladministration of public funds is going to disappear.

That, Mr. Chairman, brings me up to the point where I have covered more or less the situation up to date. Are you interested in any comment on what I think is the way out?

The CHAIRMAN. Yes. But first I might ask you a few questions as to what you know specifically of conditions affecting Americans attempting to operate in Mexico in any line, to which I had reference when I asked you if you proposed to comment upon the industries of Mexico. For instance, take the oil development of Mexico. Of course, it is in testimony here that in the Tampico and Tuxpam districts, the Americans and foreigners and others engaged in the development of the oil industry have been paying, at least Palaez, if not directly to the Mexican Government, large sums of money for protection. There are other Americans interested in mining and various enterprises in Mexico. Do you know whether or not any of them are compelled to purchase protection?

Mr. CHAMBERLAIN. Yes, sir. That carries us back, Mr. Chairman, if I may, to what happened to American industry as a whole in Mexico.

The CHAIRMAN. That is what I have reference to.

Mr. CHAMBERLAIN. What are the classes of Americans who occupied Mexico, and what is the class, generally speaking, that occupies it to-day?

If we go back far enough, you can remember the tremendous impression that was made in that country by one of the President's speeches, in which he labeled all Americans interested in Mexico under a general blanket term of being connected with big interests. I think that one assertion did more harm, caused more damage to us in Mexico, than all other assertions, for the simple reason that, coming from the President, it reached such a tremendous number of people, and immediately killed any interest that they had in the protection of Americans or American interests in Mexico.

As a matter of fact, the people who were driven out of Mexico, the Americans who left Mexico, were the small industries, small farmers, employees; and the big interests which were established there are there to-day, just as strong as they ever were.

The CHAIRMAN. How have they been able to maintain themselves?

Mr. CHAMBERLAIN. They have not only been able to maintain themselves but some of them have been able to say they do not wish the conditions changed, because they suit them very well. I was talking to one of the officers of a large concern down there, and he told me that, and I asked him very frankly: "How can you say that you want no intervention in Mexico of any kind—economic or military?" And he said: "Well, between ourselves, it is a very simple matter. Where our interests touch the bandits, we pay the bandits; where they touch the Carranzistas, we pay the Carranzistas. As a result, we are sitting at a freeze-out table, and nobody can come into that table but us. We are here. We pay the price and we get everything cheap and have no competition."

That can be applied to several different branches of business in which the lack of competition makes up for or more than compensates for the amount of money they spend for protection. The whole question there is a difficult situation. It is not like you were paying an exorbitant amount to Palaez every month for protection and at the same time paying taxes to the Carranza Government.

Senator BRANDEGEE. While you were there in Mexico, did you travel around the country outside of Mexico City?

Mr. CHAMBERLAIN. No, sir. I made three trips to the United States, two of them by way of Laredo and one by way of Vera Cruz. I was there during the period of the war, when we were very busy indeed, and I had no opportunity to take the time to travel around Mexico, even if it had been feasible to do so. I will say that outside of the railways I traveled on, the others were subject to occasional attack.

Senator BRANDEGEE. From your position there as consul general, were you familiar at all with agricultural conditions in the country?

Mr. CHAMBERLAIN. Only in this way, that during the war, I should say probably toward the end of 1917, possibly later than that, there was a famine reported all over Mexico, and a very strong appeal was made to the consul general to facilitate the importation of corn for the relief of the starving Mexicans. The Department of State instructed me to make an investigation as to the truth of the assertion of the famine, and that investigation was very thorough and very extensive, and was backed up by personal visits to a good many of the haciendados—the large planters.

Senator BRANDEGEE. What was the condition?

Mr. CHAMBERLAIN. The condition was one of famine, one of imminent famine. There was a real threat of famine. There was a tremendous scarcity of corn. The price went up to three or four times what was normal, and there is no doubt in the world that there was a famine threatened, and as a consequence the United States released a million bushels of corn to Mexico.

Senator BRANDEGEE. To what was it due?

Mr. CHAMBERLAIN. Crop failure, lack of rain, drouth. It was also due to the unsettled condition of the country. That had a great deal to do with it.

Senator BRANDEGEE. Do you know what are the agricultural conditions there to-day?

Mr. CHAMBERLAIN. I can not speak for that, because I have not kept up with the record since I left there last August.

Senator BRANDEGEE. You spoke about having an opinion about what you called the way out. What do you think is the policy that should be followed by the Government?

Mr. CHAMBERLAIN. Senator, I think that we are in real danger today, a danger that the general public is not in a position to appreciate, and that danger is that we will enter into friendly negotiations and relations with some new head of Mexico, without taking advantage of the peculiar conditions that exist and make a complete change in our entire policy toward that country.

The result of the last seven years has been to wipe out every precedent in regard to the machinery of dealing with a foreign country—that is, we have not protected our interests, we have not protected

our Nation—we have declared that we will not resort to force, no matter what happens, and as a result there can be no negotiation unless we have a complete working machine. It is not only wrecked but wiped out, and consequently we have a chance to start in on an entirely new basis.

I think it is of the greatest importance that we should hold off until we can absolutely foresee a permanent settlement of the Mexican question, and that is nothing short of economic control.

Those words, "economic control," would naturally be a red rag to Mexico, but they have flouted so many red rags in our face that it can not do any harm to flout one in theirs. If it is considered carefully it will be seen it is not only an advantage to our relations with Mexico but to the advantage of every man, woman, and child in Mexico. What lies at the very root of the disturbances in Mexico is maladministration of public funds.

Now, whoever comes out on top in the present struggle in Mexico will require what has been rather carefully estimated as $350,000,000 in addition to the resources of the country to put that country on a perfectly good financial standing with the entire world. It may be surprising to know, much less realize why, that Mexico to-day is one of the strongest financial countries in the world, for the simple reason that she has never been able to borrow a cent. Since the loan that was made to Madero and first collected under Huerta she has never been able to borrow abroad. As a result she is more or less in a sound condition. She could recuperate very rapidly if she were given the chance of having a government which spends its funds not for paying an army that does not wipe out banditry, but spends those funds in meeting its foreign obligations, meeting claims, indebtedness, wiping out banditry, and reconstruction, and, most important of all, a proper system of education. She needs that money, and I do not see any reason why we should not swerve from the policy we have followed for the past seven years and say that she will either take that money and accept some sort of control to see that that money is properly spent, or else we will take certain graduated steps of pressure until she does.

Those steps of pressure, it seems to me, should have the effect of settling the question. I have written these seven steps out in the course of a series of articles I am writing for Colliers. The first step is refusal to send an ambassador; the second is to withdraw our recognition; the third is an embargo on loans, private or governmental; the fourth is an embargo on exports and imports; the fifth is the closing of every channel of commerce by which they get business; sixth, naval demonstrations; seventh, military occupation.

That is what I have termed a system of graduated pressure. It allows them to get off whenever they want to get off. We start it mildly and end very strongly.

Of course, that system of pressure is open to the charge that it ends up with military occupation. While I personally believe we could find some leader in Mexico who could accept those terms, and whom we could back up with funds, arms, and ammunition; if we could not find any such leader, ultimately it will come to military occupation.

Senator BRANDEGEE. Suppose out of this revolution that is now in progress there should come some one person into power, who exer-

cises sufficient control over the people of his country to warrant us in recognizing him, to a certain extent, at any rate, and making such an agreement with him as you have indicated, or a treaty by which, in consideration of the fact that we advance $350,000,000, they will agree to see that it is expended in certain ways, suppose they should agree to that treaty, what, in your opinion, would be the effect on the Mexican people? Would they back up their executive who would make that kind of a treaty with the United States?

Mr. CHAMBERLAIN. When you speak of the Mexican people, Senator, I presume you mean the 10 per cent of the population of Mexico that can read and write, and which is now at the top. Is that what you mean?

Senator BRANDEGEE. No. What I mean is this: Suppose that out of this present revolution some one leader finally gets on top, who is stable enough to make an agreement with us, will not the mere fact that he has made such an agreement as you have indicated, cause some of the others to say that he is unpatriotic and has not at heart the best interests of Mexico, because he has made that treaty with the United States?

Mr. CHAMBERLAIN. That would not be true if, after seven years of telling them we will do nothing, there is a possibility of making them believe that we absolutely mean business. I think if we would make them believe that, from one end of the country to the other, they would accept that sort of a proposition. There would be a lot of talk against it, of course, a good deal of talk about invasion of sovereignty and divided nationality, and things of that kind, but if we could make them believe it was inevitable, and they had to swallow the pill, I think they would do it. I would say that 80 per cent of Mexico is naturally pacific. If you leave those Indian tribes alone you will have no trouble with them. There are something between 30 and 50 different tribes, many of them having different dialects. There is a large mixture of Spanish blood that largely dominated the affairs of Mexico for many years, and there is no reason why it should be considered the Mexican nation. It is merely a fraction of the Mexican nation, the people that can read and write. As I say, there will be a very great uproar, not only against the United States, but against any President of Mexico that tried to put that over, but you must remember that we are going to give this man funds, arms, and ammunition, so it will not make a great deal of difference whether there is an uproar or not.

Senator BRANDEGEE. How long would it be under your plan, as you have indicated it, if we furnished them that money, accompanied by what you call economic control by us, before we could safely relinquish that control? Have you any idea as to how long it would take them to establish themselves, so they could conduct their government in an ordinary way?

Mr. CHAMBERLAIN. I think we have an excellent parallel to that in the administration of the Philippines. While we have not handed that government back to the Filipinos, they are rapidly advancing to a point where we will be justified in handing it back.

That carries us right down to the deep roots of education. Every revolutionist in Mexico has always made education of the common people and division of land his prominent issues. Those are the two things they have always harped on. But, as a matter of fact,

the last thing that this supposedly altruistic Government of Carranza's has done is to pay its school-teachers who have been engaged in educating the people.

There are certain features of this program of economic control, the objects aimed at, that would naturally lift the country to an entirely new basis. One is the wiping out of banditry. That sounds, after all these years, as though it would be difficult. As a matter of fact, there never has been any intention to wipe it out. I do not know of any people in the world that can get up a more perfect corps of men to keep the public order than the rurales of Mexico, such as the Texas rangers were in our country, such as the mounted police of the Canadian Northwest. You could get large bodies of first-class men just as rapidly as you could in this country, by simply paying them and telling them if banditry was not wiped out they would lose their jobs.

If the bandits were cleaned out, the peons could go back to their homes, people could resume their business of various kinds, and an immense amount of money could be directed to reconstruction. We have to-day under the Carranza government 60 per cent of the entire revenues paid to the military, and not 6 per cent to reconstruction. Just reverse that, and you will immediately find employment for a tremendous number of men, and increase the wealth of the country. Of course, in conjunction with that must be some system of education, whereby the teachers may be paid for the work of teaching.

Senator BRANDEGEE. Banditry was wiped out under Porfirio Diaz, was it not?

Mr. CHAMBERLAIN. Absolutely, for 25 years.

Senator BRANDEGEE. Do you think that if banditry was wiped out there, and peace and order were established, the Mexican people have themselves the capacity and character to develop the national resources of the country, so as to make them available to other countries?

Mr. CHAMBERLAIN. Not without getting capital and energy from abroad.

Senator BRANDEGEE. How would you know anything about the views of any other country as to our assuming economic control in Mexico in the manner you have suggested?

Mr. CHAMBERLAIN. Well, I think that we have given a good deal too much weight to the feelings of other countries as to what we should do in Mexico. The effect of our keeping our hands off of Mexico and being benevolent to Mexico has been to make us despised in Mexico, and I believe despised in every other country in Latin America. Latin Americans have a tradition of calling us a threatening power.

Senator BRANDEGEE. I do not blame them, if they think we are threatening to absorb their territory, from protesting against that, but do they consider it a threat if we want our business interests protected there?

Mr. CHAMBERLAIN. No; but they have a strong tradition, that goes far back, that the United States has had the intention to absorb all of the Western Hemisphere, and that tradition does not die out very easily. You will find it in Colombia and Brazil and Argentina to be a very strong tradition.

Senator BRANDEGEE. Do you think they really believe that, or is it that they simply have a vague fear of it; do not know whether it is coming or not, but are afraid that it might come?

Mr. CHAMBERLAIN. I think that they do not believe that we are about to absorb them in the sense of annexing them, or anything of that kind, but I think that they do think that sooner or later inevitably our influence will be felt to a certain extent through Mexico and Central America.

Senator BRANDEGEE. That is a popular card for the demagogues to play in those countries, is it not?

Mr. CHAMBERLAIN. Yes. For many years it was called "en fantasma." Everybody knew it was a spectre.

Senator BRANDEGEE. I remember in the early days of the disturbances in Mexico, after the present administration came into power in this country, that it was frequently stated by the press that if we did not take steps to protect and restore order in Mexico some European nation was likely to do it themselves. What is your opinion as to whether European nations would be satisfied if we took steps to establish order and protection to life and property in Mexico? Do you think they would protest against it?

Mr. CHAMBERLAIN. Would they protest against our taking steps to do that?

Senator BRANDEGEE. Yes.

Mr. CHAMBERLAIN. Well, I believe it is a matter of almost public knowledge that we have held a mandatory for Mexico for seven years, at least, and with the knowledge and consent of Great Britain and France, I think, in black and white. The whole tendency of both Great Britain and France has been to give us just as absolute a mandatory over Mexico as has been proposed to us for the control of Armenia.

Further, in regard to a mandatory of Mexico, we have tried the policy of no force, and things of that kind, and it has been an accumulating shame for seven years. Consequently, your question, Senator, as to what would be the stand of European nations, I think that they would be delighted, and the only expression they would make would be one of surprise that any sensible government could have delayed taking that step so long.

Senator BRANDEGEE. You think that they would like to have us restore security to life and property there, do you, then?

Mr. CHAMBERLAIN. Absolutely. There is no doubt on that point. There can be no doubt on that point. I would go further than that, and say that not only would Great Britain and France, but Spain and probably Italy also have reason to hope that we would straighten things out down there.

Senator BRANDEGEE. Do you regard Mexico as a very rich country in national resources?

Mr. CHAMBERLAIN. I regard it as intrinsically the most wealthy country I have ever visited; and that makes the tragedy of 100 years of torment and misery all the more glaring. The mere fact that that country could support all of its populace in affluence and has been the scene of misery which exceeds anything in Armenia, added to the fact that we have been responsible for an increase in that misery during the last seven years by standing back of an oligarchy engaged in banditry, is something that we ought to take

into account when we try to justify ourselves in taking such an extreme measure as economic control.

Senator BRANDEGEE. What have you to say, if anything, about the policy which we featured when we declined to recognize Huerta, to wit, that an administration must be put in power which, among other things, would divide up the lands among the people? What are the facts in relation to the possibility of dividing up the lands and the public desire to have them divided up?

Mr. CHAMBERLAIN. The facts as to the division of lands under the Carranza Government are these: That in one case, of a man whom I have every reason to believe, the division of the land was merely a matter of paying a man given supervision of that division a bribe to see that they were not divided. That leads us right back to what I said was the source of all the misery in Mexico. That is the condition of apathy that exists in the administration of public affairs and particularly public funds. There are instances which later on can be brought to light of many people not having their farms divided up, simply by payment of graft. Consequently that altruistic view of the Carranza régime, under the constitution of 1917, to divide those lands, simply became one more club to extort blackmail from people who owned property.

Senator BRANDEGEE. That may be true, but what I mean is, what have you to say as to the wisdom of a bona fide, well administered policy of dividing up the lands? Do the people want them divided up? Is the same opinion prevalent all over Mexico, or is it just certain people would like to have them divided up by the Government and other parts do not care anything about it? What is the fact about that?

Mr. CHAMBERLAIN. Well, Senator, that is a tradition that has gone back through many revolutions. The fact that almost every revolutionary leader in the last 100 years in Mexico has made that one of his promises, that he would divide the land, goes to prove there must be a desire for division of the land among the peons. I think it would be a good thing, with proper provisions for expropriation, and would be a great advantage to see that every man was allotted a homestead under fair and equitable conditions.

Now, that matter of expropriation you would have to provide for in the constitution. There is one case of an enormous American concern which was having some trouble when I left Mexico. The Mexican Government said: "Yes; your titles are perfectly good, but we are going to take those lands and divide them and give you bonds." I would say if it had been a cash indemnity it might be very well, but a Mexican bond is so much waste paper.

Senator BRANDEGEE. You say you do not know anything about present conditions in Mexico, except what you read?

Mr. CHAMBERLAIN. Well, no, Senator. I left Mexico nine months ago. I left there the 1st of August. Consequently, while there have not been very great changes, still I am not informed regarding what there have been.

Senator BRANDEGEE. Nine months ago, when you left, what was the condition of the people in the City of Mexico, as to their health, and whether they had enough to eat or not, and their condition of life?

Mr. CHAMBERLAIN. At the time I left there was really no misery whatever. Their crop had been very good, and the Mexican people

are very quick to recuperate. A few months previous to my leaving it was a common sight to see three or four hundred men, women, and children lying in the streets in Mexico waiting for certain soup kitchens to open in the morning, and those people were on the verge of actual starvation.

Senator BRANDEGEE. Was there much disease among the people?

Mr. CHAMBERLAIN. I would say that the average of disease in Mexico is considerably higher than it is in this country, and especially the more vicious diseases that are in the blood.

Senator BRANDEGEE. Are you speaking of the City of Mexico or of all of Mexico?

Mr. CHAMBERLAIN. I am speaking more especially of the City of Mexico. For the rest of the country, I can only speak from hearsay.

Senator BRANDEGEE. Do you know anything about the effect that seven years of banditry and revolution, or so-called revolution, has had upon the physical condition of the railroads of the country?

Mr. CHAMBERLAIN. I can not speak offhand as to the enormous amount of rolling stock which has been destroyed during that period, but I would say that during one of the years I was in Mexico I was told that there had been 45 trains dynamited on the road between Vera Cruz and Mexico City within a period of three months, with a large destruction of rolling stock. That is the line that has perhaps suffered more than any other, but it is a matter of fact that during all the time that I was there there were only two lines that were considered to be safe—the line to Vera Cruz and the line from Mexico City to Laredo, and yet the line to Vera Cruz had 45 trains dynamited in three months. There may have been more, but there was one train that I remember dynamited between Laredo and Mexico City during the two years that I was there. That line was kept pretty well guarded. I should say that the condition of the railways, as compared to what they were before the revolution took place, would be heartbreaking to the people who were over them at the time of Diaz's downfall.

Senator BRANDEGEE. Do you know anything about whether the farmers through the country generally, where these conditions of banditry exist, have planted and harvested their crops in safety and are continuing to do so?

Mr. CHAMBERLAIN. They certainly have not. Mexico City, during all the time I was there, was more crowded than it had ever been before in its history, and that was accounted for to me in this way, that the planters in the various States had had to abandon their plantations and crowd into Mexico City to live. I will say that the entire State of Morelos was wiped out as an agricultural State, and that practically the same could be said of Oaxaca, and the same is true of various other outlying districts. They say their cattle and horses and mules are killed, either by Carranza soldiers or by some one or another of the bandit troops.

The CHAIRMAN. I just call the attention of my colleague to the fact that there has not yet been printed in the record a piece of evidence before this committee of a large number of Mexicans who have come to the United States very recently. There is a list of 812 individuals who have been examined by the committee recently on the border, under oath, some of this evidence having been adduced as late as March last, with reference to these people coming over in

hundreds. As near as can be estimated by the immigration authorities, the Texas Rangers, and others, it is said that between El Paso, Tex., and Brownsville, Tex., in a period of approximately three weeks in February and March, and particularly on March 1, the time this testimony was taken, on the 19th, approximately 50,000 Mexicans had crossed the border this year.

That is shown by their own testimony and by the statements of witnesses given in this list; and coming from the States of Michoacan, Guerrero, Colima, Mexico, and Jalisco, in the central and southern portion of Mexico; and that their statements were all practically and substantially the same with reference to that condition. They say they can not do anything over there; if one side does not take it away from them the others will, and they do not know one from the other; sometimes they do not know the Carranza people from the Villa people. They can have nothing. It is taken away from them. If they get a few dollars in clothing, or anything, a party of those bandits will come along and take it away from them. They said that the Carranza people were worse than the Villa people. Several of them said the Villa people would leave them something to eat, but the Carranza people would take it all. They said the Villa people would divide with them but the Carranza people would not, they would take it all.

This is from the testimony of S. E. Rix taken at San Antonio, Tex., on March 19, 1920. The witness was asked:

From the statement you have just made I infer that the property owners themselves have given up any attempt to farm their properties or to raise crops, for the reason that when they get these crops to the point of harvesting they are taken away from them by some one or other of the armed factions in Mexico?

The witness replied:

Yes, sir; that is just exactly what these poor working people who come here say, several of them I have talked with, some of them I have not talked to, but they say they can not raise anything; that when the corn got up to roasting ears or anything like that they would come along and cut it down and take it away, take it off.

And then the question was asked:

"And for that reason the big land owners themselves have abandoned any attempt to raise crops." To which the witness replied, "Yes."

The general trend of all that testimony shows to the same effect; that the political conditions down there for the last 10 years have been so disturbed that people of Mexico, the working people, are getting tired. At least 2,000 of them have come out, leaving their families behind them, because they could not bring them with them; they had to leave their families to perhaps starve, and they came out to try to get something to do, with the hope that they might be able to eventually bring their families out into the United States. Practically every one of them stated they would not return to Mexico again.

Senator BRANDEGEE. I understand that testimony has been taken on the border. I am glad to have it put in the record at this point also. I wanted to get Mr. Chamberlain's notion about it also.

Mr. CHAMBERLAIN. I will say that the condition has gone further than the mere matter of farms in Mexico; that it has wiped out 90

per cent of the industries of that country, except those small industries which can be carried on by one man or one man and his family.

Senator BRANDEGEE. Not big enough to blackmail.

Mr. CHAMBERLAIN. That is the idea.

The CHAIRMAN. You stated generally that the United States practically had a mandatory for Mexico for several years past. I suppose you have a basis for that statement. I want to call your attention to the statement of the President of the United States to the Congress of the United States, on August 27, 1913, in which he said:

> We are expected by the powers of the world to act as Mexico's nearest friend.
>
> I am happy to say that several of the great Governments of the world have given this Government generous moral support in urging upon the provisional authorities at the City of Mexico the acceptance of our proffered good offices in the spirit in which they were made.
>
> All the world expect us in such circumstances to act as Mexico's nearest friend and intimate adviser.
>
> This consent of mankind to what we are attempting, this attitude of the great nations of the world toward what we may attempt in dealing with this distressed people at our doors, should make us feel the more solemnly bound to go to the utmost length of patience and forbearance in this painful and anxious business.

Also a statement by Secretary Bryan, on October 28 the same year, published in the New York Times, dated Washington, October 28:

> A new and probably more definite Mexican policy is to be initiated by the United States, and pending the disclosure of this program, Great Britain, Germany, and France have given assurances that they will take no action.
>
> That a request had been made to the powers to await a proposal regarding Mexico from this Government and that already these three European nations had acceded to the request was announced late to-day by Secretary Bryan. It is understood that practically every civilized nation has been notified of the purpose of the United States.

Senator Bacon, the then chairman of the Committee on Foreign Relations of the Senate, on October 25, made a statement from which I quote:

> The approval of foreign governments of its policy in Mexico was desired by the United States which would always be glad to listen to suggestions. But it should be understood that the United States would adhere to the views it held with regard to Mexico on the ground that its interest in that Republic was much broader and comprehensive. Its interest, he said, was not merely material, but involved moral considerations that gave it a superior position.

Now, I want to ask you, Mr. Chamberlain, as you are familiar more or less with Mexican history, whose name is always referred to as the "Liberator"?

Mr. CHAMBERLAIN. Juarez, I should say.

The CHAIRMAN. Benita Juarez?

Mr. CHAMBERLAIN. Yes, sir.

The CHAIRMAN. I ask that because I was interested in the question asked by my colleague in regard to the impression which would be created upon the masses of the Mexican people, were any Mexican leader approached by the United States to agree that he would accept friendly assistance from the United States and enter into an agreement by which the two countries could work in harmony, with this country securing certain rights and privileges in Mexico in return for its assistance. The fact is that such an agreement has been entered into in the past. There is to-day in existence a treaty between the United States and Mexico, from which I want to read

one section into the record, because it seems to have been lost sight of by the American people, and I want to call attention to it in a preliminary way before calling specific attention to the acts of Benita Juarez upon practically that same subject. I will read article 8 into the record:

The Mexican Government having on the fifth day of February, 1853, authorized the early construction of a plank and rail road across the Isthmus of Tehuantepec, and, to secure the stable benefits of said transit way to the persons and merchandise of the citizens of Mexico, and the United States, it is stipulated that neither Government will interpose any obstacle to the transit of persons and merchandise of both Nations; and at no time shall higher charges bb made for the transit of persons and property of citizens of the United States, than may be made for the persons and property of other foreign Nations, nor shall any interest in said transit way, nor any of the proceeds thereof, be transferred to any foreign Government.

The United States, by its agents, shall have the right to transport across the isthmus, in closed bags, the mails of the United States, not intended for distribution along the line of communication; also the effects of the United States Government or its citizens, which may be intended for transit, and not for distribution on the isthmus, free of customs house or other charges by the Mexican Government. Neither passports nor letters of security will be required of persons crossing the isthmus and not remaining in the country.

When the construction of the railroad shall have been completed, the Mexican Government agrees to open a port of entry, in addition to the port of Vera Cruz, at or near the terminus of said road on the Gulf of Mexico.

The two Governments will enter into arrangements for the prompt transit of troops and munitions of the Unied States, which that Government may have occasion to send from one part of its territory to another lying on opposite sides of the continent.

The Mexican Government having agreed to protect with its whole power the prosecution, preservation, and security of the work, the United States may extend its protection as it shall judge wise to it, when it may feel sanctioned or warranted by the public or international law.

The CHAIRMAN. That is in full force and effect. Now, in January, 1860, there was presented in the Senate of the United States a public treaty, well known in Mexico and acted upon in this country. That treaty was ordered printed for the use of the Senate, was never acted upon by the Mexican Government and the United States, but it was negotiated by the great liberator, Juarez. Among other things, it provides:

Whereas the ratifications of a treaty of amity, commerce, and navigation were exchanged between the United States of America and the United Mexican States on the 5th of April, 1831; and whereas the ratifications of a treaty for the alteration of boundary and regulations of a transit or right of way across the Isthmus of Tehuantepec were exchanged between the same two Republics on the 30th of June, 1854; and whereas it is deemed expedient to amplify and extend some of the stipulations of the aforesaid treaties, and thus render more firm and inviolable the true and sincere friendship now existing between the United States and Mexico:

Wherefore the following stipulations have been agreed upon by means of a treaty of transits and commerce:

For which important object the President of the United States of America has appointed Robert M. McLane, a citizen of the United States, and envoy extraordinary and minister plenipotentiary of the United States of America near the Mexican Government, with full powers; and the President of the Mexican Republic, in the exercise of the executive power, having conferred like full powers on the citizen Melchor Ocampo, secretary of state and foreign affairs; and the aforesaid plenipotentiaries, after having compared and exchanged in due form their respective powers as aforesaid, have agreed upon the following articles:

ARTICLE I. As an amplification of the eighth article of the treaty of the 30th of December, 1853, the Mexican Republic cedes to the United States and its citizens and property, in perpetuity, the right of way, by the Isthmus of

Tehuantepec, from one ocean to the other, by any kind of road now existing or that may hereafter exist, both Republics and their citizens enjoying it.

ART. II. Both Republics agree to protect all routes now existing, or that shall hereafter exist, over the said isthmus, and to guarantee the neutrality of the same.

ART. III. Simultaneous with the first bona fide use of any route across the said isthmus for purposes of actual transit, the Republic of Mexico shall establish two ports of deposit—the one on the east, the other on the west of the isthmus. No duty shall be levied by the Govessment of Mexico upon foreign effects and merchandise which may pass bona fide by the said isthmus, and which may not be intended for the consumption of the Mexican Republic. No incumbrance of tolls shall be imposed upon foreign persons and property which may pass by this road beyond those that may be imposed upon the persons and property of Mexicans. The Republic of Mexico will continue to allow the free and untrammeled transit of the mails of the United States, provided they pass in closed mail bags, and they be not for distribution on the road. Upon such mails none of the charges imposed, nor of those which may hereafter be imposed, shall be applied in any case.

ART. IV. The Mexican Republic agrees that it will establish for each of the two ports of deposit—the one on the east, the other on the west of the isthmus—regulations that will permit the effects and merchandise belonging to citizens or subjects of the United States or of any foreign country to be entered and stored in warehouses, which shall be erected for that purpose, free of all tonnage or other duties whatever, except the necessary charges for cartage and storage, which said effects and merchandise may be subsequently withdrawn for transit across the said isthmus, and for shipment from either of the said ports of deposit to any foreign port, free of all tonnage or other duties whatever; and they may ikewise be withdrawn from the said warehouses for sale and consumption, within the territory of the Mexican Republic, on the payment of such duties or imposts as the said Mexican Government may be pleased to enact.

ART. V. The Republic of Mexico agrees that should it become necessary at any time to employ military forces for the security and protection of persons and property passing over any of the routes aforesaid, it will employ the requisite force for that purpose; but upon failure to do this, from any cause whatever, the Govérnment of the United States may, with the consent or at the request of the Government of Mexico, or of the minister thereof at Washington, or of the competent legally appointed local authorities, civil or military, employ such force for this and for no other purpose; and when, in the opinion of the Government of Mexico, the necessity ceases, such force shall be immediately withdrawn.

In the exceptional case, however, of unforeseen or imminent danger to the lives or property of citizens of the United States, the forces of said Republics are authorized to act for their protection without such consent having been previously obtained; and such forces shall be withdrawn when the necessity for this employment ceases.

ART. VI. The Mexican Repubilc grants to the United States the simple transit of its troops, military stores, and munitions of war by the Isthmus of Tehuantepec, and by the transit or route of communication referred to in this convention from the city of Guaymas, on the Gulf of California, to the Rancho de Nogales or some suitable point on the boundary line between the Republic of Mexico and the United States near the one hundred and eleventh degree, west longitude from Greenwich, immediate notice thereof being given to the local authorities of the Republic of Mexico. And the two Republics agree, likewise, that it shall be an express stipulation with the companies or enterprises to whom hereafter the carriage or transportation is granted, by any railroads or other means of communication on the aforesaid transits, that the price for conveying the troops, military stores, and munitions of war of the two Republics shall be, at most, one-half the ordinary fare paid by the passengers or merchandise which may pass over the said transits; it being understood that if the grantees of privileges already granted, or which hereafter may be granted, upon railroads or other means of conveyance over said transits, refuse to receive for one-half the price of conveyance the troops, arms, military stores, and munitions of the United States, the latter Government will not impart to them the protection spoken of in Articles II and V, nor any other protection.

ART. VII. The Mexican Republic hereby cedes to the United States in perpetuity, and to their citizens and property, the right of way or transit across the territory of the Republic of Mexico, from the cities of Camargo and Matamoros, or any suitable point on the Rio Grande, in the State of Tamaulipas, via Monterey, to the port of Mazatlan, at the entrance of the Gulf of California, in the State of Sinaloa, and from the Rancho de Nogales, or any suitable point on the boundary line between the Republic of Mexico and the United States near the one hundred and eleventh degree, west longitude from Greenwich, via Magdalena and Hermosillo to the city of Guaymas, on the Gulf of California, in the State of Sonora, over any railroad or route of communication, natural or artificial, which may now or hereafter exist or be constructed, to be used and enjoyed in the same manner and upon equal terms by both Republics and their respective citizens, the Mexican Republic reserving always for itself the right of sovereignty which it now has upon all the transits spoken of in the present treaty. All stipulations and regulations of every kind applicable to the right of way or transit across the Isthmus of Tehuantepec that are or have been agreed upon between the two Republics are hereby extended and applied to the foregoing transits or rights of way, excepting the right of passing troops, military stores, and munitions of war from the Rio Grande to the Gulf of California.

ART. VIII. The two Republics likewise agree that from the list of merchandise here annexed the Congress of the United States shall select those which, being the natural, industrial, or manufactured product of either of the two Republics, may be admitted for sale and consumption in either of the two countries under conditions of a perfect reciprocity, whether they be considered free of duty or at a rate of duty to be fixed by the Congress of the United States; it being the intention of the Mexican Republic to admit the articles in question at the lowest rate of duty, and even free if the Congress of the United States consents thereto. Their introduction from one to the other Republic shall be made at the points which the Governments of both Republics may fix upon at the limits or boundaries thereof ceded and granted for the transits, and in perpetuity, by this convention, either across the Isthmus of Tehuantepec or from the Gulf of California to the interior frontier between Mexico and the United States. If any similar privileges should be granted by Mexico to other Nations at the termini of the aforesaid transits upon the Gulfs of Mexico and California and upon the Pacific Ocean, it shall be in consideration of the same conditions and stipulations of reciprocity which are imposed upon the United States by the terms of this convention.

Senator BRANDEGEE. What is the date of that?

The CHAIRMAN. 1860, entered into in 1859.

Senator BRANDEGEE. What is the date of the treaty of Guadalupe Hidalgo?

The CHAIRMAN. 1848; and the treaty of Gadsden was in 1854, containing this agreement.

Benita Juarez has never lost his prestige in Mexico by virtue of the fact that he entered into that treaty, has he.

Mr. CHAMBERLAIN. Not that I know of.

The CHAIRMAN. His birthday is celebrated every year in every little village and hamlet in Mexico, is it not?

Mr. CHAMBERLAIN. Yes, sir.

The CHAIRMAN. He is called the "Liberator of Mexico," or the "Lawgiver of Mexico"?

Mr. CHAMBERLAIN. Yes, sir.

The CHAIRMAN. Then, if the Mexican citizens approved the acts of Benita Juarez, or have at least tacitly given their approval, if a real patriotic Mexican citizen of the present day should enter into a similar agreement with the United States, or an agreement of the character you have suggested, with reference to financing Mexico, except through the mouth of demagogues, would there likely be any objection on the part of the Mexican people?

Mr. CHAMBERLAIN. I think that while they do not dare say so aloud, that within their hearts they would look upon it as the greatest benefit they could possibly secure.

Mr. BRANDEGEE. The reason I wanted to know about that was because you stated that the more hostile Carranza appeared to be to the United States the more popular he was in Mexico. I wondered whether, if a man tried to be friendly with the United States, it would make him unpopular?

Mr. CHAMBERLAIN. It did not make him popular, it increased his power. In a way it did make him popular, as one who is a champion of the common people, and a champion of the whole Latin America, who dared to take a stand against the colossul of the North. It may have had that effect. But as far as we were concerned it made him more powerful in that it impressed his people with the belief that he could flout us with impunity.

The CHAIRMAN. As a matter of fact, a great part of the people, 10,000,000 out of the 16,000,000, did not know whether he was a friend or an enemy to the United States, and did not care?

Mr. CHAMBERLAIN. Well, you can say that a large proportion of the Mexican people were rather indifferent.

Senator BRANDEGEE. Eighty per cent or about that are Indians, are they not?

Mr. CHAMBERLAIN. I would say that 80 per cent of the Indians is an inarticulate class, a very low development of peons, but they have some excellent qualities. They had a tremendous reputation at one time for honesty, but that has been undermined to a certain extent by this long continuing condition of banditry.

Senator BRANDEGEE. But the peon is Indian, is he not?

Mr. CHAMBERLAIN. There are over 50 various tribes, and they are generally named as belonging to the peon class.

Senator BRANDEGEE. They are not Spanish?

Mr. CHAMBERLAIN. No; they are not Spanish.

This point as to whether the taking of any such step as I have indicated would cause a great outcry takes us right back to a statement which has been made to me frequently by Mexicans, that while they would not say so publicly they are in favor of intervention, that they pray for it every night of their lives; that such a sentiment is tremendous now in Mexico, especially with the merchant class. I don't want to be taken as saying that those people would back intervention. They would not. They would fight against it, but they want it.

Senator BRANDEGEE. You spoke of some of these large American industrial concerns there being perfectly satisfied with conditions as they are, because they get what they want by paying a tribute and keep out competition. What is the general opinion among Americans in Mexico as to the wisdom of letting things go as they are?

Mr. CHAMBERLAIN. There are a great many Americans in all kinds of activities down there who would say that same thing: "I am getting along all right. I am making a revenue out of chaos." But if you take them to one side and say to them, "Is it not the ideal solution to have economic control of the country? Would not that end all the trouble both for Mexico and for us?" I have yet to come across a man who would not immediately reply, "You are quite right on that point."

Senator BRANDEGEE. Then they do not want conditions to remain as they are?

Mr. CHAMBERLAIN. They do not. They are making possibly a very good income out of existing conditions, but at the same time they will admit that the nearest to the ideal that we could accomplish is the shaping up of a firm girder on which the Mexicans can build, and that girder would be economic control, inforced by the power of the United States.

Senator BRANDEGEE. However contented any of them may be temporarily with that condition, they all know that in the nature of things it can not be permanent?

Mr. CHAMBERLAIN. They do.

The CHAIRMAN. They are taking a gambler's chance.

Mr. CHAMBERLAIN. That is true of a great many of our chambers of commerce. One of the greatest difficulties I had in Mexico was to hold down individual investors and chambers of commerce who wished to rush into Mexico and take advantage of high prices, irrespective of the claims of their own blood countrymen whose property had been destroyed and who had been robbed of all that they had. They said, "That is all right. They don't rob me." That opposition is natural. I think the same opposition is threatening us now. I believe some of the biggest interests are dickering at this moment, directly or indirectly, with Obregon or somebody else who thinks he is going to be the top man, and I think if this country does not take measures to stop that tendency it will lose the greatest opportunity we have ever had for putting that country on a firm and settled basis.

The CHAIRMAN. On that line the committee has in its possession a telegram sent from New York City, on the 24th day of October, 1917, from the American Smelting & Refining Co. to its agent in El Paso, Tex., reading as follows:

> Garcia now here with Obregon. Is in our employ reporting to ——— ———. States to-day Gen. Murgia has offered to supply all troops necessary for our protection where we resume operations. Please see ——— ——— and arrange through Garcia or otherwise, to secure this assistance from Gen. Murgia for Santa Barbara.

The Garcia mentioned is known to the committee as Andreas Garcia, then inspector general of Mexican consulates on the border of this country and Mexico, and being more recently, until the fall of Juarez, the postmaster general of Mexico. This telegram indicates that he was in the employ of an American company, and attempting to secure the services of the Mexican army under Gen. Murgia for the protection of certain of their interests.

Speaking for myself, I have no criticism whatever of the action of the company in sending that telegram. They were attending strictly to their business and the business of their stockholders. They were not being protected by this Government in the operation of their legitimate business, and where they were able to take advantage of the conditions and secure protection by paying for it to Mexican agents, I think it was their business to do it, and I have no possible criticism to offer.

Mr. CHAMBERLAIN. There is no criticism, Mr. Chairman, except this general criticism, and I refer back to the statement I made that under a grafting administration in Mexico, I don't care who heads

the oligarchy, our people were forced into the position of being bribers if they wanted to do business. What we ought to do is to look forward to such a condition where an honest man as well as a briber can do business in Mexico.

The CHAIRMAN. The committee knows of other companies and corporations doing business along similar lines, and there was no intention to make any invidious distinction. I simply pointed out the conditions under which our interests are able to continue business, as additional and corroborative evidence of the fact that you have stated the little man and small American, who has not enough money or influence to employ an army for protection, is the man who suffers.

Mr. CHAMBERLAIN. I made no distinction, because I included everybody doing a successful business in Mexico.

The CHAIRMAN. You have referred to the note sent by this Government to the Mexican Government on April 2, 1917, which was published by Carranza in Mexico, apparently with the intention of answering a speech made by the President of the United States to newspaper men.

Mr. CHAMBERLAIN. Yes, sir.

The CHAIRMAN. The committee has a copy of that note of April 2, 1918, which was given publicity by Mr. Carranza, and of course, even under ordinary circumstances, would be justified in calling attetion to it. Following that note another was written, under date of August 12, 1912, forwarded to the Mexican Government and delivery, presumably by our ambassador to the Mexican President, sent by Mr. Lansing, in which note, among other thing, the Secretary of State says:

> As I have not received an answer to my note of April 2, I am instructed to draw your excellency's attention to that note and to point out again the concern with which my Government entertains as to the possible effect of these various decrees upon the vested rights in Mexico of American citizens in oil properties. And to further direct your excellency's attention to the necessity which may arise, in order to protect the property of its citizens is Mexico, divested or injuriously affected by the said decrees, to impel the United States to protect the property of its citizens.

Now, what impression was made upon the minds of the Mexican people generally by the sending of notes of that kind, in the face of the President's statement that under no circumstances did we propose to use force in compelling Mexico to do anything?

Mr. CHAMBERLAIN. It made notes of that kind utterly of no effect, while making the ambassador who was put in the position of delivering the note ridiculous.

The CHAIRMAN. And it was that condition brought about by these assertions in these notes, and the impression made upon the Mexican people, that caused you to resign from your office?

Mr. CHAMBERLAIN. It was the culmination of those conditions, and the desire to be able to speak freely on the entire subject.

The CHAIRMAN. Do you know what answer Mr. Carranza finally made to the note of August 12, as communicated to this Government?

Mr. CHAMBERLAIN. No; I have never been informed as to the answer.

Senator BRANDEGEE. Did he make any answer?

The CHAIRMAN. We were so informed by Mr. Fletcher under date of August 14.

Mr. CHAMBERLAIN. I remember talking to Mr. Fletcher about that, but I don't remember what happened well enough to quote him.

The CHAIRMAN. A portion of the answer, as forwarded to this Government, was as follows:

> I presented in writing the request contained in your telegram 1357, August 12, to the President at an interview this afternoon. In reply he stated that it was impossible to postpone operation of the petroleum decree further. In the fundamental questions involved, i. e., the conflicting rights of the Government and private individuals to the subsoil products, he explained that the decrees were fiscal legislation merely, to pass laws that would give effect to article 27 of the Constitution and to legislate as to the above question was the province of Congress. He stated that if the difficulty could not be settled except by war or intervention he was sorry, but was prepared to confront this alternative.

Mr. CHAMBERLAIN. Which was simply to be expected, in view of President Wilson's assertion that no matter what he did there would be no war.

Senator BRANDEGEE. We have not replied to Mr. Carranza's ultimatum, as far as I am aware of.

The CHAIRMAN. No. But again, on October 1, 1919, we said, referring to this same subject:

> In this view of the matter the Government of the United States, owing as it does to its citizens, the duty of protecting them in foreign lands, both in their persons and their property rights, must strongly protest against the action of the Mexican Government as outlined above, and characterize it as threatening confiscation and a denial of justice.
>
> In communicating the foregoing the Government of the United States takes occasion to express the confident hope that pending the general settlement of the petroleum question by specific legislation of the Mexican Congress, the administrative authorities of Mexico will respect the vested rights of American citizens and evince that respect by withdrawing its insistence that interested American citizens comply with the provisions of the decrees mentioned.

Senator BRANDEGEE. Do we not say we will hold them to strict accountability?

The CHAIRMAN. No; not these notes. We only used that in reference to Germany and Huerta.

You spoke about a series of articles you are publishing in Collier's. Have they begun to be published yet?

Mr. CHAIRMAN. Yes; three have appeared, and three or four more will probably appear.

The CHAIRMAN. That is all I care to ask you. You will be excused.

(Thereupon, at 4.30 o'clock p. m., the committee adjourned subject to the call of the chairman.)

MONDAY, MAY 17, 1920.

UNITED STATES SENATE,
SUBCOMMITTEE OF THE COMMITTEE OF FOREIGN RELATIONS,
Washington, D. C.

The committee met at 11 a. m., pursuant to the call of the chairman, in room 128, Senate Office Building, Senator Albert B. Fall presiding.

Present, Senators Fall (chairman) and Brandegee.

TESTIMONY OF MR. CHARLES E. JONES.

(The witness was duly sworn by the chairman.)

The CHAIRMAN. You may state your name to the committee.

Mr. JONES. Charles E. Jones.

The CHAIRMAN. Your residence.

Mr. JONES. New York.

The CHAIRMAN. What is your business, Mr. Jones?

Mr. JONES. Newspaper man.

The CHAIRMAN. What have you been engaged in for the last several years past, in addition to your writing?

Mr. JONES. In addition to my newspaper work, for the last five years I have been cooperating with the United States Department of Justice Bureau of Investigations.

The CHAIRMAN. Where has your work or your cooperation with the Department of Justice carried you, and with whom generally have you been doing such work?

Mr. JONES. Throughout nearly all parts of the United States, particularly along the border, and in Central America and in Mexico.

The CHAIRMAN. In Mexico, have you had confidential relations, or have you been, in your cooperation with the department, in contact with prominent Mexicans?

Mr. JONES. Yes, sir. Shall I explain how that came about?

The CHAIRMAN. Yes; I think you had best make an explanation of it.

Mr. JONES. During the latter part of 1917 I received a proposition from the Mexican foreign office, through the secretary of foreign relations at that time, Candido Aguilar. That proposition came to me through Mr. Adam Leckie, who was a member of the Mexican law firm of Gonzalez Roa Carbajal and Leckie. The proposition was something like this: They were very anxious to have a publicity director through the United States, and also to at all times be thoroughly kept advised as to exactly what was occurring here in Washington, or where anything might arise of interest throughout the

United States, and they particularly referred at that time to the activities of the revolutionary interests throughout the United States.

For probably two years prior to that time I had been sending almost daily reports to the Department of Justice, and as soon as that proposition reached me it was immediately reported at that time to A. Bruce Bielaski, who was Chief of the Bureau of Investigation at that time. The negotiations continued for probably two months, insomuch as I had in my possession an unusually large quantity of papers, documents, etc., pertaining to the activities of the Mexican revolutionists of which the Mexican Government was very anxious to secure control. When I first started in with the Department of Justice it was thoroughly understood between Mr. Bielaski and myself that under no circumstances would I accept any remuneration, nor was I ever sworn in to the Department of Justice service, although they were anxious to have same done.

Senator BRANDEGEE. You mean you were not employed at all by the Department of Justice?

Mr. JONES. The proposition came up in this way, Senator: Things were developing pretty rapidly down in Central America, and Forrest C. Pendleton, at that time division superintendent for the Gulf States, knowing I was quite familiar with conditions in Central America, asked me if I would consent to go into the employment or service of the Department of Justice. I told him that due to their remuneration and my own business affairs that it would be impossible to consider a proposition of that kind, but that I would agree to help them out, providing it would be absolutely at all times kept thoroughly confidential. So, with that understanding I became connected with them, always in an inside capacity.

About two weeks after that Mr. Bielaski came to New Orleans, where I was at that time, to see me, and asked me if I would continue to cooperate with them. So, I agreed with him to do so, provided, as I have stated, it would be kept entirely confidential, and that my hands would not be tied, as far as information or anything of that kind that I might secure was concerned, if at any time I wanted to use it. So in that way we started.

For a period of a year and a half or probably two years I even paid all of my own expenses, although they repeatedly insisted upon me rendering accounts, which I refused to do. At the time Mr. Bielaski entered into this agreement with me I told him that eventually I expected to utilize in a newspaper way at any time any stuff I might get. So it was thoroughly understood and agreed between he and myself that if at any time I wanted to use the stuff I had a perfect right to do so.

So, with that understanding, I cut in with them, and up to the time Mr. Bielaski quit, and for probably three and a half or four months after that, I did the best I could for them. When Bielaski got out I dropped out myself as soon as I could. So from the time I started I handled for his department, down in Central America and elsewhere, considerable of their Mexican investigations.

The CHAIRMAN. Have you documentary evidence?

Mr. JONES. Yes, sir; and I might as well submit that right now.

Senator BRANDEGEE. Documentary evidence of what?

The CHAIRMAN. Of his association with the Department of Justice.

Senator BRANDEGEE. Before you put that in the record, let me ask you another question in line with what I started to ask.

Mr. JONES. Yes, sir.

Senator BRANDEGEE. You say you cooperated with them, and you did not, as I understand you, receive any compensation?

Mr. JONE. None, whatever.

The CHAIRMAN. Except later on, after a couple of years, they paid your expenses?

Mr. JONES. When the Felicista movement first became active the private secretary of Mrs. Diaz, Guillermo Rosas, was coming to New York, and he and two other parties came up, we were endeavoring at that time to secure the Felicista codes, and so I brought Rosas and these two other Mexicans up and paid all their expenses. We did succeed in lifting the entire codes on the trip, which was turned over to the Department of Justice, photostatic copies made and turned over to them. On the way back, after having spent about five or six weeks on the trip up here and in New York, Mr. Pendleton said, "You are absolutely foolish to continue to pay your own expenses, and you render an account for this trip"; so I did, and from that time on, such expenses as I incurred I was reimbursed for by the bureau.

Senator BRANDEGEE. What I wanted to do was to make perfectly plain whatever the fact was in relation to your cooperation with the Department of Justice. As I understand you, you were in no sense at any time an official of the department?

Senator BRANDEGEE. Or in its employ?

Mr. JONES. Never.

Senator BRANDEGEE. But when they asked you to do certain things that involved expense, later on you thought it was proper and did accept compensation for those expenditures?

Mr. JONES. Yes, sir.

Senator BRANDEGEE. What was your motive in cooperating with the department in that way if you were not an employee of it?

Mr. JONES. As I explained to you a few moments ago, due to personal friendship of Mr. Pendleton and myself, and as the revolutionary movement on foot in Honduras at that particular time was most active, and due to certain connections I had in Honduras, I was in a position to get the inside facts. The Bureau of Investigation at that time probably only had 250 or 300 men and a very limited appropriation for the financial support of the bureau. Pendleton's hands were absolutely tied as far as being able to get the information he wanted was concerned; therefore, knowing that probably I might be able to get it, he came to me to get me to do it. That was Forrest C. Pendleton.

Senator BRANDEGEE. I am interested in knowing whether it was simply your friendship for Pendleton or whether it was a patriotic idea to help your country?

Mr. JONES. Both. At that particular time and in that particular instance I did it just offhand to cooperate with Pendleton, without ever thinking I would be called upon to cut in again. I produced what Pendleton thought were excellent results. He then asked me, "Would you be willing to consider entering the Government service?" I told him I could not do so, but I would be willing to co-

operate with him provided it would always be thoroughly confidential. He evidently wrote to Mr. Bielaski about it, for within two weeks or so Mr. Bielaski came down, and I then entered into an agreement with him that whenever or wherever I could be of any service I would be very glad to cooperate with them.

Senator BRANDEGEE. I understand that now. Why was it that this member of this Mexican law firm hit upon you as a desirable man to employ in their interests?

Mr. JONES. Mr. Leckie and myself have been very strong personal friends for a good many years. He was a membr of the law firm of Leckie, Cox & Shierer, in the Southern Building in Washington, D. C., and after Carranza began to get on his feet down there, Leckie, who had had in his possession a great many of the claims placed in his hands by foreigners having investments in Mexico, decided undoubtedly that probably the best way to successfully handle the claims would be to connect himself with a Mexican law firm, which he did. And when Leckie was approached by Gonzalez Roa, who was probably as close to Carranza as any Mexican, Leckie immediately thought of me and put the proposition up to me.

Senator BRANDEGEE. That explains it. What is Leckie's full name?

Mr. JONES. Adam Leckie.

Senator BRANDEGEE. Now you may proceed with your documentary evidence.

Mr. JONES. So, at the time Mr. Pendleton carried through that proposition with me, from that time on almost daily I handled some Central American or Mexican work for the Bureau of Investigation in connection with my newspaper work.

Senator BRANDEGEE. Do I understnd that all the time, over the period about which you are testifying, your newspaper work was your dominating idea?

Mr. JONES. Oh, yes.

Senator BRANDEGEE. And your regular occupation?

Mr. JONES. Yes, sir.

Senator BRANDEGEE. And all this other information you came into possession of was acquired primarily in the newspaper work?

Mr. JONES. It was acquired primarily for that, but at the request of Chief Bielaski, Mr. Pendleton, or others, I had to choke 95 per cent of it to death, because if I had published the information I secured it would have, 9 times out of 10, interfered with the plans and future efforts of the Bureau of Investigation. So in the end my connection and association with the bureau was decidedly a very undesirable connection for me.

Senator BRANDEGEE. It was a losing financial operation?

Mr. JONES. At all stages of the game. If I could have published what I had there is no telling what I could have had. I could have scooped the country from a newspaper standpoint almost every day.

Senator BRANDEGEE. And yet, while you had to choke this to death, as you express it, at the request of Mr. Pendleton or Mr. Bielaski, nevertheless, you had with him an understanding when you went in that you could at any time make public anything you wanted to?

Mr. JONES. An absolutely positive understanding.

Senator BRANDEGEE. But when you saw how important it was, at their request, you suppressed it?

Mr. JONES. With the idea, you understand, Senator, that it would take days and days to explain, but if I could have published the stuff that I had I would have had a newspaper beat almost every day.

Senator BRANDEGEE. That is all I care to ask on that point.

Mr. JONES. Under date of June 28, 1916, from Washington, Mr. Bielaski wrote me at New Orleans as follows:

MY DEAR MR. JONES: I beg to acknowledge the receipt of your letter of June 21, 1916, with respect to the awkward position in which certain remarks made by one Dr. J. H. Wiley have put you and Mr. Pendleton.

I think that the actions which you and Mr. Pendleton have taken have cleared up this matter as satisfactorily as is possible without so revealing your relations with this department as to seriously interfere with the best interests of the Government.

If Dr. Wiley should continue to make statements of a character likely to seriously injure either yourself or Special Agent Pendleton, we can probably find some way of inducing him to pursue a more proper course; but at the present time it seems to me that you and Mr. Pendleton must, for the good of the public service, make whatever sacrifices are essential to keep your relations with the Government confidential.

With respect to the Dusart case, the Diaz case, the Honduras revolutionary matter, and numerous other similar matters of grave concern to the United States, I am only too glad to testify to the discreet, patriotic, and invaluable service which you have rendered.

I appreciate very much your assurance that you will continue to aid us as heretofore and assure you that I will be glad to testify to the value of your service at any time such action may seem desirable.

Very truly, yours,

A. BRUCE BIELASKI, *Chief.*

I am introducing this due to the fact that several times in carrying out the suggestions of Chief Bielaski and Mr. Pendleton and others connected with the Department of Justice and the State Department I have put myself in a false position. This man Wiley made some rather dirty remarks, and so I wrote to Bielaski that I could not afford under any circumstances to carry through such plans as that in the future. This letter was the result of that.

Under date of June 16, 1919, Mr. Bielaski, from New York City, wrote Mr. L. L. Winslow, State Department, Washington, D. C., as follows:

DEAR WINSLOW: This note will introduce to you Mr. Charles E. Jones, of New Orleans, La. During the time that I was with the Department of Justice Mr. Jones was a very valuable source of information and assistance, especially with respect to matters pertaining to Mexico and Central America. I think some one in your office once told me that he turned in a greater amount of correct information regarding these countries than any other individual. You will find that the reports which have come to you from him through the Department of Justice were in the name of Cresse.

Yours, very truly,

A. BRUCE BIELASKI.

Senator BRANDEGEE. These you are reading from are photostatic copies, are they not?

Mr. JONES. Yes, sir.

Senator BRANDEGEE. Do you have the original, from which the photostatic copy was made?

Mr. JONES. Yes, sir.

The CHAIRMAN. I was going to ask you if you had not originally had some communication with this committee under the same name which you have given there—Cresse?

Mr. JONES. How is that?

The CHAIRMAN. In your original communications heretofore had with this committee during this investigation have you communicated with them under the name of Cresse?

Mr. JONES. Yes, sir; due to the fact that Capt. Hanson was familiar with the department name that was given me by the department, carrying me under the name of "Cresse." That was Mr. Bielaski's own suggestion, due to the fact that there were in the State Department innumerable leaks which went directly back to various Mexican factions.

Under date of May 28, 1919, on a Department of Justice letterhead, I wish to read the following letter, dated at New Orleans, from Forrest C. Pendleton:

MAY 28, 1919.

To whom it may concern:

I have known the bearer, Mr. Charles E. Jones, for over three years and I am glad, indeed, to testify to the very valuable assistance he has rendered to the Department of Justice, particularly to the New Orleans office.

In my opinion, he more than anyone else is entitled to the credit for breaking up the activities throughout the United States of the Nicaraguan, Guatemalan, Salvador, and Honduranian revolutionary movements. He has also furnished the Department of Justice as much, or more inside information pertaining to revolutionary movements in Mexico as any man in this country. Results secured by him regarding activities of German spies and propagandists in Mexico and along the Texas, Arizona, New Mexico, and California border was of great value to the United States Government.

I know of no man in the United States so thoroughly posted on Mexican and Central American political affairs, and he is, without question, the most astute, accurate, and resourceful investigator I have ever met.

Mr. Jones is thoroughly trustworthy, and you can absolutely rely on anything he tells you.

Yours, very truly,

FORREST C. PENDLETON,
Division Superintendent.

Senator BRANDEGEE. If these are all in writing, could they not be handed to the stenographer and put in the record, and you proceed with your testimony?

Mr. JONES. Yes, sir. I will introduce a letter from Charles E. Breniman, division superintendent of the San Antonio division, dated January 13, 1919.

I will also introduce a letter from Adam Leckie, dated May 20, 1918, addressed to Hon. Ignacio Bonillas, Mexican ambassador, at Washington, D. C.

I also introduce a letter from R. E. Muzguiz, consul general of Mexico, at New Orleans, addressed to Bonillas, dated June 17, 1918.

The CHAIRMAN. These letters may be printed as an appendix to the testimony of this witness.

(The three letters referred to last above are printed in full as an appendix to the testimony of this witness, together with other letters to be furnished.)

Senator BRANDEGEE. Is this Adam Leckie, who was a member of this firm of Gonzalez Roa, Carbajal & Leckie, the one that you spoke of being in the Southern Building at Washington?

Mr. JONES. Yes, sir. Unfortunately, Mr. Leckie died last December. He probably might have been bumped off. I don't know whether he was or not. But in connection with Mr. Leckie I think it in common justice to him that I should say that at the time Mr. Leckie was in Mexico connected with that Mexican law firm, it is a

matter of knowledge to Ambassador Fletcher at that time, and to myself and Chief Bielaski, that Mr. Leckie was probably the very best inside source of information that I personally had in Mexico City. He personally was able to get stuff directly from Gonzalez Roa, who in turn got it from Carranza or Carranza's higher officials. I personally know of no man in Mexico, or America, who was more patriotic and more loyal and more honest to our Government than Mr. Leckie. It is true that he had probably closer relations with prominent Mexican officials at that time than almost any American, with the possible exception of Mr. Douglass. Leckie, until the day of his death, never had the slightest idea that I ever had any connection with the Bureau of Investigation, and in that way I was able to get stuff which Leckie told me he in turn had offered to our military attaché in Mexico, and also Ambassador Fletcher. He tendered his services without any qualifications to the embassy down there. What they did with it I don't know, but I do know that Mr. Leckie was a 100 per cent square American, and if it had not been for the stupidity of the State Department Leckie could have been of great service in many Mexican matters as they came through, but for some reason, largely because he was a Republican, I imagine—that was his opinion—they did not care to have anything to do with him.

Senator BRANDEGEE. When you say he offered information repeatedly to our ambassador, Mr. Fletcher, in Mexico, and to other people, do you mean to intimate that although he offered it, it was not availed of?

Mr. JONES. I could not correctly say that, Senator, but I believe this. The correct interpretation of that would be, for instance, Mr. Leckie, at the time Mr. Rhoades and Mr. Garfield were sent down there by some oil company to negotiate some transaction I happened to meet both Rhoades and Garfield and Leckie at San Antonio, Leckie was coming out and they were going in. They had been down there prior to that time, and Leckie's statement regarding that was that he had secured certain information from Gonzalez Roa as to what Luis Cabrera and Carranza had already said and that he had told that to the oil attorneys and in turn had made certain suggestions to the Embassy and the Embassy simply thanked him for it and let it go . He had made the offer, as I understood it, to the ambassador, in confidence, to make certain recommendations to Luis Cabrera. The ambassador said he would examine into it and let him know later, but he never did. Leckie said that, repeatedly, time after time, he had offered certain things that he thought he could secure inside information on, and had suggested to the military attache and the ambassador that he would be very glad to do it, and they thanked him profusely for it and never went ahead with it. They were either scared of him or didn't want to use him.

Senator BRANDEGEE. Why did Leckie maintain an office up here?

Mr. JONES. Mr. Leckie practiced law, as I understand it, for 20 or 30 years, up here. One of his partners was assistant attorney general under Mr. Gregory. When these claims held by foreigners began to accumulate Leckie saw the opportunity, as I understand it, to clean up a good deal of money by centralizing a majority of these claims into the hands of one lawyer or one firm of lawyers, so he immediately began to corral all of the claims, and had I imagine probably

half or two-thirds, and spent a good deal of money on it, so he told me. Then he decided the quickest and surest way to procure results would be to go to Mexico himself and open a law office there. So after arriving in Mexico City he had the opportunity to become a partner in this Mexican law firm. That law firm, in connection with Leckie, was handling all the claims against the Mexican Government, and of course, knowing how things were done down there, that law firm of Gonzalez Roa, Carbajal, and Leckie, if they had ever been able to put the claims through, would have split them all the way around, and there is no telling how much graft would have been paid out to have these claims settled.

Senator BRANDEGEE. When did Leckie become a member of that Mexican law firm?

Mr. JONES. That I don't know correctly, but in the early part of 1917.

Senator BRANDEGEE. If Leckie never suspected that you had any relation whatever with the Department of Justice or with our Government, what did he suppose you were?

Mr. JONES. Strictly a newspaper man, which I had been for 20 years.

Senator BRANDEGEE. Very well. That is all I wish to ask about that.

The CHAIRMAN. Were you through introducing the letters?

Mr. JONES. No, sir. I have here three letters from Andreas Garcia, dated July 22, August 5, and August 6, 1918, which I wish to introduce.

The CHAIRMAN. They will be filed and printed as an appendix to the testimony.

(The letters to which reference was made are printed in full as a part of the appendix to the testimony of this witness.)

The CHAIRMAN. Referring to these letters from Andreas Garcia, which you have introduced, he was at that time inspector of consulates of Mexico and Mexican consul along the border, and particularly in Texas, from El Paso to Brownsville, was he not?

Mr. JONES. Yes, sir.

The CHAIRMAN. And reported to them and did his business with them and with their consulates, and was familiar with their revolutionary activities?

Mr. JONES. Yes, sir; the revolutionary activities and the entire plan.

The CHAIRMAN. And anything that you thought was of real importance to this Government that you discovered in that way, or through any other investigation, you communicated to Mr. Bielaski?

Mr. JONES. My reports on file with the Department of Justice would probably total 3,000 in number, showing that repeatedly I would be asked to come to Washington, or was passing through Washington, and during our European war period the State Department repeatedly would have liked to have told Bonillas things they would like to say, which they could not say, and so I was told either by Mr. Bielaski or Mr. Pike to find out this, that, or the other thing from the ambassador, whatever they might want to get from him, which I did

The CHAIRMAN. I notice in this letter of Mr. Garcia's of July 22, 1918, he states among other things:

As to the remittance, you had better see your consul in your city and have him ask for authority to pay you. According to the papers I have received from the subsecretary of foreign affairs, you should report to your consul at New Orleans, or through any other of our consuls in your operations, and comply with instructions.

Again, on August 6, acknowledging one of yours of July 22, he states that he is "inclosing the same to the foreign office at Mexico, and suggest that you use your own judgment and make yourself known wherever it is entirely necessary, and that it will not interfere with your work."

Under date of August 5, in Spanish with the English translation, there is a note of introduction from Andreas Garcia to the chief of arms at Matamoras, Tamaulipas, Mexico, stating that "You have been commissioned by the secretary of foreign relations of 'our Government' (meaning Mexico) to watch and counteract the work of the enemies of this Government who are employed in that country." That is, the United States?

Mr. JONES. Yes, sir. Now, to get this entire record straight, when the Mexican Government made me that proposition, originally through Leckie, it was immediately reported to the Department of Justice in my reports, which are a matter of record over at the bureau. The negotiations ran along for probably two and a half to three months, somewhere along in that time, and due to other matters that I had on hand I could not give the time to the Bureau of Investigations to go into that other matter and handle that in connection with my own work.

During February of 1918 the proposition was again put up to me, and I at that time reported the matter again to the Department of Justice, and likewise wrote a personal letter to Chief Bielaski regarding the matter, stating to him that the Mexican Government was very anxious to employ me as their publicity director, and also being connected with the Secret Service of the United States; they offered me a salary of $2,000 per month, and were also very anxious to purchase every paper or document I might have in my possession pertaining to the revolutionary enemies of their Government throughout the United States and Central America.

Several weeks later I discussed that matter with Mr. Bielaski, and he said there was absolutely no objection on the part of the Bureau of Investigation to my accepting the proposition offered me by the Mexican Government, and that I likewise was perfectly within my rights in letting the Mexican government have all those papers and documents, for which they at that time offered $40,000.

Senator BRANDEGEE. Through whom was that offer made?

Mr. JONES. The offer was made through Andreas Garcia. I will be very glad to introduce the original reports, which can go in the record, a carbon copy of my reports, covering the whole thing, to the Department of Justice as soon as my trunk gets here.

The CHAIRMAN. The reports may be incorporated in the appendix to your testimony.

Mr. JONES. That resulted in me then going, at Leckie's telegraphic request, to El Paso, Tex., to meet Garcia, and at El Paso Garcia entered into an agreement with me on instructions from the Mexican

foreign office, to handle the work mentioned at $2,000 per month, and again made me an offer of $40,000 for the papers and documents.

All of these papers and documents I did not have with me, and I told him I would take the matter up later with him. When I returned to New Orleans, I made a complete report, carbon copies of which I will submit later, to Chief Bielaski. Several weeks after that I was in Washington and at that time Chief Bielaski told me, "Jones, under no circumstances allow the Mexican government to get hold of the papers and documents pertaining to the activities of their revolutionary enemies in the United States or elsewhere."

I mentioned at that time to Bielaski the fact that I had written to him, also covered the matter thoroughly in my reports, and it was particularly fortunate that I did not happen to have all the papers and documents with me at El Paso, because if I had, probably they would have at that time been turned over to the Mexican government. The Mexican government never secured those papers.

From that time on for a period of six months I retained my connection with the Mexican government, and in that way was able, from Ambassador Bonillas and practically every Mexican consul that they had along the border, in New York, New Orleans, or any other place, and from their offices in Mexico, to secure complete inside information as to the plans and activities, etc., they had in the United States, throughout Central America and Mexico, and as these plans were secured by me, they were immediately reported to the Bureau of Investigation of the Department of Justice, as per reports on file there, and duplicate copies likewise sent to the State Department.

The CHAIRMAN. Now, in connection with these activities, what did you learn and report of important to the United States with reference to the activities of Mexico in connection with the Central American matters, and the Republic of Honduras, Guatemala, Salvador, etc.?

Mr. JONES. During the latter part of 1916, nearly all of 1917, and up until the early part of 1918, I secured through Honduran, Guatemalan, and Nicaraguan revolutionists, at that time conducting their propaganda and plans in the United States, information to the effect that they had a proposition on with Carranza, Gen. Obregon, at that time Mexican Minister of War and Marine, and practically all other Mexican officials of any prominence at that time close to Carranza.

The CHAIRMAN. What was the nature of that proposition that they had on with Obregon and Carranza and the Mexican officials?

Mr. JONES. The scheme in its entirety, Senator, was a plan whereby, with arms, ammunition, and money, likewise several boats, to be furnished by the Mexican Government, armed expeditions out of Cera Cruz, one or two ports in Quintana Roo, and another port near Belize, British Honduras, and other armed expeditions out of New Orleans, were simultaneously to attack Guatemala, Nicaragua, and Honduras, all those countries in Central America, and by the revolutionary route, overthrow the existing legal governments in each of those Central American countries, and establish a revolutionary leader as president in each of those countries.

The CHAIRMAN. At that time, and particularly after the United States entered the European War, which among these countries you

have named, Salvador, Mexico, or Guatemala, particularly, were friendly to the United States?

Mr. JONES. Estrada Cabrera, who was for many years President of Guatemala, was notoriously friendly to the United States, and I think the day the United States declared war, the following day Guatemala did.

The CHAIRMAN. Mexico never did declare war, did she?

Mr. JONES. No, sir; Mexico never did declare war. Salvador was particularly pro-Mexican, as as much anti-American as Mexico, and was known to be the tool of Carranza in Central America.

The CHAIRMAN. What was the object of the attack upon Nicaragua, if you know? What were the conditions in Nicaragua?

Mr. JONES. At that time Dr. Julius Irias, was one of the leaders of the Nicarauguan Liberal party, which is represented by about 65 per cent of the voters of Nicaragua. Irias claimed, not only to myself in quite a number of conversations, but likewise to others who repeated the remarks to me, that Mr. Chamorra, who is now President of Nicaragua, and at this time in 1916, and the early part of 1917, was Nicaraguan Minister to Washington, had been promised by Secretary of State at that time, William Jennings Bryan, that if Chamorra would consent to the treaty affecting certain canal rights across Nicaragua——

The CHAIRMAN. The San Juan River route?

Mr. JONES. Yes. That he, Bryan, would see that Chamorra was elected President of Nicaragua. Irias and his friends and supporters claimed, that, due to the influence of Bryan and of the State Department, irrespective of the majority of the voters in Nicaragua, the election really was a cooked proposition for Chamorra.

The CHAIRMAN. Why was Mexico interested in behalf of Irias? Just because of his antagonism to this Government?

Mr. JONES. They were employed at that time, in looking around, in connection with Von Eckhardt, German Ambassador to Mexico, trying to establish in Central America a stronghold, which, if they had succeeded, would have resulted in the United States facing in Central America a strong pro-German situation, such as we had in Mexico. In other words, it was the idea and plan of Carranza, with Von Eckhardt and Carranza's officials, to gain control of all of Central America.

The CHAIRMAN. Then this movement, so far as Mexico was concerned, against Nicaragua, and Guatemala, and Honduras, in conjunction with Salvador, and the revolutionists in these different countries, was in aid of the German propaganda and German proposition as advanced by Von Eckhardt?

Mr. JONES. Yes, sir. I will introduce later a signed statement proving that absolutely, from parties who were approached in regard to the proposition.

The CHAIRMAN. Suppose you cover that at this time, unless you have some memoranda which you desire to follow?

Mr. JONES. I thought I would just read in a brief memorandum of it here, then refer to cases where the original letters and photostatic copies are set out, from Mexican officials and others.

The CHAIRMAN. And file those documents with the committee?

Mr. JONES. Yes, sir.

The CHAIRMAN. Very well. Pursue your own course. Of course, make it as short as you reasonably can.

Mr. JONES. Yes, sir. The financial support which Mexican Government officials, as shown in files A, D, H, and I, are alleged to have extended to the Nicaraguan, Guatemalan, and Honduran revolutionary movement, was supplied by the German Embassy at Mexico City to Carranza.

The CHAIRMAN. Have you evidence of that other than what you gained through your connection with the Mexican foreign department?

Mr. JONES. I have a statement to that effect.

The CHAIRMAN. When you say Files A, etc., are those the exhibits and documents you are reading from?

Mr. JONES. Yes, sir. This is from a subexplanatory index in File I, and I will furnish for the use of the committee a written statement covering this matter. The principal agent of Carranza in the original negotiations and starting of this movement, was F. R. Villavicencio, at that time Mexican consul general at New Orleans. A letter of March 3, 1916, to General Rosales, on pages 15 to 17, File I, show the personal negotiations between Villavicencio and Pedro Grave de Peralta, the agent of the Central American revolutionary junta in New Orleans.

The CHAIRMAN. The statement to which you refer may be incorporated in the record as a part of the appendix to your testimony.

Mr. JONES. Pages 20 and 21, File I, contain letters from Peralta to Gen. Maximo B. Rosales, Honduran revolutionary leader, inclosing copy of letter from Carlos Felix Diaz, Mexican consul general at that time at Belize, British Honduras. These letters give a good deal of information regarding the plans of the Mexican consul at Belize, in connection with the Central American revolutionists.

Under date of March 11, 1916, Gen. Maximo B. Rosales, in San Francisco, wrote Peralta at New Orleans, as shown on pages 22 and 23 of File I. The Mexican consul general at San Francisco at that time, Ramon P. De Negri, had written and said that he—De Negri and Rosales—were working in close accord. De Negri during 1919 was transferred as consul general from San Francisco to New York City.

The CHAIRMAN. Is this De Negri the man who has recently, from newspapers reports, announced himself as with the present revolutionary movement in Mexico against Carranza?

Mr. JONES. Yes, sir.

The CHAIRMAN. Until recently he has been the Mexican consul general in New York?

Mr. JONES. That is right.

The CHAIRMAN. Is he the same man who has circulated the Arthur Thompson Bolshevist literature in the United States?

Mr. JONES. Yes, sir.

The CHAIRMAN. And denied that?

Mr. JONES. Yes, sir. I have a copy of that yellow book that I got from the consulate in New York.

The CHAIRMAN. Very well, you may proceed.

Mr. JONES. In this file there are a good many letters which I am not mentioning, but which the file itself stands for, and which give

in detail from day to day, and month to month, the complete inside plans as they were developed.

Gen. Rosales, on May 24, 1916, wrote to Peralta that President Carranza of Mexico intended to start a war immediately on Estrada Cabrera, in Central America. Rosales' letter also contains the statement that the Governor of Yucatan, at that time Salvador Alvarado, and who is at the present time one of the most active participants in the revolutionary movement now going on in Mexico, that "the Governor of Yucatan is very much interested in assisting a general movement against the allied governments of Central America, especially those protected by the Guatemalan Government." This letter is found on pages 29 and 30 of file I.

A letter of the Mexican consul, Carlos Felix Diaz, March 27, 1916, pages 31 and 32, file I, to Peralta, informs Peralta that he, the consul of Mexico, at Belize, British Honduras, is working in connection with the revolutionary movement which is springing up in Guatemala, and likewise he has established relations with some of the rebels of Honduras.

Peralta's letter of April 2, 1916, page 35, file I, to Manuel A. Perdomo, of Belize, British Honduras, confidential agent there for the Carranza government, tells Perdomo that the plans of the Mexican Government are progressing satisfactorily.

Peralta, in a letter of April 2, 1916, to Carlos Felix Diaz, Mexican consul at Belize, British Honduras, pages 36 to 38, file I, gives additional plans regarding the Central American revolutionary movement.

Peralta's letter of April 19, 1916, to Rosales, pages 40 and 41, file I, states that he is inclosing letter from F. R. Villaviciencio, Mexican consul general at New Orleans, also from Carlos Felix Diaz, Mexican consul at Belize, British Honduras, and refers the letters from Peralta to Carranza, and Candido Aguilar, Mexican secretary of foreign affairs, and other prominent Government officials in Mexico City. These letters are on pages 61 and 62, file I.

Carlos Felix Diaz, Mexican consul general at Belize, British Honduras, on April 20, 1916, wrote Peralta, as shown on pages 44 and 45, file I, that he, the consul, had arranged with Gen. Carlos Vidal, military commander for Carranza in the Territory of Quintana Roo, with respect to different parts of that territory where their arms and ammunition were to be unloaded, and the various expeditions organized and equipped out in that territory against the various Central American countries. Gen. Vidal, I understand, at the present time is one of the most active supporters of Gen. Obregon.

The CHAIRMAN. In the revolutionary movement against Carranza?

Mr. JONES. Yes, sir; the revolutionary movement against Carranza. Vidal had been very active with Gen. Green in Tabasco.

The CHAIRMAN. Gen. Green claimed to be the legal governor of Tabasco.

Mr. JONES. Yes, sir.

The CHAIRMAN. And also is one of the prominent figures in the present movement.

Mr. JONES. And a very strong personal friend and supporter of Gen. Salvador Alvarado.

Peralta's letter of April 24, 1916, to Carlos Felix Diaz, Mexican consul general at Belize, British Honduras, pages 50 to 52, file I, is in answer to Diaz's letter of April 20, 1916, to Peralta, on pages 44 and 45, of file I. In that letter Peralta congratulates Carlos Felix Diaz for assurances from him and the Mexican Government of their complete support of the Central American movement. He then outlines plans to operate a revolutionary movement against Guatemala, through the Mexican State of Chiapas, and then states that as soon as Gen. Rosales is in power in Honduras, they would throw 20,000 to 30,000 troops against Guatemala, which, with the attack from the Chiapas border, would result in the complete overthrow of Estrada Cabrera, President of Guatemala.

Peralta's letter of May 17, 1916, to Rosales, pages 63 and 64 of file I, informs Rosales that Peralta is leaving New Orleans May 19 for Yucatan and Mexico, and has letters of introduction from F. R. Villavicencio, Mexican consul general at New Orleans, La., to President Carranza, Gen. Salvador Alvarado, governor of Yucatan, as shown in the photostatic copy of the letter on page 51 of this file. Also to Gen. C. Aguilar, son-in-law of President Carranza, and Mexican minister of foreign relations. Likewise to Gen. Alvaro Obregon, Mexican secretary of war and marine. Other letters of introduction carried by Peralta were to prominent Mexicans, as shown on page 62 of file I.

A subsequent letter, dated May 12, 1916, page 62 of file I, introduces Peralta to Gov. Alvarado of Yucatan, and requests him to assist Peralta in every possible way.

After Peralta's arrival in Mexico City, as shown on page 66, he addressed a letter to each of the various parties to whom he had letters of introduction there, as shown in the index and subexplanatory index of file I. Photographic copies of these letters stand for themselves.

President Carranza, having received the confidential advice from his consul general at New Orleans, and from other officials of his throughout the United States, was fully aware of the plans prior to the arrival of Peralta in Mexico City. There, President Carranza, on June 8, 1916, wrote Peralta as per his letter shown on page 70 of file I, stating that he would receive Peralta at the palace at 4.30 p. m., June 9, 1916.

Peralta's letter of June 10, 1916, to Obregon, Minister of War and Marine, pages 72 and 73 of file I, expresses Peralta's thanks to Obregon for the assistance so far given to the Rosales-Peralta plans to secure financial and political support for Mexico to overthrow the governments of Honduras and Guatemala, and then secure for Mexico political control of Central America.

Peralta's letter to Gen. Obregon, as shown on pages 72 and 73 of file I, refers to information brought by Peralta to Mexico. At that moment relations between the United States and Mexico were rather strained, and while Peralta was in Mexico he had completed arrangements whereby he was to secretly furnish the Government of Mexico information which would keep them thoroughly posted regarding Army and Navy movements of the United States Government, likewise any other information which would be of value to Mexico. Peralta's letters to various Mexican Government officials shown in

this file bear out this statement. For instance, his letter of July 3, 1916, to President Carranza, pages 94 and 95 of this file, and his letter of July 11, 1916, page 101 to Dr. George A. Guzman, in which Peralta states that President Carranza had designated him as Mexican confidential agent at Washington.

The CHAIRMAN. Who was this man Peralta?

Mr. JONES. Peralta is half Cuban and half Nicaraguan, and, I believe, a naturalized Honduran. Probably in 1913 or 1914 he came to the United States. He has always been mixed up in Central American politics for a good many years, and that seems to be his principal business. Gen. Maximo B. Rosales, ex-vice president of Honduras, and ex-minister of war, was approached by Peralta in connection with Dr. Irias, and in connection with Gen. Jose Castillo, Guatemalan revolutionary leaders. Peralta, I believe, was, in connection with Villavicencio, with whom he was on very familiar terms, the originator of this plan, in connection at that time with De Negri, consul general at San Francisco, and others of the Mexican consul generals in the United States. There was supposed to be a good deal of German money floating around, and the Department of Justice, as far as I was ever able to learn, was not able to trail it. I even went to the complete limit, but never could trail the real party in this country. We were thoroughly satisfied of the fact that a large volume of the money was German money, and at the time these papers and documents were secured by me we got hold of some which bore that prior thought out. Later we secured statements, signed and otherwise, and from parties participating in it, which positively proved the earlier surmise correct.

The CHAIRMAN. Very well. You may proceed.

Mr. JONES. Perlata's letter to President Carranza, dated June 16, 1916, pages 75–76, file I, assures Carranza of his interest in the proposition, and states that Gen. C. Aguilar, Mexican Minister of Foreign Relations, and Mr. Ugarto, private secretary of President Carranza, had assured him, Perlata, that President Carranza had already given instructions to them to communicate his wishes and desires as to the success of the Central American revolutionary plans, and that within a few days the necessary instructions for arms, ammunition, and finances, would be given.

The Government of Mexico at that moment was very anxious to endeavor to offset column after column of newspaper and editorial matter, which was being run in the United States, severely criticizing Carranza and his Government for their pro-German and anti-American attitude. Peralta was filling Carranza and others full of hot air as to his power to control publicity throughout the United States. He has been assured by me that I could fully cooperate with him and get anything he wanted in the newspapers. Therefore, on June 19, 1916, Peralta wrote Gen. C. Aguilar, Mexican Minister of Foreign Relations, as shown on page 78, file I, requesting that he, Peralta, be given a frank over the Mexican telegraph wires to send certain information to newspapers friends of his in the United States, which was myself, and which would create a friendly sentiment in the United States for the Mexican Government. As a matter of fact, Peralta never had an opportunity to secure, through me or anybody else, any newspaper publicity throughout the United States.

Peralta, on June 19, 1916, wrote President Carranza, as shown on page 51 of file I, that the entire Liberal Party of Central America, including Gen. Maximo B. Rosales of Honduras, Dr. Julius Irias, of Nicaragua, and Gen. Jose Castillo, of Guatemala, without conditions placed the entire liberal party of Central America at the exclusive orders of Gen. Carranza to fight the United States, or any other enemy of the Mexican Government. At the time this letter was written by Peralta conditions between Mexico and the United States were almost at the breaking point, and it will be seen from Peralta's letter that he absolutely pledged the armed support of Gen. Rosales's followers and other revolutionary parties affiliated with the Rosales movement. to consolidate their forces with those of Mexico to fight the United States.

On June 23, 1916, as shown on page 55 of file I, the subsecretary of foreign relations of Mexico wrote Peralta that Luis Cabrera, Mexican secretary of finance, had received instructions in regard to Peralta's affairs, and requests Peralta to come to the office of Cabrera on June 24, 1916, at noon.

From President Carranza's private secretary, on June 23, 1916, page 86, file I, Peralta received a letter informing him that President Carranza had already given orders to supply Peralta with the necessary war equipment and money for the Central American revolutionary movement, and requested him to call at the office at noon on June 24 so that all these matters could be definitely settled. That letter again referred to President Carranza's instructions to Luis Cabrera, Mexican secretary of finance.

Peralta's letter of June 25, 1916, pages 87 and 88 of file I, to Carranza, again informs Carranza that a triumph throughout Central America is an established fact.

Peralta's letter of June 27, 1916, page 89 of file I, to Gen. A. Obregon, Mexican secretary of war and marine, requests letter from Gen. Obregon to Gen. Carlos Vidal, Mexican military chief in Payo Obispo, Quintana Roo, who is to help from there in operating various Rosales revolutionary movements in Honduras and Guatemala.

Peralta's letter of June 27, 1916, pages 90 and 91 of file I, to Carranza's private secretary, thanks him for his assistance in securing the results and getting the necessary instructions to the various Government officials for Peralta to secure the necessary war equipment and money.

On page 92 of file I is shown a letter, dated at Mexico City, June 27, 1916, from Gen. Carlos Green, addressed to Antonio Hernandez Ferrar, and introduces Peralta to that party. Gen. Green, in this letter, states that Peralta has arranged with Mexico regarding some very important matters and is now returning to the United States to carry out his plans, which have been assisted and fully concurred in by Mexico.

Peralta's letter of June 27, 1916, page 93 of file I, to C. Aguilar, Mexican minister of foreign relations, expresses his thanks to Aguilar for the highly satisfactory manner in which President Carranza has cooperated with the Central American revolutionary movement, and then refers to the war equipment and money which Mexico was to furnish for that movement.

Peralta's letter of July 3, 1916, to President Carranza from Vera Cruz, pages 94 and 95 of file I, refers to Peralta's proposed plan to

spread propaganda throughout the United States, endeavoring in this way to avoid intervention on the part of the United States. Peralta also in this letter states that he feels sure he will be useful to Mexico in Washington and New York, and will also confidentially be able to keep Mexico fully advised regarding the plans and activities of the United States.

Peralta's letter of July 5, 1916, page 96 of file I, to Dr. Roberto de la Rosa, dated at Vera Cruz, as shown on page 96 of file I, instructs Dr. de la Rosa to immediately see that all of the parties in Vera Cruz who are to leave there with the armed expedition against Honduras are ready when wanted. He also tells this party to inspect at Vera Cruz the rifles and ammunition which have been furnished for this movement by the Mexican Government.

Peralta's letter to Vidal, Mexican military commander at Payo Obisco, Quintana Roo, dated Vera Cruz, July 5, 1916, page 97, file I, informs Vidal that Peralta's mission to the national palace at Mexico had been fully successful, and that he, Peralta, at an early date would sail from Vera Cruz to Payo Obisco with a group of revolutionists and a supply of arms and ammunition, and would also bring Gen. Vidal a letter from the Mexican secretary of war and marine, Gen. A. Obregon. This is the letter which Peralta requested Gen. Obregon to give him as per Peralta's letter shown on page 89. Peralta also in this letter requests Gen. Vidal to telegraph in code Carlos Felix Diaz, Mexican consul general at Belize, informing him that Gen. Rosales and Peralta had succeeded in securing all they wanted from Mexico, and then refers to their political triumph in Mexico.

Peralta's letter date at Vera Cruz July 6, 1916, page 99 of file I, to Manuel de la Rosa, requests him to immediately make arrangements for the establishment of a Red Cross service in which Mexican doctors only are to be employed. This refers to the hospital corps which was to be organized in Vera Cruz, and participate in the revolutionary movements against Honduras and Guatemala.

Peralta's letter dated at Vera Cruz July 6, 1919, to Gen. Obregon, Mexican secretary of war and marine, page 100 of file I, thanks Gen. Obregon for his assistance, and refers to the fact that Gen. Obregon has done as much or more than any other Mexican to help establish the liberal rule in Central America. Peralta in this letter also tells Gen. Obregon that he is now quietly arranging the various armed expeditions in Mexico which will work in connection with those to be run out of the United States and from Belize, British Honduras, against Guatemala and Honduras. He also in that letter refers to a previous conversation with Gen. Obregon regarding the necessity of organizing a hospital or Red Cross corps which will be supplied exclusively by Mexican doctors. He then requests Gen. Obregon to release Dr. Manuel de la Rosa, director of the Mexican hospital at Vera Cruz, so that Dr. de la Rosa can organize and command the revolutionary hospital staff which was to accompany the various armed expeditions against Honduras and Guatemala. Peralta in this letter refers to a letter which Dr. de la Rosa will personally hand to Gen. Obregon. This is the letter which Peralta wrote Dr. de la Rosa regarding this matter on July 6, 1916, as shown on page 99.

Peralta's letter dated at Vera Cruz July 11, 1916, on page 101 of file I, to Dr. Jorge A. Guzman, informs Guzman of the fact that he has been appointed private secretary to Peralta. Peralta also in this letter refers to having been designated by President Carranza as their legal and confidential agent in Washington. On page 104 of file I is a photostatic copy of an agreement between Peralta and W. P. Gavin, at that time in Vera Cruz.

On page 106 is shown memorandum prepared by Gen. Manuel E. Lardizabal, at New York City, regarding the plans and activities of Peralta in Mexico. Lardizabal is alleged to have secured information regarding these matters from or through his ex-wife, Mrs. Concha Prado, who was in Vera Cruz, Mexico, or Mexico City, at the time Peralta was there. This signed memorandum from Lardizabal, which is later confirmed, as far as the information is concerned, from Peralta himself, in my presence, in which Peralta admitted that he had secured from Luis Cabrera, Mexican minister of finance, $50,000 for the Honduran revolutionary party.

On page 108 of file I is shown a contract entered into between Peralta and Roberto de la Rosa, whereby in this contract Roberto de la Rosa is to raise in Vera Cruz an expedition of 100 men and not less than 4 officers, arming and equipping them with rifles and cartridges for the proposed expedition out of Vera Cruz against Honduras, likewise for shipping arms and ammunition out of Mexico to various Central American points.

On page 109 are details regarding the organization of the Mexican hospital staff which was to accompany the Rosales revolutionary expedition out of Mexico against Honduras.

On page 121 is a memorandum showing itemized expenses for the armed expeditions out of Vera Cruz and Campeche, Mexico.

On page 124 is a report made by one of Gen. Rosales's confidential messengers, named Santos. This report states that all of Gen. Rosales's plan, as far as the Mexican end is concerned, could not be in better shape. Furthermore, that Gen. J. Castro, Mexican subsecretary of war and marine, is helping the Guatemala revolutionary party to the best of his ability. This report also states that Gen. Obregon, Mexican secretary of war and marine, and President Carranza had agreed to supply an additionl quantity of arms and ammunition.

That is the end of that.

The CHAIRMAN. We will now suspend until half past 2 o'clock.

AFTER RECESS.

At the expiration of the recess the committee reconvened.

TESTIMONY OF MR. CHARLES E. JONES—Resumed.

The CHAIRMAN. Mr. Jones, you may proceed.

Mr. JONES. File D, pertaining to Nicaraguan matters, contains, on page 1, on autographed photograph of Gen. A. Obregon, at that time Mexican minister of war and marine, to Dr. Julián Irias, the Nicaraguan revolutionary leader. This photograph was presented to Dr. Irias by Obregon while Irias was in Mexico securing financial assistance and arranging for arms and ammunition to be used

by Irias in his Nicaraguan movement, in combination with the various other Central American movements testified to heretofore.

The various letters, documents, etc., in file D show Irias's connection with the Mexican Central American plot and plans.

During the time this Central American plan of Mexico was on foot various agents of Carranza and von Eckhardt were sent to the United States and to the Central American countries to carry through the plans regarding the matter.

The following is a statement made by Antonio Mendez Monterroso, former military governor and commander at La Ceiba, Honduras, and other parts of that country:

During the year 1916 President V. Carranza of Mexico through a confidential representative made me the proposition mentioned hereinafter. At that time I was military governor and commandante for the Government of Honduras at La Ceiba. The confidential agent of President V. Carranza of Mexico was Senor Gustave Solano, who at the time this proposition was made to me was at New Orleans, La. Knowing that I was acquainted with Alfredo Quinonez, a native of Salvador, Gustave Solano, who is now Private Secretary of Espinosa Mirrelles, the governor of the Mexican State of Coahuila, therefore authorized Alfredo Quinonez to propose to me in writing, which he did, that I would receive a special commission from President Carranza as the official directing head of a revolutionary movement which President Carranza wanted me to start in Honduras and operate out of that country against the Government of Guatemala. Gustave Solano by his credentials and otherwise fully proved to Alfredo Quinonez his complete authority to act for President Carranza in this matter, and Alfredo Quinonez in turn proved to me entire satisfaction regarding the complete authority of Gustave Solano and himself to act in this matter.

I was assured by these representatives of President Carranza that the Government of Mexico would finance this revolutionary movement to any extent, no matter how high the expenses might run, and that the entire revolutionary movement would be completely outfitted with all necessary arms, ammunition, artillery, machine guns, machetas, and all other war supplies, equipment, and financial payment for my services I might designate. Furthermore that President Carranza would supply me with two or more steamships which would be used in the revolutionary movement, so I was informed by Gustave Solano through Alfredo Quinonez would include a large number of Mexican Army officers and soldiers. I was also informed at that time by these representatives of President Carranza that this revolutionary movement was part of the complete plans of President V. Carranza of Mexico to by a revolutionary movement on the part of Mexico overthrow Estrada Cabrera, President of Guatemala, and was to be the opening movement on the part of Mexico to become the domineering power in all of the Central American countries. I also at that time understood from these parties that the financial backing, a total expense of this proposed revolutionary movement against Guatemala as offered to me through these parties who were the confidential agents of President Carranza, was to be paid with money furnished for this purpose to President V. Carranza of Mexico by H. Von Eckhardt, the German Ambassador to Mexico City.

So that I would be able to secure the full plans of Mexico regarding this proposition, therefore for a considerable time conducted negotiations regarding these matters with Gustave Solano through Afredo Quinonez, and after I had secured complete information regarding same I then emphatically told these parties to inform President Carranza and everybody else implicated in this proposition that under no circumstances would I be a party to any such proposition, first, on account of the fact that I was a native of Guatemala, and always had been and would be the loyal supporter of my native country, and never under any circumstances would I cooperate with Mexican forces against Guatemala, and in the second place, in so much as I was a strong admirer and personal friend of President Cabrera, of Guatemala, that for no amount of money or promise of future political reward or power, such as was promised me to handle this revolutionary matter, would I ever be connected with any revolutionary plans against him. Furthermore, even if I were against Mr. Cabrera, I would never have anything to do with a proposition that was or would be financed or supported by Germany or any German

interest. On account of the rumors which seem to be well established regarding the fact that the Government of Mexico is now said to be financing and cooperating with a revolutionary movement against the Government of Guatemala, which is to be started in the near future out of the Mexican States of Chiapas and Tabasco, believe now is the time to fully inform President Estrada Cabrera regarding these matters; therefore have made this written statement as to the facts mentioned herein and same has been signed by me at New Orleans, La., on this the 8th day of September, 1919.

A. M. MONTERROSO.

The statement was signed by Gen. Monterroso and witnessed by Rafael Heliodoro Valle, who is now at the Honduran legation at Washington, D. C. A photostatic copy of Gen. Monterroso's statement is filed with the committee. Likewise a photostatic copy of his passport issued by the Government of Honduras and signed by Monterroso, which verifies his signature to the original signed statement. Also a photostatic copy of a statement made by Monterroso at the American Consulate at La Ceiba, Honduras, August 7, 1917, signed by Monterroso, in the presence of the American consul, which verifies the signature to the original statement signed by him.

The reason that Carranza approached Monterroso through the representative mentioned hereinbefore was due to the fact that some 15 or 16 years ago Monterroso was known to be one of the most bitter and active enemies of Cabrera, and on or about that time participated in a revolutionary movement against Cabrera. The Mexicans and Guatemalans interested in the proposition, therefore, thought Monterroso would be very much interested in participating in the Central American plan.

At New York, about two weeks ago, I met a Mexican by the name of Ernest Racca, whose card reads, "M. D.", claiming to be a doctor, and who is running a chemical laboratory on the third floor of a building at 192 Bowery, corner of Spring Street. Racca had seen one or two newspaper articles of mine, and called on me, and in the presence of my brother, N. T. Jones, and Gene Fowler, of the New York American, offered to sell me quite a number of letters passing between he, Racca, Pedro Peralta and Dr. Manuel de la Rosa, Gen. A. Obregon, Carranza, and others, which completely proves the fact that, with the full knowledge, consent, and approval of Gen. A. Obregon, and Carranza and his other officials, the Red Cross or hospital corps was organized in Vera Cruz at that time, which consisted entirely of Mexican doctors in the employment of the Mexican Army, to be a part of the various revolutionary movements started by Mexico against Central American countries. Dr. Racca was employed in the Mexican military hospital at Vera Cruz, and was to become a part of that expedition. His card is filed on page 1 of File I.

These various Central American revolutionary movements were actively continuing, and the several armed expeditions were ready to operate, and were getting ready to leave the United States during the latter part of 1917. For probably a year and a half I had, for the Bureau of Investigation, secured the inside plans from Dr. Julian Orias, and when the bureau thought they had sufficient evidence they closed in on him, resulting in his arrest in New Orleans by the Department of Justice, and I understand that the United States District of Attorney allowed him to elect to either leave the United

States or face prosecution in the Federal courts, and he at once left the United States, and is now said to be in Costa Rica.

Several months after that Peralta, Gen. Maximo B. Rosales, and several of the other operators were arrested in New Orleans by the United States Department of Justice, and upon recommendation of the United States District Attorney at New Orleans, they were allowed to leave the United States or face prosecution in the Federal courts. Naturally, they immediately left the United States.

That was a most serious mistake on the part of the Attorney General's office at Washington, and I understand they received the suggestion from the State Department that it would be advisable to deport these Central American revolutionists in preference to prosecuting them in the Federal courts; that being due, as I was told, to the fact that if any of these prominent Central Americans were prosecuted and sent to the penitentiary it might lead to an unfriendly sentiment throughout Central America against the United States. From the date that these Central American revolutionists, who had received many thousands of dollars from Carranza and Von Eckhardt, left the United States, they have and are continuing to be actively engaged in planning and plotting their revolutionary movements throughout Central America.

I believe that is the end of that.

The CHAIRMAN. As I understand it, you have certain other documents that you will refer to later.

Mr. JONES. Due to certain other documents and files which have been delayed in reaching Washington, particularly those applying to what is known to the Department of Justice and State Department as the "Plot of Morazan," which was to be a consolidation of the Central American Governments of Honduras and Salvador. These documents and further information regarding same will be testified to before the committee at a later date.

The CHAIRMAN. I understand these documents are to follow those you have already introduced?

Mr. JONES. Yes, sir. Carranza, in other words, had three well-known Central American propositions: First, his Mexican and Central American and Pan-American League for Neutrality. That was broken up, and then he started to gain control of Central America by the revolutionary route, as shown before the committee. That was busted up, and then he started on the third plan, which was the plot of Morazan.

The CHAIRMAN. Very well. You may proceed.

Mr. JONES. This Central America revolutionary plot of Carranza, in connection with von Eckhart, as I understand it, has repeatedly been hinted at and mentioned, but has never as yet in documentary shape been proven; and files I and D and the other files, I am inclined to believe, for the first time, by the photostatic copies of letters of various Mexican officials, from Carranza and Gen. A. Obregon, and many others, positively prove the plot and plan as it existed. As fast as these various documents and information were secured, same were promptly reported to the United States Department of Justice, and carbon copies of all reports and documents were likewise forwarded to the State Department. Therefore, the State Department at all times has been fully aware of every plot, plan, or scheme on the part of Carranza and his officials to gain control of Central America.

The CHAIRMAN. And as to their purposes in attempting to gain control.

Mr. JONES. Yes; and as to the absolute purpose on the part of Carranza and his officials to extend their power throughout Central America, until Central America, and from there on down throughout the balance of Pan-America, in connection with Mexico, were to be one, as they expressed it, one united Latin race, which would be at all times a domineering factor against the United States, commercial and otherwise, throughout Pan-America.

It is a very noticeable fact that Gen. A. Obregon, whose letters have heretofore been introduced before the committee in File I, Gen. Carlos Green, Gen. Salvador Alvarado, Ramon P. De Negri, now confidential agent for the revolutionary group in New York City, and many of the other outstanding leaders and representatives of the present revolutionary group in control in Mexico, were as active in these Central American intrigues of Carranza as was Carranza himself.

The CHAIRMAN. So there is no reason to think that, if the policy of the Carranza Government with reference to Central and Pan-American affairs was with any ulterior motive against the United States, that those plans are likely to be changed by Carranza going out and any of the present prominently-mentioned members of the revolutionary group coming in?

Mr. JONES. That is true, Senator. The enthusiasm displayed by Gen. A. Obregon, Gen. Salvador Alvarado, and others, in stating that there should be a warm spirit of friendship and cooperation between themselves, their Government, and the United States, is not borne out by their past anti-American policies and efforts against the interests of the United States throughout Pan America. It has been impossible for those who really knew the inside facts regarding the many plans and plots of Carranza throughout Pan America, and which have been proven in innumerable ways to the complete satisfaction of the State Department by original documents and otherwise, to ever understand how or in what way the United States allowed Carranza and his officials to continue his anti-American policies through Latin-America.

Senator BRANDEGEE. If all these other Mexicans had the same hostile feeling toward America, what could have been done? Who could have been put in down there who would have been better than Carranza was?

Mr. JONES. I do not believe that any of the present crowd, irrespective of whether he has been pointed out at the present time as one of the leaders of the immediate moment, would have been one single bit better than Carranza, because the files which I have introduced before the committee, including all of the letters from Gen. A. Obregon, Alvarado, De Negri, and innumerable of the others who are now in power in Mexico, show that they were active participants in every one of these Central American plots and plans. The leopard can not change his spots. If Gen. A. Obregon to-day is to rule in Mexico, as he apparently is, or Gen. Alvarado, or Gen. de la Huerta, Gen. Calles, or somebody else, if those men a year ago or five years ago were unfriendly to the United States and actively against all interests of the United States, certainly, if they now

change around and preach friendship and cooperation with the United States it is simply the old original Carranza gag, such as was preached at the beginning of the régime of Carranza, promising everything a mortal man could. These people to-day in power in Mexico are all of that same old crowd, and I do not see how anybody can expect anything out of them in the present Mexican situation.

Senator BRANDEGEE. You mean their professions of friendship are simply to enable them to get recognition by this country, do you?

Mr. JONES. There is no doubt about it, Senator, judging from the records of every one of them. Carranza's record, from the day he was recognized, or the first time he started as first chief, demonstrates that. Alvarado's record is a straight line of blood. Obregon's record is the same. There is no man to-day in Mexico who is professing friendship and love and sympathy for the United States that has not by his past record proven to be just as bad as Carranza ever could be. People to-day are judged, whether they are Mexicans or Americans, or any other nation, by what has been in the past, and if Obregon and these other people have been 100 per cent bad, not only from the standpoint of being fully anti-American, and actively against the United States at all stages of the game, and participating in every outrage, directly or indirectly, against foreigners, and their properties, and their lives, and everything else, I do not see how we can expect anything better from them. How in the name of the world can those people come, with hat in hand, and stand in front of the White House and say, "Here we are. We have had a change of heart. We have been washed away," and all that sort of thing. It is just plain bunk.

It is a known fact to the Department of Justice, and the State Department also has a record of it, that during probably June and July of 1918, at the time Germany apparently was winning on its drive to Paris, that Gen. A. Obregon wrote a book which was known to be 99½ per cent pro-German and anti-American. As soon as the Allies began to pick up, along in August Obregon's advisers told him, "For God's sake to cut that book out, and if you go ahead with it, change it." And Obregon, who has always flopped on the advice of his advisers, had the whole proposition changed. The original, however, I understand, is in existence in the files of the State Department. I told Senator Fall that a day or two ago. And Gen. Obregon, after he came to the United States and visited around and saw things, then began to lay plans actively for the President of Mexico; he, of course, changed his tune, and sang a swan song which was pro-American.

The CHAIRMAN. This book of Gen. Obregon's, to which you have referred, was the manuscript of a proposed book sent into the United States to be published, and supposed to have been seized by American officials at Nogales, Ariz., and filed with the proper department here of the United States Government?

Mr. JONES. Yes, sir.

The CHAIRMAN. You have referred several times to the activities of Gen. Salvador Alvarado. Did you know Gen. Alvarado personally?

Mr. JONES. Very well.

The CHAIRMAN. Have you met him at any time recently?

Mr. JONES. I met Gen. Alvarado probably 10 or 12 times in New York during February and March.

The CHAIRMAN. Of this year?

Mr. JONES. Of 1920.

The CHAIRMAN. Just previous to the declaration of independence and nonrecognition of Carranza by the authorities of the State of Sonora?

Mr. JONES. Yes, sir.

The CHAIRMAN. That movement, revolutionary in character, against the Carranza government occurred about the latter part of March or 1st of April, did it not?

Mr. JONES. Yes, sir.

The CHAIRMAN. And culminated in what is known as the plan of Agua Prieta of April 5?

Mr. JONES. That is right.

The CHAIRMAN. Signed by de la Huerta and Calles?

Mr. JONES. Yes, sir.

The CHAIRMAN. Gen. Alvarado was here about that time, was he not?

Mr. JONES. Yes, sir.

The CHAIRMAN. Do you know what he was doing here?

Mr. JONES. We had some information last September or October which showed some peculiar actions on the part of various Mexican Government officials. I will testify to-morrow as to how and in what way I had already ceased to cooperate with the Department of Justice for a good many months at that time, but, in October, 1919, I made it a matter of record with several parties in Washington, and also in New York, that I expected to cut in with these Mexicans and work some inside information out of them, if possible, at a later date, as part of this plan. I placed before the managing editor of the New York American, Mr. Rancké, the plan or idea through Alvarado to secure the real inside information as to what was brewing in Mexico.

Gen. Salvador Alvarado arrived in New York about the middle of February, 1920, and several days after his arrival I called at his hotel, accompanied by my brother and by Gene Fowler, of the New York American. I had known Alvarado prior to that time, he knowing me as a newspaper man. I told him I understood he was very actively engaged in starting an opposition movement against Carranza, either in favor of himself as presidential possibility or of Gen. Obregon, and suggested to him the advisability of employing me as a publicity agent. After some time Alvarado warmed up, and finally I was able to secure practically all the plans of himself and associates. He suggested that I prepare a written proposition in regard to the publicity work I desired, and I told him I would do so and present it to him at a later date. He is still waiting for it.

On March 17, at 6.30 p. m., I saw Alvarado at his apartment in the Hotel Alexandria, One hundred and third Street, near Broadway. At that time I was accompained by my brother, N. T. Jones, and Gene Fowler of the New York American. Alvarado, thinking that all the information he had given me and would give me would be strictly confidential, urged me to immediately begin an active prop-

aganda against Carranza, and in that showed up the entire past, as he expressed it, of the dirty work of Carranza and his clique. He again cautioned me that under no circumstances was his name ever to be used. At that time he introduced me to a party named Manuel de la Pena, who now is said to be commercial agent for the present revolutionary group, with headquarters in New York City.

Senator BRANDEGEE. Was Alvarado, in addition to being hostile to Carranza, a partisan of or agent for Obregon?

Mr. JONES. At that time, Senator, as I will show in detail hereafter, I asked him during these interviews would he be an active supporter of Obregon, and he said that it was not yet a settled matter as to whether Obregon would be a candidate for the presidency. Alvarado was accused then, as he is now and has been for the last two years, of trying to manipulate things so far as possible to be a presidential candidate himself. He always had that presidential bee in his bonnet.

Senator BRANDEGEE. Who did he represent when he came to Washington?

Mr. JONES. He at that time claimed to represent the de la Huerta crowd in Sonora.

Senator BRANDEGEE. Did you see him when he was here in Washington?

Mr. JONES. Yes, sir. I had located him. He told me he was leaving New York, and I got in touch with de la Pena and asked him where I could reach him by wire. I was trying to keep tab on him. I learned from de la Pena I could get him by wire at the Continental Hotel in Monterrey. The next day I learned Alvarado had left there, due to his threatened arrest by Carranza, and was on his way to Washington. I got here the same day Alvarado did.

Senator BRANDEGEE. Do you speak Spanish?

Mr. JONES. Yes, sir.

Senator BRANDEGEE. And read it, of course?

Mr. JONES. Yes, sir.

Senator BRANDEGEE. Very well. That is all I care to ask this morning. You may proceed.

Mr. JONES. I asked Gen. Alvarado why it was that Carranza had caused his arrest shortly before he left Mexico, and his answer was that it had been caused by Carranza's determination to in this way attempt to keep Alvarado's mouth shut regarding his opinions of Carranza and of the forthcoming presidential elections.

Continuing, Alvarado said that he had been under arrest for some five or six days, but was finally released due to the influence of several strong friends of his who impressed upon Carranza the importance of not keeping Alvarado in prison or of having him executed.

Alvarado then said that his daily newspaper in Mexico City might as well have been closed up due to the fact that Carranza, through Andres Garcia, his Postmaster General, was suppressing the paper by killing off its circulation, which was handled in a very shrewd manner so that its subscribers either did not receive the paper at all or its various issues reached them from three to ten days after publication.

Alvarado again, due to my leading questions, branched off into the threatened revolution in Mexico as an outcome of the presidential elections. Alvarado said:

My explanation of why this revolution is sure to occur is that President Carranza proposes to maintain his power and control Mexico, irrespective of consequences to himself, to Mexico, or to any one else. Carranza has manipulated the State elections in each of the Mexican States. This has resulted in Congressmen and members of the Senate being elected at Carranza's direction, all of whom are positively pledged to do his bidding. These members of the Senate and of Congress are not only the most unrepresentative Mexicans, but, on the contrary, are the very riff-raff of my country.

It might be interesting to state that that is the Congress and the Senate that they are asking the provisional president, De la Huerta, to call into session, and that is the same Congress and Senate that was in session under Carranza, and of that Congress and Senate are favorable or were favorable to Carranza, it will be interesting to note just exactly how and what their actions will be regarding the present situation.

Senator BRANDEGEE. How long after you talked with Alvarado did you make these notes from which you are refreshing your recollection as you testify?

Mr. JONES. It has been my custom for five years, Senator, for instance, if I talk to you and you tell me something right now, when I get outside where you can't see me, I jot it down in a memorandum book.

Senator BRANDEGEE. Do you generally make them the same day?

Mr. JONES. Absolutely, every day, as soon as I get away from the discussion, wherever it might be.

Alvarado, in addition to saying that all State elections had been farcical, added that invariably Carranza had placed in power governors of his own selection. In the State of Tamaulipas, Gen. Luis Caballero was formally elected over Gen. Lopez de Lara, the choice of Carranza. Carranza then declared the election illegal, and Caballero rebelled and was driven out of the city and is now affiliated with the revolutionary element in that State. Carranza then appointed a governor of his own selection.

In Tabasco the elections were held some six or seven months ago, according to Alvarado, the opposing candidates being Gen. Green and Luis F. Dominguez. Green had the support of the former governor, Gen. Carlos A. Vidal. Assassinations, riots, and personal and political persecutions resulted, and in the end Carranza appointed his own governor.

In San Luis Potosi elections for governor was held on July 6, 1919. The opposing parties were Rafael Nieto, former sub-secretary of the treasury under Carranza, and Ingeniero Severino Martinez. By force of arms, Carranza forced a Nieto legislature in power who declared Nieto governor of that State.

Alvarado then said that similar tactics had been pursued in every Mexican State, and the outrages perpetrated by Carranza, so Alvarado continued, and by other prominent Mexicans who were connected with the Carranza government, were particularly notorious in the States of Nuevo Leon, Nayarit, Sonora, Michoacan, Coahuila, Yucatan, and in practically all other States. All these manipulations were ordered and carried out by Carranza in open violation of

Carranza's constitution of 1917, and in complete disregard of the promises made and guaranteed, as Alvarado particularly pointed out, in Carranza's speech of April 15, 1917, to the Mexican Congress in which speech Carranza said, "The only thing I can assure you of is of my sincerity and rigidness of purpose and the disinterestedness that always has guided me. You must not forget for a single instant that you represent a nation hungering for its freedom and one that has endured untold sacrifices in order to realize this perfect ideal. To this end you must bear in mind always that democracy, which resolves all affairs by majority votes, democracy alone can bring union of the members of all political parties, and the equality of all men. For these reasons a democracy sincerely understood and honestly exercised must not seek a majority in question of partisanship, no matter what its purpose might be.

Alvarado, continuing, said, "those who know Carranza and his rotten policies, after reading that part of the speech referred to, should be convinced that he always was and always will be not only a liar, but absolutely dishonest." Alvarado then pointed out the fact and proved it by showing us the assurance made by Carranza, which were positive to the United States, on October 8, 1915, through E. Arredondo, his representative at that time in Washington, who in a letter on the date mentioned to Secretary of State Lansing, said:

> I have the honor to say that insomuch as the reestablishment of peace within order and law is the purpose of the government of Mr. Carranza, to the end that all the inhabitants of Mexico, without exception, whether nationals or foreigners, may equally enjoy the benefits of true justice, and hence take interest in cooperating to the support of the Government, the laws of reform which guarantee individual freedom shall be strictly observed.
>
> Therefore, the Constitutionalists' government will respect everybody's life, property, political and religious belief.

Alvarado said that Arredondo was always as much a liar as Carranza had proven himself to be, and that for many months prior to the date of Arredondo's letters to the Secretary of State, Carranza, through Arredondo, and also through Americans, had received fees running into hundreds of thousands of dollars paid to these Americans for repeatedly assuring the United States Government that Carranza was the only possible solution to the Mexican question.

Alvarado, continuing, said that Arredondo had promised to Secretary of State Lansing anything and everything imaginable and made all embracing guaranties that Carranza or he could dream of. Alvarado then said that this resulted in Carranza's receiving de facto recognition from the United States, as shown by the following letter from Secretary of State Lansing, dated October 19, 1915, and addressed to Arredondo:

> It is my pleasure to inform you that the President of the United States takes this opportunity of extending recognition to the de facto Government of Mexico of which Gen. Venustiano Carranza is the chief executive.
>
> The Government of the United States will be pleased to receive formally in Washington a diplomatic representative of the de facto government as soon as it shall please Gen. Carranza to designate and appoint such representative, and reciprocally the Government of the United States will accredit to the de facto government a diplomatic representative as soon as the President has the opportunity to designate such representative.
>
> I should appreciate it if you could find it possible to communicate this information to Gen. Carranza at your earliest convenience.

Alvarado, continuing, said:

Every Mexican as well as the people of the United States, knows that all assurances made by Carranza at the time he made his solemn guranties to the United States, were even at that time known to Carranza's principal supporters and intimates in Mexico to be flimsy and absolutely false.

Alvarado, continuing, said:

When Carranza received de facta recognition from the United States everyone in Mexico was tired of war and strife and wanted to cooperate with Carranza to rebuild the country. This included even a majority of the bandits, men of every political faith and even Carranza's former enemies. All of these men thought the Carranze Government would be a legal government, by and for the people.

Carranza had solmenly and faithfully, with tears in his eyes, guaranteed in a most emphatic manner protection of life and freedom of speech, action, and every other kind of guarantee. Lack of this freedom was one of the principal reasons outlined by him for the start of his revolutionary movement.

Alvarado then said:

If Carranza had carried out his promises and guaranties and had been honest, he would have become the idol of Mexico, believed and respected by Mexicans of all classes. He had a greater opportunity to do good than almost any other Mexican. If Carranza had even been reasonably honest he could have made Mexico into a new country and would have gone down in history as the equal of Hidalgo and Benita Juarez.

After Carranza had fooled the United States into recognizing his government, and then realizing that his power, as he thought, was supreme, he determined, irrespective of cost or consequence, to retain that power. After two years of his dishonest and cruel misrule, and after having been given more than a fair opportunity to carry out his guaranties, then even his own political party realized that he was utterly impossible and in every way was drunk with the power he had absorbed, and that his govirnment, policies, and plans were a pathetic joke. After two years of his misrule his party colleagues endeavored to bring pressure to bear on Carranza to have him change his idiotic policies.

In answer to protests of his party Carranza said that he intended to rule Mexico according to his own ideas and that he had the United States "eating out of his hand" and had arranged matters in the army whereby no one would ever be able to throw him out of power like Huerta and Diaz had been forced out, and that he proposed to permit his army officers to "do just as they please."

Alvarado, then, illustrating the graft in the Mexican army, which is permitted by Carranza as a means to remain in power, said:

A commanding general in the army would deport on his pay rolls 10,000 men and draw pay and also the purchase price for food and supplies for that number of his troops when in reality would would have but 5,000 or 6,000 men. This resulted in that particular commanding general stealing the pay roll and cost of maintenance for fully 50 per cent of the troops he was supposed to have on his pay roll. What the commanding general would do, lesser lights in the army would copy after to replenish their own pockets.

The CHAIRMAN. Did he mention any generals who did any grafting?

Mr. JONES. At a later date Gen. Alvarado wrote out himself, which I have, a statement regarding the practices of the clique in and around Carranza, which I will file with the committee at a later date.

The CHAIRMAN. I am interested in knowing if he in a statement mentioned any of them?

Mr. JONES. He mentioned Candido Aguilar, he mentioned Carranza's chief of staff, Barragan, and he mentioned quite a number of others: Some of them showed up a good deal in it.

The CHAIRMAN. How did he speak of Gen. Obregon and Gen. Pablo Gonzales?

Mr. JONES. At the hotel the consensus of opinion between my brother and Gene Fowler and myself—I brought him along that day (so I told Alvarado) in order to write the very best report from a newspaper standpoint—but we were always in the habit of discussing such matters and forming from an opinion of each of us as to what was meant by certain expressions of Alvarado's. The consensus of opinion between all of us was that as far as any particular love or friendship or cooperation between Alvarado and Obregon, that it was absolutely nothing, and if there was any possible chance to ditch him he would gladly do it, because he made the positive statement, as is shown in detail hereinafter, as to the statement which Obregon had recently issued about that time that he did not propose to start a revolutionary movement. I asked Alvarado what that meant. He said, "It will make absolutely no difference at all whether Obregon starts one or not. If he don't, Calles will, de la Huerta will, or I will." Our opinion was that at any stage of the game if Alvarado saw a chance to dump him (Obregon) and get out in the lead he would immediately do it.

The CHAIRMAN. I mean openly expressing himself in his conversations with you. Did he openly express himself concerning Obregon in those conversations?

Mr. JONES. Yes, sir.

The CHAIRMAN. Did he express himself favorably or unfavorably toward Obregon?

Mr. JONES. He, of course, said Obregon was the leader of the party, but the method in which he said it and his facial expression at that time would indicate that he didn't have such an extremely high regard for Obregon.

The CHAIRMAN. I am not surprised at that, but I am asking you what expressions he made with reference to Obregon at that time. As I understand it, he represented the revolutionary movement at that time?

Mr. JONES. That is right, which was supposed to be inaugurated for the final purpose of possibly putting Obregon in the presidency, but certainly upon Obregon's behalf. He really was the active head of the Sonora revolt, financial and otherwise. I do not believe there is any doubt about it. We later ran into a lawyer connected with Alvarado down at the Battery, who was a notorious dealer with Mexico in all kinds of revolutionary stuff. I said then and I still think that Alvarado really was the head of the whole Sonora movement in that country.

Alvarado lost sight of the fact that his entire castigation of Carranza and Obregon and everybody else automatically, as I thought, included himself, because at that time to which Alvarado referred, when all these outrages were perpetrated on Americans and other foreigners, Alvarado was a commanding general in the Mexican Army, and therefore possibly was as much responsible for these outrages as any other Mexican officer.

Senator BRANDEGEE. When you say he was undoubtedly the head of the Sonora movement in that country, do you mean he was deputed by those generals in Sonora to come up here and issue

propaganda or do you mean he really directed those generals down there?

Mr. JONES. I think that Alvarado's first work in New York City was an effort to form connections to finance this movement, and there would then probably be an open effort for general revolutionary movement throughout Mexico. What success he may have had along those lines I do not know. I do know that he was mixed up with quite a large number of prominent Americans in New York City, prominent in business and having some interests in Mexico. In addition to that, he was most actively engaged in endeavoring to spread, particularly so with myself, certain anti-Carranza propaganda which would hold Carranza up to ridicule and create an unfriendly sentiment against him, hanging everything on him, which, as he figured out, would be used as an excuse for these Mexicans to kick Carranza out.

Senator BRANDEGEE. Who do you think was directing Alvarado? Who commissioned him? Who was he acting for?

Mr. JONES. I imagine he was acting with the Sonora crowd. He repeatedly referred to the organization in Sonora.

Senator BRANDEGEE. I want to know whether Alvarado said to you who he represented or who he claimed to represent? When he referred to that Sonora group, did he claim to be representing them or did he claim to be representing Obregon?

Mr. JONES. When I asked Gen. Alvarado the point-blank question in regard to the written proposition I was to submit to him to act as publicity agent when I asked him to whom I should address it, he said to himself. I then said, "Is it possible to give me a yes or no answer now, as soon as this written proposition is received by you?" He said, "No; it will have to be sent to my people in Mexico." I then asked him, "Will you have to communicate with Mexico City?" He said, "No; it will not go to Mexico City." He then said Gen. Calles was one of the parties that would have to decide yes or no on the proposition of the propaganda expenditures and campaign. I imagine from this that it was the Sonora crowd that he really and actually was representing.

Senator BRANDEGEE. The reason I asked that question is, I can understand that you did not try to cross-examine him too closely.

Mr. JONES. Not too closely, because I did not want to spoil him.

Senator BRANDEGEE. But when he was here in Washington a few weeks ago it was stated in the newspapers here that he was one of the representatives of Obregon in that country.

Mr. JONES. That statement was correct, because on the morning Alvarado arrived here I came over from New York, accompanied by my brother and Gene Fowler of the New York American. We were holding a story up to get the tail of the story regarding Alvarado. I had another party telephone to Hopkins's office, and listened in on an extension, and Hopkins said, "Yes; Alvarado is in town but he will not give out any interview." This other party on the phone told him he was representing a newspaper bureau. This party then said that the party he represented wanted Alvarado's address, and Mr. Hopkins refused to give it, and said Alvarado could only be seen at his office in his presence.

I then saw Mr. Kearful, attorney for the committee, and told him where Alvarado could be located. Kearful thought it advisable to

have a subpœna served on Alvarado, but did not have any one who knew Alvarado by sight or where he could be located. I told him he could be located in Hopkins's office. Judge Kearful asked me if I would go with the sergeant at arms and point Alvarado out to him, which I agreed to do, without thinking about it. If I had thought about it I would not have done it, because I would have known it would kill me forever of being able to talk to him again.

Nevertheless, I went down with him and went in to see Hopkins, and Hopkins said, "Yes. Gen. Alvarado was here, but he would give out an interview at 6 o'clock." I told him I was going back to New York at 5, and I would like to see him before that. He said, "That can't be done." I said it was unfortunate, due to the fact that I had had some 10 or 11 interviews with Alvarado in New York, and wanted to confirm the information he had previously given me. Mr. Hopkins seemed to be worried about the interviews, and said to come at 4.30 and I could see him.

The sergeant at arms had been waiting, and we waited around on the street, and then came up and he served Alvarado and Mr. Hopkins, and neither one of them liked it. At that time Alvarado gave out a statement, through Mr. Hopkins, a copy of which I have, about six pages, practically an outline of the reasons for the Sonora revolt. So I take it that Alvarado was the actual representative in Washington of the revolting crowd in Sonora.

Senator BRANDEGEE. When you talked with Alvarado did you talk in Spanish?

Mr. JONES. No, sir; he talked very good English.

Senator BRANDEGEE. You both spoke in English?

Mr. JONES. Yes, sir; on account of Mr. Fowler.

Senator BRANDEGEE. Where is Alvarado now?

Mr. JONES. I understand he is somewhere down in Sonora. I don't know for certain.

The CHAIRMAN. He was in Hermosillo, the capital of Sonora, a few days ago.

Senator BRANDEGEE. Did you ever meet Carranza?

Mr. JONES. Yes, sir.

Senator BRANDEGEE. Talked to him?

Mr. JONES. Mexico City, and I also met him in Piedras Negras.

Senator BRANDEGEE. Did you talk with him?

Mr. JONES. Yes, sir. I remember the first time I ever saw him. He had a dinner for a big bunch of newspaper men, and he took a mouthful of water to rinse his teeth with it, and when he spat I know he could have killed a fly 20 feet away with it.

In various conversations with me Alvarado slapped himself on the breast and said, "Of course, no man living can say that Alvarado is not an honest man. At one time he imagined that he would be a millionaire, but his greatest enemies can say that Alvarado is known to be perfectly honest, and now he is living in perfect misery."

His misery at that time consisted in living in one of the most extreme apartments in the Hotel Alexandria, conservatively costing him $100 to $150 a week, he and his wife both being here at that time, and were going the limit as far as apparent extravagance of every kind was concerned. So his misery was of a very peculiar character. Alvarado is conservatively said to be worth from three

to five millions of dollars, and is one of the parties who is supposed to have put up the bulk of the money to start the Sonora revolt. He is supposed to have kicked in a couple of hundred thousand dollars for it.

Going back to my conversation with him in the Hotel Alexandria in New York Gen. Alvarado showed us a copy of the issue of June 5, 1918, of the El Excelsior, a prominent daily paper of Mexico City, which published editorially a statement that paymasters of the Mexican Army had and were stealing unusually large sums. The paper gave the names of 37 defaulting paymasters, with the amount each was charged with having stolen. The amounts ran from 500 pesos to 400,000 pesos each.

Alvarado, continuing, said that as an illustration of the money that Carranza had wasted on his army, the majority of which is stolen, the Mexican appropriation for 1918 for its war and marine departments was 120,755,631.65 pesos, and that this was nearly two-thirds of Carranza's entire annual budget for that year; that all of this was spent on Carranza's military, and of which, those who know to be a fact, including himself (Alvarado) realize that 60 per cent was grafted by Carranza's army officers.

Alvarado then said: "This is the real reason for Carranza's power, for the army has permission to loot the appropriation. When the officers are accused of graft, they answer: "Who are we that we should bite the hands that feeds us?"

Alvarado then said: "As an illustration of the conduct of Carranza's army, I, while commanding general of the Mexican southern military zone, arrested 182 Mexican Army officers. They ranked from sublieutenant to colonel. I had caught them and absolutely had proof of crimes committed by them, including murder, rape, robbery of foreigners, and destruction of their property, etc.

After I was relieved from my command, Carranza pardoned or released these officers, restored them to duty, and promoted many of them. These men are now commanding troops, and Carranza, with his far-seeing guile, has placed these officers under obligations to him. He is using officers of this class, particularly in command of special troops which he has sent, and is sending to various parts of Mexico to bully and intimidate the voters who oppose his wishes.

This plan, according to Alvarado, has resulted in creating the same conditions in the entire Mexican Army, and that as long as any Mexican officer is willing to do Carranza's "dirty work," that officer can steal with immunity, rob, or murder Mexicans or foreigners, and destroy their property. He continued:

Carranza could have eliminated Villa or any other bandit at any time that he so desired. He could have brought peace and prosperity to Mexico years ago if he had wanted to. When Villa or others became active Carranza invariably withdrew Mexican troops from the territory the revolutionists or bandits were operating in, leaving only a small number of troops, wholly insufficient, for a garrison. In this way the bandits or revolutionists were able to remain active, which was just what Carranza wanted, for it enabled him then to maintain a large army, who in turn looted the treasury, and as repayment for the loot kept Carranza in power; allowing the country to be overrun with revolutionists and bandits also enabled Carranza to appear in the eyes of the Mexicans, who did not know the real facts, and the various foreign governments, as having a great deal to contend with in Mexico, which was his excuse for showing no productive results as far as bringing peace and prosperity to Mexico was concerned.

As an illustration of the fact that Carranza under no circumstances desired that these revolutionists or bandits be wiped out, during the latter part of 1919 Carranza ordered Gen. Dieguez, the commander in the State Chiahuahua, to take 1,200 soldiers out of that State, which is Villa's stamping ground, and move these Mexican troops to the State of Sonora, where he was to use the troops to intimidate friends and supporters of Gen. Obregon, whose native State is Sonora. This left the State of Chiahuahua with so few troops that renewed activities were immediately launches by the Villistas, which was what Carranza desired.

Alvarado, in explaining Carranza's further plans to remain in power through the influence of his army, said, "Carranza plans, as he has already done, to weed out of his army the few officers and troops remaining that be can not depend on at the next election." Alvarado then said that Carranza's election plans has resulted in the needless deaths of thousands of his troops. He illustrated this statement by stating that Gen. Arnulfo Gomez, who about a year ago was commander of a large part of the Mexican Army in the State of Sonora, was a strong partisan of Gen. Obregon, and that many of his command were likewise supporters of Obregon. Carranza, as commander in chief of the Mexican Army, ordered these troops from their native State of Sonora to the tropical State of Tabasco, in the south of Mexico, and although these men fully realized the fate that awaited them, they dared not rebel and face the charges of mutiny.

Alvarado, continuing, said: "They went, and to-day they are but a sad memory, for tropical diseases, fever, and bandits destroyed them almost to a man. Carranza had given personal orders that all of these troops were to be divided into small squads on their arrival in Tabasco of from 10 to 50 men in each squad, and he sunk deep in the interior and among the tropical swamps. On account of the small number in each squad, those who escaped disease were powerless to resist attacks of bandits and revolutionists."

Alvarado, continuing, said: "Their wives, children, and relatives of these 2,000 Mexican soldiers, the majority of whom had fought through the revolution to place Carranza in power, were left in Sonora. Carranza personally saw to it that they had no military protection. Hundreds of these women and children were outraged and murdered by Yaqui Indians, or persecuted in many other ways." "This," Alvarado continued, "was one of the many examples given by Carranza to show other soldiers inclined to be rebellious, or loyal to Obregon, that it would not be good for them to support others than himself if they did not want to be ordered south or disposed of or framed in some other way."

Alvarado said: "This is one of the many ways used by Carranza to expel from the army or to kill off in the last year and a half fully 50 per cent of the officers and men who helped to place him in power and who were bitterly opposed to his dishonest policies and who Carranza knew could not be depended upon to help him steal the oncoming elections."

Alvarado then said: Fifty per cent of his original army is left, fully content with Carranza so long as he permits them to steal millions of pesos, and rob, murder, and rape Mexicans and foreigners, and destroy their property. Carranza has replaced that part of the army that he has forced out, by recruiting from bandits, revolutionists, robbers, murderers, thieves, and all other of the very lowest and vilest element of Mexico. Therefore, fully half of the Mexican Army now represents the very lowest and worst types of Mexicans."

Alvarado then said that this had resulted in the army being divided against itself, and that Carranza, in attempting to manipulate the affairs of Mexico through his army, will destroy himself by the very power which he set up, through the desires of the two factions in his army, each of these factions already having sworn that their leaders are to be in control of the army.

Alvarado continued: "No matter whether or not Carranza remains in office after the election, this will result during the next four to six months in civil war in Mexico, due to the two army factions breaking apart and fighting each other for full and complete control of the army. Then, in addition to the internal conflict in the Carranza army, there will be the revolution started by the independent political party of which Gen. Obregon is the leader, making a triangular fight of the whole affair, with a large number of independent bandits and other revolutionary parties dipping into the general fray or conducting outrages against anybody or everybody. Thus Mexico will be in a turmoil unprecedented in her hundreds of years of strife and revolution, and blood will flow from every village, town, and city, and it will be a most complete confession to the whole world that Mexico is uncivilized and can not control her own affairs."

I asked him:

Will this not result in the almost total destruction of foreign property in Mexico or the ruin of much of it and will it not bring on the death of many foreigners then in Mexico. And if so, what will the United States and other foreign gevornments do?

He answered:

The thoughtful Mexicans know and feel certain that when this condition comes to pass, as we know it will soon come, it will result in intervention by the United States. This intervention will in every way have the full sympathy and support of all other civilized governments.

I asked him when this condition came to pass in Mexico, what would Carranza say or do, and Alvarado replied, "When Carranza saw the result of his work and the condition he had yoked his country to through his dictatorship, Carranza and his henchmen would attempt to flee the country." He continued, "but they will be killed before they leave Mexico. The great pity of it is that in addition to Carranza and his clique being blamed for these conditions, all good and loyal Mexicans will be blamed likewise, just as this madman Carranza who is the most damnable traitor of all Mexicans that ever lived."

Alvarado, continuing, said in answer to leading questions of mine that if Carranza had ruled Mexico with an honest end and had put down, as you (Alvarado) say he could have done, the bandits and revolutionists, then there would have been but very little loss to foreigners of their property in Mexico, nor would there have been but very few Americans and other foreigners in Mexico killed.

Alvarado's answer was, "There is no doubt but that Carranza has been and is absolutely responsible for 90 per cent of the outrages perpetrated in Mexico on foreigners and their property. This is an honest and positive fact, and the murder of the majority of the foreigners and the destruction of their property has been caused by the class of bandits and robbers that Carranza has put in his army who he has allowed to conduct themselves as they desire."

Alvarado, continuing said, "Nearly all of the murders and outrages perpetrated on foreigners and their property were done by the Mexican soldiers."

Alvarado then, as one of the many illustrations of Carranza's methods used to intimidate soldiers in Mexico and of forcing them to bend to his dictates in the next election, said, "Gen. Obregon, during the latter part of February of this year, had gone to the State of Michocan. In that State he is very popular and has a strong following. During his visit he made many political speeches supporting his candidacy for the presidency:

Carranza, bitterly displeased as to the popular demonstration in favor of Obregon in Michocan, immediately ordered all the freight trains, which as you know are under Government control and operation, out of that city. The people of that State have not been able since then to ship their products or to secure in return the necessities of life from outside the State. Carranza also ordered more than 75 per cent of the Mexican army troops out of Michocan, thereby leaving the State to the complete mercy of the bandits in their expeditions of robbery and murder in that formerly prosperous territory.

Carranza thus gives a lesson to other States as to what may happen to them if they do not agree with him and court his good will by supporting him by their solid vote behind his presidential plans.

Gen. Alvarado stated that Carranza's plans to steal or control the next presidential elections in Mexico would be manipulated along the following lines, "for," as Alvarado said, "Carranza, through his army has intimidated voters who, if they cast a vote, as far as the majority of them are concerned, will vote as Carranza instructs through his local army officers, or others who would have voted, not caring to have the wrath of Carranza and his officials to fall on them, will stay away from the polls. However, if by chance Obregon or any other presidential candidate that Carranza was against, happened to secure a majority of the votes in each voting district, when the act is drawn up with a list of votes obtained by each candidate, this act will fraudulently be changed to show that Carranza's candidate received the majority of the votes."

Alvarado then said that even if the act was an honest one, which in no event would it be, it would be sent to the Mexican Congress where Carranza's elected deputies or members of Congress assembled and who would pass on the legality of the election and likewise on the number of votes cast for each candidate. With so much fraud possible in the preliminary stages of the election the congressmen themselves, all of whom Alvarado again emphatically stated were Carranza's puppets, would then cinch matters by doing whatever he (Carranza) desired in the way of electing the proper man.

Alvarado, continuing, said: "There is no limit to their trickery, including the corruption of all of the minor election officials, and that as to their plans of stealing the votes or substituting others for the original ballots, Carranza has already thoroughly arranged for this to happen."

Alvarado then brought out very strongly the fact that Carranza's overlooking no chances to remain as dictator in person or be in control of Mexico through a puppet executive, will guide the actions of his Congress in this fashion:

Within a few weeks after the election, Congress will convene for the official count of votes. Carranza's henchmen will then declare whether the election was legal or otherwise. The prearranged plan is for the Congress, as Carranza's vote manipulators, to declare the election void, due to the country not being in a condition of peace, or, declare in some other manner the election has not been "honest."

Carranza, meanwhile, will have retired to the country. Congress, holding that Mexico is confronted with many internal difficulties and with international problems, will declare with much gusto that Mexico must have a strong man in power as its executive. Then Congress, by unanimous request, will recall Carranza and inaugurate him as Acting President until the country is deemed in sufficient peace to warrant a fair and legal election.

Gen. Alvarado then declared that he, as well as other former strong supporters of Carranza, absolutely had in their possession positive proof of the fact that Carranza, having carefully arranged the above plan, proposes to put this steal of the election over, even though it does cause certain civil war. Alvarado, however, qualified this statement by saying that certain of Carranza's strong supporters and advisers, fearing the outcome of civil war, which they know is almost sure to force intervention, may at the last moment persuade Carranaz that it would be best for him to remain the dictator of Mexico in fact, though not in person, by having elected illegally a dummy President, who will simply be the mouthpiece for Carranza.

In the opinion of Alvarado, as he expressed in his several interviews, if the latter course is adopted, Ambassador Ygnacio Bonillas will be chosen as a dummy for Carranza. For a while it was thought, so Alvarado said, that Gen. Pablo Gonzales might be run as Carranza's proposed presidential puppet, but according to later developments Alvarado is now convinced, according to his statements, that there is a secret understanding between Pablo Gonzales, Bonillas, and Carranza which will result, if a puppet president is put in, in this party being Bonillas.

Alvarado, referring at this moment to Gonzales, said that he (Gonzales) had been one of Carranza's chief spineless political and military lieutenants.

Alvarado, in explaining Carranza's manipulation for the last year and a half in anticipation of domineering according to his own ideas and wishes the oncoming presidential elections, said that Carranza began eliminating more than a year ago from the Government and army, all friends and supporters of every aspirant for the presidency. In the large number so "quieted," some being exiled, others being sent on long "missions" and still others called in from outlying districts and given posts where they would be directly under the official eye of Carranza; among the large number mentioned by Alvarado was Cosme Hinojosa, former Postmaster General of Mexico. Alvarado said that this party was now in New York City and I then asked him to give me a letter of introduction to Hinojosa, which Alvarado did. The letter is as follows:

Senor COSME HINOJOSA,
Hotel McAlpin.

HINOJOSA: El portador desea hablarte; es un peridoista que desea alguma informacion y me dice que no usura tu nombre.

tu amigo,

S. ALVARADO.

[Translation.]

Mr. COSME HINOJOSA,
Hotel McAlpin.

HINOJOSA: The bearer of the present wishes to interview you; he is a newspaper man who desired certain information, and he tells me he will not use your name.

Your friend,

S. ALVARADO.

Alvarado's statement regarding Hinojosa was that Hinojosa had always been a very strong personal friend and partisan of Gen. Obregon, and that as he had a large personal following, Carranza, therefore, desired, until after he had manipulated the presidential elections, to take away from Obregon Hinojosa's support. Carranza, being afraid to deliberately break with Hinojosa, or attempt to discredit him, decided that it would be best to send him on a long mission, and therefore ordered him as a representative of the Mexican postal system to attend a postal conference in South America. Alvarado, continuing, said that Hinojosa told him that he did not propose to go to South America but would be in the United States for some time, and then go to Spain and France. He said that Hinojosa would fully corroborate conditions in Mexico and Carranza's election plans and dictatorship, as Alvarado had explained same.

Alvarado then said that Hinojosa had spent two weeks of March, 1920, in Washington, endeavoring to urge and persuade Ambassador Bonillas to refrain from being a party to Carranza's election plots. Hinojosa later, so Alvarado said, told him (Alvarado) that he could secure no satisfactory answer from Bonillas as to whether he would or would not continue his activities for Carranza, but that he felt sure of the fact that Bonillas is right to the end with Carranza. Alvarado said that when he received this information from Hinojosa, he (Alvarado), during the week of March 7 to 13, made a trip to Washington where both he and Hinojosa had several interviews with Bonillas, urging him for the sake of Mexico to cut away from Carranza. Alvarado then said, "We literally begged him to refuse to be a party to Carranza's political intrigues," but that Bonillas positively refused to make any promises, nor would he agree not to be a party to the continuation of Carranza's plots. Alvarado, continuing, said the reason Bonillas would not make any promises nor agree not to participate in Carranza's intrigues, was because Bonillas at that time already positively was aware of the fact that he was to be Carranza's presidentil candidate and Carranza's instrument to do with as he willed in the Mexican presidential elections. He (Alvarado) furthermore stated that up to that time he had a great deal of respect and confidence in the honor and integrity of Bonillas, but that now, inasmuch as Bonillas had announced himself as a candidate, everyone knew he was simply Carranza's puppet; therefore no one could have the respect and confidence for Bonillas that they formerly had.

Accompanied by Mr. Gene Fowler, a reporter for the New York American, I presented Alvarado's letter to Hinojosa at room No. 463, Hotel McAlpin, on the morning of March 20. After getting him "warmed up" and showing him I was thoroughly familiar with his status and his "mission" and that I knew from Alvarado and others the true state of affairs in Mexico—for I repeated to him many of Alvarado's statements—Hinojosa then consented to talk. He said:

It is true that Carranza, knowing that I am and always will be a strong supporter of Obregon, has therefore, as he has done with others, in order to get me out of Mexico and thus weaken Obregon's candidacy, sent me on a mission to Buenos Aires. However, instead of going there, I am leaving for France and Spain in April, and I may possibly go to Buenos Aires later, returning to Mexico during August of this year.

Hinojosa admitted the conference between Bonillas, Alvarado, and himself in Washington. He also said that as he was on a diplomatic mission for Mexico and officially connected with the Government, he could not talk so freely as Alvarado. Hinojosa, however, confessed that Carranza did propose to manipulate the elections and illegally succeed himself or remain in control of Mexico through a puppet President. He furthermore said that Carranza had run out of the army or had retired to civilian life, or had sent from the country all the strong friends and supporters of Gen. Obregon.

Hinojosa admitted that Andres Garcia, former Mexican consul general at El Paso, Tex., and inspector general of Mexican consulates, had succeeded him as Postmaster General of Mexico.

Alvarado, in one of our interviews, while talking with him in regard to Andres Garcia, said that Garcia was known to be a strong friend and supporter of Obregon, and that Carranza was afraid to leave him at El Paso. Therefore, knowing the large following that Garcia had, rather than break with him, had brought him to Mexico City, where he would be under the direct eye of Carranza and his other henchmen, and in this way the friends and supporters of Garcia through his influence would not be able to be of much value to Obregon's campaign.

Alvarado, in one of my interviews with him, said that during September and October, 1919, Carranza had organized a special corps of army officers ranking from lieutenant to colonel. This was for the avowed purpose, as far as the public knew, to make a survey of conditions in Mexico to improve them. Alvarado, continuing, said:

> As a matter of fact, this corps is a secret police system for Carranza. It was formed to spread propaganda favoring Carranza's dictatorship and also to intimidate civilians and any of the army who may be opposed to Carranza's plans. This force consists of between 800 and 1,000 Mexican Army officers; and in small squads and in larger groups these special army officers have been moved from one end of Mexico to the other and under personal orders from Carranza have been used to browbeat and intimidate all of the Mexican citizens who were known to be favorable to other presidential candidates or opposed to Carranza's plans or policies.

Alvarado stated very frankly that the Independent Political Party in Mexico, of which Gen. A. Obregon, former Mexican minister of war and marine, is the presidential candidate, knows positively that Carranza proposes to succeed himself as President or dictator, and that they had documentary evidence to this effect; and that if on the advice of his advisers Carranza weakened at the last moment, that he would then manipulate the elections to put in his presidential puppet Bonillas. Alvarado added:

> If Carranza does this, and it is absolutely certain that he will, then it is equally certain that within two or three weeks after the July elections the Independent Political Party will launch their revolutionary movement. It may even happen at an earlier date, due to the fact that Carranza has already endeavored to crush Obregon's strength in Sonora.

On Friday, March 19, at 6 p. m., Gene Fowler and myself again called at Alvarado's apartments in the Alexandria Hotel. At this time Gen. Alvarado gave me written information regarding Mexican matters and likewise at this time continued his previous conversation, and said:

This revolution will extend instantly from the Atlantic to the Pacific and will flash along the entire border, resulting in a multitude of armed uprisings occurring at every border State and in hundreds of Mexican towns and villages.

Before three months from the start of the revolution, Carranza or his "dummy" president and all those allied with him in the illegal elections and participating with him, will be thrown out of power, executed, or exiled.

I asked Gen. Alvarado what strength could be placed on Obregon's recent statement that if he were defeated at the next election he would not head the new revolution. Gen. Alvarado smiled knowingly, and said:

This statement of Obregon means nothing. It is camouflaged. It was given out only by Gen. Obregon to demonstrate that he is a law-abiding citizen, and also to make additional friends in the United States.

The Independent Party is greater than any man. After all it is not a question of who will head the revolution or whether Obregon is the leader or someone else. The fact is that the revolution will come as a result of Carranza's manipulation of the election. There are several leaders who may head it, if Obregon for any unforeseen reason does not assume the leadership.

I asked him:

Who, for instance?

Gen. Alvarado replied:

Gen. P. Elias Calles, one of our best men, may head the revolution.

I pulled out of Alvarado the following facts regarding the reason why Obregon may not be at the start the official directing head of the new revolutionary movement. Obregon's political party believes that the United States may refuse to recognize him if he became President through a revolution; therefore, Gen. Calles has been designated as acting head of the revolutionary movement. Then, when the revolution is successful, or while it is approaching a climax, Gen. Obregon will be called into the situation openly as the strong man who will "bring peace and prosperity to Mexico."

I asked Gen. Alvarado if it was true that he was entertaining presidential aspirations. He said:

Every man aims high, but I am not popular enough in Mexico ever to become president of that country. This is due to the fact that I do not possess the flexibility that is necessary for a presidential candidate to have.

However, Gen. Alvarado declared that as a loyal Mexican, when the revolution started, he proposed to do his duty in supporting any movement that would eliminate, as he put it, "Carranza, the dictator, and his henchmen." He added:

Thousands of Mexicans from the interior and from all border States, during the last 60 days, have crossed into the United States to escape what will be the worst revolution Mexico ever had, and likewise to keep from being forced at the point of guns into Carranza's armies or into the revolutionary forces.

Continuing, Alvarado said:

This, better than anything else that I know of, shows that Mexico is not even safe for the Mexicans.

In checking up Alvarado's statement, it is evident that the flow of Mexican immigration into the United States is increasing rapidly. El Excelsior, a Mexican daily, stated in a recent issue, in reference to the large number of Mexicans leaving their country for America, that "whole towns are departing from Mexico into the United States."

Alvarado's description of Luis Cabrera was as follows:

Among Carranza's principal lieutenants in manipulating the oncoming elections is Luis Cabrera, noted for his extreme hatred of America and its citizens in Mexico. Cabrera is a native of La Sierra de Puebla, and is about 43 years of age.

He is one of the shrewdest and most destructive men holding office under Carranza, and is secretary of the treasury.

Cabrera is hated, feared, and despised by Mexicans in general, even more so than is Carranza. Gen. Alvarado then said:

Cabrera should have been born in the fourth century, for he is a skeptic and does not believe in morality, and has no honor or integrity. He also feels an invincible attraction toward doing evil. He has been able to maintain himself as Carranza's lieutenant through his absolute submission and the fact that he satisfies the evil instincts of Carranza. No substitute can be found anywhere for Cabrera. Furthermore, Cabrera has been responsible for creating in Mexico more anti-American sentiment than any other Mexican in Mexico. Of this he has likewise had full knowledge, and it has met with his complete approval as far as Mexican anti-American policies are concerned.

Alvarado then, in his remarks regarding Manuel Aguirre Berlanga, Carranza's secretary of the interior, said, regarding this party, that he is the most servile agent that Carranza has for his proposed election frauds and other villanies. He is stupid, has no administrative qualifications, is not honest, and his only power consists in saying to Carranza:

My chief, I admire your talents and energy, and you are my perfect ideal of what a real ruler of Mexico should be.

Alvarado then described Ygnacio Bonillas, the Mexican Ambassador to the United States, which was written by Alvarado himself and handed to me in the presence of Gene Fowler, as his confidential views about Bonillas, as follows:

Ygnacio Bonillas was born in San Ygnacio, Sonora. He secured his early education in Tucson, Ariz., and his professional education in the Boston Institute of Technology. He is a mining engineer and is a specialist in his line.

He has no social conscience. He is little known in Mexico. His candidacy for the Presidency of Mexico is a scheme concocted by Carranza in order to keep himself (Carranza) in power. Even if Bonillas becomes President everybody knows that his candidacy is a farce. Bonillas is neither honest or conscientious, and has sold himself body and soul to the wishes of Carranza.

On March 17, 1920, Bonillas accepted at Nuevo Laredo, which is the Mexican township opposite Laredo, Tex., the nomination for the presidency of Mexico by the Civilista Party, which was tendered him by Gens. Federico Montez and Manuel Amaya.

Alvarado, continuing, said:

I knew when I talked to Bonillas in Washington, as I told you about before, that he was not telling the truth, and that he already a long time ago had made arrangements with Carranza to do Carranza's bidding in the next elections. I formerly had a great deal of confidence and respect for Bonillas; now I know him to be morally, politically, and in every other way—nothing. He is forever socially and politically dead in Mexico.

In my testimony regarding Bonillas and his attempts to interfere with legislation pending before the Foreign Relations Committee affecting Mexico, I should have mentioned at that time that in one of my several conferences with Bonillas and while "stringing" him

I told him that he was one of the greatest ambassadors Mexico ever had to the United States. He smiled and replied:

The best we ever had here, and whose example I have tried to follow, is Manuel Calero.

This was the ambassador of Madero. On February 3, 1913, Calero, who had just returned to Mexico from the United States, made what is said to have been the "most amazing speech by a man of his prominence before the Mexican Senate." He said:

I lied to the American Government for 10 months.

Among other Mexican Government officials that Alvarado described was Gen. Manuel M. Dieguez. Alvarado's description of him was as follows: He said that this was Carranza's present chief of operations in the north; that he never had amounted to anything before the revolution and was always known as an active agitator. President Diaz sent him to San Juan de Ulloa in 1906 for the strike at Cananea. He has stolen many thousands of dollars and is extremely rich, due to the revolution. He is decidedly overbearing to the poor, and is a brutal soldier, utterly without social conscience of any kind, without education or morality. He is a perfect type of a genuine "bad article."

Alvarado's statement regarding Pastor Rouaix, Carranza's secretary of public instruction, is as follows: That he is without energy and has no administrative ability. He is continually drunk and is notorious as a "money grabber." Carranza is fond of him because he has no opinion, nor does he talk, think, or feel. Whatever Carranza's ideas are, so are those of Pastor Rouaix.

His remarks regarding Candido Aguilar, Carranza's son-in-law and Mexican minister of foreign affairs, included the statement that Aguilar was an absolute nonentity, notoriously anti-American, and has never had any time to attend to any matters except with both hands to grab all property or money, dishonestly or othewise, that he could lay his hands on. Furthermore, that it was generally understood among those who know Aguilar, that he is "off in the head"—crazy—and that during 1918 for a time everyone knew that he was insane. Aguilar's ability is nothing. He is a perfect tool and henchman for Carranza.

Alvarado then said, regarding Manuel Rodriguez Gutierrez, secretary of communications, that he was a man utterly stupid and without education or any ability; that he is an extremist and immoral, and his past great quality is that he has no opinion, feeling, or ability to think, except to say to Carranza, "Here I am; I do your bidding."

Alvarado's description, as written by him in his own language, of Pablo Gonzales is as follows:

That Gonzales was born in the State of Nuevo Leon and was a small business man before the revolution. During the revolution he has lost almost all of his battles through absolute military inability. A great many of his soldiers have been killed due to lack of military management. Due to his continual military defeats, he is popularly known in Mexico by the name of "Pablo Carreras," or the "hero of defeats."

Gonzales has no talent or administrative ability. Uprightness and morality are missing qualities in him. His greatest achievement was the murder of Zapata (the celebrated Mexican bandit).

This never would have been successful except by the deliberate assassination of his own men. Through one of Gonzales's officers, Col. Guajardo, Gon-

zales arranged that this colonel apparently would desert from the ranks of the Carrancistas, with some of his own men, to the forces of Zapata. This was done.

Zapata, in order to prove the fidelity of Col. Guajardo, the next day ordered the latter to attack a Carrancista garrison, which Guajardo did. In the meanwhile Guajardo had sent word to the garrison that he was to "pull off" a sham attack on them and that they were not to fire into his troops.

Guajardo then attacked the garrison, which, obeying Guajardo's orders, did not fire into the latter's force. Much to their surprise, Guajardo's soldiers fired directly into the garrison, killing and wounding a large number of them, and then took 74 prisoners and surrendered them to Zapata, who in turn ordered them to be shot immediately.

Guajardo lined up his force and deliberately, to carry through his plan, ordered his troops to immediately execute sentence on the 74 prisoners who were the comrades of the troops who fired the death-dealing volley. This gained the confidence of Zapata, who later came to pay Guajardo a visit at his headquarters. The visit resulted in Zapata being shot down from behind.

As soon as Zapata was dead, Gen. Pablo Gonzales claimed for himself the glory of this deed. Carranza immediately presented Gonzales with a present of 50,000 pesos and advanced Guajardo to the rank of brigadier general. All of Guajardo's subcommanders were promoted.

Gonzales, in the State of Morales, manipulated affairs whereby many thousands of acres of the finest ranch and farming lands in that State are now controlled by him. Gonzales is an extremely wealthy man, although before the revolution he had nothing, and the question is asked: "How did he secure same?" Everyone knows how, for it is through his manipulations in the army that he has stolen his wealth.

Through shrewd publicity and propaganda efforts of Pablo Gonzales's American agents in the United States many prominent officials at Washington and elsewhere have been led to believe that Gonzales, as a Mexican presidential possibility, is the best of the "crop" of aspirants as far as the interests of the United States are concerned.

During the World War Carranza, with his well-known ability to play both ends against the middle, instructed Gonzales to "come out strong" as a proally. This was done by Gonzales. Those who know Mexico fully understand that Gonzales could not have expressed his proally sentiments except by a prearranged plan with Carranza and with the latter's full knowledge, consent, and thorough approval.

Gonzales who headed Carranza's southward movement during Carranza's revolution, stopped for a time at Pachuca. While there he issued manifestos breathing love and patriotism for his people and pledged their protection. Meanwhile his soldiers looted the native shops and his officers outraged the girls and women there. A similar condition existed wherever Gonzales's troops were billeted.

Gonzales's military record, according to Alvarado, in Mexico has been a bloody one from the standpoint of the hundreds and hundreds of outrages perpetrated on the people of Mexico, and his officers and soldiers have raped, outraged, and committed similar crimes on thousands of Mexican girls and women.

As far as Gonzales's "love" and "belief" in the United States is concerned, same is entirely disproven by the speech of Gen. Gonzales in 1916, in which he said:

> I do not approve Wilson's policy for a reason which is fundamental with me, as I believe it is with every honest man. Wilson's policy (the Mexican policy) is not frank. It is not clean. I do not reconcile the Pershing expedition with the bombastic and oft-repeated statements of President Wilson of his respect and sympathy for Mexico.
>
> I wish that President Wilson would give proof of his friendship with deeds, or that he would be our open enemy and declare war on us, which is preferable

to his policy of double-dealing, overwhelming us on the one hand with honeyed words and protestations of sympathy, and on the other hand protecting our enemies and obstructing the consolidation of our Government.

In Mexico City, Pablo Gonzales has made a speciality of cultivating the friendship of Americans. During the early part of 1919, Gonzales, through various Americans at Mexico City, began to arrange his publicity plans as far as the United States was concerned. At that time I was approached by a prominent American lawyer having offices in Mexico City, who on July 23, 1919, in part wrote me as follows:

I suggest that you write a letter to Mr. Claude Dunning, American Club, Mexico City, specifying in a detailed way just what services you would be able to render in the way of popularizing Gen. Pablo Gonzales in America. You should state the papers that you can use, and also emphasize the fact that you could probably be able to do something big for him with the strong Republicans. You should also, in my judgemnt, put your offer on a strictly business basis. I do not know whether it would be wise for you to suggest what compensation you would desire, in the first letter. Mr. Dunning is a warm and intimate friend of mine. He will place your letter with Gen. Gonzales's manager, whom he knows very intimately.

On the date of June 25, 1919, I also received another letter from this party in Mexico City, which, in part, is as follows:

Gen. Pablo Gonzales is a man of good financial standing and is able to pay any reasonable price for the right kind of work. My suggestion is that you should put up to him just what he can expect for so many thousands of dollars per month, and how much he can expect for twice that amount. I have no ideas as to the prices charged for this kind of work, but he is willing to pay if he can get the right kind of publicity.

Alvarado's written description of Obregon stated as follows: That he was born in Siquisiva, Sonora. Before the Madero revolution he was a small farmer in that State. He began his political career as municipal president of Huatabampo, Sonora, where he organized a battalion of fellow citizens in order to fight Orozosco in 1912. He carried out this campaign successfully and that of 1913 against Huerta. He was the active head of Carranza's campaign of 1915 against Villa. This resulted in complete victory for the Carrancistas. Obregon's enemies admit that he is a military leader of merit, but it is said that he has won his victories by utter disregard of death in battle of many thousands of his command.

After Obregon's campaign against Villa, Carranza appointed him minister of war and marine. Obregon is a man of limited education and even his friends state that he has but very little administrative ability.

There has been so much testimony given before the Fall committee that any remarks of mine regarding Obregon are hardly necessary. However, it is well to remember that Obregon was an active participant in all of Carranza's plots against the United States, and that he cooperated in same with great enthusiasm.

In my testimony regarding Carranza's Central American plots there has been shown quite a large number of original letters passing from various parties to and from Obregon. This Central American plot of Carranza's, in connection with Von Eckhardt, the German ambassador to Mexico, was to secure control of all Central America and to work in those countries at all times against the interests of the United States.

Wherever Obregon's troops campaigned under his personal command people of Mexico were robbed by them, churches were ransacked, thousands of women and girls were outraged by the officers and men of his command, and when Obregon led into Mexico City his Yaqui soldiers the metropolis was given over to complete looting by the Indians, and thousands of women and girls were outraged there.

Obregon, as commander of all Mexican forces, and later in his cabinet capacity, participated actively in all of Carranza's anti-American intrigues. Obregon ranked as one of the most extreme pro-German sympathizers in Mexico during this period. Likewise, he was one of the most celebrated "haters" of the United States. He was the close friend and associate of Von Eckhardt and was beloved by the German colony in Mexico City.

When Obregon entered Mexico City, flying the black flag of piracy, he made a contract with the I. W. W. During the World War, at a time when it seemed that Germany was succeeding, he wrote a book favoring the Prussian cause. In that work he approved the attitude and policies of Carranza to form a union among the Latin American nations to oppose the United States economically and otherwise.

About a year and a half ago Obregon began his publicity and propaganda campaign in the United States, engineered by American publicity men. He realized he would have to "flop" and become pro-American. He did this with much gusto and extensive advertising. His new protestations of love for the United States can be classed as "bunco talk."

Gen. Obregon's campaign manager in Mexico is Gen. Benjamin Hill, who during the early part of 1919 began seeking a publicity director in the United States. Dr. M. L. Espinosa, Avenue Morales 91, Mexico City, is assistant campaign manager for Gen. Obregon. At that time Obregon's presidential campaign plans, as far as propaganda was concerned, consisted of appointing a publicity representative in Cuba, Porto Rico, British Honduras, each of the five Central American countries, Panama, each of the South American countries, and in England, France, Germany, Spain, and the United States.

During the early part of 1919 I received several letters from a friend of mine in Mexico City who stated that he had talked to Dr. Espinosa and Gen. Benjamin Hill, and that they were very anxious to secure a publicity director in the United States who could produce results. In another part of my testimony I will in detail outline the activities of several parties in New York City, who, I understand, from reliable witnesses, had conducted active negotiations with representatives of Obregon to handle a publicity and propaganda fund to popularize him throughout the United States.

One reason for Alvarado talking so frankly to me was due to the fact that he thought that from a newspaper standpoint I could be of a great deal of benefit to him and to Obregon and for their political party, from a publicity standpoint, throughout the United States; and I was to prepare a written proposition in regard to handling publicity work for them which I was to present to Alvarado, which, however, I never did.

Alvarado, continuing his conversation with me, said that Obregon's right-hand bower and the man who will really start the revolutionary movement for him is Gen. P. Elias Calles, who was born

in Guymas, Sonora. Before the Carranza revolution, Calles was a school-teacher, and later was a small business man, and, like Obregon, had little worldly goods. His political career began in 1911, when he became part of the Carranza movement against Huerta.

It will be remembered that Carranza appointed Calles as military governor and commander of Sonora, and later, for a short while, had him as a member of his cabinet. Calles claims to have resigned due to not being able to stomach Carranza's plans and policies.

When Calles was governor of Sonora, he is said to have established a record in that State which still stands regarding his total indifference as to the lives and property of the unfortunate foreigners having investments in Sonora.

Carranza's biography, according to Gen Alvarado, corresponds to that of Satan. Alvarado said:

> Carranza, years ago, was a school teacher in his native State, Coahuila, at 40 pesos ($20) a month. He had no property. In those days Carranza decked himself out as a grandee and strutted about his little village for the benefit of the senoritas, who, it is said, didn't admire his whiskers, and Carranza, even in those days, as far as the senoritas were concerned, amounted to nothing.

Alvarado, continuing, said:

> His whiskers (Carranza's) were then like Carranza's heart is now—coal black.

Even in those days, Alvarado declared, Carranza was known as an extremist, and his own relatives are said to have regarded him as "missing in the head."

Alvarado, continuing, said that Carranza manipulated his election to the State legislature of Coahuila. Three months later his neighbors and friends were astonished to learn that Carranza had accumulated sufficient funds to purchase a large ranch.

Carranza's rise in politics was gradual, said Alvarado, who added: "And his rise in morality remained stationary."

Carranza finally worked his way into the governorship of Coahuila. When Madero was president, Carranza, as well as other governors, received from the Federal treasury large monthly allowances for the payment of the State troops. He is charged with having only a limited number of troops in his State, and the balance of the pay roll for a much larger number went into his pockets and those of his officials.

This resulted in a disagreement between Carranza and the group surrounding President Madero. Carranza's monthly troop allowance was cut off, and friction between Carranza and Madero led to the formulation of plans by Carranza to revolt against Madero. Before these plans could be put through, Madero was assassinated and Carranza's advisers told him of the bad impression Madero's murder had produced in the United States.

Alvarado, continuing, said that Carranza realized his opportunity was at hand. He proclaimed loudly, especially where American ears were open, that his purpose of revolting against Huerta was to revenge the "shameful murder" of his "beloved chief," Madero.

Alvarado, continuing, said that all of Carranza's promises as first chief and as President have never been carried out. His favorite and

only weapons are corruption and intrigues. He has absolutely no conception of morality, and his only faith lies in the strength of money and the strength of his arms. He—Alvarado—continued:

Carranza is a dangerous lunatic, caused by his lust for power, irrespective of consequences to the land which gave him birth. The irresponsible class of Mexicans Carranza needs and has for his infamous work. He and they care nothing for reforms or organization of the government. Their only desire is crime, wine, women, money, and immunity from Carranza for their vices, which he invariably extends to them.

In order to serve Carranza as he wants to be served, a man must have lost all of his morality and dignity, and must have acquired a character of a blind instrument.

The administration of Carranza never has been and never will be a progressive one. His government has been nothing but a conspiracy to keep Carranza with his circle of scoundrels in power. Carranza was placed in power by those who believed there was a great opportunity in Mexico for reforms by the people, and which would be a benefit to all. He has betrayed in every way the people who brought him to power. This line of conduct on his part is treason of the blackest kind to his country, party, and friends.

The circumstances of Carranza's betrayal to his country and friends are blacker and more treacherous than that of Benedict Arnold. In Carranza's criminal efforts against all of his pledges, guaranties, promises, and even the laws which he himself made to remain in power, he has employed all of the resources of the country—money as well as railroads, post offices, cable offices, the army, police, and navy, and in every other Federal, State, or municipal department of Mexico.

It was not worth while, as all Mexicans now know, to have made a revolution in order that traitors like Carranza and his henchmen should now be the dictators of Mexico.

In another interview with Alvarado after he had made his various statements regarding Carranza, I persuaded him to write a description of Carranza and his activities and of conditions in Mexico, and the following was written by Alvarado, and the translation of same is from the copy made by Alvarado:

Carranza has never been a revolutionary or reformer. Neither in his conversation nor in his public documents or private documents has he ever spoken about reform, nor in anything that was not the reestablishment of constitutional order.

When he abandoned Mexico in 1914, he considered himself lost and, as the final recourse, he began to attack the Americans who were in Vera Cruz, and for that purpose he placed an ultimatum before them to leave that port, ordering Gen. Candido Aguillar that if on such and such a date they had not embarked, he would attack them. Fortunately, the Americans retired and so there was avoided the occurrence that this man should bring upon his country a foreign war with the hope of consolidating a power that he hoped to lose. If his patriotic sentiments had been true, what was the use of his hoping to assume that energetic attitude until the rupture with Villa was complete? Why did he not demand the evacuation of domestic territory on the day he occupied the city of Mexico, or even before? He assumed a power of bitter patriotism as long as he saw himself lost, because he believed that Villa would follow him as far as Vera Cruz, and thought that by attacking the invaders he would become the palatine of national defense, and thus avoided that Villa should attack him.

This proves nothing more than this man is an unscrupulous man and is capable of doing anything in order to retain his power.

In Vera Cruz there were instances of fear and he was really constrained by the revolutionary elements there to issue two or three decrees of a reformist character, but he never thought of reforming them because he has been the insurmountable obstacle to the carrying out of these decrees.

We have the proof in the fact that the people have not received the least advantage, either in lands or in arrangements regarding their work, neither in education or hygiene or in any other sense.

The only thing that Carranza has in mind is not to leave the power he has in hand, and for that purpose he has continued to intrigue without let-up. His

favorite and only weapons are corruption and intrigue; he has absolutely no conception of moral force nor does he believe that there are any honorable men, and his only faith lies in the strength of money and in the strength of his arms.

Carranza is a dangerous lunatic whose insanity consists in not wishing to give up any power at all that should be consequential to the country.

Let us see how he has proceeded latterly. In the first place he has practiced without let-up the maxim, "divide y reinaras" (divide, and you will rule.) In every State he has tried to maintain the discord between local parties or between the governor and the chief of the military. What he is most angered at is that there is a place in the country where everything is quiet and there are no difficulties. If, under any circumstances, in any State there is peace and progress, he does not rest until he creates difficulties that make his intervention necessary. There are Sonora, Tamaulipas, Nayarit, Michoacan, Coahuila, Yucatan, Tabasco, Mexico, San Luis Potosi, and there are all the rest of the States. He has tried with the force that his legality gives him, and using the army and the money of the nation to render null and void every element of real value and substitute elements of the most servile and unconditional character, types of men whose only aim is to have money with full hands and to have impunity for their misdeeds.

Classes of elements that Carranza needs for his infamous work, nor does he care about reforms or organizations or morality or anything else except crime and intemperance, his business, and his abuses.

Really the mercenaries are capable of doing anything and having wine, women, money, and impunity, and they do not care about anything else, and all they look for is the satisfaction of their vices.

Thus, slowly but continuously, Carranza has eliminated everything that is about to feel, think, have an opinion, or any act that might reveal his personality so that to-day he is unconditionally the only one left in military and civil life.

In order to serve Carranza at these latter times, a man must have lost the last vestige of morality and dignity and he must have acquired a character of a blind instrument without any other qualification than that of passive obedience or the servility that goes as far as ignominy.

This is his work of corruption and this is what he required most. He has put his fingers into all the elections, imposing upon the people by force and each time more imprudently against the governors and against the manifest wish of the people until he now counts with a great majority of unconditonal bands of villians in the States and when in spite of his intrigues such as Zacatecas, Michoacan, Tabasco, Sonora, and Yucatan, he has not succeeded in imposing on the governor whatever he desired to have him do, but does not tire out in creating continuous difficulties.

In Tabasco he did everything he could in order to oppress the governor, and when he did not succeed because of the energetic opposition of the people, he put down the people with the army and delivered the governor to the friends of his protection and if he had to unmake this infamy, it was because of the great noise made by the independent press. There was no other remedy than to undo the affair, but the federal chief was not punished or was there even any intention of judicial investigation.

Having been defeated in these territories, he left not a single moment free from intrigue against that governor.

The case of Yucatan is also typical of his manner of working. In the rich and prosperous State and with a government that did not depend upon him, but could not make him agree with them, and there was absolutely no spring in the government, in economic life, and in military force that he did not destroy the force of that State, but succeeded only in humiliating it and bringing it to misery and disorder. Latterly, in order to bring his work to a crowning, he imposed a legislature by force of arms and with the greatest haughtiness and with the greatest disregard of the laws of the State, but sent military chiefs with orders to terrorize the people. Faith wishes that the consequences of conduct, criminal and treasonable, should not come to a head.

The administration of Carranza has never been a progressive one because the country has found in it an obstacle on the most insurmountable kind for progress and development, because such a government is not a careful administration of the needs of the country, but a conspirarcy in order to perpetuate Carranza with his circle of scoundrels.

Now for the bloody farce that is being prepared and that its authors consider make appear an election, but begun by eliminating all the individuals that had sympathies for any candidate under the pretext that he desired the administration to be impartial and he did the same in the army; that is the greatest hypocrisy, because the entire world knows that it is enough for any functionary or military officer to show his absolute unconditionality to the desires of Carranza in order to enter into the circle of those favored ones who are protected. He has begun an intense action in order to attract the elements that have risen in arms against the Government offering to acknowledge to them the ranks they have in his power and admitting them to the army; if he succeeded in having all rebels accept this proposition, we would see the phenomenon of the elements proceeding from the enemy forces of the present Government become a majority in the composition of the hybrid army union of two vry definite groups; the old elements of the revolutionary army and the new elements coming from the rebel camps; that is, a dog and a cat mixed together in a single sack. There already existed a situation similar to this at the time of the triumph of the Mr. Madero, and there remain on foot elements of the old army and also those of the revolutionary forces, and as the entire world knows, there was absolutely no end to shocks and frictions, only they culminated in the destruction of Mr. Madero, and the conflagration of a tremendous war until one of the two elements destroyed the other.

Carranza, not being a revolutionary or a reformist, has betrayed the party that brought him to power because this has been the most serious obstacle to the aspirations of the country and the progressive elements coming into power, but ultimately he has shaken them off entirely, having made himself the palatin of the conservative and non-progressive elements by saying to them: I am your man, and you need look for no other. Here I am.

This line of conduct, which is nothing else than treason of the blackest kind to his party and to his friends, has satisfied his reactionary aspirations, and after supported himself on the elements hostile to his party—that is, the armed and simple social forces.

These circumstances of betrayal have never brought results and history is full of troubles of those who attempted to carry them out. A politician is stronger in proportion as he represents the aspirations of the chief group and when he passes to the other side or simply gives up to represent the interests and ideas of his party, he loses all force. The list of the Dumouriez and of Comonforts is endless, in order not to mention the Opas, the Condes, Julianes, and the Arnolds resulting in there never having been any lack of a Don Pelayo, a Hoche, a Washington, or a Jaurez who should take into his hand the standard that these disgraced people have let fall from their hands.

In this criminal farce are employed all the resources of the country, money as well as railways, post offices, cable offices, the army, the police, the public service, and the decision of all the matters in the Federal Government, and in those of the States.

The work of corruption is so considerable that one can scarcely imagine this. Nothing escapes this infamy, this criminal and traitorous conduct, the money of the nation, the employees, salaries, concessions, privileges, and favors of every kind for the accomplices, persecution and misery for those that refuse to give their aid to the intrigue of so great a criminal.

He has now come as far as the creation of numerous secret police forces and of an extensive system of espionage between the army and among the civil employees and railways, in theaters, street cars, restaurants, barber shops in general, and in every place of assembly.

This espionage distributes corruption and terrorizes everybody, intensifying the intrigues, traps, aspirations, and accusations in an insurmountable degree, because it is known that the spy does not limit himself to saying the truth and to serve the interests of anyone who pays him, but on the other hand, he is constantly inventing conspiracies, plots, and plans, and, as is natural, uses the said power of making the evil in his own benefit and in order to satisfy his passions and those of his friends. It was not worth while to have made a revolution in order that the traitors should arise with discoveries so moldy as the official

candidates of a little Napoleon and the secret police and the espionage of the third section of the minister of the interior of Russia that as we, too, know was a blind force that went as far as the marrow of the Russians because there was no one free from it and was the agent of terror, persecutions, deportations to Siberia, of dungeons, of fortresses, and of death.

I again mentioned the fact to Alvarado that many parties said he himself had Mexican presidential aspirations. His answer was that he had many enemies in Mexico, and for a time hoped to be able to become an actual presidential candidate, but that now he had given up such intentions.

My report under the name of Cresse, dated New Orleans, La., June 20, 1919, at that time advised the Department of Justice and the State Department that Alvarado was actively planning to become Mexican presidential candidate. Through a confidential friend of mine in Mexico City, I at that time learned from this American that Alvarado was most anxious to form a connection in the United States which would be able to extend publicity and propaganda among prominent officials at Washington to create sentiment regarding Alvarado as a future Mexican president. The report above mentioned sent forward to the Department of Justice, is as follows:

Confidential report re Gen. Salvador Alvarado, Mexican presidential candidate, and his efforts in Mexico and throughout the United States to secure publicity for his campaign:

Gen. Alvarado several months ago organized a company who are the publishers of El Heraldo De Mexico. This daily paper is in reality owned by Gen. Alvarado, and has an abundance of financial backing, and its announced purpose is to become the principal paper in the Mexican Republic. In each of its daily issues one page is published in English. The paper is under the direction and management of Modesto G. Rolland, who is also said to be Alvarado's campaign manager. It is published in Mexico City at Apartado 5272.

The real purpose of Alvarado having started the El Heraldo De Mexico is through its columns to spread propaganda regarding Alvarado as a Mexican presidential candidate. This paper I understand is now making, or will at an early date, proposition to practically every daily paper and prominent weekly and monthly magazine throughout the United States, to be put on their exchange list. Alvarado hoping in this way to secure hundreds of columns of news items and editorials each month regarding himself. If he can succeed in carrying out his idea along these lines his supporters believe that the news items and editorials published in various papers and magazines throughout the United States will tend to popularize him with the people of the United States. Alvarado also proposes to appoint a publicity director in the United States, and have been asked to take this matter up with Modesto G. Rolland.

Gen. Alvarado is best known throughout Mexico as the ex-governor of Yucatan. Realizing that the next president of Mexico would have to be a military man, therefore with that idea in view, he resigned the governorship of Yucatan during the early part of 1918, and went to Mexico City, where, it is said, he took an oath before President Carranza that he would go into the field as general commanding a large number of Mexican troops and would capture or kill Gen. Felix Diaz and likewise completely break up the Felicista and Gen. Manuel Pelaez revolutionary movements in the southern part of Mexico or die in the attempt to do so.

During the latter part of March, 1918, Alvarado at the head of a large body of Mexican troops had a fight extending over a period of several days with the Felicista or Pelaez forces at or near Minatilan, which is near the Tabasco border. This fight resulted in Gen. Alvarado's forces being badly defeated and cut up by the revolutionary forces, and at that time the revolutionary forces likewise captured from Gen. Alvarado's troops a large quantity of arms and ammunition, commissary supplies, and cash. Many of Alvarado's men deserted and joined the revolutionary forces. Gen. Alvarado then returned to Mexico City and outfitted another expedition and again took the field, but to date has never had another decisive fight with the Felicistas or Pelaez forces.

Copy of this report furnished to Washington, New Orleans, San Antonio—State Department.

Alvarado then prepared me a typewritten statement regarding himself, which is as follows:

Gen. Salvador Alvarado, was born in Sinaloa. He was reared in Sonora. He has had a fair amount of instruction, has some administrative capacity and organizing ability.

He is strong in his intentons, energetic, tenacious, and tireless in his work. He has dedicated all his time to studying the problems of his country and is a Mexican in belief, who knows the United States most.

Considering the large sums of money that he managed in Yucatan, there was a time when Gen. Alvarado thought he could make himself rich, but those who know him more closely know that he lives in misery. His worst enemies accuse him of everything, but no one has ever dared say he is not honest.

Before the revolution he was a business man and a contractor of railway construction. He made the campaign against Diaz, Orozco, Huerta, Villa, and has never been defeated.

Alvarado likewise told me that he had served in the Carranzista army against Felix Diaz, Orozco, Huerta, Villa, and in other minor engagements. He proudly claimed never to have been defeated, although the Felicista revolutionists make the counterclaim that in a battle between them and Alvarado's forces the latter was defeated and barely escaped with his wearing apparel.

It is very noticeable that Alvarado in the biography written by himself, but intended to be circulated as an anonymous and impersonal laudatory work, said that he had handled large sums of money in Yucatan, and there was a time when he thought he could make himself rich, but those who know him closely know that he lives in misery. His worst enemies accuse him of everything, but no one ever has dared to say that he is not honest.

Alvarado's "misery" consists in maintaining a luxuriant suite of rooms in a fashionable hotel (The Hotel Alexandria at One hundred and third Street), dining often and well, and enjoying himself generally at a variety of entertainments, sporting stylish clothes, silk shirts, and visiting the barber shop for the maximum amount of tonsorial attention.

Those interested in Alvarado and many of his enemies say that prior to the revolution he had but very little visible wealth, and they now ask where did the money come from to support Alvarado's misery, also for the ownership of his daily newspaper, El Heraldo, with its modern equipment, and for other properties he is alleged to own.

When Madero started his revolution against Porfirio Diaz in 1910, which was successful, Yucatan, who had not participated in this revolution, recognized the Madero administration. After Madero's

fall they then accepted Huerta's government. In 1914 Carranza sent as his first governor to Yucatan, Gen. Eleuterio Avila. The people of Yucatan peacefully accepted Avila as their governor, but shortly after his arrival he imposed forced loans on the planters and business men of Yucatan for several millions of pesos, which was promptly paid and part of which went into the Carranzista treasury. As the prospects for loot of all kinds in Yucatan were good, and others close to Carranza forced the recall of Avila to Mexico City, Gen. Toribio de los Santos, in Avila's place, was appointed acting governor by Carranza. His despotic rule aroused the hostility of the people of Yucatan, and he then made wholesale arrests of its leading citizens and forced further large loans from the people. Within six weeks after having been inaugurated his iron rule resulted in an uprising of the people in the interior. Santos sent Col. Abel Ortiz Argumendo to suppress this movement. Argumendo, when he arrived at the point of the uprising, immediately deserted with his force and joined the rebels. With an ever-increasing force of revolutionists he marched on Merida and took possession of same. De los Santos, to save his life, fled to the State of Campeche.

The people of Yucatan assured Carranza at this time that the uprising was not against Carranza and that they were loyal to his Government and were perfectly willing to pay their taxes and duties as heretofore. They merely asked to have the privilege of naming their own governor. Carranza's answer was to send Gen. Salvador Alvarado with about 8,000 troops to Yucatan to force possession of the government from Argumendo.

Alvarado and his army landed in the State of Campeche, and from there marched into Yucatan. Alvarado sent announcements ahead saying that through blood and fire he would arrive in Merida. This resulted in a state of terror in Merida and other parts of Yucatan. Many hundreds of the Yucatecos fled that State. Alvarado immediately seized all of the railroads and operated them from that time on as Government property. He likewise took possession of the Comision Regladora del Mercado de Henequen (Ruling Commission of the Henequen Market).

This organization in the old days of peace in Yucatan was owned and controlled by the growers of henequen, and its functions were to regulate the operation of supply and demand of henequen; and when the supply exceeded the demand the Regladora would purchase same and hold it until the demand caught up with the supply. Up to 1910 or 1911 the price of the henequen fiber averaged 2½ cents to about 6 cents per pound, f. o. b. New York.

Alvarado immediately issued a decree that the planters could only sell their henequen to the Regladora. He likewise ordered his railroad director to refuse transportation of any henequen consigned to anybody except the Regladora. This immediately paralyzed that industry and resulted in a tremendous quantity of henequen being accumulated. He fixed an arbitrary price, which was around 4 cents per pound.

Alvarado then sent Dr. Victor A. Rendon and Julio Rendon to the United States, where they succeeded in perfecting financial arrangements with a group of bankers, who agreed to advance for a consideration in addition to interest, satisfactory loans on all henequen

stored in warehouses in the United States. Alvarado then shipped to the United States tremendous quantities of henequen, which was warehoused and upon which he secured loans.

When Dr. Victor A. Rendon came to the United States I got in with him and my reports at that time to the Department of Justice gave them in advance full information as to the plans and activities of Rendon and his associates. My testimony before the committee, if desired, will in detail bring out many of Rendon's activities at that time.

At the start of this proposition henequen was quoted at from 7 to 8 cents per pound. In 1919, due to Alvarado's methods, so it is said, the price of henequen in the United States had advanced to 19¼ cents per pound. This resulted in the American farmers paying for their binder twine, which is used in wheat fields, the following amounts which were in excess of amounts paid by them for the same quality of twine in previous years:

Excess in 1916	$7,125,000
Excess in 1917	33,375,000
Excess in 1918	42,000,000
Excess in 1919	30,000,000

Making a total of $112,500,000 that American farmers were forced to pay for their binder twine in excess of the amounts they would naturally have been called upon to pay had it not been for the existence of Alvarado's management and monopoly of the Regladora.

The henequen planters of Yucatan derived but very little benefit from the large excess profits mentioned. Alvarado and his associates organized many subsidiary companies, likewise are charged with having spent enormous sums of money for advertising and propaganda work in the United States, much of which was of a personal character. Alvarado also organized a company called The Compania de Fomento del Sureste, of which Alvarado was president, and which he absolutely controlled. The announced object of this company was to import everything required by the natives of Yucatan, and which was to exclude from all participation and commerce of private firms and individuals. The Regladora, acting under Alvarado's orders, spent $7,000,000 in the purchase of several small steamers. In many other ways the funds of the Regladora drained from the pockets of the farmers and the users of bread in the United States, and were according to the planters of Yucatan, dissipated in various visionary schemes.

The henequen planters meanwhile were getting poorer, although they realized that henequen was being sold in the United States at fabulous prices. They became restless and threatened trouble for the Alvarado government. Alvarado's iron rule resulted in the organization in Yucatan of the Ligas de Resistencia (League of Resistance), which conducted a reign of terror throughout Yucatan. Those who opposed the plans of the Government were persecuted in many ways. On one occasion two men, who had met the displeasure of the Government, were hanged to an oak tree on the principal boulevard of Merida, and their bodies were allowed to swing from the tree from sunrise to sunset. Thereafter, those who showed resentment or threatened trouble were told to remember the oak tree.

When Carranza wrecked all of the banking institutions in Mexico those in Yucatan went with the others. The Regladora then issued

its own currency, all of which in the end resulted to its holders in large losses.

About the middle of 1919 the Regladora, having ruined nearly all of the planters in Yucatan, and when it had reached the point where it was practically bankrupt, was turned back to the planters.

The production of henequen in 1900 was 500,000 bales; in 1914 the production, prior to Alvarado's régime, was 1,026,000 bales. In 1918 the production had declined to 805,000 bales, and in 1919 to less than 700,000 biles. In other words, during Alvarado's régime the production of henequen declined over 30 per cent. If production had been handled right by the Regladora under Alvarado it is said that it annually would have been in excess of 1,500,000 bales. Fully 70 per cent of the binder twine which the farmers of the United States use is made from Yucatan sisal or henequen.

Alvarado's bloody rule in Yucatan is too well known, and I presume more than sufficient testimony has been introduced before the committee regarding conditions in Yucatan under his administration than to make necessary any additional remarks by me about Yucatan under Alvarado's government. It is, however, a known fact and many of my reports bear this out, that Alvarado's pro-German activities in Yucatan were during the European war in many ways detrimental to the interests of the United States.

Dictatorship was no child's play with Alvarado. He was a real one for giving orders and combining himself with the three governmental functions, the legislature, the judiciary, and the executive. In Merida the foreigners and Yucatecos used Alvarado's name with bated breath for his capital was filled with spies and soldiers.

Accompanied by Gene Fowler on Saturday, March 20, again called at the Alexandria Hotel to see Alvarado, who was not in. Therefore on Sunday, March 21, Fowler and myself again went to Alvarado's hotel and met Alvarado as he was coming out of the dining room at 2.30, accompanied by his wife and another party, to whom we were not introduced. With Alvarado and his party we went to his rooms where he handed me a written memorandum containing information regarding many of the facts mentioned hereinbefore.

(Whereupon at 4.45 p. m. the committee adjourned to meet again on Tuesday, May 18, 1920, at 11 o'clock a. m.)

TUESDAY, MAY 18, 1920.

UNITED STATES SENATE,
SUBCOMMITTEE OF THE COMMITTEE ON FOREIGN RELATIONS,
Washington, D. C.

The committee met at 11 a. m. pursuant to adjournment, in room 128, Senate Office Building, Senator Frank B. Brandegee presiding temporarily, in the absence of the chairman.

Senator BRANDEGEE. Senator Fall is engaged in other matters for a few minutes, but has asked me to go ahead with the hearing for the purpose of saving time. So you may proceed, Mr. Jones.

TESTIMONY OF MR. CHARLES E. JONES—Resumed.

Mr. JONES. About the 1st of October, 1919, in Washington, at the Washington Hotel, I discussed with several parties my purpose of endeavoring to dig out from Mexican Ambassador Bonilas and other Mexican Government officials the exact plans that they had at that time in regard to carrying through their propaganda and other activities throughout the United States. The parties to whom I talked, I will give their names in private to Senator Brandegee and Senator Fall.

Due to my former connection with the Mexican Government as confidential agent to the Mexican foreign office I, therefore, was on friendly terms with the majority of the Mexican officials throughout the United States. Ramon P. de Negri, at that time Mexican consul general in New York City, I had met once before, while he was serving as consul at San Francisco several years ago. The consul general at New Orleans, Pesguria, however, was particularly friendly with me. Therefore, on October 1, 1919, I telegraphed Pesguria to send De Negri a strong telegram regarding myself, likewise another telegram to be presented by me to De Negri. I file with the committee a carbon copy of the telegram of October, 1919, stamped by the Western Union to Pesguria at New Orleans; and a telegram was sent to De Negri in New York by Pesguria, and also one to myself.

On October 22, at 4 p. m., I presented the telegram sent me by Pesguria to De Negri in his office on the nineteenth floor of the Tribune Building.

I likewise showed him all of my various letters, etc., which proved my previous connection with the Mexican Government. De Negri said that he remembered me and knew of me and that I was just the man the Mexican Government needed and was looking for, due to the

fact that the enemies of Mexico had been and were now more active than ever before; and that with their assistance and following out their suggestions I could be of the greatest value to them. He at this time in a most insulting manner, referred to the National Association for the Protection of American Rights in Mexico, Senator Fall and his committee, Capt. Hanson, Secretary of State Lansing, Mr. Buckley, and many of the Mexican revolutionists. He said that through detective agencies and their own secret service men they had secured a great deal of information regarding what he termed was the dirty work of the parties mentioned. He then asked me if I knew all of the parties that he had referred to, and I, of course, told him that I did, and that I likewise thought his opinions regarding these parties were absolutely correct.

My brother, N. T. Jones, and myself fully sympathized with his ideas and handed him a lot of hot air as to what we could do for the Mexican Government, etc. He, De Negri, became very enthusiastic regarding the results that could be produced, and said that he would immediately telephone Ambassador Bonillas. He then asked us to return to his office at the Mexican Consulate in New York at 4 p. m., on October 23.

On that date we again saw De Negri at his office, and he was far more frank in his conversation than he had been on the previous day. He said that if he and ourselves could manipulate matters so that all those whom he termed were the enemies of his government among the parties mentioned in our first conversation with him and likewise the revolutionary enemies, could be discredited, disgraced, put in jail or deported from the United States, that it would immediately settle the question of the ever-increasing agitation against Mexico. He said that his government was willing to spend a great deal of money to have this done. He then requested me to leave with him several of the letters which I had shown him from other Mexican Government officials, likewise from other parties, regarding myself. He then asked me to show him some of the various papers and documents that I had regarding the activities of their Mexican revolutionary enemies, which I also showed to him. He asked me to again call at his office on Friday, October 24, at 4 p. m.

My brother and myself arrived there at that time, and he said that he had talked to Bonillas by telephone and that Bonillas had instructed him to come over to Washington on the following day to go over the entire matter with him. He then said that he would leave New York on Saturday afternoon, October 25, for Washington, and that he would go over the entire matter with Bonillas at the Mexican Embassy in Washington on October 26, and that we were to be sure and see him at his office in New York on Monday, October 27, at 4 p. m.

The CHAIRMAN. What year was that?

Mr. JONES. 1919. We arrived there on the date and hour he requested, and De Negri introduced us to Seguin, his vice consul and who formerly had been connected with De Negri while he was Consul General for Mexico at San Francisco. Seguin is a son of the former Mexican consul at New Orleans and San Antonio, and now consul general for Mexico at Eagle Pass, Tex., and who prior to the Carranza revolt is said to have had no wealth of any kind but who

now, so it is said, is alleged to be worth from $150,000 to $200,000, and owns several very valuable pieces of property at Eagle Pass, Tex. Seguin, while at San Antonio and at Eagle Pass, Tex., was known to be very active in smuggling arms and ammunition out of the United States, as will be shown hereinafter. He is likewise known to be extremely anti-American. That refers both to the father and son.

My report of May 13, 1918, forwarded to the State Department and the Department of Justice, under my department code name of Creese, the title of which is "Regarding M. G. Seguin, Mexican consul at San Antonio, Tex.," reads as follows:

While at Eagle Pass learned that Sequin is alleged to have been purchasing in small quantities 30-30 cartridges at San Antonio, Tex., or in other places, and has had these cartridges shipped or carried to Eagle Pass, Tex., where they are alleged to have been smuggled over the border into Mexico, by or through the assistance of R. F. Vaughn, of the Eagle Pass Lumber Co. Vaughn is also connected with the Eagle Pass Grocery Co. The cartridges if in reality any have been smuggled, or are yet to be smuggled over the border by Vaughn, are supposed to be packed in other goods shipped to Piedras Negras and other parts of Mexico by the various concerns Vaughn is connected with.

While at the military headquarters or barracks of Gen. Poraldi, in Piedras Negras, Mexico, on the afternoon of May 3 saw six new Winchester 30-30 carbines which apparently have never been used, and were just unpacked for they still had the original factory grease and shipping tags on them.

Discussed this matter with Mr. Beverley, special agent in charge your Eagle Pass office, and he has this matter well in hand and is thoroughly competent and capable of handling this situation, provided Vaughn, Seguin, or anybody else attempts to run stuff of that kind over the border.

Seguin, while former Mexican consul at Eagle Pass, made a great deal of money in buying arms and ammunition for the Carranza Government, and is said to have been responsible for a good deal of it having been run over the border into Mexico after the United States embaro was put on regarding arms and ammunition going into Mexico.

In connection with this, I might state that on September 25, 1918, and on November 13, 1918, I made reports to the Department of Justice on the smuggling of ammunition from San Antonio and other places into Mexico, in which Seguin is mentioned.

The CHAIRMAN. The reports may be printed in the appendix to your testimony.

Mr. JONES. In our conversation with de Negri at his office on the afternoon of October 27, he said that Bonillas had told him that using me to make public the information which they had regarding the National Association for the Protection of American Rights in Mexico, the Fall committee, Capt. Hanson, Buckley, and others, and which they later could secure and which I also was to secure, it would result in disgracing all of the principal parties implicated, as mentioned, and would likewise create sympathy for the Mexican Government and eliminate a great deal of the intervention propaganda; that it was vitally necessary for the Mexican Government to immediately employ me and pay me very liberally for the work they wanted done. De Negri said, "It will be necessary for you to go to Mexico City to talk to President Carranza and Luis Cabrera personally regarding this matter, and Mr. Seguin will accompany you. It will likewise be necessary for you to take all of the papers and documents you have regarding the activities of the Mexican revolutionists with you so that President Carranza

can personally see and examine these." He then said, "You should leave at once on this trip."

Thinking that there is always a chance, that these Mexicans might have been wise to my plans to secure all of the information possible from them and then use it against them, or might likewise have known of my former work for the Department of Justice, or wanted to have me take all of the papers and documents owned by me regarding the activities of their Mexican revolutionary enemies into Mexico where they would then be confiscated by the Mexican Government or taken away from me; I, at this suggestion of De Negri's in regard to taking the papers to Mexico, told him that I could not spare the time to make the trip to Mexico City. He said at this time, "Then, if you are unable to give the time necessary to go to Mexico City, I can arrange it in another manner whereby Seguin, your brother, and yourself will go to Nuevo Laredo, Mexico, and there meet an assistant secretary of the Mexican foreign office, who, on behalf of President Carranza, will make the necessary financial arrangements with you." De Negri then said that it would be necessary to enter into this agreement on Mexican soil, due to the fact that his work, Seguin's, Bonillas's, and our in combination would cause trouble for a great many prominent people, and that it would get them, the Mexican officials, in bad if this arrangement was entered into in the United States. I then agreed to make the trip to Nuevo Laredo, and asked him what he and the ambassador had agreed to pay for these papers and documents regarding the Mexican revolutionists, also for the work when wanted done to ruin, disgrace, and discredit the various Americans that he positively said, irrespective of cost, they proposed to put out of business.

De Negri said that he and the ambassador had agreed to recommend as a most vital expenditure $40,000, payable when we surrendered to them the Mexican revolutionary papers and documents; and that all of the necessary expenses of conducting the work would be paid, and that my brother and myself would each receive a salary of $2,000. He became very enthusiastic at this moment and said, "If you will put the National Association in an embarrassing position, and this can be done by using the information we have already secured—and the same applies to the Fall committee, Capt. Hanson, Mr. Doheny, and other members of the oil group—then, in that event, we would be willing to pay up to $100,000 after these results have been secured, and that you will also have many big commercial opportunities open up to you in Mexico if you succeed in doing what we want done."

My brother and myself, continuing our play of course, fully sympathized with De Negri's remarks and opinions, which resulted in both Seguin and De Negri repeatedly making the strongest and most insulting remarks about the honor and integrity, etc., of Senator Fall, Capt. Hanson, and other members of the Fall committee, the oil group, the National Association for the Protection of American Rights in Mexico, etc. The remarks of these Mexicans showed the most extreme hatred and contempt for these parties and for the United States. De Negri, likewise, when I brought around the question of intervention, said, "All right; just wait; some day we

will show the United States what we can do, and we will likewise teach these Americans who are plotting against us a lesson they will never forget."

In that connection it might be well to insert in the record that Ramon P. de Negri is now said to be acting as commercial agent, which is practically the same as consul general, in New York City for the present Mexican revolutionists.

At De Negri's request we called at his office again on October 28, 29, 30, and 31, and November 1, 3, and 4. At each of these times De Negri again repeatedly expressed his determination, likewise that of Bonillas, and the Government of Mexico, to ruin everybody who was opposed to their plans.

On the morning of October 4 we received from Seguin, the vice consul, approximately $350 as payment for the expenses of the trip to Laredo. We gave him a receipt for same, and he said that the balance, which would make a total of $602.40, the estimated expenses of the trip to Laredo and return to New York, would be handed by him to me at Laredo, Tex. On Saturday, November 1, Seguin, according to his plans at that time, was to accompany us on the trip. However, on Monday, November 3, he said that he would have to leave the following day, November 4. My brother and myself left New York for Washington on November 3 and arrived in Laredo, Tex., on November 7 at 3 p. m. We registered at the Hotel Bender. Seguin was to arrive in Laredo on Saturday, November 8. He, however, did not arrive there, so he said, until Sunday morning, November 9. He called at our room at the Hotel Bender on that morning at 10 a. m. and handed me $250 to $300, which was the balance to make up the total of $602.40.

We discussed at that time with Seguin the details of the interview that we were to have with the representative of the Mexican foreign office who, so Seguin said, was on his way to Nuevo Laredo. Seguin was very enthusiastic as to the meeting with this party and said, "It will be a big thing for De Negri and myself to be known in Mexican Government circles as the two parties who are going to ruin all of the big and well-known enemies of Mexico in the United States." He said, "Don't hesitate to promise this Mexican foreign office representative to fully comply with his desires in regard to disgracing and ruining Senator Fall and other members of the Fall committee, Capt. Hanson, and various members of the oil group, the National Association for the Protection of American Rights in Mexico, and others." He then said that one of the biggest and strongest men in Washington, who was very close to the Democratic administration—Mr. Charles Douglas, their confidential legal adviser—had told Bonillas that the State Department was most anxious to discredit the activities of the Fall committee, the National Association for the Protection of American Rights in Mexico, and others, likewise, that something would drop pretty soon which would cause a sensation and which would involve certain Senators and Congressmen, likewise various parties connected with the Department of Justice, etc., who had been cooperating with the enemies of Mexico.

On my way through Washington on November 4 I called at the Department of Justice, and at that time told Capt. Burke, Chief of the Bureau of Investigation, regarding my negotiations with the

Mexican Government, and that I was on my way to Laredo, Tex., to meet some of their officials.

Seguin, after spending probably 30 to 40 minutes with us, said as he left that he would call at the hotel for me at 10 a. m. Monday, which he did; and at this time I was introduced to a Mexican by the name of Pena who Seguin said was vice consul at Laredo, Tex. Pena and Seguin then left the Hotel Bender, and at 12.30 returned to the hotel, where we all had lunch together at which time both Pena and Seguin consistenly knocked and knived the United States and many Americans.

While at lunch Seguin said that he had just had a telegraphic conference with the Mexican foreign office at Mexico City, and that they had told him that the representative, who was to meet us at Nuevo Laredo, was unable to leave Mexico City; therefore that it would be necessary for Seguin, my brother, and myself to at once come to Mexico City to settle the entire matter. I asked him how we could get my Mexican revolutionary papers and documents over the river, due to the fact that they were packed in a trunk without the customs and immigration authorities seeing them. His answer was, "Leave that to Pena and myself; we can smuggle them over without any trouble as we have done whisky, cigars, and large quantities of other papers and documents."

As I did not care at this time to go to Mexico City, nor under any circumstances would I have taken the Mexican revolutionary papers and documents into Mexico, I therefore told these Mexicans that I did not see how I could go to Mexico City due to the fact that I did not have any passport. Seguin then said, "Passport hell; get a temporary permit card for one day across the river, and come that way." I told him that there was nothing doing, for when I wanted to come back into the United States I might have trouble. He then said that the immigration inspector a Laredo had the authority to issue an emergency passport, and that he and Pena would go with me to the immigration inspector and guarantee that emergency passports were necessary for my brother and myself.

Blocking this new plan of Seguin's, my brother therefore telephoned to Mr. Lawrence of the Department of Justice, who I formerly had know, explaining the circumstances of the emergency passport to him, and requesting him to tell Mr. J. E. Trout, the immigration inspector, that when Pena and Seguin, my brother and myself called at his office to assure the emergency passports, that Trout was to refuse to issue same claiming that he had no authority to issue an emergency passport to any newspaper man.

Having this fixed, we finished lunch, and Pena, Seguin, my brother, and myself arrived at the Federal building at about 2 p. m. In the corridor of the Federal building we ran into Rob Rumsey, and I introduced Pena and Seguin to him. I then took them into the office of Mr. Miller and Mr. Lawrence, of the Department of Justice, and introduced them to these parties; and at 2.20 p. m. in front of the elevator on the third floor, I introduced them to J. E. Trout, the United States immigration inspector in charge of the Laredo district. I requested of Trout emergency passports for my brother and myself to go to Mexico City. Trout, having been previously advised, as mentioned hereinbefore, said he could not issue emergency passports to us as were were newspaper men. This was a surprise to

Pena and Seguin, both of whom urged Trout to issue passports and that if he couldn't, to then wire Washington for authority to do so. Trout said, "No need to wire Washington as to what can be done or what can not be done." Seguin said that it was too bad, for he wanted to go to Mexico with my brother and myself.

This ended the temporary passport proposition, and after Seguin, Pena, my brother, and myself left the Federal building, Seguin said that Trout was a no-good son of a ———. Pena said, "Never mind; Trout will get his some dark night, as will also that dirty bastard of a Rumsey, and you just wait and see the same happen to Fall and Hanson." Both Seguin and Pena then launched into a most complete castigation of Miller, Lawrence, Rumsey, and Trout, and said that they were a buch of gunmen who had killed more innocent Mexicans than almost anybody else on the border, and that they had been marked to get bumped off and would in the end get theirs as well as Fall, Hanson, and others. The statement of Seguin and Pena regarding Miller, Lawrence, Rumsey, and Trout being gunmen is a lie. All of these men are of the best in the United States service and have rendered service of untold value to the United States. Seguin and Pena showed by their conversation and expressions that they were thoroughly disgusted with the failure of their efforts to get us over the river on our way to Mexico City with the papers and documents.

Due to the anxiety of De Negri and Seguin in New York, and to the actions and conversation of Pena and Seguin at Laredo, as well as by chance remarks dropped by Seguin from time to time, I had about become convinced of the fact that there had been a leak somewhere, and that these Mexicans were wise to us; and that their plans not only included getting the various Mexican papers and documents in my possession away from me if I could come into Mexico, but that likewise their plans probably included their either throwing my brother and myself into jail after we got into Mexico, or of bumping us off.

At about 3 p. m. of the same date, I left Seguin and Pena and was to see them again the next morning at 9.30 a. m., when Seguin, Pena, my brother, and myself were to proceed to Nuevo Laredo and there hold a telegraphic conference with the Mexican foreign office.

Seguin, knowing that I was always armed, at this time warned me to be sure and not carry my gun into Mexico because it might cause trouble with the officials there. This rather looked funny to me at that moment.

After leaving Seguin, I told Lawrence and Miller, of the Department of Justice, also Trout, of the Immigration Service, that I had about made up my mind that these Mexicans were getting ready to frame me, and that it might result in trouble when I went over the river. Before leaving Seguin, he had agreed to call for me at the Hotel Bender the next morning in Pena's Ford automobile; and my brother and myself were to then drive to Nuevo Laredo. Seguin at this time said, "Now, pack in a large grip the most important of the original Mexican revolutionary papers and documents, and when I call for you I will take the grip; when we reach the bridge I will tell the United States bridge guard and immigration authorities that

the grip is my personal property, and as vice consul of Mexico I can cross it without having it examined." I agreed to this, knowing, however, that under no circumstances would I have a paper, letter, or document on me when I crossed the river.

At 9.05 a. m. on the morning of November 11, Seguin telephoned me that Pena was delayed, and for me to get an automobile and meet him at the end of the bridge on the American side of the river. It had been previously agreed between my brother and myself that it would be best for only one of us to cross the river, for in case of a frame-up, one would be left with the papers and documents; and if there was any plan to bump us off or throw us into jail, that it would be more desirable for them to only get hold of one. Over my brother's protests, due to the fact that he wanted to go, I left the Hotel Bender at 9.10 a. m. in a Dodge automobile owned by Meyers, and driven by driver No. 1 of the Meyers Transfer Co. I met Seguin at the American end of the bridge, and he was very much surprised to see only myself in the car, and asked where my brother was. I told him that he was over at the hotel waiting for a long-distance telephone message. He then asked for the grip full of papers, and I told him I had decided not to bring it with me.

We crossed to Nuevo Laredo, and at 9.45 a. m. Seguin and a Mexican telegraph operator opened a telegraphic conference, so he said, with the Mexican foreign office at Mexico City. This conference lasted until 11.45 a. m., during which time the driver of my automobile and his car were parked a short distance from the entrance to the telegraph office. Shortly after the telegraphic conference started Pena arrived and remained for about an hour. Seguin claimed that his conference was with the secretary of the Mexican foreign office. After the telegraphic conference was finished Seguin said that the Mexican foreign office was very enthusiastic about the entire matter, and had told him to assure us that we were just the men they were looking for, and that a most satisfactory arrangement would be made which would fully come up to or go well beyond the offer that de Negri had mentioned in New York City, as far as money was concerned. He then said that the Mexican foreign office had instructed him to make a full report of the entire matter, secure from us several letters of recommendation, etc., regarding ourselves, also copies of some of the most important papers and documents regarding the Mexican revolutionists, and to hand all of this to one of the Mexican foreign office's official messengers, who was due to arrive in Laredo, Tex., on that date, and who would leave the following day for Mexico City with the letters and Seguin's report; and that if this messenger did not arrive according to his schedule Seguin then was to immediately leave the following day, which would be November 12, for Mexico City. Seguin then said that the Mexican foreign office had instructed him to ask my brother and myself to immediately return to New York City and wait there at their expense for further instructions, which would arrive in New York at about the time we did. Seguin also said that the Mexican foreign office's instructions would consist of giving de Negri complete authority to make the necessary payments, etc.

Seguin, while in Laredo, had been stopping at some private house, and at 2.45 p. m., November 11, he telephoned me at the Bender

Hotel to come to his house. At 3 p. m. I left the Hotel Bender in an automobile driven by Meyers, and on the way to the house where Seguin was stopping I met him on his way to the Hotel Bender in an automobile. Seguin got out of his car and entered ours, and we returned to the Hotel Bender.

Seguin impressed upon us at this time the absolute fact that the fate of Mexico in regard to preventing intervention and eliminating her enemies in the United States rested to a very great extent on the future activities of De Negri, himself, and myself. He then told me that he had just received confidential information from the embassay at Washington that they had secured certain information and proofs which would utterly ruin Senator Fall, Capt. Hanson, and others. I understood from Seguin that this information would be used by prominent American friends and supporters of Bonillas and of the Mexican Government. He, however, said that all of this information had been secured by their secret service agents, and likewise furnished to them by Americans who were their friends; and that all of same was to be presented to the State Department and to the Attorney General of the United States by prominent and powerful Americans with tremendous political influence back of them; and that it would result in the utter disgrace of Senator Fall, Capt. Hanson, and others.

My brother and myself left Laredo, Tex., Wednesday morning, November 12, and arrived at San Antonio, Tex., that night. While at San Antonio, Tex., I saw Mr. Sullivan and Mr. Breniman, of the United States Department of Justice, whom I had known for a long while, and told them as frankly as I could, without divulging the source of my information, that I had learned that there was a thorough well-organized plan on foot to uttterly ruin Senator Fall, Capt. Hanson, and others, and that Capt. Hanson should be tipped off to this matter. This resulted in Capt. Hanson coming to see me at the St. Anthony Hotel in San Antonio, on November 12 at 9 o'clock, p. m., at which time Sullivan, my brother, and myself were present. I, at this time, told Capt. Hanson that I had learned of plans which were to be sprung in Washington, which would result in efforts to disgrace and ruin him, also Senator Fall, and the National Association for the Protection of American Rights in Mexico. I could not at that time, on account of the danger of leaks thereby spoiling my newspaper exposé, and of having the entire matter exploded, fully and frankly let Capt. Hanson know of all of the information I had secured, due to the fact that if same had been made public or leaks had occurred, it would have utterly broken up my plans to carry through to the end my play with the Mexican Government officials to secure the complete information which I knew they had and which sooner or later I felt positive I could secure.

In this conversation with Capt. Hanson, he on two occasions expressed the wish that I would with him take charge of the investigation for the Fall committee along the border and at other places of various Mexican affairs, and that the salary and expense arrangement would be perfectly satisfactory to me. I told Capt. Hanson that I would be very glad to do so if it were not for the fact that such a connection at that time would completely interfere with my present plans.

My brother and myself left San Antonio on the night of November 13, via the M., K. & T., and arrived in Washington via Pennsylvania, Sunday, November 16 at 2 p. m. On November 17 I left Washington at 4 p. m., arriving at the Knickerbocker Hotel, New York City, 9.30 p. m. the same night. On Tuesday, at 11 a. m., November 18, I saw De Negri at the Mexican consulate. He was just getting ready to go out, and he asked us to return at 4 p. m. of the same day, which we did. We remained in conference with him until 5.20 p. m. He had received several telegrams from the Mexican foreign office that they were very enthusiastic and anxious to get their proposed agreement with us started, and that Seguin, who had left Laredo for Eagle Pass to see his father on that date, November 18, or the following day, November 19, would have another telegraphic conference with the Mexican foreign office and receive their final instructions regarding the details of the contract with us. He said that the foreign office had advised him in code telegram to this effect; also that it was not safe to send their telegrams regarding this matter even in code, due to the fact that they were afraid the United States Government had possession of their codes or could decode their telegrams.

De Negri then said that he had talked to the ambassador after we had left for Laredo, and that he and Bonillas, irrespective of cost or consequences, proposed as a patriotic duty to Mexico to ruin and disgrace the Americans—and again he named them—who were endeavoring to force intervention. De Negri at this time said that that God damn Fall was more responsible than anybody else, and that some way or the other Fall was to be ruined and disgraced, and that he and Capt. Hanson would pretty damn soon be fixed where even publicity as to their dirty activities against Mexico would not even affect them.

I, of course, fuly agreed with De Negri as to his sentiments against Hanson and Fall; and he then literally in his remarks about both Hanson and Fall, castigated them. Continuing, De Negri said, "Fall and Hanson ought to be shot, and by God, they will be. Just wait and see; it will happen very soon."

I endeavored to play him along to learn the complete plans to assassinate Fall or Hanson, but he changed the conversation. He again assured us that if we played straight with his Government and carried out their instructions and made public the information he claimed to have in his possession regarding the National Association the Fall committee, Capt. Hanson, Mr. Buckley, the various members of the Oil Producers' Association, and others, that we would be millionaires.

He said, "All of this information made public by you two gentlemen, as Americans, will have a tremendous effect and will produce results far more quickly than if it was made public through the Mexican embassy or other Mexican Government officials." De Negri then again flared up and said, "I suppose you have seen what those damn dirty newspapers all over the United States have been handing me over what they claim is my connection with the I. W. W. and the reds."

De Negri at that was referring to the statement which had been given out by Senator Fall, stating that he, Fall, had possession of proof, documentary and otherwise, regarding the connection of

De Negri and Bonillas with the reds. He then said, "To hell with every newspaper in the United States and their ideas and opinions of my Government or me," and that the same also applied to the opinions or activities of the State Department or the United States Government about him or who he was connected with, etc., and that what he said or did was his own personal right which he did not propose to have interfered with. Continuing, De Negri said:

My complete sympathy is far more with the reds and others of their class, who have been and were being oppressed by the United States Government than he ever could feel toward the people of the United States.

At this moment he showed us copy of a letter he had sent to the New York Herald, which was similar to that sent, so he said, to many other newspapers in New York, asking them to publish this letter in which he stated that he had never had any connection with the I. W. W. and that his entire actions in the United States had only been to create a spirit of friendship and coperation between Mexico and the United States. Smiling, he said:

Of course, you understand this is bunk, for my heart lies with all of the oppressed, and the reds in the United States have never done anything to justify the treatment they have received from the United States Government.

As far as De Negri's remarks about his heart lying with the oppressed, De Negri was with the original Obregonista troops, and in their campaign, in the original Carranza revolution, they probably did more damage to property and committed more crime against women and children than any other bandits ever in Mexico.

De Negri, continuing, said:

Wait and see what happens. I intend to make a fool out of every newspaper in the United States who published the articles about me having been connected with the reds, and of having participated in their propaganda. The newspapers that have printed that article can never prove that such is the case. My attorneys and myself have thoroughly discussed these matters and are now arranging to sue all of the newspapers in the United States who published these articles.

Senator BRANDEGEE. Who was his attorney in New York?

Mr. JONES. I think I can get you the same, Senator. I can if I have in my files.

Senator BRANDEGEE. Put the name in later, if you find it.

Mr. JONES. All right. I asked him how he expected to be able to learn which newspapers published the articles, and he said:

My office here are subscribers to free press clipping bureaus who each day send here every clipping regarding any news item published in every daily paper and in many other publications throughout the United States; the name of the paper and the date of same is attached to each clipping, and in this way I will very quickly know what papers published that story about me.

For the information of the committee, I might say that one day while in De Negri's office there was a large bunch of newspaper clippings received from the press clipping bureau, which I discovered, which I put in my pocket so I could have documentary evidence of the fact that these clippings had been received. It contained at the top the name and address of the clipping bureau which maintained the service. In this way I learned for the first time that the Mexican Government is receiving clippings through press clipping bureaus amounting to hundreds of clippings each day, regarding what De Negri termed "outrageous murders and other crimes on all

foreigners throughout the United States." These are indexed, classified, and are being kept by De Negri's office, and from them is to be compiled and published a booklet which will be given wide circulation throughout the United States and will be distributed to every publication, all Government, State, county, and municipal officials of any prominence, likewise to large numbers of bankers, manufacturers, importers, exporters and other business concerns. The booklet when compiled will first show, so De Negri said, a list of Americans which the Government of Mexico is willing to admit have been killed or whose property has been destroyed or robbed in Mexico since Carranza's time, all of which, so De Negri said, the booklet will show was done by bandits and robbers in Mexico. The entire list, so De Negri claimed, of Americans murdered in Mexico will amount to only 150 to 200.

For the information of the committee, when De Negri made that statement he knew he was lying, because at that time in excess of 600 Americans had been murdered in Mexico, and according to the statement made to me in New York City by Gen. Salvador Alvarado, governor of Yucatan, and now prominently connected with the Obregonistas in their present revolutionary movement in Mexico, Alvarado said in the presence of two reliable witnesses whose names have already been furnished to the committee that fully 85 per cent of all murders and other outrages perpetrated against foreigners and their property in Mexico were brought about by the troops of Carranza.

Continuing, De Negri said, that, on the other hand, during the same time, the booklet will show for instance that in the United States four or five thousand foreigners, as he estimated, of all nationalities have been murdered, robbed, or other outrages perpetrated on them. This booklet will also show during the same time, giving the name, address, etc., of negroes that have been killed, shot, or lynched throughout the United States in riots, lynching parties, etc. The booklet will then show the crimes committed in 50 cities of the United States during the last 24 months. These crimes will be fully classified as murders, robberies, burglaries, arson, outrages on women, and all other criminal activities. The purpose of this booklet, according to De Negri, and the effect it will have on the press of the United States and upon others who receive same, will be tremendous, for, De Negri continuing said, it will show that in the United States thousands of murders and crimes and other outrages have been committed in a country that holds itself up as a Nation of peace, prosperity, and safety. For every one crime or murder in Mexico that has occurred since Carranza's time, it would show that in the United States one hundred similar crimes have likewise been committed.

"The booklet," he said, "will also show that for every American since Carranza's time who has lost his life or property in Mexico, that throughout the United States there have been 25 Mexicans who have either been persecuted, beaten, and thrown into jail or killed, or their property stolen, or other outrages perpetrated against them."

De Negri, continuing with his vindictive smile, said, "Wait until our plans are fully executed; and when they are the people of the United States will know that Mexico and the Mexicans are not fools,

for we play at their own game, and will show them that conditions in their own country are a hundred times more worse than they are in Mexico; and that when we are through with the information we have already in our possession and which we are now rapidly securing, and which you gentlemen can secure, we will ruin all of these damned Americans who are creating sentiment in the United States against Mexicans and Mexico."

De Negri then said that Seguin would start back to New York on November 19 or 20, and that if he got tied up at Eagle Pass and could not come, in that event he would start a confidential messenger immediately from New York, who would bring to him the complete instructions as to the agreement to be entered into between the Government of Mexico and ourselves.

Continuing, he said that Seguin, from Piedras Negras, was in constant telegraphic communication with the Mexican foreign office. He then said that Seguin undoubtedly would be back in New York City by November 22 or 23. I told de Negri that we were probably going to run down to Atlantic City and would see him on Monday. He said, however, to be sure and get in touch with him on Saturday, November 22, " for we must get busy at once."

Having other matters to attend to on Saturday the 22d, I therefore telephoned the Mexican consulate and Seguin was put on the wire. He told me that he had just gotten back to New York, and asked me to be sure and call on Monday morning, November 24, at 11 o'clock. On that date and at the hour mentioned my brother and myself saw Seguin at the Mexican consulate in New York. He said that he knew our expenses had amounted to more than the original figure, due to the fact that the trip took longer; and we figured out the additional expense, which amounted to $138.40, which he gave to us in cash and for which we gave him a receipt signed in triplicate, which was similar to the receipts in triplicate signed by me for the previous expense money paid by him at New York and at Laredo.

At this time I endeavored to secure from him duplicate of the receipts which I had signed, and he smiled and said, " Nothing doing; for it is too dangerous to have any writing out regarding the money which has been paid to you for expenses and which will be paid to you for the work you are to do. All money will be paid in cash, and there will be no record of same except receipts from you to us, which have to go to Mexico City." Seguin then said that the Mexican foreign office, as per his last telegraphic conference with them from Piedras Negras, had instructed him to immediately return to New York City and to tell us that an official messenger of the Mexican foreign office was at that time leaving Mexico City direct for New York with sealed letter of instructions regarding the entire matter for de Negri, and that this messenger would arrive in New York within the next four or five days.

He semed to be very anxious to impress upon us to be patient, and that he had positively received definite assurances in his several telegraphic conferences, from Piedras Negras, from the Mexican foreign office that they were most anxious to have de Negri, Bonillas, himself, my brother, and myself start on this work at the earliest possible moment. From Seguin I also learned that they had secured a great deal of additional information which he claimed would be sufficient

to ruin all of their enemies in the United States. On November 24 and up to December 4, I saw Seguin personally each day or I was in touch with him and de Negri by telephone, they stating that the messenger was expected momentarily, and that it was absolutely of vital importance for us to remain in New York and not even to leave to go to Atlantic City, due to the fact that the messenger when he arrived would have the instructions, and that they wanted us to immediately start on their plans. On November 22, at Seguin's office, he was extremely bitter in his remarks about the National Association and the Fall Committee and said, "Fall and Hanson are going to get theirs very soon." I fully agreed with him that they ought to "get theirs," and that such men as Fall and Hanson, working as they were against Mexico, were the worst enemies Mexico ever had. Seguin said, "That's all right; you will not hear much more of Fall and Hanson pretty soon for we have a man who has plenty of guts and who at the proper time will put Hanson and Fall out of the way."

After this positive threat on the part of Seguin, which had been stated on a previous day by de Negri as mentioned hereinbefore to cause the assassination of Senator Fall and Capt. Hanson, I waited for several days thereafter endeavoring to secure additional information regarding this plot, but was unable to do so. I therefore, on November 28, 1919, telegraphed Mr. A. C. Sullivan, of the Department of Justice in San Antonio, and who I knew to be on very friendly terms with Capt. Hanson, that plans were on foot to bump Fall and Hanson off and to at once warn them of this matter.

In turn, my friend Sullivan immediately notified Capt. Hanson, and he, on December 1, 1919, in turn notified Senator Fall by telegraph, and that resulted in a copy of the telegram to Senator Fall being received by Maj. Pullman, superintendent of police in Washington, who, without letting Senator Fall know anything about it, put one of his city detectives following the Senator around. I also understand that the superintendent of the Capitol police was notified regarding this proposed plan to assassinate Senator Fall. I have also understood that at the Senator's hotel two young Mexicans were seen shortly after that time endeavoring to enter Senator Fall's room, and at a later date several other Mexicans were seen around his apartment.

Senator BRANDEGEE. Where did you get that information?

Mr. JONES. I got it from Capt. Hanson.

I likewise wrote Sullivan on November 29 or 30, 1919, explaining to him the fact that from Mexican Government officials I was securing information that they had marked Senator Fall and Capt. Hanson for assassination and to pass this on to Capt. Hanson. During the early part of December I also wrote Sullivan regarding the fact that I was securing full information as to the various plans of Mexican Government officials and to so advise Hanson. On December 1, 1919, I telegraphed in part to Capt. Hanson via Western Union night lettergram, filed at the Western Union telegraph office at 1450 Broadway, as follows:

> Gradually securing additional information regarding plans of parties to discredit, as per my San Antonio conversation. Other information furnished through Sullivan last week now practically complete. Important entire matters kept confidential from every one except the Senator, yourself, Sullivan, and Braniman until authorized to make same public.
>
> CRESSE.

I signed that telegram "Cresse," which was my old Department of Justice name, due to the fact that I did not want to take any chance about leaks, and Sullivan was thoroughly familiar with that name.

Capt. Hanson, answering the telegram mentioned, wired me on November 30, 1919, as follows:

SAN ANTONIO, TEX.

C. E. JONES,
Room 137, Hotel Knickerbocker, New York, N. Y.

Message received Sullivan. Please favor me information fully. Address me letter Hamilton Hotel, Laredo, Tex. I will be there all week. See Senator in Washington if convenient. I certainly appreciate your assistance.

W. M. HANSON.

On December 4, left my hotel in New York early in the morning and did not return until around 5 p. m. I, however, telephoned to the hotel to learn if there were any telegrams or telephone messages in my box; and the operator told me that three telephone calls were there waiting for me from Beekman 5565.

I knew that this was the Mexican consulate's number, so I went by there about 4 p. m. accompanied by my brother; and Seguin said that he had been trying to get us nearly all day by telephone. He then said: "I am certainly glad you came as promptly as you did, for I have to-day received two important telephone calls from Mr. Bonillas at the embassy in Washington to immediately have you come over there, for he (Bonillas) has received instructions through the messenger, who, as I told you, was on his way from Mexico City, to immediately have you go to work for us (the Mexican Government)." Seguin, continuing, said, "You must leave at once, for the ambassador wants to see you without delay."

I told him that this was impossible, but would probably be able to leave New York for Washington the following day. Seguin said, "That won't do, for the ambassador wants to have a very important conference with you to-morrow morning not later than 10 o'clock."

Thinking that we would be able to secure a great deal of information from Bonillas, therefore, told Seguin that we would go over to Washington that night, December 4. He said, "What will your expenses be," and I told him I did not know. He then said, "$75 or $100 should cover it," and handed me $75 in cash, for which I gave him a receipt in triplicate. Seguin then said, "I will immediately telephone the ambassador that you will be at the embassy to-morrow morning (December 5) at 10 o'clock." I told him all right, and that I would be there at that time.

Seguin was very happy at this moment and said, "The ambassador has a great plan which he has figured out with De Negri and which will mean a big victory for Mexico, provided you gentlemen will be on the level with us and carry out the ambassador's instructions."

My brother and myself left New York on December 4 at midnight, and arrived in Washington on the morning of December 5. I had been requested by Seguin to take up with me to the embassy the more important papers regarding the activities of their Mexican revolutionary enemies. My brother and myself, with a small hand-trunk, in which the Mexican revolutionary papers were packed, left the Hotel Washington in taxicab No. 225, driven by Chauffeur

Ramond F. Milkeman, who said he resided at 1909 New Hampshire Avenue NW., and that his chauffeur's license number was No. 1415.

We arrived at the Mexican Embassy, No. 1413 I Street NW., at 10.05 a. m., December 5. Was admitted to the embassy by a negro butler to whom I gave my name, and he was evidently expecting me for he said, "Yes, Mr. Jones, you are expected, and the ambassador will be with you in a few moments."

At about 10.10 a. m., the ambassador entered the red parlor on the right-hand side of the entrance door, and seemed to be very glad to see me. I had known Bonillas for the last two years and formerly, while connected with the Mexican Government as confidential agent of the Mexican foreign office, had had quite a number of interviews with him. He immediately got down to business and said that relations between the United States and Mexico were most grave, and added that he was afraid that the United States would sever relations with President Carranza's government, which would result in him being handed his passports very shortly by the United States Government; that the present situation had been caused by the agitation of the Fall committee, the propaganda spread by the National Association for the Protection of American Rights in Mexico, and that all this had been brought to a head by the Jenkins case and other complicated matters.

He then said that De Negri and he (Bonillas) after many conferences had decided that the time had come to put up an active fight against the Fall committee, the National Association for the Protection of American Rights in Mexico, the State Department, and all other enemies of Mexico, or against everyone who favored intervention or withdrawal of recognition to Carranza, Bonillas qualifying this statement by remarking, "if recognition is withdrawn from Carranza it will mean intervention, for it would be impossible for President Carranza to retain his power if recognition by the United States is taken away from him."

As stated, I have known Bonillas for several years, and in all of my confidential conversations with him prior to this one he has been always a typical, cool, calm, shrewd, calculating diplomat, never permitting his features to betray his anxiety regarding international or any other matters.

However, at this time he was completely changed. He trembled as though he had palsy. His customary poker face was lined deeply, and his mouth twitched.

Continuing, he said, "the situation is horrible and is the most serious and dangerous that Carranza has faced since he was recognized; and we all have to get together and do something to counteract the damnable attempts that are now being made to force intervention." Bonillas then said that he had had quite a number of conversations with De Negri regarding the contract which he, De Negri, and the Mexican foreign office wanted us to accept, and that he felt absolutely sure of the fact that we could in every way secure the results they desired, adding that the financial remuneration at all times and in every way would be fully up to our expectations and thoroughly satisfactory to us.

By brother and myself, of course, fully agreed with every suggestion or theory made by Bonillas, and likewise told him that it

was a damnable shame and outrage that such dirty work was being perpetrated on his Government by the people whom he said were the instigators of such activities.

Bonillas said that the subcommittee of the United States Senate, the Fall committee, through Senator Fall, had introduced a resolution in Congress demanding the withdrawal of recognition by the United States from Carranza, and that this resolution had been referred to the Senate Foreign Relations Committee, who at that time had the Fall resolution before them for consideration; and that he and their friends of Mexico in Washington and throughout the United States were very much afraid that the Senate Foreign Relations Committee, due to the influence of Senator Fall and others, would be able to have this resolution adopted, which would recommend to President Wilson that recognition be withdrawn from Carranza.

Bonillas then said that it was most important that something be done to discredit the members of the Fall committee and others who were in sympathy with the favorable adoption of the Fall resolution and that this likewise applied to all others who apparently were against President Carranza and his policy and who were instrumental in spreading propaganda throughout the United States against them.

Bonillas continued with the statement that friends of his in Washington had seen and talked to various members of the Foreign Relations Committee for the purpose of trying to block the proposed resolution; the ambassador, pale, and almost in a whisper, went on—"if additional influence can only be brought to bear on those close to the President of the United States and on other high Government officials, including Senators who are members of the Foreign Relations Committee, it may be possible to have the Fall resolution defeated or reported unfavorably by the Senate Foreign Relations Committee, and we are counting on you two gentlemen to handle a great part of this work." He then declared, "It is most fortunate for Mexico that a new clique is very close to President Wilson." I asked him who this clique was, and he replied Bernard B. Baruch and Attorney General Mitchell Palmer; and that these two gentlemen were very close to Joseph Tumulty, the President's secretary. Continuing, the ambassador said that Col. House and Secretary of State Lansing had lost their influence with President Wilson, which was a most fortunate thing as far as Mexican affairs were concerned.

The ambassador then wanted to know if it would be possible of me, through prominent politicians and others whom I had given him to understand I had some influence with, and which as a matter of fact I did not have, to bring influence to bear on Government officials, Congressmen, and Senators, and also state to them that it was an outrage on the part of members of the Fall committee and other Americans opposed to Carranza and his policies, to withdraw recognition from Carranza or urge intervention. Likewise, he said for us to utilize the information which the Mexican Government had in their possession and which was secured by them through their secret service agents and from their American friends and which he said, "You gentlemen can also secure; and to take all of this information and utilize it against our enemies."

I readily agreed with all of his suggestions in order to glean all information possible. At 10.30 a. m. Mr. Charles Douglas arrived and was brought into the parlor where we were talking to the ambassador. I had known Mr. Douglas about two and a half years, having met him through an intimate friend of many years' standing, Adam Leckie. When on my way to Laredo, Tex., as mentioned hereinbefore, stopped off in Washington, and at that time called at Judge Douglas's office and told him that I would probably go to Mexico City.

Judge Douglas told me he would be glad to give me a letter to Pablo Gonzales, and then gave me a strong letter of introduction to Pablo Gonzales, which I will file with the committee at a later date. After Judge Douglas entered the parlor at the embassy he shook hands with everybody present and told me that he had recently talked with De Negri and Bonillas as to the advisability of using us in connection with the work of the Mexican Government, and then said that he wanted to prove it possible, through us, the activities of the Fall Committee, the National Association for the Protection of American Rights in Mexico, and others who were endeavoring to discredit Carranza or to force intervention, were simply for their own benefit or the benefit of those affiliated with them.

Judge Douglas, continuing, said that Bonillas and De Negri had only recently told him about us, and that we had in our possession a large quantity of papers and documents regarding the activities of their Mexican revolutionary enemies. Judge Douglas then said, "I told Bonillas that it was very important to immediately have you come to Washington so that we could all thoroughly discuss these matters."

Douglas, Bonillas, my brother, and myself then fully discussed as to the chances of the Fall resolution being favorably reported by the Senate Foreign Relations Committee, and Douglas and Bonillas were positive in their opinion that the resolution would be favorably reported.

At about 11.15 to 11.20 a. m. the butler of the Mexican Embassy called Mr. Bonillas out in the hall, and the ambassador then went away with the butler and returned in about five minutes to the parlor where Judge Douglas, my brother, and myself were sitting; and as he came in through the parlor door he had his arm around the shoulder of another gentlemen who, he said, as he introduced him to us, was Mr. Lincoln Colcord, "one of our greatest and best friends in Washington, and a man who has been of a great deal of value and assistance to me."

Evidently this was the first time that Douglas had met Colcord. Bonillas then said that Colcord on December 3 and 4, had seen several United States Senators, among whom were Senators Borah, Johnson, Knox, all of whom talked to him very friendly, and that Senator Borah had told him that his mind was open so far as any drastic legislation regarding Mexico was concerned. Colcord then said that he had told Senator Borah that he believed that if such men as Senator Borah talked to those who could tell him the truth about Mexico, that the Senator and others in the Senate would never favorably report the Fall resolution. He then said that Senator Borah had told him that he would be very glad to have the

opportunity to talk to those who were disinterested regarding Mexican matters and who had no private axes to grind so far as Mexico was concerned.

Colcord continuing said, "I told him that I would have several parties come to Washington to present to him the truth about Mexico." Colcord then said, "It is necessary to have de Becker, McDonald, and other of our friends immediately come over to Washington and privately talk to Senator Borah and other Senators." Other plans were discussed at this time to bring influence to bear on various members of the Senate and House through Colcord, Douglas, and myself. I told Colcord that such men as de Becker and McDonald had been discredited already as propagandists for Mexico before the Fall committee, and that such men could hardly carry any weight with anybody due to the fact, if I understood the matter correctly, that they were known to be very close friends of Bonillas and others connected with the Mexican Government. I hoped in that way to be able to hear Bonillas, Colcord, and Douglas discuss names of other Americans who as yet had not been mentioned.

Bonillas then said that through certain other powerful friends of his he could, through these parties who had great influence, likewise have many other Senators and Congressmen seen who in turn would show the members of the Senate and House that adverse legislation should not be adopted against Carranza or Mexico.

Douglas then said to Colcord, "Do you know Robert Murray of the New York World?" Colcord told him that he did not. Douglas said, "Well, I have to go now. You come along with me and I will see that you meet Murray; and with you and Murray actively at work great results can be produced."

Before leaving, Colcord said to Bonillas, "It is most important to telephone our good friend Weller to immediately come to Washington, for he has the friendship and confidence of many Senators and can probably do more right at the present moment for us in preventing the Fall resolution from being adopted." He then emphatically said, "Telephone him immediately for you know what to say to him." Bonillas then said that he would immediately telephone to John S. Weller, at 915 Park Building, Pittsburgh, Pa.

Bonillas, later that afternoon, told us that Weller was general counsel for the Penn-Mex Oil or Fuel Co. with offices at Pittsburgh. Bonillas also at this time said that Weller was on very close and friendly terms with several powerful Senators who were members of the Foreign Relations Committee, and that his talking to these Senators might show them that it was not advisable to report favorably the Fall resolution. Bonillas at this time also said that it was most important to secure the ear of Senators, Congressmen, and others who had the confidence and friendship of Attorney General Palmer, Mr. Tumulty, and others who were very close to President Wilson.

The ambassador left the parlor and was gone about five minutes and upon his return said that the call had been put in for Mr. Weller, and that he expected to talk to him within a very short time. And then said, "I will tell Weller to leave on the first train for Washington for it is most important that he be in Washington to-morrow morning," which would be Saturday, December 6.

I then asked the ambassador as to who Colcord was, and he answered, "Mr. Colcord has been one of our best and most valuable friends, and has produced most excellent results for us." I understood from the ambassador at this time that Colcord was one of his confidential publicity representatives in Washington.

Regarding Colcord, I also understood he formerly was connected with the Philadelphia Public Ledger. That is what he told me when I asked him what newspaper experience he had. It is also said that Colcord was discharged by the Philadelphia Ledger for being a radical with extreme ideas. Whether or not he was employed by the Ledger I, personally, don't know.

Senator BRANDEGEE. When you say you understood from the ambassador that Mr. Colcord had been one of his best friends, just what do you mean by that?

Mr. JONES. When I used the words "I understood," that is just a phraseology of mine. The ambassador made the positive statement.

Senator BRANDEGEE. That is what I wanted to know.

Mr. JONES. Colcord will probably be best remembered in Washington as the party at whose home or apartment Martens, the radical so-called red ambassador, was found, after having been searched for in Washington for five or six days by agents of the Department of Justice and the Washington police. It has been claimed that all during this time this red was hid out in Colcord's apartment.

Senator BRANDEGEE. Do you mean Colcord's apartment in Washington?

Mr. JONES. Yes, sir. This so-called red ambassador came over here to appear, I think, before a Senate investigating committee, and I notice according to the newspapers the authorities were after him and he disappeared entirely for about six days and nobody could find him. Finally, when the subpœna was served on him by the sergeant at arms, it was served in Colcord's apartment. I remember in the newspaper story published in Washington papers at the time, he admitted that for the time he had disappeared he had been hid in Colcord's room.

The CHAIRMAN. We will take a recess until half-past 2.

(Whereupon, at 1 o'clock p. m., the committee took a recess until 2.30 p. m.)

AFTER RECESS.

(At the expiration of the recess, the committee reconvened, Senator Fall presiding.)

The CHAIRMAN. You may proceed, Mr. Jones.

STATEMENT OF MR. CHARLES E. JONES—Resumed.

Mr. JONES. After Colcord and Judge Douglas left, the ambassador, my brother and myself discussed with him the advisability of having various parties, whom he said were friendly to the Mexican Government, appear before the Senate Foreign Relations Committee on Saturday, December 6, and on the following Monday, December 8, Bonillas said that it was vital to endeavor to have this done, which he felt sure he could do, and through these friends impress on the committee that all agitation in regard to the Jenkins case

and allied matters was simply shrewd propaganda on the part of the enemies of Mexico to force the withdrawal of recognition from Carranza or to cause intervention. The ambassador said, "In addition to this plan I have another one which will be of greated value than all others, and that will be to have you gentlemen appear before the Foreign Relations Committee and endeavor to prove to their entire satisfaction that Senator Fall and other members of the committee, his investigators, including Capt. Hanson, the National Association for the Protection of American Rights in Mexico, and its principal backer, Mr. E. Doheny, and other enemies of Mexico, are behind the Fall resolution simply for personal reasons.

For the information of the committee, and due to the fact that it should be part of the permanent record of the committee, I closely questioned Bonillas as to the documentary proof he claimed to have in his possession, which he wanted me to spring before the Foreign Relations Committee, and which he positively and repeatedly had claimed to be able to turn over to me, in my effort to secure the same so that I could make photostatic copies of it for my own files, and later for a newspaper story. Bonillas, however, was never at any time able to produce any of the various papers, letters, documents, etc., that he claimed were in the possession of the Mexican Government. Furthermore, after many days of effort on the part of my brother and myself to secure from him and his associates some definite proof, in the end they were never able to produce anything, which conclusively proves that they had nothing, for if they had had even the slightest evidence which would have been detrimental to the committee and others mentioned hereinbefore, they certainly would have produced the same.

The butler at this moment came into the parlor and handed the ambassador a card; and he then said, "You will have to pardon me, a party that I have an engagement with is now here to see me." Bonillas then asked us to return to the embassy at 2.15 o'clock that afternoon.

I then asked the ambassador if he would have his butler telephone for a taxicab. He replied, "My automabile is at your disposal." My brother and myself left the embassy at 12.45 p. m. in the ambassador's car, and on the way to the hotel the chauffeur told me that the automobile, which was a Hudson, was owned by the ambassador and that he was chauffeur for the embassy.

I will file with the committee a statement regarding the loyalty of Judge Douglas, similar to my testimony concerning Mr. Leckie.

The CHAIRMAN. It may be printed in the appendix to your testimony.

Accompanied by my brother, I arrived at the stated time and was admitted by the ambassador's butler, who said the former was in a conference and would be with us in a few minutes. He entered the parlor at 2.35 p. m. and we renewed our discussion as to the plans and ways to "ruin" the parties he desired to discredit and to bring influence to bear to defeat the Fall resolution.

Bonillas seemed even more nervous and frightened than he had been that morning, due to the fact that he had learned that the Foreign Relations Committee, so he claimed, would "undoubtedly act on the Fall resolution on Monday, December 8." He added:

Whatever is to be done has to be done, necessarily, right now.

Bonillas reiterated that if it could be shown before the Senate Foreign Relations Committee that Senator Fall and other members of the Fall committee, and Capt. Hanson and those interested in supporting the Fall resolution for the benefit of the United States, were "all archenemies of Carranza and Mexico," the Fall instrument would be defeated.

Declaring he had "proofs" in his possession, gathered from Mexican secret-service operatives, Bonillas expressed this desire:

I want you to gather additional proofs, correct or incorrect, to aid in the overthrow of the Fall committee's plans.

Saying he could "demonstrate" that he had such "proofs," he showed me a photographic copy of a letter purported to have been written by a Texas newspaper to Gen. Luis Terrazas, demanding "more money for revolutionary propaganda." He added that "other letters" and important proof were forthcoming from Mexico and from "good friends of ours in the United States" that would show a propaganda conspiracy against the Carranza régime. He went on:

With this information and with inside knowledge that you have, and if you can be persuaded to appear before the committee and attack Senator Fall, Capt. Hanson, and others, and try to discredit them, it will result in attention being withdrawn from the original inquiry.

He paused and added meaningly:

And for this you will be paid liberally.

He declared:

The attack on Fall and the others will so distract attention that the defeat of the resolution is almost certain.

I then asked him:

What will it be worth to you to have this work done?

He replied that he preferred to have me "put the price for this job." I told him it would cause a sensation, and therefore was "worth a great deal of money." He agreed:

Yes; it would be worth a great deal.

Thereupon, I informed him I thought $100,000 "only a fair price to take on a task of this magnitude." He thought a moment and said:

I will pay you $75,000, payable $50,000 in cash before you appear before the Foreign Relations Committee, and $25,000 after you have done the work to my satisfaction.

He elaborated, saying the work would entail:

The complete discrediting of the Fall committee's purposes and the checkmating of its plans and policies.

The Ambassador went on:

The best way to handle the matter will be to have some United States Senator, a member of the committee, either invite you or demand that you appear before the committee to tell them the real facts.

He explained that the facts must be those which coincided with his viewpoint, regardless of what the truth was, in regard to Mexican matters. He said if this was done and it appeared that I was before the committee by request that it would strengthen greatly "our pro-

posed attack" on what he termed "the enemies of Carranza." He resumed:

You can arrange to have some member of the Foreign Relations Committee get you before the body, can't you?

I told him:

Surely, I can have this done easily.

He advised me:

If you are not able to arrange it, I can arrange to have you invited through a prominent and influential friend of mine here in Washington.

The ambassador at this time expressed deep hatred for the National Association for Protection of American Rights in Mexico, all of its officers and members, and declared:

Just wait! In one way or another, Mexico will make life unbearable for all these parties and we will get even with every one of them.

Press dispatches of March 16, 1920, confirm Bonillas's above statement, The Excelsior, a Mexico City newspaper, saying that orders had been issued and sent to Mexican consuls in the United States "to refuse to visé passports of all Americans belonging to the Association for the Protection of American Rights in Mexico" and all those who appeared before the Fall committee as witnesses. The association members, according to the Mexican paper, are all "listed" by the Mexican Government.

When I agreed to accept the "job" and in accordance to my preconceived plan, I endeavored to have Bonillas enter into a written contract covering the matter in detail. But the cagey diplomat said:

I prefer to have a gentleman's agreement between us. You will be perfectly safe in so far as the money is concerned, due to the fact that you will receive the $50,000 before you begin your assault on the Fall committee and on others that I am interested in thwarting.

I emphasized again the fact that this work on my part undoubtedly would prevent intervention or withdrawal of recognition of the Carranza rule. Bonillas then painted a vivid financial picture of the great commercial opportunities that would be opened to me in Mexico by the Carranza administration, if, as he put it:

If you are able to carry through these ideas and plans that I have outlined.

He promised that I would be employed immediately as chief of the Mexican secret service in the United States at a salary of $5,000 a month, out of which I was to pay necessary expenses incurred in handling the "work" and in special assignments to be given me by the ambassador in person.

Of course, I placed no confidence in these promises. I might explain that in my several thousands of reports to the Bureau of Investigation in the last several years, that in the interest of securing facts regarding several revolutions, I have been assured repeatedly by the various leaders of the movements and by Mexican officials as well, that when they "won out" they would make me a "banana king," "railroad king," a "power in the oil world," and various other types of monarch. All these "offers" were invariably contained in my reports to the Department of Justice and all I ever got

out of the offers was information and a sound laugh, together with the satisfaction of blocking and interfering with their plots. All the real money paid me by Mexican sources was either borrowed back by the Mexicans and Central Americans or expended on them in entertainment.

When the ambassador became convinced that he had a ripe opportunity through me to "do the dirty work" that he longed for, he brightened perceptibly and I was enabled to open up several other lines of inquiry. Among the most important of these matters was my desire to learn of his plan to became president of Mexico and as to what I could pump out of him regarding the next Mexican presidential elections.

There had been frequent publicity given in the United States regarding Bonillas' candidacy for the presidency of Mexico. I asked him if it were a fact whether he was or would be a candidate. His explanation of this matter and of the Mexican election in general was as follows:

There is a most extreme and bitter personal, military, and political feeling between Gen. Pablo Gonzales and Gen. A. Obregon. Unless one or both these parties can be persuaded to withdraw as a presidential candidate, then, if they both go to the election, it will undoubtedly result in Pablo Gonzales being elected. If that comes, then I am very much afraid that Gen. Obregon with his friends and supporters throughout Mexico will immediately start civil warfare in Mexico.

If this happens, and I feel positive it will if Obregon is defeated, armed intervention by the United States will follow.

The ambassador qualified this statement in answering my question:

Why intervention, even if civil war does break out?

The United States never will stand for another such revolutionary movement as that which put Carranza in power. Nor will the European powers stand for it. All countries of the world will be in hearty accord with intervention, due to the fact that if civil war comes to pass in Mexico, following the election results, it will demonstrate to the world that Mexico can not control its own affairs, that Mexico can not govern itself successfully.

I am exlaining this to you on account of the fact that I feel sure that neither Pablo Gonzales nor Obregon will withdraw as presidential candidates; unless a third candidate will enter the field; a candidate friendly both to Gonzales and Obregon.

I am an intimate friend of both these parties and enjoy their complete confidence. If I can show them that if they go to the elections there will result bloody civil war and later the armed intervention of the United States, I may convince them of a plan. This would include my convincing them that it is their duty as patriots to prevent this threatening warfare by both agreeing on a third candidate. This third candidate should be a civilian. Under such circumstances, I am willing to become a candiate for the presidency.

I expect during February or March to go to Mexico and explain fully these matters to Gens. Obregon and Gonzales, with an idea of persuading them to withdraw as candidates.

Our conversation branched off to a discussion of the Mexican policy of the United States Department of State. Bonillas said that in some of his interviews with Secretary of State Lansing he had been "severely talked to and grossly insulted" by the Secretary. He added:

It will be a godsend and a blessing to Mexico when Lansing turns back his portfolio and leaves the Wilson Cabinet.

I asked the ambassador:

Why, is Lansing going to get out?

He answered:

I have received reliable information from influential American friends of mine in Washington that the President did not approve of Lansing's Mexican policy and of many of his other activities. I hope and feel that Lansing will leave the Cabinet soon.

Apparently, from Bonillas's statement, he had advance information that Lansing was to go out of the Cabinet; likewise, that the President did not approve of the policies of Secretary of State Lansing.

Bonillas's remarks almost tempted me to say, and I was restrained from so doing by a desire to complete my "play," that the freedom and courtesies which Bonillas and all of Mexico's representatives in the United States always have had were sadly different from the restrictions and ill-treatment and discourtesies accorded the United States ambassador and our consular representatives in Mexico. I particularly remembered at the time that when President Carranza was inaugurated, and as Ambassador Fletcher passed in his motor car through the streets of Mexico City on the way to the ceremony, the hisses of the Mexican populace were continuous. Hisses and hoots also greeted the American minister as he entered the Chamber of Deputies. A few moments later the German ambassador, von Eckhardt, arrived at the chamber and the deputies arose en masse and applauded and cheered Carranza's close friend and adviser, the German ambassador.

I arrived at the Mexican Embassy again on Saturday afternoon, December 6, on request of Bonillas. The ambassador immediately resumed discussion of various matters touched on in our former meetings of that week. He informed me that he had gone over thoroughly with members of his diplomatic staff and other confidential friends in Washington his proposed plan to ruin members of the Fall committee and discredit others opposed to President Carranza's and the latter's policies. He added that some of these advisers had warned him to be "careful about this matter and consider seriously every phase of it before proceeding." He continued:

This is due to the fact that instead of helping the situation, a hasty move may prove reactionary. If it ever becomes known—this plan of mine—it will ruin me absolutely, and will ruin every other Mexican participating in these plans.

He also declared that he had learned it was exceedingly doubtful as to the Senate Foreign Relations Committee reporting favorable the Fall resolution. His information to this effect, he said, had come from confidential sources in Washington, which sources had learned to turn the state of affairs from various Members of the House and the Senate. He explained:

These advisers and myself feel that the immediate danger is past. Even if the committee does report favorably on the Fall resolution, I learn from excellent sources that the administration will pay no attention to it.

He likewise stated that he had decided the most feasible and successful plan would be to have his friends and advisers work along the lines of least resistance. This he explained as follows:

These friends will have talk after talk with various Senators and Congressmen and prominent officials in other branches of the Government. In these talks they will point out that it would be a most serious mistake to withdraw recognition from Carranza or to intervene in Mexico.

That was Saturday afternoon, and he at that time asked me to call at the embassy on the following day, Sunday, at 2.30 p. m. We arrived there about 2.30 p. m. Sunday, and Bonillas then led up to a new proposition, which he said would be as profitable to me and produce as satisfactory results to him as his previous scheme would have been. He told me the new plan would stamp out the activities of enemies of Mexico and eliminate them forever. When I asked what the plan was he said, "It will not be reactionary. With the information in possession of the Mexican Government and the information which you claim you have been able to secure, we can, through friends of ours here in Washington, present the entire matter to the Attorney General of the United States. He will endeavor to prove to his entire satisfaction that there has been and is a conspiracy to cause the downfall of President Carranza and to force intervention.

If this can be done and can be worked out successfully, and I feel sure it can be, it will enable us to force the United States to act. And when this is done, it will ruin and discredit and also interfere with the purposes and plans of the Fall committee. It will ruin every other individual who dares to be opposed to President Carranza and his policies and foreigners who have investments in Mexico, for President Carranza is the best judge of what is good for Mexico.

The ambassador went on:

If this work can be done and you are willing to enter into such an arrangement, your remuneration will be as satisfatcory as was my former proposition.

This work, I was told by the ambassador, in connection with information he said he had in his possession, and which he declared he could secure through his own spies and their secret service operatives in the United States and from influential American friends in Washington, New York, and elsewhere, would result in proving "to the satisfaction of everyone that a conspiracy against Mexico was in existence." He also told me:

This will end in the impeachment of several Senators and the arrest for conspiracy of many of those involved in propaganda against Mexico, likewise the arrest and imprisonment or deportation of Mexico's principal revolutionary enemies in America.

In discussing the proposed "scheme," a price was agreed on—$25,000 payable on the signing of the contract and a like amount after his "work" had been completed by me. In addition to this I was to receive a salary of $5,000 per month, which included expenses, for a period of not less than four months, at which time, if mutually satisfactory, the agreement was to be renewed.

As part consideration of this payment by the Mexican Government, I was to surrender to them all papers and documents in my possession pertaining to the activities of Mexican revolutionists in the United States and in Mexico and Central America. Likewise, I was to secure and hand over to Ambassador Bonillas information touching on the Fall committee, the National Association for the Protection of American Rights in Mexico and concerning many other individuals who, Bonillas said, he "proposed to ruin absolutely."

At this time the Mexican ambassador said that the Mexican Government had completed arrangements in Mexico for an extensive propaganda and publicity campaign throughout the United States.

Bonillas confided in me:

President Carranza has determined to spend a large amount of money to create sentiment in the United States favorable to Mexico and to the Carranza administration.

This propaganda, if we are able to cause the disgrace or impeachment of several Senators and Congressmen, will be aided immensely. The Democratic administration will take hold of it eagerly, and will dwell on the fact that the majority of the committee concerned in urging withdrawal of support from Carranza is formed of Republicans.

At a later date, through reliable sources, I learned that during January of this year Gonzales Roa, a member of the law firm of Gonzales Roa & Carbaljal, with offices at Gante No. 1, Mexico City, gave a luncheon, at which a widely known newspaperman of the United States was present.

At that time Gonzales Roa made the statement that he had completed arrangements whereby Carranza had appropriated $100,000 in gold as a preliminary fund for publicity and propaganda in the United States.

Gonzales Roa and his partner are the legal advisers for many of Carranza's governmental enterprises. Roa, it is said, is personal legal counsellor of Carranza.

At the luncheon, Roa said:

One of the reasons why President Carranza is more anxious at this time than ever to create sentiment in his favor in the United States is that Carranza and his close advisers have become worried in regard to interventon by the United States.

The position of publicity director was offered the newspaperman, who stated that he had refused the same. He told Roa that to conduct such a campaign in the United States and which would produce results would cost at least a quarter of a million dollars gold for one year's efforts. Gonzales Roa then remarked that President Carranza was willing to appropriate as much money as necessary if he could see even the "slightest result." The newspaperman told me that Carranza had placed in charge of the Mexican end of this propaganda work Senor Carpio, who was connected formerly with similar efforts of Carranza at New York City.

Roa, so I was informed, is the real fountainhead from Mexico for various propaganda and publicity schemes. It is a known fact that a publicity director in the United States has been approached with the offer to handle this campaign for Carranza and that the Mexican Government has conducted negotiations with and has considered several newspapermen along these lines.

About December 10 I was introduced by Bonillas to a Mexican by the name of Javier Favela. In several conversations with Favela at a later date, I learned from him that he was one of the confidential messengers between the Mexican consulate in New York City, the Mexican Embassy in Washington, and the Mexican Foreign Office. Favela was in Washington off and on until about January 15, 1920, and for some four or five days each week my brother and myself were in personal contact with him.

From Favela's remarks I learned that he was on the most close and intimate terms with Ramon P. de Negri, Mexican consul general in New York City, and that as a blind Favela operated a stamp and coin establishment in Room 203, at 79 Nassau Street, New York City, Telephone 6068 Courtland, and that he resided at 265 West Twenty-second Street, New York City.

During the time we were in contact with Favela, several times we discussed matters considerably, and whenever he did his extreme

hatred for the United States, and for those who had opposed Carranza and his administration, was more pronounced than otherwise. In several of our conversation, was more pronounced than otherwise. he very frankly said, with innumerable vile and curse words, that he personally proposed to assassinate the publisher of a prominent New York newspaper, as he was more responsible for propaganda and publicity against Mexico than anybody else in the United States. The publisher of the newspaper mentioned was immediately warned, and by request I withhold his name from the committee, but if desired will give them this party's name in private.

Favela, during these conversations, likewise said that plans were on foot, and had been for quite awhile, to cause the assassination of Senator Fall and others, including Capt. Hanson. That was additional confirmation, as mentioned hereinbefore, of the statement made by Seguin and Ramon P. de Negri, Mexican consul general in New York, during November. The threats at that time, November, 1919, were promptly reported to Senator Fall and Capt. Hanson.

My negotiations with the Mexican Government continued as long as it appeared there was any chance to secure any additional information that would be of interest or value in the exposé of Mexico and Mexican affairs, which I had arranged to make in a series of newspaper articles. I felt at that time that I had secured practically all the information that I could. Therefore, on January 28, 1920, after having secured all the information I originally set out to obtain, I broke off negotiations with the Mexican Government, and they at that time paid me $2,000 in cash. That, together with other payments made to me for expenses, made a total of approximately $4,500. These payments were to cover, as Bonillas specifically stated, expenses and for the time I had given the Mexican Government.

During the early part of April, 1920, Gene Fowler of the New York American and myself were in a restaurant on Park Row in New York City, and Seguin, accompanied by an attaché of the Mexican consulate in New York, came in the restaurant, and happening to see me he walked over and said, "Hello, Jones." Of course, I spoke to him. Seguin at that time said it had been a fearful mistake on the part of Bonillas and De Negri and himself to have trusted me as much as they had, and that he was ——— ——— sorry that they had done so. One word and another brought on a rather strained situation, and I very frankly told him to beat it, and he did.

* * * * * * *

I file with the committee a copy of a check for $920.60, on the Equitable Trust Co. of New York, Colonial Branch, 222 Broadway, dated January 13, 1920, signed by De Negri. That check was given to me in payment of expenses. I also file with the committee the personal card of Favela.

The check referred to follows:

The Equitable Trust Co. of New York.
Payable at Colonial Branch, 222 Broadway.

No. 16.

NEW YORK, *January 13, 1920.*

Pay to the order of bearer nine hundred and twenty and sixty-hundredths dollars ($920.60).

R. P. DE NEGRI.

During February, while I was securing the information from Gen. Salvador Alvarado, I suggested to Judge Francis Kearful, the attorney for the Fall committee, the advisability of Kearful running in on Alvarado some party connected with the committee, and talked with him over the telephone regarding this matter, and he answered by telegram as follows: "I can not go. See Wallace Thompson, Murray Hill." I file that with the committee.

(The original telegram referred to is filed with the committee.)

To complete the information regarding the negotiations and information I had secured from the Mexican Government, here is a telegram addressed to Capt. W. M. Hanson, care of Senator A. B. Fall, Sheldon Hotel, El Paso, Tex., dated January 28, signed "Charles E. Cresse," which was my old Department of Justice code name, which reads as follows:

JANUARY 28, 1919.

Capt. W. M. HANSON,
Care Senator A. B. Fall, Sheldon Hotel, El Paso, Tex.

All details regarding information sent forward to you some time ago now complete. Have also secured positive proof which completely involves their principal party here with having through lobbyists influenced and also interfered in matters regarding them before Senate Foreign Relations Committee. Also same party here and their principal representative in New York City, which completely proves their connection with reds. Many other of their plans and efforts, which are far reaching, also secured. Impossible to handle these matters, except personally and confidentially, with Senator Fall or yourself, on account of leaks or being uncovered. Therefore, important; meet me in Washington not later than Monday, February 2, so that investigation on account of important matters connected with same, which are now developing, can be completed. This matter, under no circumstances, is to be known to anyone except Senator Fall and yourself. Wire answer to Chas. E. Cresse, room 614, Hotel Washington.

CHAS. E. CRESSE.

Also, or or about this time, due to the absence of the chairman of the committee, Senator A. B. Fall, from Washington, I took the matter up with his secretary, Mr. Safford, who suggested immediately referring the entire matter to Senator Brandegee, which was done. At that time I suggested the advisability of the committee securing, by subpœna or long-distance phone, records as per details given them by me which would prove that the Mexican ambassador, Bonillas, telephoned at the times I have stated to Mr. Weller at Pittsburgh.

Here is the letter of introduction from Judge Douglas to Gen. Pablo Gonzales, that I introduced into the testimony, but due to the fact that something may come up later, it would be a good idea for me to keep it in my possession.

The CHAIRMAN. Just read it into the record now.

Mr. JONES. The letter which I refer to is written by Mr. Charles A. Douglas, and is as follows:

WASHINGTON, D. C.,
November 4, 1919.

Gen. PABLO GONZALES,
Mexico City.

MY DEAR GENERAL: This will introduce to you Mr. Charles E. Jones of New Orleans. Mr. Jones is a newspaper man of fine standing, both as to ability and character. He has some business in Mexico City and wishes to have the pleasure of knowing you, and I am therefore very glad to give him this note of introduction to you.

I am, sincerely and cordially, yours,

CHARLES A. DOUGLAS.

Now, in connection with that testimony, I will hand the committee later a letter addressed to Senator Fall from the managing editor of the New York American, Mr. Rancke, which states and likewise proves that prior to any and all negotiations with the Mexican Government, as mentioned in my testimony as shown in detail hereinbefore, that I set out to secure, if possible, the information which I have shown in my testimony, and which all of these negotiations with the Mexican ambassador Bonillas and other Mexican officials developed. Mr. Rancke was duly informed of such developments, as was Gene Fowler of the American, who was cooperating with me in regard to that investigation. I have a letter from Mr. Rancke to that effect, which I now file with the committee.

(The letter is as follows:)

THE NEW YORK AMERICAN,
May 12, 1920.

DEAR SENATOR FALL: The series of articles on Mexico and signed by Mr. C. E. Jones, which recently appeared in the New York American was planned as long ago as last November. Mr. Jones laid all of his documents before us at that time. Also he outlined a series of operations by which we would be able to verify certain points not covered by the documents themselves. All of these operations were carried out in detail and with complete success before the first of the articles apeared in this newspaper.

Very truly, yours,

T. V. RANCKE.

The Hon. A. B. FALL,
Foreign Relations Committee United States Senate,
Washington, D. C.

Senator BRANDEGEE. Does it appear from this letter you are going to put in that you were subpœnaed before this committee at the request of Mr. Rancke?

Mr. JONES. No, sir.

Senator BRANDEGEE. Did you appear at your own request?

Mr. JONES. No, sir. I have appeared here at the request of Senator Fall. When I originally started on this investigation, as I have shown hereinbefore, I saw Capt. Hanson, at that time chief investigator, as I understand, of this committee in San Antonio. He was very anxious to have me cooperate with the committee and, as mentioned hereinbefore, asked me if I would consider handling the various border investigations with him for the committee. I told him that it was impossible but that at any time I could cooperate with the committee I would be very glad to do so, and at the proper moment would also appear before the committee with all the evidence that I might secure. At a later date, under the name of "Cresse," or "Charles E. Cresse," or my own name, "Charles E. Jones," I from time to time kept the committee advised, as undoubtedly the record shows, in person and both by telegrams and letters, as to certain of the plans and plots and intrigues of those that were endeavoring to discredit the committee, or any other facts that would be harmful to the interests of the United States.

The CHAIRMAN. You were in personal communication with Mr. Rancke, of the New York American, and he knew that you were going to get in touch with the Mexican Government, through its ambassador here, and ascertain any facts that you could that might be of interest to the paper.

Mr. JONES. Yes, sir; even so far as arranging to have Gene Fowler (a reporter of the American) run in by me on the Mexican ambassador.

The CHAIRMAN. You had also known Capt. Hanson, and you met him in San Antonio and had this conversation with him to which you have referred.

Mr. JONES. In the early part of November, 1919.

The CHAIRMAN. Now, during your investigation it was understood by Mr. Rancke, but it was not known by any member of the committee that you were going to Mr. Bonillas or had any connection with him?

Mr. JONES. No, sir.

The CHAIRMAN. But in the course of your communications with Mr. Bonillas, which you have detailed, you ascertained certain things which you thought of such importance that you notified the committee, or some member of it, by telegram, or letter, or both?

Mr. JONES. Yes, sir.

The CHAIRMAN. And you also saw Senator Brandegee at one time, in the absence of the chairman of the committee on the border?

Mr. JONES. Yes, sir.

The CHAIRMAN. And various communications passed between you and the chairman of the committee, and you were notified the committee would be very glad to have you come before it and make your statement?

Mr. JONES. Yes, sir.

The CHAIRMAN. And that is how you came to appear before the committee?

Mr. JONES. Yes, sir.

The CHAIRMAN. This letter you propose to file from Mr. Rancke, addressed to the chairman of the committee, is simply to substantiate the statements which have been made by you in your testimony?

Mr. JONES. Yes, sir. Practically all during this investigation, and shortly after it started, I was in touch, either directly or indirectly, with either some member of the committee personally or some attaché of the committee.

The CHAIRMAN. You were not, however, employed in any way by the committee to investigate Mr. Bonillas or make any discoveries concerning Mr. Bonillas?

Mr. JONES. The only proposition I ever received from the committee was through Capt. Hanson in San Antonio, who asked me if I would consider handling wtih him the border situation. I, of course, told him I could not on account of the fact that I had other things on hand, and it would be utterly impossible to do it.

I might add right here that I have never received a dollar from any concern or individual directly or indirectly interested for any service that I have ever rendered in completing the investigation and the exposé which I have made, although I had quite a number of offers from various parties that wanted me to accept such employment. I wanted to keep my hands entirely free to do just as I pleased, and for that reason I refused any and all offers of any connections whatsoever.

The CHAIRMAN. You expect to write a book in connection with Mexican affairs, do you not?

Mr. JONES. Probably.

The CHAIRMAN. In the meantime, you have been engaged in newspaper work for the American and possibly other papers?

Mr. JONES. Yes, sir. My reason for appearing before the committee at the present time is due to the fact that on May 11, 1920, I received a letter from Senator Fall that he would be very glad to have me come to Washington and appear before the committee, if it was convenient for me to do so at that time.

I might add something that I have forgotten, that at the time De Negri, Seguin, and others I mentioned in my testimony, said that Senator Fall and Capt Hanson and others would be assassinated, that I was never able to learn who were to do the work. I, however, at a later date, understood from Capt. Hanson that Favela followed the chairman of the committee, Senator Fall, and Capt. Hanson out to San Antonio, Tex., likewise to Los Angeles, Calif., and other points, and that Capt. Hanson secured from confidential sources other than myself information that it was Favela who was to assassinate Senator Fall and himself, Hanson.

Senator BRANDEGEE. Do you know Favela?

Mr. JONES. Quite well.

Senator BRANDEGEE. Has he the reputation of being a bad man?

Mr. JONES. Favela is a fanatic, and he is one of the few Mexicans I have ever known in all my life, which I can probably count on my fingers who, as we say sometimes, has really got the guts. I really believe that Favela has a screw loose, and if I personally saw Favela, after my testimony became public, and he started anything with me, I wouldn't hesitate a minute with him, because I consider him a bad actor.

Senator BRANDEGEE. You mean you would try to get the drop on him, do you?

Mr. JONES. I always let the other fellow have more than a fair chance, but if he started anything with me, I would hang a loaded cane around his neck immediately, and if he made a false move, of course, it would be him or me, and I guess it would be me producing first. If, as I said before, it ever comes to a showdown, and Favela ever gets a chance, he is the kind of a Mexican, the only one of the kind I have ever known, that would just as soon shoot Senator Fall or anybody else, and then bump himself right off. He has a nut loose.

Senator BRANDEGEE. Is it your idea that he is to receive any compensation for performing that patriotic service?

Mr. JONES. No; I don't think Favela could be bought to do that job. I think he is one Mexican, and I said it then and say it now and always will believe it, that is thoroughly 100 per cent patriotic. He is an absolute nut on the question, as he has shown in quite a number of cases time after time. He is a Mexican who said, with a string of oaths as long as a block, that as soon as the damned Americans put their foot on Mexico the plan in Mexico was to touch the oil fields off, set them on fire, and poison the rivers and creeks and wells and water; and that the Americans might think they could jump on Mexico, but when they did they would remember that for the last 10 years there had been half a million of men under arms, revolutionists, bandits, and others in Mexico, and there was not one of them, whether Carrancistas or Villistas, that would not, as he

thought, ally themselves in any group against the Americans, and I believe that is absolutely so.

Senator BRANDEGEE. He seems to be a patriotic gentleman, but is it your idea that of his own volition he intended to do these things, or do you think somebody designated him for that purpose?

Mr. JONES. No, sir; I don't think Favela ever dreamed that, probably due to the fact that long before I ever met him—I will qualify that, maybe two months or a month and a half—De Negri, due to a speech by Senator Fall, exposing his red connections, as I have shown in the testimony, with a like string of oaths, said they had the man that was ready to do this job, and he would do it. Seguin, also confirmed that statment, saying this fellow had plenty of guts.

Favela's office, or rather the place he occupied in the consulate in New York City, was in a back room, way back from all the rest of the consuls. Nobody would ever see him come in or go out. I have been in there a hundred times, and I never saw him there, although he told me where his room was in the back part. His stamp and coin office is a blind. There is no doubt in my mind, after Hanson told me what he did, that he is the man that was to do the job, although I never could definitely learn who it was.

Senator BRANDEGEE. What was his full name?

Mr. JONES. Javier Favela.

Senator BRANDEGEE. What consulate do you refer to?

Mr. JONES. The Mexican consulate, the Mexican consul general, on the nineteenth floor of the Tribune Building, New York City.

Senator BRANDEGEE. What is his business?

Mr. JONES. He is employed by the Mexican Government as confidential agent. He admitted he was a spy for Mexico, which, of course, meant Germany, all through the Balkans during the European war.

Senator BRANDEGEE. How old is he?

Mr. JONES. I should imagine that Favela is about 35, about 5 feet 7 inches high, weighs probably 210 to 225 pounds, rather fat, and speaks some 8 or 10 different languages. He was in love at that time with a German girl in New York City, whom he expected to marry on or about that time. He is a bad actor.

Senator BRANDEGEE. Has he ever had any experience in the Mexican Army, or has he any military rank?

Mr. JONES. That I don't know. He was connected with the Carranza revolution, and must have had. He was on exceedingly close terms with De Negri, but it was very little trouble to gain his complete confidence.

Senator BRANDEGEE. Is De Negri in New York now?

Mr. JONES. He is supposed to be confidential agent there for the Obregonistas. De Negri is probably the closest man to Gen. Obregon in the Mexican consulate service. I will introduce later a letter from Teodoro Frezieres, former consul general for Carranza at Los Angeles, and later at Eagle Pass, Tex., written to Carranza, which I lifted off the desk of the Mexican consulate at Eagle Pass, outlining fully two years ago the Obregonista movement which later developed, in which Frezieres exposed all of De Negri's plans in connection with Gen. Obregon. And the odd part of this whole situa-

tion, it seems to me, is that at the present time, here is De Negri in New York City, here is Alvarado, here is Favela, and everybody else, who were mixed up in all this dirty work against the subcommittee of the United States Senate and against United States Senators, against newspapers and everybody else, and they are now in this country representing the present new Mexican Government. What can you expect from them? They have not changed. They may have put on a different suit of clothes, but down underneath there is the same skin, the same heart, the same feeling.

Senator BRANDEGEE. Do the State Department and the Department of Justice know of the facts which you have testified to before the committee?

Mr. JONES. When Mr. Bielaski resigned as chief, I was at that time handling cases in connection with a new Honduran revolutionary movement, which resulted in the overthrow of Francisco Bertrand by the revolutionary route. I wanted very much to quit when Bielaski got out, but was asked to continue that investigation, which I did, until it wound up last August, I think it was. From that time on the Bureau of Investigation nor the State Department received any information from me. Therefore, necessarily of course, they were not at all familiar with any of these matters, as far as I know.

Senator BRANDEGEE. The particular part of it that I referred to, I wanted to know whether it had ever been divulged either to the Department of Justice or State Department what Bonillas said or what De Negri had said about their getting somebody to assassinate Senator Fall?

Mr. JONES. No, sir; I don't recall that there was any notice given to either one of them, for the reason that I had already notified them that they could no longer expect any reports from me.

Senator BRANDEGEE. But you did notify Capt. Hanson, did you not?

Mr. JONES. Yes, sir. In November, 1919. Five days after De Negri made the positive threat that Senator Fall was going to be assassinated, and also Capt. Hanson, I almost sweat blood for five days trying to worm out of him the name of the man who would do the job, when, where, and how, but anybody who knows Mexicans knows that if you begin to prod them too close and display too much anxiety to learn something, you will kill the whole proposition. We handled it, I think, as scientifically as it could be, but couldn't get it. Then, when I knew I probably would not be able to get the name of the party, the only thing left for me to do was to immediately notify Capt. Hanson, asking him in turn to notify Senator Fall, and the manner of my notification, as I remember, was that Fall and Hanson should watch every Mexican, no matter where they were, and not let him get close to them, because it might be that Mexican who was to do the job.

Senator BRANDEGEE. How did you notify Hanson?

Mr. JONES. I notified Hanson by telegram on November 29, 1919, through A. C. Sullivan of the Department of Justice at San Antonio, Tex., as I did not know where Capt. Hanson was at that time. Hanson then telegraphed Senator Fall on December 1, 1919. I happened to know that, due to the fact that I asked Mr. Safford.

his secretary, whether Senator Fall had received Hanson's warning, and Mr. Safford told me that he had. I then learned later, from other parties who were friends of Senator Fall, that the superintendent of police here, Maj. Pullman, who recently died, was warned, and he in turn warned the superintendent of Capitol police, and assigned a city detective to constantly keep watch on Senator Fall.

Senator BRANDEGEE. When did Bonillas leave here to go to Mexico?

Mr. JONES. I do not remember the date. I can get it for you. I remember that I notified Senator Fall, either through Capt. Hanson or Senator Fall directly, that Bonillas would leave Washington on such a date to go to New York, which I believe was February 6, accompanied by his wife, who would sail on February 6, I believe, to visit her daughter in Italy, and Bonillas's plan, the last time I talked with him in Washington, was then to go to Nogales, Ariz., where he was to cross the border and see Gen. Obregon, who lived a short distance over in Sonora, across from there, in regard to persuading Obregon to pull out of the election.

Senator BRANDEGEE. Do you know who is in charge of the Mexican embassy in Washington now?

Mr. JONES. His name is Fernandez. I don't know him.

Senator BRANDEGEE. Was he here with Bonillas?

Mr. JONES. I don't think so. I think he came after Bonillas left. He had some special work; I don't know what it is.

I will file with the committee a carbon copy of my report of July 6, 1918, to the Department of Justice and State Department, under my department name of Cresse, in regard to J. S. Hess, of New York, calling at the Mexican Embassy, 1413 I Street N W., Washington, D. C.

Also my report of July 6, 1918, rendered to the Department of State and Department of Justice, under name of Cresse, my department code name, entitled "Attache of French Embassy in Washington."

Another report of July 8, 1918, the same name and heading, regarding various visitors at the Mexican Embassy in Washington.

A confidential report of July 8, 1918, to the Department of Justice and State Department signed Cresse and entitled "Regarding party by name of Heinemann," who appeared to be a German, calling at Mexican Embassy, Washington, D. C."

Also a carbon copy of my report of July 19, 1918, signed by Creese, my department code name, entitled "Interviews with Ignacio Bonillas, Mexican Ambassador to the United States, at Washington, D. C., and ideas and plans suggested as a result of these interviews, which may help to offset Germany's strength in Mexico."

Also carbon copy of report of September 26, 1918, signed by Cresse, entitled "Break alleged to have occurred between Carranza and Gen. Obregon."

Also carbon copy of my report of July 19, 1918, signed by Cresse, my department code name, entitled "Plan proposed by me in regard to capturing German consuls, and German military spies in Mexican and Texas towns along the border."

Also carbon copy of my report of May 13, 1918, entitled "American Army officer stationed at El Paso, Tex., visiting the German consul three times in one week at Juarez, Mexico."

Also carbon copy of my report to Department of Justice under name of Cresse, dated July 1, 1918, entitlel "Request for information from chief as to name of Germans in Mexico."

Also additional reports prepared by me for the Department of Justice to be filed for the appendix.

In one of the files here, known as file 2, is a letter from Japan, signed Luis G. Pardo, who was in charge of the Mexican Embassy in Japan for President Huerta.

The CHAIRMAN. That was in 1913?

Mr. JONES. It is dated August 27, 1913, and addressed to Gen. Felix Diaz in Paris, France. A brief summary of the letter is that it fully explains to Gen. Felix Diaz that the Emperor of Japan evaded for approximately two months receiving Felix Diaz as Huerta's special ambassador, and when pressed for a definite answer, very frankly came out and said that it was due to the fact that the Emperor felt it would not at that time do to receive a special ambassador from Mexico on account of the United States probably misunderstanding the matter. Pardo tells Felix Diaz that the press of Japan is very enthusiastic regarding an alliance between Japan and Mexico, and that if Diaz had arrived in Japan and the Emperor had refused to see him, it probably would have resulted in a revolution in Japan.

This file also contains on pages 7 to 9, photographic copies of powers of attorney given by Felix Diaz to Pedro del Villar, his accredited representative in the United States.

Page 19 of the same file contains a letter from T. W. Shannon at Chicago, dated February 7, 1917, addressed to Gen. Felix Diaz, in which Shannon informs Diaz regarding arrangements made to appoint as financial agent in the United States the vice president of one of the most prominent banks in Chicago, whose name is mentioned in the letter.

The file also contains powers of attorney from Felix Diaz to Shannon regarding that matter.

This file contains 127 pages of original and photostatic copies of correspondence passing between Gen. Felix Diaz and his various agents and associates.

Page 91 of the same file contains the Felicista junta agreement in New York City, signed by Pedro del Villar, C. L. Ocon, L. R. Acolea, brother-in-law of Felix Diaz, A. Blanquet, and others.

In file U, pages 39 to 44, is an extremely long letter written by Pedro del Villar to Felix Diaz regarding financial and other arrangements that Villar and his agents in the United States were arranging for the Villista movement.

In paragraph 2, page 43, of that file, the following appears in the letter:

The matter of the English. Remembering your idea of the necessity of a better understanding with England in the maintenance of peace and a strong government in Mexico, I have endeavored to approach the English interests. However, they have really never come out openly, due to the influence of Rabasa over them. But anyhow, I obtained, through Col. Robert, one of the secret agents of the English Embassy, who was present at our meeting, and we came to an understanding with Mr. Alfredo Curphey, and authority was given to draw up an agreement. I had several meetings with him and with Mr. Ellis Ashmead Bartlett, a member of the English Army. Gen. Blanquet was also present at some of these meetings. The final outcome was that the English Government

will hand over to me, through the person or corporation which it deems the most fit, the funds necessary to bring about the absolute triumph of your movement, and as a first installment they will give £500,000, in the instance that the said officer Bartlett will inform his Government that you are standing back of my statement of a friendly understanding with the United States and our friendship for the Allies, and especially for England. He says that he believes you can count with the forces which I have outlined to him and which list I will show you. He trusts that you will listen to his suggestions, and that the government established by you shall be immediately recognized by all of them. The messenger has fullest power of authority, and I feel certain that you will come to an understanding, because that is a clear-cut proposition that suits you.

File Q contains 152 pages of original and photostatic copies of correspondence between the various Felicista revolutionary leaders that participated in the movement, and to and from others affiliated directly or indirectly with them.

The CHAIRMAN. What is the date?

Mr. JONES. They range all the way from July, 1916, up to the end of 1918, and run somewhat into 1919. Some of the 1919 matter pertains to Gen. Alvarez, who was executed at Vera Cruz.

Files J and K contain the Felicista codes, photostatic copies of the same, totaling 268 pages and over 500 photographs of the code.

The CHAIRMAN. Do you mean to say they had that many distinct codes?

Mr. JONES. Yes, sir. The Felicista codes, Senator, were arranged whereby, for instance, Castellanos, their agent in Havana, would have a code between himself and del Villar and Felix Diaz and other persons. His code was a separate and distinct one. Each of the various Felicistas, either generals or whatever they might be, had separate codes. It shows in this way: there is a code headed, "Felicista code regarding Cabrera."

Here is another code regarding Francisco Cardenas. Here is another one regarding Frederico Gamboa, and so on down the line. The codes are all carefully indexed, so if you want to find the name of one of them, for instance, Pedro del Villar, you simply have to turn to "P," under which his name is classified. The code name for President Wilson, which is found on page 153 of file J of the Felicista code, is "Mr. Meddler." The Felicista code name for former Secretary of State William Jennings Bryan, shown on page 153 of file J, is "Mr. Chump." The Felicista code name for Carranza, shown on page 153 of file J, is "Mr. Foxy." The Felicista codes are in file J and K. The code name of former Congressman William S. Bennett, of New York, is also found in a number of places in these codes. Bennett while a member of Congress, according to the statement of Del Villar and others connected with the Felicista movement, was the confidential adviser of del Villar in Washington. Bennett's code name, for instance, in file J, page 153, is shown as "Mr. Smith." His code name is also shown on page 167 of that file.

File O contains 136 pages of correspondence of Ygnacio Palaez, and pertains to many of the different parties directly and indirectly interested in what is known as the Palaez revolutionary movement.

The CHAIRMAN. Who was Ygnacio Palaez?

Mr. JONES. He was a brother of Manuel.

The CHAIRMAN. Manuel Palaez is the anti-Carranza leader in the Tampico oil region, is he not?

Mr. JONES. Yes, sir.

The CHAIRMAN. This correspondence is with his brother?

Mr. JONES. Yes, sir. I first met his brother Ygnacio probably during the latter part of 1916, when he first arrived in New Orleans, and have known him from that time to this.

File T contains 144 pages and index, containing a large and various lot of miscellaneous correspondence pertaining to various Mexican Government officials, Mexican revolutionists, Americans, and others, shown in the correspondence. In this file is a letter of Teodoro Frezieres, former Carranza consul at Los Angeles, later consul of Carranza at Eagle Pass, Tex., and now a strong supporter of Gen. Obregon.

File R, containing 125 pages and index, has in it a good deal of correspondence of Guillermo Rosas, private secretary of Mrs. Felix Diaz, to and from many of those connected with the Felicista movement. This file also contains letters passing between Rosas and others regarding several armed expeditions to be operated out of the United States against Yucatan and other Mexican States. The letters of Rosas contain many extremely strong and insulting remarks against the President of the United States, Secretary of State Lansing, and show an extreme hatred for the United States.

File A contains 121 pages regarding the affairs of Guatemala, pertaining to matters that were of interest and value to the United States Government, and likewise many Mexican complications.

File B contains 115 pages of original and photostatic copies of letters and documents regarding Mexican revolutionary activities in Guatemala in connection with Estrada Cabrera, former President of that country.

File C contains the same matter as File B, 92 pages.

File F contains 100 pages and index regarding the revolutionary activities of Gen. Maximo B. Rosales, who was associated in connection with Carranza and other Mexican Government officials in substantiating the evidence, as shown hereinbefore, regarding Mexican and Central American intrigues.

File G contains 70 pages pertaining to correspondence of Pedro Grave de Peralta, a Central American revolutionist, in connection with his intrigue with the Mexican Government officials in their efforts to control Central America, as shown hereinbefore.

File H contains 100 pages regarding correspondence between Rosales and Peralta, regarding the Central American intrigue in connection with Mexican Government officials.

Files I and D contain 127 pages and index in detail showing many of the matters regarding Honduras and Salvador and the efforts of Salvador in connection with Honduras and Mexico to set up in Central America a centralized government to be dominated and controlled by the Government of Mexico.

File S contains 67 pages, original and photostatic copies, of letters and documents passing between Emilio Esponda, cousin of Emilio Rabasa, Alphonso Noyala, Ygnacio Pesquiria, and others, which cover the revolutionary activities and plans of the parties involved.

File X contains 131 pages regarding the correspondence passing between various Mexican revolutionists and others regarding the

plans and activities of an unusually large number of Mexicans. This file also contains several of the signed agreements regarding various armed expeditions to be operated out of the United States.

File Y pertains to activities of the so-called Villa Mexican revolutionary party, 84 pages of correspondence, agreements, etc. This file likewise contains the code of the Villistas. On page 48 of this file is a proclamation from Gen. Villa, in part as follows:

> Of course, you know that President Wilson recognized Carranza against the will of the conscientious and honest Mexicans, who have considered the calling of the first chief as a threat, but notwithstanding that injustice I shall not make a treaty with the Germans, because it would be unpatriotic to use foreign elements against the United States. The moment has arrived when the President of the American union and the people will be convinced that Carranza is a traitor, and that he is ungrateful for all past favors, and that he can not see his way clear in international politics.

The CHAIRMAN. Is that not in the shape of a letter to one of his friends, preceding his proclamation, which letter sets forth his principles, or some of them, and refers to a meeting which he expects to have later with prominent Americans, Senator Fall and others, and that he hopes his friend Gen. Scott will also be present?

Mr. JONES. Yes, sir. That is included in the proclamation, which is in the shape of a letter addressed to Luis R. Alvarez, of El Paso, Tex.

File Z contains 121 pages pertaining to lists of various parties alleged to be affiliated with and in sympathy with various Mexican revolutionary activities. That contains what is said to be the most complete list of sympathizers and participants in practically all of the various Mexican revolutionary factions throughout the United States. There are 29 of the files, containing about 4,000 pages.

The CHAIRMAN. These files referred to by the witness and identified as he has been identifying them, are simply tendered by the witness for the use of the subcommittee temporarily for examination, and not to be printed in the record unless at some future time this is ordered by the committee, and the witness may withdraw the files now or at any other time. [The files are withdrawn by Mr. Jones and taken away by him].

Is there anything further you have to say, Mr. Jones?

Mr. JONES. There is the Morazan matter.

The CHAIRMAN. I understand you wish to make a statement in regard to what is known as the Morazan matter, which is the plan for the establishment of a new republic to be composed of Salvador and Honduras in Central America?

Mr. JONES. Yes, sir.

The CHAIRMAN. And which testimony you desire to offer as being a history of the proposition in connection with the Mexican plans concerning Central America, to which you have been testifying heretofore?

Mr. JONES. Yes, sir. The plan of Carranza was to establish, as you have said, the consolidation of Honduras and Salvador into one country in Central America, to be known as Morazan.

The CHAIRMAN. Very well. You may proceed with your statement on the Morazan matter.

Mr. JONES. The utter collapse of two of Carranza's visions of power, his attempt to create in Central America a neutral league

and his efforts to foment revolutions in Central American States and then foist on them his own iron rule found the bewhiskered Don Quixote of Mexico with yet another scheme, more insidious and more fanciful than either of the two plots, up his cunning sleeve.

The third and most amazing political windmill that this Don Quixote sallied forth to encounter is known as "the plot of Morazan."

How his plots and plans were routed by Americans; how his revolutionary movements, financed by himself and by German money, advanced through Von Eckhardt, the German Ambassador to Mexico, were forestalled; how his revolutionary protégés in the United States—Peralta, Rosales, and others—were caught in their intrigues; and how Carranza sought to array a host of Latin-Americans against the United States in the marts of trade, on the seas, and even on military fields, I will now show for the first time as far as the public is concerned.

So deep-rooted was his thirst for power that the wily President of Mexico and his officers, failing to see the handwriting on the wall of his palace of plots in his initial failures, evolved still another intrigue that if had not been blocked would have afforded Carranza the foothold he coveted and which he hoped would place Guatemala, Nicaragua, Salvador, Costa Rica, and Honduras again under Mexican control, as they had been in their union with Mexico in 1821 or 1822.

What is now Central America was ruled in the middle of the eighteenth century by a captain general of Spain. He had under his control in 1787 the Provinces of Costa Rica, Honduras, Nicaraugua, Salvador, Chiapas, Guatemala, and additional territories which constituted a total of 13 Provinces.

From 1818 to 1821 Central America broke away from Spanish rule. About this time Iturbide proclaimed the independence of Mexico. He had large ideas of all of Central America becoming a part of the Mexican domain. Even at that early date Mexican rule was beset by stormy seas, for between 1822 to 1825 the Central American federation broke away to set up a separate government, having endured 15 months' connection with Mexico. Central America was again in the position it had occupied at the time of the separation from Spain.

The first Central American Congress assembled on June 24, 1823, under the presidency of Jose Matias M. Delgado. The first constitutional Congress of the federation was installed on February 6, 1825. Mariano Galves was chosen president. From then on Central America's bloody revolutionary policy, with almost yearly upheavals, held forth.

During the early history of Central America there sprang into prominence Francisco Morazan. He was born in Honduras in 1799. His father was a French creole and his mother a Honduran. Morazan, according to historians, stands as the best and ablest man ever produced by Central America. He is described as a soldier, patriot, and statesman.

Enlisting the psychological suggestion aroused in Latin minds by the name and fame of Morazan, Carranza stroked his whiskers—one of the few things he possesses that are not false—and called his movement "Morazan."

In connection with his strong political ally, Salvador, Carranza began his third plot for power in 1917. The dominating idea was

to form a new republic in Central America through the consolidation of the Governments of Honduras and Salvador and known as Morazan. Once this was done, the plan was to have Guatemala hemmed in on one side by the Mexican State of Chiapas and on the opposite confines by the Republic of Morazan.

With money provided by Mexico, civil war, accompanied by sporadic uprisings in Guatemala, would occur and simultaneously armed expeditions would set out from the State of Chiapas and from Morazan against Guatemala. Thus, attacked from without and contending with internal strife, it would have been impossible for Guatemala to stand against Carranza's plans.

With Guatemala beaten to her knees, the Carranza dream provided that a revolutionary leader, theoretically a patriot and native of Guatemala, but in fact a Carranza dupe, would be, under the consolidated force of arms of the entire movement, elected president. With this president, a whole Carranza slate would be placed in office in every branch of government, including the Guatemalan Congress, and apparently in legal balloting.

Shortly thereafter the Guatemalan Congress would vote to become a part of Morazan. This "legal" action would be approved by the President of Guatemala.

In the same way Carranza planned to include Nicaragua and Costa Rica, in the order named, in Morazan. Political intrigues and armed forces would compel these Central American nations to become part and parcel of the new republic.

Realizing that the United States would be opposed to such a plan and that armed American forces might be landed to thwart the scheme, Carranza began to extend secretly his propaganda against the United States dipping into affairs concerning various Latin-American countries. In this manner Carranza believed he could bluff the United States into not interfering with what appeared to be the unanimous desires of the Central Americans themselves to unite in a single Central American Republic.

The political situation then existing in Honduras and Salvador, with each of the Presidents of those nations endeavoring to keep control of their respective Governments in their own families, was the cue for Carranza to organize speedily and attempt to carry through the Morazan plot.

President Carlos Melendez, of Salvador, who died recently in New York City, had been Carranza's personal friend and supported his policies in Central America for some time prior to this plot. This is evidenced by warm speeches of Carranza, in which he extolled the virtues of Salvador's leaders and the constant friendship and cooperation existing between Salvador and Mexico. One speech before the Mexican Congress, on April 15, 1917, set forth the common ideals of the two nations and recounted the fact that Mexico had sent a commission to Salvador to present to that nation several airplanes, a wireless outfit, a large quantity of arms, ammunition, and war supplies.

Later Carranza sent to Salvador additional supplies of arms and ammunition and also many highly trained Mexican army officers, who immediately took charge of Salvador's troops at the direction of President Melendez. President Melendez, knowing that the

constitution of Salvador prohibited him from succeeding himself as President, and notwithstanding the fact that the laws forbade anyone of his blood becoming his successor, and also with the knowledge that he was to become the first President of Morazan, laid plans to elect his brother, Jorge Melendez, President.

Carranza, as shown in my preceding testimony, with Rosales and Peralta and other Central American revolutionists, had plotted to overthrow President Francisco Bertrand, of Honduras, by revolutionary tactics. Notwithstanding his previous attempt to knife Bertrand, and which I have shown to have resulted in a failure, Carranza now extended to Bertrand the hand of friendship. Bertrand, sitting on a tottering chair, was ready for any intrigue that would tend to keep him in power. So he took the proffered hand, bloody and dirty though it was.

This union of two treacherous and grimy paws resulted in each of them agreeing to play the other's game. Bertrand at this time, the latter part of 1918, was contriving to remain in power at all hazards in open violation of the constitution of Honduras by endeavoring to elect his brother-in-law, Nazaro Serrano, to succeed him as President.

The constitution of Hondras forbids the election of any relative by blood or less than three times removed by marriage of the outgoing executive. It forbids also the election of a President to succeed himself.

Serrano was the willing tool of Bertrand. He entered enthusiastically into Carranza's plots. This enthusiasm later resulted in Bertrand and Serrano, in connection with Carranza's plot of Morazan, of throwing Honduras into one of of the most gory revolutions in Central American annals.

Bertrand was the son of a Spaniard. He was born in Juticalpa, Honduras. He received a medical education. In 1902 he was appointed coroner of his native township. In 1904, President Bonilla dissolved the Honduran Congress, sending many members to jail. Bertrand was an ardent supporter of these tactics.

In 1906 Bertrand was made minister from Honduras to attend the Central American conference on board the U. S. gunboat *Marblehead.*

Constant revolutionary turmoil was the rule in Central America in those days. The United States, endeavoring to adjust matters amicably, sent Mr. Dawson, of the State Department, on the gunboat *Tacoma* to effect a friendly alliance between the various Central American powers.

Bertrand, as representative of Honduras, attended this meeting. He signed what is known in Central America as "The treaty of Tacoma." Honduras, immediately before this, had experienced one of its most virulent revolutions.

Following the signing of the treaty, Bertrand manipulated affairs whereby he became Provisional President of Honduras. As such he served until the middle of 1914, when he resigned and became a candidate (in violation of the Honduran Constitution) for the Presidency. He was successful in gaining office through a maze of manipulations and was inaugurated in 1915.

Carranza outlined his Morazan plans with meticulous care, sending Salvador Martinez Alomi to Salvador and Honduras as his

special ambassador. Alomi's instructions charged him to lay the groundwork of the Morazan structure.

Alfredo Quinonesa, a native of Salvador, who was well known as one of the most active of Carranza's confidential agents in Central America, and who also was Von Eckhardt's (German ambassador to Mexico) close friend and confidant, was one of Alomi's principal lieutenants. Another was Gustavo Solano. The latter, for many years, has been one of Carranza's most trustworthy and efficient agents in various plots. He also was "close" to the German ambassador in Mexico. Solano is now private secretary to Espinoso Mirelles, governor of the Mexican State of Coahuila, and a "Carranza man" of prominence.

Alomi and his associates were received by the Honduran Government with marked honors. Alomi organized active juntas in Honduras and Salvador. These headquarters were established for the spreading of propaganda favorable to the merger of Salvador and Honduras into the proposed Central American Republic of Morazan.

Among Alomi's other lieutenants in Honduras and Salvador were Gen. Costillo Corzo and Francisco Lagos Chazaro. These men hitherto had been opposed to Carranza. They were "bought" easily by Alomi, who saw that German money received by him from Carranza, who in turn had obtained the funds from Von Eckhardt, fell into the hands of these aides.

Alomi, Quinonesa, and others associated with this mission, secured the enthusiastic support and large fiduciary contributions for their plan from some of the most widely known Germans in Honduras. Among the subscribers were the German consul general at San Pedro Sula, Gustavo Maier; Diederico Dreskel, banker and merchant of Amapala and Tegucigalpa; Frank Sierka, merchant and importer of Amapala and Chockuke; Max Roheme, M. Vess, and Theodore Beneke, of Salvador; and Ernesto Siercke, S. Cornelsen, Wilheim Derde, and Alfonso Dreschel, of Tegucigalpa, and many others.

A season of rapid-fire changes in diplomatic personnel, involving officers of Mexico, Salvador, and Honduras to and from the various countries mentioned, was launched. The purpose of this was that officials of the three Nations desired that so far as possible every diplomatic officer installed should be favorable to the Morazan plot, and those opposed to it should be juggled out of their posts.

Atilio Peccorini was appointed by President Melendez as his representative at Tegucigalpa, the capital of Honduras. Peccorini recently was secretary of the Salvadorian legation at No. 1722 Massachusetts Avenue, Washington. At that time it is charged that Peccorini made monthly trips between Honduras and Salvador in the interest of the plot of Morazan, endeavoring to speed the proposition.

Bertrand's minister of war, Jeronimo Reina, was authorized as the former's confidential agent in the plot of Morazan. He was instructed to work out details of the plan with Peccorini. Reina always had been regarded as "pro-Salvador." He had participated in Central American revolutionary movements with Salvadorian support.

Bertrand's brother-in-law, Serrano, who was proposed as Bertrand's "dummy" successor in the presidency of Honduras, and

who, on assuming office, had agreed to manipulate for Honduras the "legal" merger with Morazan, and was to use his presidential powers to this end and to act with the Congress that was to be placed in the legislative seats of the nation.

President Melendez, of Salvador, through his brother, Jorge, who was "booked" as his successor, was to handle affairs in Salvador along lines similar to those mapped out for Bertrand's brother-in-law in Honduras.

Enemies of Serrano claimed that the latter was not a native of Honduras, but was born in Salvador. It is known that Serrano lived in Salvador for many years, procuring his medical education and practicing as a physician in that country, leaving Salvador for Honduras in the early part of 1917.

On the organization of the preliminary plans of Morazan and on the eve of their being launched, a secret treaty was entered into between President Bertrand, of Honduras, and his proposed successor, Nazario Serrano, and President Melendez, of Salvador, and his slated successor, Jorge Melendez. This treaty was presented by Peccorini, representing Salvador, to Reina, the Honduran representative in this plot. It follows:

First. In the current year of 1919, both countries shall be united in a single Republic, Melendez being President of the new entity and Bertrand Vice President.

Second. The Honduran President shall resign and turn over the charge of the Presidency to the new President.

Third. San Salvador shall be the the new capital.

Fourth. The new President shall, at his discretion, organize a cabinet from among the elements most agreeable to the new order; besides, the Vice President shall assume a ministerial portfolio if he so desires.

Fifth. The adoption of military measures in the premises remains in the hands of President Melendez, by ordering the garrisoning, with Salvadorian forces, of the western frontier and northern coast of the Republic.

Sixth. The expenditures for the mobilization shall be made by the Salvador treasury.

Seventh. Into the organized forces may be enrolled Hondurians commanded by Salvadorian or Honduran chiefs, graduates of the Salvadorian or Honduran military schools.

Eighth. To annul ipso facto the existing political constitutions of both countries.

Ninth. Whenever deemed most opportune, there shall be called a constituent assembly, which shall frame the constitution of the new Republic, the attendance of deputies being in proportion to the number of inhabitants.

It was understood by all parties concerned in framing the treaty, that if the instrument ever was made public, articles 5, 6, and 7 were to remain secret.

President Bertrand of Honduras, not being satisfied with the proposed treaty, which had been prepared largely by President Melendez of Salvador, submitted the following counter proposals:

First. Honduras and Salvador would constitute the Confederate Republic of Morazan with San Salvador as the capital, it being understood that both constitutes should be annulled, and after the coup d'etat, the President of the new nation would summon a constitution.

Second. Neither Melendez and Bertrand could be Presidents of the new entity, except if the constitutent should select one of them. Melendez would act only as provisional President to supervise the elections.

Third. The Vice President of the Republic of Morazan would choose one of the portfolios in the cabinet and he would be substituted only if failing to win the constituent's confidence.

Fourth. Local presidential elections due in both countries should be stopped on account of the events.

Fifth. The provisional President should select a half of his cabinet among Salvadorian citizens and the other among Hondurans.

Sixth. The new President should control the military service in the northern coast of the Republic, it being agreed that Hondurans and Salvadorians would be, without discrimination, selected to lead garrisons and take command of ports. In all cases the preference would be given to men in uniform, who had finished their careers in Salvadorian military schools. Both countries would pay all public-service expenses and that of mobilization.

President Melendez then personally, together with Bertrand, arranged the final details of this treaty, which contained practically all of their proposals as outlined in the two documents. Shortly after this the United States Department of State received complete information of these intrigues.

The outcome of the plot was forecast if the plan were not interfered with. This resulted in the postponement of the Morazan plot for the time being.

Many of those implicated in the plot of Morazan were blamed by its principals with having "talked too much." It was accepted in higher circles that the United States was "wise" and that "too much talk" had occasioned the "wisdom." Among those credited with speaking too freely of the plot of Morazan was the Minister of War, Reina, who died "in a hurry," despite the herculean efforts of his Salvadorian physician. It was charged that he had been poisoned.

The Honduran minister of foreign affairs, Silverio Lainez, with unusual activity and, so it is said, as a precautionary move, tendered his resignation. It was said of him that he had been opposed to the Morazan scheme; therefore he needed no other spur to quit office than the warning of Reina's death.

Alverado Guerrero, President Bertrand's secretary, was immediately dismissed.

Col. Augusto Coello, who led a revolution with Salvadorian troops and arms in 1910, was appointed as Bertrand's private secretary.

Francisco Majia, the Honduran minister of interior, while calling at President Bertrand's palace, was taken violently ill. He died immediately on his arrival home. Bertrand's enemies accused him of having handed his minister of interior a "cocktail" on the latter's arrival at the palace.

Presidential "cocktails" in Central America, as a rule, have a dangerous "kick." Francisco Majia, having learned of the proposed Morazan plan, was an active enemy of the movement.

Dr. Alberto Membrano, vice president of Honduras, and minister of Honduras to Washington, through enemies of Bertrand, was "wised" to the Morazan plan and immediately protested to Bertrand. This resulted in Membrano becoming persona non grata with his executive and Membrano's friends warned him that his life would be in danger thereafter in Honduras.

At that time it became known that the Mexican ambassador, Ygnacio Bonillas, at Washington, had been the guardian, adviser, and close personal friend of the Salvadorian minister to Washington, Rafael Zalbivar. Membrano's friends charged openly that Bonillas then and now, for Carranza, participated actively in the Morazan plot.

Many of President Bertrand's officials were also accused of "leaking" regarding the Morazan plan. Those who did not die mysteriously or leave the country were thrown into jail. Among those were Eduardo Giullen, Romulo Carvajal, Jose Bonilla, and Nestor Mejia.

The Morazan plan for the moment being blocked, it was nevertheless manipulated under cover. Carranza, through his special representatives, demanded in certain terms that whether or not the plot was known to the United States "to go ahead and put it through."

After Bertrand had begun punishing those opposed to the Morazan plot, he appointed a new Honduran minister to Salvador, Miguel Angel Fortin. The latter, when presenting his credentials to President Jorge Melendez, said:

My Government, which loyally understands the Salvadorian ideals, is hoping that in the near future both brotherly countries shall march in a very close union to fulfill their social and historical destinies.

President Melendez said in reply:

The two countries are one and shall be one.

At that time Andrew Serrano, Bertrand's brother-in-law and proposed presidential successor, was a colonel in the Salvadorian Army Reserves. He ranked as a military adviser to the Salvadorian Army. Shortly thereafter he was appointed by Bertrand as minister of war in Honduras. Bertrand then appointed Dr. Ricardo Urrutia, who had been minister to Salvador, as a special minister and head of a Honduran mission, which he sent to Mexico to complete further plans regarding the plot of Morazan.

Dr. Miralda, who had started his political life in Salvador under the Regalade régime, was made consul general at New York City. Augusto Coello, a strong "pro-Salvadorian," was appointed consul general for Honduras at San Francisco. Leopoldo Cordova, who received his education in Salvador and who lived in that country for many years and married a Salvadorian, was appointed consul general at New Orleans.

Cordova, during the latter part of 1919, was murdered in New Orleans, and it has been said that his assassination resulted from Central American political intrigues.

Serrano, the Honduran minister of war, appointed Trejo Castillo, a Salvadorian lawyer, as assistant minister of that department. The Salvadorian general, Julio Salinas, was appointed commander of the Honduras Military Academy at Tegucigalpa. Another Salvadorian army officer, Col. Jose Leon Majano, was named chief of the Honduran artillery headquarters at Tegucigalpa.

Many Salvadorian army officers were stationed in and near the Honduran Capital. Among them was Gregorio Busteamente.

The Government of Salvador also changed several of its consulates in Honduras and appointed men who could be counted on to cooperate with Serrano. Among these was Dr. Arturo Zelaya, who was sent to Amapala. Dr. Carols Tinel was sent to Choluteca. Jose A. Membrano was placed at Siguatepeque. Antonio Lardizabel was assigned to Tegucigalpa.

Dr. Juan Bustillo Rievera, a strong pro-Salvadorian, was appointed minister to Mexico City by Bertrand. Dr. Secundino Turcois, also a firm believer in Salvadorian activities, was named minister to the United States by the President of Honduras.

Long before this, due to Carranza's money, arms, ammunition, and with Mexican Army officers training the Salvadorian army, that country was fully prepared to carry out the Morazan plot. In Honduras, however, Bertrand and Serrano, to put through their part of the Morazan scheme, had a harder row to hoe. It was necessary for them, before entering actively into the final stages of the plot, to oust from the Honduran army all officers who threatened to be opposed to the plan. As has been shown in the consular and other governmental changes, Bertrand had to renovate each and every department, making sure that only "pro-Salvadorians" or persons of Salvadorian nativity were in office.

All offices of importance in governmental and military circles were entrusted to the care of Bertrand's and Serrano's relatives, both of blood and marital relationship.

Through persons who were allied with Bertrand and Melendez in the Morazan plot, individuals who were among those who had "talked too much," it became known that both Honduras and Salvador were pledged unmistakably to the plan of Morazan. Bertrand openly declared that the supreme will of the people of Honduras would determine, on the election of Serrano as president, whether or not it was desired that Honduras and Salvador would unite in the new Republic. Secretly, however, this man assured Carranza, Melendez, and others in the "high circle," that the two countries would be merged, regardless of any sentiment expressed by the people of his nation to the contrary. He emphasized that with a "packed" congress as the tools of the plotters the merger would at once be "legal," speedy, and plausible; that it could not fail.

At the beginning of the Morazan plot, I had reported the complete plan to the Department of Justice and to the State Department. As events unfolded themselves and the plans of these conspirators advanced, I also, through a corps of confidential informants, who were allied with the various factions in Honduras and Salvador, was able to become conversant with all their schemes. I in turn allied myself with the political party in Honduras which was opposed to Bertrand and Serrano, acting as a secret sympathizer and friend of their faction. To cover the entire matter I procured an appointment as confidential agent of the Honduran foreign office. I worked my way into the confidence and won the friendship of Leopoldo Cordova, consul general for Honduras at New Orleans, and whose father, under Bertrand, was treasurer of Honduras.

I was enabled, as shown in my reports to the Department of Justice, to learn in advance of the plans and plots of Bertrand and Serrano. Cordova one evening, dining with me and becoming partially intoxicated, made the positive statement:

> Central America will within the next two years be one big republic again, due to the consolidation of each of the Central American countries. As soon as Serrano is elected President of Honduras, the new republic will take root and within two months thereafter will burst into bloom. Cabrera will be forced out of power as President of Guatemala and that nation will then become a part of Morazan.

Cordova, boasting, continued:

> My chief, Bertrand, and Serrano have fooled the United States and have hoodwinked Guatemala. They dropped apparently the Morazan plan.

I told Cordova that Bertrand and Serrano, with Melendez and Salvador, never would be able to "put over the Morazan plot." He became angry and retorted:

You know me, Mr. Jones. I am a man of my word. I swear to you by the bones of my grandmother, and I will bet you $100 that right after Serrano is elected Salvador and Honduras will merge in Morazan.

I declared that the United States "would not stand for this proposition." His answer was:

Honduras, Salvador, Costa Rica, and Mexico, with all our other friends throughout Pan America, are too strong for the United States. The United States will not be able to interfere further in our affairs. It is true we can not whip the United States physically, but when we cut off our commerce, which will go to England, Germany, and France, instead of the United States, watch the Americans howl!

Cordova then told me that when the new republic of Morazan was formed that he was to be its consul general in New York City. I learned from him then of the perfect understanding between Honduras, Salvador, and Mexico regarding the Morazan plot, and he reiterated his statements in later conversations with me. He added:

Carranza (with whom Cordova thought me very friendly) evidently doesn't understand why the delay had been and is being occasioned in failing to form the new republic of Morazan. Carranza is very impatient about the tardiness of action.

Cordova went on to say that much Mexican money had been advanced and spent by Carranza to those implicated in the Morazan plot.

As opposition in Honduras to the plans of Bertrand and Serrano developed, there was launched a reign of terror in Honduras. This resulted in the mysterious poisoning of many of those opposed to Bertrand and Serrano. Others were assassinated, and hundreds of Hondurans were cast into filthy and disease-infested prisons and penitentiaries. In addition to these, several thousands of prominent citizens, professional and business men, were forced to flee the country.

Dr. Alberto Membrano, vice president of Honduras and minister of the United States, was in Honduras during the reign of terror. He fled to save his life. T. Sambola Jones (no relation of mine), United States minister to Honduras, had been in that country only six or eight months when Bertrand's iron rule decreed an epidemic of death and persecution. Several months after his arrival he had married the 18-year-old daughter of Chief Justice Duron of Honduras. His father-in-law was opposed to the Morazan plot. The chief justice took refuge in the United States legation to escape Bertrand's persecution. The United States minister protested vigorously to President Bertrand regarding the reign of terror waged in open violation of Honduran laws and asked him to stop this outrage in the name of civilization. The protest served to increase Bertrand's activities along this line.

On the day following the American minister's protest, Bertrand penned a letter to Leopoldo Cordova, his consul general at New Orleans, and his enthusiastic supporter in the United States. In this communication, Bertrand recounted the words of Ambassador Jones and instructed Cordova to issue newspaper interviews immedi-

ately, "boosting" Serrano and Bertrand and endeavor to discredit in these articles the United States minister to Honduras. This was to be done by claiming that Jones had married into a Honduran family that was active in its opposition to the President of Honduras.

I talked Cordova out of this plan. I showed him that it probably would have a reactionary effect on Bertrand and Serrano, and also on himself. I asked him what Bertrand's opinions were regarding the protest of the American minister. His answer was:

Bertrand has said: "To hell with the United States!" Bertrand, having the friendship, financial and moral support of Salvador, and backed by Carranza, proposes to elect Serrano and then create the new Republic of Morazan, whether the United States approves it or not.

Later that day Cordova and I dined together and after he was in the process of drinking his usual quota of liquor I wormed out of him the fact that there was a secret treaty, offensive and defensive, between President Carranza, of Mexico, and Salvador and Bertrand and Serrano, of Honduras. He said proudly:

My chiefs, Serrano and Bertrand, are men of honor. Their word is gold. They have promised faithfully President Carranza his complete triumph in Central America; first, through the Morazan Republic, and then all the other Central American countries will be forced, for their own salvation, to become a part of the Morazan Republic.

In several interviews with Dr. Alberto Membrano, and also in conferences with Rafael H. Valle, who is now secretary of the Honduran border dispute commission at Washington, I learned that Dr. Membrano, then minister of Honduras at Washington, had attended several meetings of Pan American diplomats at the National Capital. The Mexican ambassador, Ygnacio Bonillas, and other diplomats were endeavoring at that time to form Carranza's Pan American league of neutral nations. Bonillas, Valle told me, was a leading advocate of the league formulation of these conferences.

Membrano claims to have been responsible for the defeat of the Bonillas proposals to establish such a league. His success in this respect, Valle told me, occasioned much disgust on Bonillas's part.

Membrano has been the storm center in Honduran politics for many years. About 25 years ago he became prominent in political affairs of his country. This was made possible by his friendship with Gen. Luis Bogran, then President of Honduras. Bogran appointed Membrano assistant secretary of public works.

Membrano was on a special mission to Spain from 1904 to 1907. Having returned to Honduras in the latter year, he was then forced to flee the country when President Zelaya, of Nicaragua, forced President Manuel Bonilla from office. Davilla was the successor to the presidency and Membrano resided in Mexico City as a political exile from 1908 to 1911.

When Gen. Bonilla regained office, he appointed Membrano as minister to Mexico, where Membrano served during the brief régime of Madero. Shortly after Madero's assasination Membrano was appointed minister to the United States. He acted in this capacity at Washington until the latter part of 1919.

Membrano was elected Vice President of Honduras in 1915, still retaining his office of minister. He always claimed friendship

for the United States, but his political enemies charge him with being a supporter of American policies only when those policies benefited Membrano.

Germans have been strong in political and financial power in Honduras for many years. Particularly was the then German owned and controlled banking house of G. Amsinck & Co. active in Honduran affairs. This firm had its branches in all principal towns of Honduras and an American headquarters at Nos. 2 and 4 Hanover Street, New York City. The New York headquarters had acted for many years, it is said, on the instructions of Membrano, as financial agents in the United States for the Honduran Government. It is a known fact that during the time it so acted the firm received the funds and remittances from various Honduran consulates in the United States.

In July, 1919, the reign of terror instituted by Bertrand and Serrano in Honduras and which was caused solely by Carranza's Morazan intrigue came to a head. It had resulted in the assassination of scores of prominent persons opposed to the ring leaders of the plot; the imprisonment of hundreds of others; the exodus of thousands more from Honduras to escape the poisoned chalice or the dagger thrust in the back.

One of the principal opponents of the Carranza-Melendez-Bertrand-Serrano plot of Morazan was Gen. Rafael Lopez Gutierrez. Gutierrez had been prominent for many years in Honduran political and military affairs. With Bertrand's "unseen hands" reaching for his throat and with a whispering of threats of imprisonment reaching his ears, Gutierrez escaped from the capital and, together with Gen. Francisco Carbone, rallied others who were "in the same boat."

Thus was launched a civil-war movement in Honduras which culminated shortly thereafter in that country being aflame. Bertrand and Serrano, backed by Carranza's money and supplied with large quantities of arms and ammunition provided by Carranza through Salvador, and with many Mexican Army officers training Salvadorean troops, the latter officers transferring themselves to the Honduran colors, endeavored to cope with the situation. Bertrand and Serrano resisted the movement until the early part of September, 1919.

Irrespective of repeated and encouraging messages from Carranza and his allies in Salvador that he would support them to the limit, Bertrand and Serrano, together with their principal friends and supporters, began their plans to flee. They knew they had "had enough."

Bertrand and Serrano slipped out of their country, escaping from Amalpa, the principal port of Honduras on the Pacific. From there they went to Panama, and early in October, 1919, reached New Orleans. The two defeated plotters were enthusiastic over Carranza's way of doing business when they arrived in America.

They lost little time in launching a plot to begin a counterrevolutionary movement against Gen. Rafael Lopez Gutierrez, who had become President of Honduras. The Bertrand-Serrano movement was scheduled to start from Mexico and Salvador. It was to be supplied liberally with money, arms, ammunition, and boats. Mexican Army officers were to be present in the forces in large numbers.

Thus was revived Carranza's ancient plan to attack Guatemala and other Central American countries. The Department of Justice had blocked all his former attempts, but the archconspirator of Mexico was not dissuaded from his system of intrigue and until his death several weeks ago was actively engaged in perfecting the plans for Bertrand and Serrano's movement.

President Estrada Cabrera, of Guatemala, fearful of Carranza's present plan—the attack from Chiapas and Salvador—sent one of his officials to the United States, who arrived in New Orleans about the same time that Bertrand and Serrano reached that city. Cabrera's representative was instructed by his chief to try to bring influences to bear on the United States through the Guatemalan legation at Washington to defeat the plans of Carranza.

This representative told me during September of 1919 that the financial backing, war equipment, etc., of the contemplated movement against Guatemala had been supplied by the Mexican Government and from large German interests in Mexico. The latter, he said, were prominently identified with activities against the United States during the World War.

Gen. Antonio M. Monterrosa, one of the best-known soldiers in Central America, and a commanding general in the army of Honduras, confirmed what the Cabrera representative told me. He said on September 8, 1919, that the Government of Mexico from the Mexican States of Chiapas and Tabasco was cooperating fully with the revolutionary movement that was being organized then against Guatemala. He said it was and is the opening move of Carranza's fourth attempt to dominate Central America by extending his dictatorship beyond the confines of Salvador, which he dominates as thoroughly as if he held office in that country.

The committee now has in its possession a signed statement secured by me from Gen. Monterrose which provides further confirmation of the declarations made by Cabrera's representative.

During February and March, 1919, Carranza acted in concert with his old-time circle of Central American conspirators to combine German money with Mexican hatred of America in a fourth attempt to control Central America.

My reports to the Department of Justice, from the start of each of the three Central American intrigues to their conclusion, covered all facts set forth in my testimony before the committee. Rafael H. Valle, secretary of the Honduran Boundary Dispute Commission, recently substantiated all my claims regarding the Morazan plot in the presence of Gene Fowler, a reporter for the New York American.

Morazan, Carranza's third dream, failed without occasioning any serious backfire that might singe the moth-proof beard of Mexico's President. Now comes his fourth attempt, with Carranza sitting at the gaming table, eager and ready to deal marked cards to all who may play with him. The fourth dream will be followed by a fifth and sixth if this Mexican monstrosity is not checked for once and all time in his mad gallop for power across the length and breadth of Latin-America.

The CHAIRMAN. Is there anything further, Mr. Jones?

Mr. JONES. That about covers it, with the exception of Cantu.

The CHAIRMAN. What do you know about Cantu?

Mr. JONES. I will have to get that file for you.

The CHAIRMAN. You mean the governor of Lower California?

Mr. JONES. Yes, sir.

The CHAIRMAN. It has been understood generally by the public that he is acting somewhat independently of the Carranza Government.

Mr. JONES. Yes, sir; he always has.

The CHAIRMAN. I believe we will not go into that at this time. I think of nothing further to ask you, Mr. Jones. The committee thanks you very much for your testimony.

APPENNDIX TO TESTIMONY OF CHARLES E. JONES.

SAN ANTONIO, TEXAS,
DEPARTMENT OF JUSTICE,
BUREAU OF INVESTIGATION,
January 13, 1919.

To whom it may concern:

It affords me pleasure to state that I have known the bearer, Mr. Charles E. Jones for the past year or more. During that period, he has been connected with the Department of Justice, and has been of great assistance to other agents of the department in this section of the country, and has furnished us with very valuable information.

Mr. Jones is thoroughly posted on Mexican matters, a man of good judgment and extraordinarily resourceful, and I recommend him without reservation.

Very truly, yours,

H. E. BRENIMAN,
Division Superintendent.

GONZALEZ ROA, CARBAJAL & LECKIE,
ATTORNEYS AND COUNSELORS AT LAW,
EDIFICIO DEL BANCO DE LONDRES,
MEXICO, D. F., *May 20, 1918.*

Hon. IGNACIO BONILLAS,
Mexican Ambassador, Washington, D. C.

MY DEAR MR. AMBASSADOR: This will introduce you to Mr. Chas. E. Jones, of New Orleans, who is a newspaper man of wide repute, and is one of the hardest working, most energetic, and resourceful men it has ever been my fortune to know. Whatever he undertakes I have the best of reason to believe he will carry through on a scale of 100 per cent. He has a matter of business, the nature of which I am not familiar with, that he wishes to take up with you, and I bespeak for him your consideration and if possible your aid in the business he has on hand.

With much respect and hoping to see you in person some time in July, I am,

Very cordially, yours,

ADAM LECKIE.

CONSULADO DE MEXICO,
New Orleans, La., junio 17 de 1918.

Sr. ING. YGNACIO BONILLAS,
Embajador de Mexico, Washington, D. C.

MUY ESTIMADO Y FINO AMIGO: El portador de la presente es el Señor Charles E. Jones, quien me permito presentar a Ud.

El Sr. Jones va a esa con el propósito de hablar con Ud., y he de agradecerle se sirva atenderlo.

De Ud. atento amigo afmo., y S. S.,

R. E. MUZGUIZ.

TRANSLATION.

June 17, 1919.

MY DEAR FRIEND: The bearer of this, Mr. C. E. Jones, you will permit me to introduce.

Mr. Jones goes to Washington with a proposition to talk over with you which will benefit you to give attention.

Your firm friend and servant,

R. E. MUZGUIZ.

Mr. Jones has a special commission from the Secretary of Relations, which he has permitted me to tell you. I believe Mr. Jones is sufficiently informed in the matter he is handling and no doubt it is a very good remedy.

UNITED STATES DEPARTMENT OF LABOR,
IMMIGRATION SERVICE,
OFFICE OF INSPECTOR IN CHARGE,
Los Angeles, Calif., October 15, 1918.

Mr. H. P. L. BECK,
Inspector in Charge,
Tia Juana, Calif.

DEAR BECK: This letter will be presented to you by Mr. Charles E. Jones, of the Washington office of the Department of Justice. He is engaged on confidential investigation in Mexico, and it is desired that you issue him a permit card and waive the attachment of photograph. In the event that Mr. Jones desires to have any other persons accompany him please issue cards for the necessary permits to depart.

You should extend all possible courtesies to Mr. Jones and treat the matter strictly confidential.

JOSEPH A. CONATY,
Acting Inspector in Charge.

DEPARTMENT OF JUSTICE,
BUREAU OF INVESTIGATION,
Washington, September 17, 1918.

C. L. KEEP, Esq.,
Federal Building, Los Angeles, Calif.

DEAR SIR: This note will introduce to you Mr. Charles E. Jones, who is in Los Angeles and vicinity on a confidential investigation regarding Mexican revolutionary matters. Please render him all proper assistance.

Very truly, yours,

A. B. BIELASKI, *Chief.*

DEPARTMENT OF JUSTICE,
BUREAU OF INVESTIGATION,
San Antonio, Tex., October 3, 1918.

H. B. MOCK, Esq.,
Department of Justice, Tucson, Ariz.

DEAR SIR: This will introduce to you Mr. Charles E. Jones, who operates with this department in connection with the New Orleans, La., office.

Mr. Jones is making a special trip along the Mexican and Arizona borders on department business, during the course of which he may have occasion to stop over in your city.

You will find Mr. Jones very thorough in his work, particularly conversant with the lines upon which he specializes and, withal, a courteous and likeable gentleman. Any assistance you may be disposed to afford him, in connection with the aims of this service, will be appreciated by me.

Yours, very truly,

C. E. BRENIMAN,
Division Superintendent.

SERVICIO CONSULAR MEXICANO,
CONSULADO GENERAL EN EL PASO, TEX., P. O. BOX 528.
El Paso, Tex., Agosto 6, de 1918.

Mr. CHAS. E. JONES,
New Orleans, La.

DEAR MR. JONES: I am in receipt of your esteemed favor of the 27th of July last, contents of which I have noted.

Your suggestion is, as you say, important, and I am transcribing your letter to the department of foreign relations so they can give the Mexican consuls the necessary instructions.

Yours, very truly,

ANDRES G. GARCIA.

SERVICIO CONSULAR MEXICANO,
CONSULADO GENERAL EN EL PASO, TEX., P. O. BOX 528.
El Paso, Tex., August 6, 1918.

Re Leaks.

Mr. CHAS. E. JONES,
New Orleans, La.

DEAR MR. JONES: I beg to refer to your favor of the 31st of July last and to state that I have taken notice of its contents and that your reports in the future will be signed Pedro Diaz and Godchauxis number 10.

With best personal regard, I remain,

Yours, very truly,

ANDRES G. GARCIA,
Mexican Consul General.

SERVICIO CONSULAR MEXICANO,
CONSULADO GENERAL EN EL PASO, TEX., P. O. BOX 528.
El Paso, Tex., Agosto 5, de 1918.

Sr. CORONEL TIRZO GONZÁLEZ,
Jefe de las Armas, Matamoros, Tamps., Mex.

MUY ESTIMADO Y FINO AMIGO: El portador de esta es el Senor Chas. E. Jones que está comisionado por la Secretaría de Relaciones Exteriores de nuestro Gobierno para vigilar y procurar contrarrestar los trabajos que los enemigos del mismo Gobierno desarrollar conspirando en este país.

Por lo anteriormente expuesto me permito suplicar a usted se sirva prestar su valiosa ayuda al citado Senor Jones para el major éxito en la comisión que se le ha conferida, y, no dudardo que se servirá atender mi recomendación, aprovecho esta oportunidad para repetirme con todo gusto su muy afectísimo amigo y atto, S. S.

ANDRES G. GARCIA.

[Translation.]

EL PASO, TEX., *August 5, 1918.*

Sr. CORONEL TIRZO GONZALES,
Chief of Arms, Matamoros, Tamps., Mex.

MY DEAR FRIEND: The bearer, Mr. C. E. Jones, has been commissioned by the secretary of foreign relations of our Government to watch and counteract the work of the enemies of the same Government who are plotting in this country.

On account of the foregoing permit me to ask you to lend your valuable help to the aforementioned Mr. Jones in the completion of the task assigned him, and not doubting that you will give attention to my request I take the opportunity to repeat to you with much pleasure my sincere regards.

Your servant,

ANDRES G. GARCIA.

[Telegram.]

OCTOBER 1, 1919.

Señor PESGURIA,
Consul General of Mexico, New Orleans, La.:

Please telegraph me at once, my expense, care Washington Hotel here, telegrams of introduction to Consul General Denegerie at New York; also similar telegram of introduction to head of financial agency, New York. Greatly appreciate receiving these immediately.

CHAS. E. JONES.

THE FOLLOWING ARE A FEW REPORTS FROM SEVERAL THOUSANDS IN MY FILES THAT MAY BE OF INTEREST.

These reports are signed Cresse, which was code name of Chas. E. Jones at the Department of Justice.

Confidential report by Cresse to Department of Justice re letter written by Mexican Consul Teodora Frezieres at Eagle Pass, Tex., to President V. Carranza, of Mexico:

NEW ORLEANS, LA., *May 13, 1918.*

On May 3, while at the office of Teodora Frezieres, Mexican consul general at Eagle Pass, Tex., we were talking about Gov. Cantu, of Lower California.

Frezieres said he had enough information regarding Cantu to have President Carranza hang him, and had written Carranza a long letter about Cantu, but was afraid Carranza's private secretary, who was a friend of Cantu's, had held his letter up and that Carranza, therefore, he felt sure, had not received same.

Frezieres then showed me carbon copy of the letter, and I told him, why, I can arrange it so that letter could be personally handed to Carranza by a good friend of mine in Mexico City, namely, Mr. Adam Leckie, who was on very friendly terms with Carranza. I then said, "Sure I can do that for you," and put the consul's carbon copy of that letter in my pocket. At that moment he had a long-distance telephone call to attend to, and apparently forgot all about the letter. I then left, and before I returned to the consulate made a copy of the letter. When I returned to the consulate, Frezieres began to yell for his letter and I told him I had put it in my pocket by accident and then handed it back to him. He said nothing more about sending copy of it by me through Leckie to Carranza.

On May 4, when I returned to San Antonio, handed the copy of this letter, which was in Spanish, to Ed. T. Needham, of your San Antonio office, to have English translation made of same. Needham, I understand, on May 6, made report on this letter, and sent copies of same to Maj. Barnes, your Eagle Pass office, San Antonio office, and yourself.

The letter is as follows:

LOS ANGELES, CALIF., *April 25, 1918.*

Mr. PRESIDENT OF THE REPUBLIC,
Hon. VENUSTIANO CARRANZA,
Mexico, D. F.

MR. PRESIDENT: I am just in receipt of instructions to return to my consulate at Eagle Pass, Tex. My separation from the consulate at Los Angeles, which I represented for a period of 40 days, became imperative when all the reactionary element, under the leadership of Col. Esteban Cantu, formed a combination to avoid my taking notice of the grave situation created by the following:

The group of deathly enemies of the Government which is organized by ex-Federals, namely, Attorney Jorge Vera Estonal, Orci, Generals Luis E. Torres, Refugio Velasco, Hernandez. The group organized by Zapatistas whose official agency will be managed in this city by Dr. Atl, Attorney Octavio Paz, and Attorney Jacinto Barrera, actually Government secretary from the northern district. I wish to note that Mr. Barrera, who is a colleague of the aforesaid gentlemen, and Octavio Paz were at the head of the government of the northern district of Lower California in 1911, and they now wield a large amount of influence over the men of the lower category who number about 30,000 and reside in this city.

There is another group organized by the son-in-law of Gen. Otis, now proprietor and director of the Times, whose legal adviser is Jorge Vera Estonal. It may be added that in this connection Otis is associated with D'Oheney, owner of the petroleum wells in the region where Pelaez, the rebel, is operating. And it appears that Pelaez is supported by D'Oheney himself through the instrumentality of Gen. Garcia Naranjo. Garcia Naranjo was recently in this city to hold a conference with D'Oheney and Vera Estanol, the former having left soon afterwards for Washington.

There is another group organized by Col. Esteben Cantu. Cantu is one of the directors of these groups, and he is said to have the support of Mr. Jacinto Barrera, secretary of the government. It is also said that they maintain steadfast relations since they served under Gen. Gordillo Escudero in the administration of the northern district of Lower California.

The aforementioned Barrera came here with the group of which Cantu is the head, a group composed of "Huertista" generals, "Villistas," "Felicistas," and of other men who do not profess friendship to the Government generally. Also it is composed of consuls who maintain amicable relations with Cantu. As a matter of fact the consuls unconditionally are under Cantu's subjection.

It may not be out of place to add further that the consul who is supposed to be actually on duty at San Diego spends the greater portion of his time in Mexicali, Lower California, which is 200 miles apart from his post. When I assumed charge of the consulate at Los Angeles I found that the consul who was stationed here, J. M. Carpio, was in Mexicali. These details indicate that the nucleus of our political difficulties is to be found also among this element. Moreover, it is clear that to give way to the policies of our enemies is the same as capitulating; to shut our eye and turn our ear from that which is going on is the same as allowing ourselves to be overrun by fatality.

Now, it would occur, if I should surrender this place, that the enemies of our Government will proceed with their machinations fearless that these would come to your notice. I must say plainly that Col. Esteban Cantu is at the head of one of these groups. He carries on continuous correspondence with our enemies in New York, who represent Felix Diaz. He also steadily corresponds with Zapata, Villa, and especially with Pelaez, which may be gathered by noting that the element which represents these factions maintains with him close relations.

If the reaction is carried on with success, its nucleus will be in Lower California, toward the northern district. The very men sent here to represent the Government, with but rare exceptions, become "Obregonistas," or reactionary, or else they are ardent followers of Cantu. So it appears that the Federal Government loses $2,000,000 annually which it could raise by means of taxation and revenues in the northern district of Lower California and in Sonora. In other words, if the Government saw fit to organize economically these political divisions, and at the same time set upon them such standard of organization as would justify the revolution, these revenues would then be possible. Therefore, by eliminating Cantu we shall have eliminated one-half of the revolutionary propaganda against our Government, as Cantu, to be sure, is especially dangerous because he is far out of the reach of the action of our Government, and in addition he commands such funds and resources as are necessary to win the good will of his followers. He is especially dangerous because he has always been insubordinate to the Government with impunity and because he is protected by the shield of legality (?)

To justify his disloyalty to the Government, he styles himself "Obregonista."

The following are "Obregonistas": Gen. Manuel Perez Trevino; Col. Zertuche, the secretary of the Government; Attorney Jacinto Barrera; Ex-consul Jose Maria Carpio, now in Mexicali; Consul General Ramon P. de Negrie, of San Francisco; Vice Consul Seguin, who will assume charge of this consulate; Samuel Vasquez, Mexican consul in San Diego; and the ex-chief of the Mexican secret service, J. M. Arriola, who has recently left for Mexico, accompanied by Jose Cantu.

I have observed that those who came to represent this consulate are persons who look indifferently upon the interests of the revolution and who are moved by selfish interest. Another thing, they sesm to lack social and political qualifications. The Government needs its eyes, its brain, its heart right in this place. This mass of people who embrace such dissimilar views is susceptible of a proper discipline under the leadership of men whose attitude and capabilities are beyond question. I mean men such as Attorney Vera Estonal, who is directing the offairs of Cantu in conjunction with other rebels. (Literally this passage is contradictory.)

The reactionary element carries on its propaganda by means of the Times, the Examiner, the Tribune, and El Heraldo Mexicano, in which appear day after day editorial items attacking our Government. These newspapers have the cooperation of brainy men of high rank, who are in constant mutual communication, and they pay salaries to a list of men from the consuls down to the last employe in the northern district of Lower California.

To express it all in a nutshell, I may say that "Obregonistas" are all those from Sonora who reside in these parts, and I may name in particular Consul General de Negri and Vice Consul Seguin, who is to take charge of this consulate. I regret frankly to add that there seems to be around here no one whom I may properly call your adherent. This the test of time shall prove.

It is not my province, of course, to suggest by what easy means we could bring about a new state of things, eliminating Cantu. However, I may observe that the critical weakness is to be found amid our political enemies. Yet it is important that this man should not continue at play with the Government dictating arbitrary laws in Lower California, appointing justices at pleasure, establishing onerous taxation, so that the thirty commercial establishments owned by Mexicans in Ensenado have been reduced in number to two, which scarcely merit the name of "stores," one of which is owned by a Chinaman and the other by an American.

The works in the mines have been suspended entirely.

For nearly two months there have been no means of communication between Ensenada and Tijuana owing to the poor condition of the roads. These are country places, and if the people in Mexicali are able to subsist at all it is because that country is irrigated by foreign enterprises for the purpose of cultivating cotton, owing to the war. Mexicali has become an exception to the total

misery suffered in this district, as two or three syndicates are speculating upon grain, and livestock, and are directing the bank established by Cantu. They also control the wheat market.

A tour through the northern region of Lower California, starting from Mexicali, gives one the view of a collection of rude things, things which are referred to as "The progress of Lower California."

Withal, this would be excusable if there prevailed any degree of loyalty. And yet these enemies are not so dangerous as those who you have in Mexico, because those are attacking you directly while these hide themselves under the veil of hypocrisy.

I understand the secretary of agriculture and the interior is soon to visit here. He must have caused the speedy surrender of my post as consul in Los Angeles, brought about by the underhanded schemes of Cantu's emissaries in Mexico. It seems plain to me that these gentlemen must have feared that in the field of facts I might endeavor to satisfy Secretary Rouzix as to the grave state of affairs which prevails in the Northern District of Lower California, as well as to the political intrigues of Cantu.

May I be promised that you will consider this expose in the light of my tested sincerity and especially of my personal affection and adherence? And may I not assure you that my support will be yours now and always?

I am, sir, your obedient servant,

TEODORO FREZIERES.

(Cresse code name for Jones.)

(For the information of the committee Frezieres is now one of the strong supporters of Obregon and from the start of the Senora revolt was most active in same.)

Confidential report by Cresse to Department of Justice re Antonio Villavicencio, suspected German spy at Laredo, Tex.

NEW ORLEANS, LA., *May 14, 1918.*

While in Laredo, Tex., was introduced to Villavicencio at the Hotel Bender by T. Piniero, superintendent of the Mexican Railway System terminating at Nueva Laredo. I met Piniero some time ago through Adam Leckie, of Mexico City and Washington, with whom Piniero is very friendly.

Learned that Villavicencio was alleged to be on friendly terms with two Germans in Nueva Laredo, who are supposed to be the head of the German secret service work in that territory, namely, Capt. Hinsch and Herman Ruckheim. Both of these Germans at Nueva Laredo are said to be very active in the interest of their country.

Villavicencio, I understand, has a night and day pass or permit, which allows him to cross from Laredo into Nueva Laredo, and if he so desires to then return to Laredo. If my information in regard to him having such a pass is correct, then in that event respectfully recommend that he not be allowed to have this privilege.

Villavicencio at one time was chief of police at Mexico City under President Diaz, and when Huerta was President of Mexico Villavicencio was his chief of police at Mexico City.

It seems to be a well-established fact among Mexicans and Americans in Laredo, Eagle Pass, and San Antonio that Villavicencio has been inclined to be pro-German in his statements and sentiments. His reputation is such that I feel sure if there was any German money in sight for Villavicencio he would immediately put his hands on same.

I again met Piniero and Villavicencio in San Antonio on May 6 and 7. Understand they returned to Laredo on the night of May 7. Was told by Andres Garcia, Mexican inspector of consulates, that Villavicencio was working under cover for the Mexican secret service.

Confidential report by Cresse to Department of Justice re Piedras Negras, Mexico.

NEW ORLEANS, LA., *May 13, 1918.*

On the morning of May 2, through letters of introduction from the Mexican foreign office, I met Teodoro Frezieres, the Mexican consul at Eagle Pass, Tex., and through him was requested to give myself the honor of going to

Piedras Negras, Mexico, that afternoon to meet Gen. Peraldi, the Mexican military commander general of the Piedras Negras district.

At 2 p. m. on May 2 the consul took me to Piedras Negras and I was introduced to Gen. Peraldi, who told me he was the nephew of President Carranza, of Mexico. He likewise asked me if I was not the well-known revolutionary participant in the affairs of the Felicista party. I told him that was my general reputation, but that my connection with the Felicista party had been due entirely to in that way allow me the opportunity to secure all of the inside story of their activities, so that I could along these lines have the correct information which I proposed to use in connection with my newspaper business.

The consul and he seemed to be anxious to secure my cooperation, and of the newspapers supposed to be represented by me, in regard to helping the Carranza Government from a publicity standpoint.

I, of course, damned the Felicista revolutionary party and all others of the same class to Gen. Peraldi, stating they were a bunch of bums and everything of that kind, and apparently toward the end of my interview with Gen. Peraldi secured his confidence to a certain extent, and if such was not the case then in that event he must have been drunk, for he talked very frankly in regard to his plans, hopes, etc., for the Carranza Government. He also said the revolutionary leaders or anybody else opposed to his Government were due for a great surprise if they ever jumped into his territory, for everybody thought he had only 200 men in his military district, when, as a matter of fact, he has over 800 well-armed and equipped soldiers, and likewise was bringing up over 1,000 more soldiers, which he proposed to hide out in the mountains back of Piedras Negras.

Gen. Peraldi endeavored to the best of his ability to convince me of the fact that he was strongly pro-American, and wanted at all times in every way to cooperate with the military and other Government officials on the American side of the river.

As a matter of fact Gen. Peraldi, I understand, has but very little use for America or Americans, but at the same time has accumulated during the last year or so a very hearty respect for the power of this country. This has resulted in him apparently at all times cooperating with Col. Day, the American military commander on the American side of the river, Col. Day always being honorable and in the open, but Gen. Peraldi, on the other hand, while apparently in every way cooperates with Col. Day and other American officials, has under cover and behind their backs been double-crossing them to the best of his ability at every opportunity.

It likewise seems to be a well-known fact in Eagle Pass that Gen. Peraldi has in his command at or around Piedras Negras two Germans, who have had military experience either as officials or noncommissioned officers in the German army. These two Germans are said to have some military rank in Peraldi's forces.

It is also a well-known fact in Eagle Pass that Gen. Peraldi has harbored and assisted some 40 or 50 draft dodgers who have slipped over the river into Piedras Negras and surrounding territory.

Gen. Peraldi, so it is said, readily extends his cooperation and everything of that kind to Col. Day, but Mexican style, and when Col. Day calls for the cooperation it is so long arriving that it becomes a forgotten proposition. This is illustrated by the fact that on April 29 to May 1, 1918, four or five head of horses or mules were stolen from a ranch near Eagle Pass and run over the river into the territory controlled by Gen. Peraldi. It was said in Eagle Pass that as a matter of fact some of Peraldi's own soldiers were the ones who stole the horses or mules. The day after these horses or mules were stolen Col. Day telephoned Gen. Peraldi, telling him he wanted these horses or mules back, and Gen. Peraldi told Col. Day he would be sure and deliver them on the American side of the river the next day at noon. Some four or five days went by and the horses and mules up to the last I heard of the matter, on May 7 or 8, were not returned.

This resulted, so it is alleged, in Lieut. Hamby, of the United States Army Intelligence Bureau at Eagle Pass on May 7 or 8, making two or three trips to Piedras Negras to see Gen. Peraldi regarding these horses and mules.

Would respectfully recommend that it is a bad practice for American Army officers, whether in uniform or not, to cross into Mexico on business of this kind, for in the end it will probably result in some half-drunken Mexican taking a shot at the United States officer or something of that kind, which would cause serious international difficulties.

At my conversation with Col. Day at his headquarters, as mentioned in my report of this date regarding conditions at Eagle Pass, Tex., he told me that Gen. Peraldi had only 200 or 300 men in his military command. This shows that Gen. Peraldi has deliberately misinformed Col. Day regarding the number of men he had.

(Cresse code name for Jones.)

Confidential report by Cresse to Department of Justice re general conditions in Eagle Pass, Tex.

NEW ORLEANS, LA., *May 13, 1918.*

Col. R. F. Day, in command of the Third United States Infantry, at Eagle Pass and also for considerable distance up and down the Rio Grande River, I understand, has only Infantry in his command, therefore is not in a position to thoroughly guard the river on the American side in his district.

Mr. Beverely, your special agent in Eagle Pass, at 10 p. m. May 2, at Col. Day's headquarters introduced me to him, and I found Col. Day very well posted regarding the Mexican-border situation. He is decidedly enthusiastic at all times in regard to cooperating with your department. He is on very friendly and intimate terms with Mr. Beverely, who has been able to win his confidence, therefore is likewise securing for your department the full coperation of Col. Day, who also seems to be in charge of the military intelligence work in that district.

Prior to my introduction to Col. Day, Beverely told me it was unfortunate that Col. Day was a great believer in the honor and integrity of the Carranza general on the other side of the river, namely Gen. Peraldi, but that he (Beverely) hoped to be able to convince Col. Day of the fact that Gen. Peraldi, and all of the Carranza government officials in Eagle Pass and Mexico were constantly double-crossing him.

Col. Day has in every way been honorable and fair in all of his transactions with the Carranza officials, and they, as the average Mexican always will do, in turn, at every opportunity, have double-crossed Col. Day.

The river at Eagle Pass and for many miles up and down the river from there can be crossed at almost any point; and according to the statement of my informant there, likewise the Carranza consul at Eagle Pass, this has resulted in large quantities of goods of almost every description being smuggled into Mexico from the United States daily. The same applies to goods being smuggled from Mexico into the United States and to Mexicans and Americans crossing the river at will. Beverely and my informant there also made the statement that large quantities of foodstuffs, which are prohibited by the War Trade Board from being exported into Mexico, are daily smuggled over the river at or around Eagle Pass.

The situation regarding the activities of the smugglers at or around Eagle Pass are not due to the lack of hard work of the customs guards or other Government efforts there, or the military patrol, but seems to be due to the fact that they have not a sufficient number of guards on the river there.

While at Eagle Pass learned it would be a good move to have a national-bank examiner examine the national banks at Eagle Pass, and that such an examination would result in your department securing information of value, and the same applies to other United States Government branches regarding considerable quantities of German money and other investments which are being handled by the national banks of Eagle Pass.

The Western Union Telegraph Co. office at Eagle Pass is alleged to be full of leaks, and as soon as any Government messages reach there its contents are generally known to those who may be interested in same.

The head censor, Mr. Bolleter at Eagle Pass, from all I could learn seems to stand very high, and is in every way conscientious and fully performs his duties. It is alleged that Mr. Lanthrop, the assistant censor at Eagle Pass, occasionally becomes intoxicated and then talks too much about the affairs pertaining to his censorship duties.

Apparently at Eagle Pass many of the city, county, and State officials, bankers, and other business men, employees of the telephone, telegraph, railroad, and express offices are said to be lined up one way or the other either with the Mexican Government or the Mexican revolutionary leaders.

T. H. Beverely, special agent in charge of your Eagle Pass office, is exceedingly active, a hard worker, and while there noticed he put in on an average of from 12 to 14 hours per day. He has the entire situation well in hand at

Eagle Pass, and with the difficulties he is handicapped with on account of local conditions there, Beverely has, in my opinion, done remarkably well, for with few exceptions there is hardly a man, woman, or child in Eagle Pass, with the exception of the military and Government officials, that at any time can be trusted, or that would give to the United States Government, through Beverely their cooperation. He has made for your department and himself many friends there, who, however, as stated, when it comes to affairs pertaining to the Government can not be trusted.

Beverely is also badly handicapped because he has not the necessary file cases and other equipment of the same kind to safely preserve the records of your department there.

Whatever successes I may have had in regard to securing information sent forward to your department in my several reports regarding the situation at Eagle Pass, and the activities of the Mexican Government and revolutionary leaders there, were secured by me largely through the extreme cooperation extended to me by Beverely and through him by my informant there.

(Cresse code name for Jones.)

Confidential report by Cresse to Department of Justice re my negotiations with Mexican Government to become chief of their secret service in the United States.

NEW ORLEANS, LA., *May 25, 1918.*

As mentioned in my previous letters and reports, likewise my several conversations with you in person, I have always had the idea as you know of eventually endeavoring to form a connection with the Mexican Government to handle their publicity department, likewise secret-service work in the United States.

When Mr. Adam Leckie passed through New Orleans in January, 1918, I at that time discussed the proposition with him, and he said he would take the matter up direct with President Carranza, also with Gen. C. Aguillar, Mexican minister of foreign affairs.

During April, 1918, this matter came to a head through the consul general of Mexico at New Orleans, who is said to be a relative of President Carranza. Through him received the request to go over the entire proposition with Andres Garcia at El Paso, Tex., inspector general of Mexican consulates, and who is also the chief of the Mexican secret service.

While in El Paso on April 19 and 20, 1918, I went into this matter very fully with Garcia, and at that time received proposition from him which he however stated was entirely at a later date subject to the approval of Gen. Aguillar, minister of foreign affairs for Mexico.

Garcia's proposed proposition was that I would become chief of the Mexican secret service in the United States, receiving a total of from $3,000 to $5,000 per month to operate their secret-service work in the United States, and additional funds whenever same were shown to be necessary.

Furthermore, that with a few exceptions their present secret service force in the United States would be turned over to me and under my orders. I at that time learned they have five men at El Paso, five at San Antonio, two at Del Rio, three at Laredo, three at Eagle Pass, three at Brownsville, four at New Orleans, two at Washington, five in New York, five in Los Angeles, three in San Francisco and others scattered out in smaller places. They are paying these men from $100 to $150 per month, and with the exception of railroad transportation, their men pay their own expenses. I asked Garcia what my work would consist of and he said handling any and everything that would be of interest and value to the Mexican Government.

Another part of his proposition was that the Mexican Government would pay me also a total of $40,000, making bank guarantee for that amount, to be paid to me in installments of $10,000 each, as I succeeded in producing results for them in regard to eliminating revolutionary expeditions from the United States into Mexico.

I told Garcia, and the same also applies to other Carranza officials that I later came in contact with, whose names will be mentioned hereinafter, that it would be utter foolishness for me to consider such a proposition unless conditions between Mexico and the United States changed, I explaining to him I meant by that it would be necessary for Mexico to give to the United States a greater volume of cooperation.

Furthermore, gave them to understand it would be useless for me to accept their proposition unless I could produce results for them which if conditions as far as Mexico is concerned still continued to exist.

In answer to his question as to what I meant then told him it was impossible as I understand it to do anything at all with any of the Mexican revolutionary parties on the American side, unless the United States Government had the proof regarding their activities, which I knew the United States did not have. Furthermore, that I felt sure even if our Government did have such proof nothing could be done with it unless all of the authorities up and down the Mexican border felt the Mexican Government was giving to the United States Government a fair deal regarding the German situation in that country, and the same applied to the activities of the Mexican bandits and Mexican regular troops.

Then told Garcia I could not accept such employment in their Government unless it was with the complete intention on their part to enable me to secure from the Mexican Government cooperation in regard to eliminating German spies and German propaganda work up and down the Mexican border.

Garcia took this proposition very well, and said that in so much as he was inspector general of consulates he therefore had gradually replaced the different consuls on the border who were inclined to be unfriendly to the United States, therefore he felt sure with the different consuls he now had on the border, provided I could render the service I claimed to be able to do, that the Mexican Government through its consulates on the border would be very glad to give the greatest amount of cooperation.

I had the same conversation along these lines with the consul general of Mexico at Eagle Pass, also with Gen. Peraldi, who is said to be a nephew of President Carranza, also the military commander for the district of Piedras Negras, also with the Carranza consul general at New Orleans, who is said to be a relative of Carranza.

All of these parties readily saw my point, and appeared to take it very well, and said if I could secure the right kind of cooperation from the authorities up and down the border on the American side they felt sure the Mexican authorities would also give me complete cooperation in regard to eliminating German spys and propaganda work on the Mexican side of the river. This matter at the present time is still being negotiated as per telegrams shown hereinafter. Of course, you know this is Mexican bunk.

I expect to be in Washington during the week of June 3. So that I may have the opportunity of personally discussing the entire matter with you, likewise blending this proposed plan entirely along the lines your department or the Department of State may deem necessary.

Feel sure that if the plans I have in mind meet with the approval of your department and then can be successfully carried out by me, that it may probably enable me to secure a certain volume of support from the Mexican Government which in the end may be valuable in regard to improving the general situation on the border, likewise to a certain extent result in the elimination of some of the German spies and propaganda work in Mexico.

Believe that it will also result in me being in position whereby I will be able to secure a great deal of advance information regarding different matters in Mexico which in the end will be of value to the United States.

At the present time, and the same applies to the last year and a half, the revolutionary activities of the different Mexican groups in the United States has been a deep thorn in the side of the Mexican Government, and being thoroughly informed regarding the activities of all of the Mexican revolutionists in the United States, and the same applies to the situation as far as the Mexican Government is concerned, am absolutely convinced of the fact that it will be a serious mistake for the United States Government when the activities of the Mexican revolutionists are now so painful to Carranza, for the United States to do anything at all for the Mexican Government in regard to eliminating the different Mexican revolutionary groups in this country, unless the United States in turn receives some consideration and cooperation regarding the German situation in Mexico, and the same applies to the cooperation which the United States should have from Mexico on the border.

Mr. Adam Leckie has been handling to the best of his ability my part of these negotiations with the Mexican minister of foreign affairs, Secretary C. Aguillar, who is a son-in-law of Carranza. This has resulted so far in the Mexican Government making me an offer as is shown by the telegrams mentioned hereinafter of $2,000 per month for my services.

When in San Antonio, Tex., on May 4 to 9, 1918, mentioned to Mr. Breniman, superintendent of your San Antonio division, that the Mexican Government had made me an offer to become chief of their secret service in the United States, likewise made me an offer of a large sum of cash, provided I was able to produce results for them.

My entire plans and intentions regarding the service I hope to be able to render to the United States from this proposed connection with the Mexican Government may result in a failure, due to the fact that every Mexican I have ever known promises anything in the world, but when it comes to the time of delivery their promise is not fulfilled.

However, feel that I at least have more than a fair chance to render at this time a service which if my plans and ideas even in part can be successfully carried out will result in some benefit to our Government.

My proposed proposition and plans with the Mexican Government, of course as you know, are subject entirely to the wishes and orders of your department, and my final acceptance or rejection of the Mexican Government proposition will rest entirely with the wishes or instructions of your department.

The $40,000 is to be paid as stated hereinbefore when I produce the results agreed upon with the Mexican Government, regarding the elimination of the various Mexican revolutionary groups in this country. At the time I enter into the agreement with them regarding the $40,000, I also at that time according to Garcia's proposition am to be paid $10,000 in cash, this payment to be for the plans that I have regarding the different Mexican revolutionary groups now operating in this country.

The following telegrams regarding this proposition passed between Garcia and myself:

(Creese code name for Jones.)

MAY 1, 1918.

ANDRES GARCIA,
Room 58, Hotel Hamilton, Laredo, Tex.

Frezierez yesterday and to-day said to be at San Carlos ranch. He may and then may not return to-morrow, so the consulate tells me. Shall I see the vice consul. My address here, Room 222, Hotel Eagle.

(Signed) PEDRO.

(Pedro, Mexican code name for Jones.)

NEW ORLEANS, LA.,
May 11, 1918.

ANDRES GARCIA,
Care of Mexican Consulate, Brownville, Tex.

(If necessary please forward.)

Party you mentioned did not go to Mexico. Saw him here to-day. Learned on my arrival here of some vitally important developments pertaining to the business. Expect hear from you definite on or before May 15, so I can therefore be in position to act one way or other. Regards.

(Signed) PEDRO.

(Pedro, Mexican code name for Jones.)

Confidential report by Cresse to Department of Justice re plan to capture Gen. Felipe Musquiz Castillo, Mexican border bandit.

NEW ORLEANS, LA., *July 26, 1918.*

As mentioned in my report of May 16, 1918, entitled "Gutierrez Brothers and Felicista revolutionary movement against the Mexican State of Coahuila," I reported at that time, in paragraphs one and two of that report, some of the activities of Felipe Musquiz Castillo.

This party is the leader of a band of Mexican bandits, who have been very actively operating from his headquarters in the Burro Mountains. Last week members of his band, supposed to have been under his active leadership, raided the Piedra Blanca ranch, and at that time captured Nat Malone, who is foreman of that ranch, which is said to be owned by W. E. Weathersbee. Malone was held by these bandits for a $5,000 ransom.

Felipe Musquiz Castillo and his band also at that time raided the San Miguel Ranch, and captured Sam Barksdale, foreman of that ranch, which is said to be owned by Miers & Rose. Barksdale, I understand, was held for a $800 ransom.

The dispatches state that Gen. Peraldi sent 25 mounted troops in pursuit of Felipe Musquiz Castillo, likewise that Gov. Mireles, governor of the Mexican State of Coahuila, likewise promised at that time to put a large body of troops into the field to capture Felipe Musquiz Castillo.

As far as the promises of Gen. Peraldi and Gov. Mireles are concerned, not much confidence can be put in their statements in regard to this matter, for Felipe Musquiz Castillo has been actively operating for nearly a year now, out of his headquarters in the Burro Mountains.

Felipe Musquiz Castillo, as per my previous reports at that time, was held to be responsible for the murder of the several members of the Hillcote family, an English family who lived 50 or 60 miles from the border in Mexico, and who were murdered during the early part of May. The family consisted of Hillcote, his wife, his son, and his sister-in-law. The leader of the bandit band, who murdered the Hillcote family, was Col. Chavez, an old Villa colonel. I understand that Felipe Musquiz Castillo was supposed to have been an intimate friend of the Hillcote family, and did not know that the Hillcote ranch was to be attacked by Chavez, and that when he (Castillo) learned of the murder of the Hillcote family that he and Chavez had a bitter row about it, which resulted in a split between them.

Felipe Musquiz Castillo, I understand, has visited Kerville and San Antonio, Tex., since the Hillcote murder.

I understand that he crosses the river at Langtry, and from there works his way to Kerville, Tex., where his wife resides.

My information is that at least once every month or six weeks he in this way visits his wife at Kerville, Tex.

I also understand that he constantly receives supplies, and, from time to time, ammunition from his friends and supporters at Langtry. His principal friend in Langtry is a Mexican who is a proprietor of a restaurant, whose name I have not, as yet, secured.

Believe, provided you will give me the authority to do so, at Kerville or Langtry, on the next trip of Felipe Musquiz Castillo, through Langtry on his way to Kerville, or at Kerville, I will be able to pick this Mexican up. I am in a position to secure the approximate time that he expects to make his next trip to Langtry or Kerville, and if this party can be picked up it will, in the future, save many other murders and raids up and down the border.

(Creese code name for Jones.)

Confidential report by Cresse to Department of Justice re Col. Tirzo Gonzales. commander of the Mexican garrison at Matamoros, Mexico.

NEW ORLEANS, LA., *August 15, 1918.*

On August 9 I was introduced to Col. Gonzales at his military headquarters in Matamoros, Mexico, by the Mexican consul general of Brownsville, Tex., Señor Garza.

Previous to my visit to Col. Gonzales's headquarters had learned from the consul that he was supposed to have in his command approximately 250 Mexican soldiers. Learned from Col. Gonzales, however, that he has, as a matter of fact, in his military district, which extends to opposite Rio Grande City, approximately 600 Mexican soldiers.

At the time I visited Col. Gonzales's headquarters he had in the headquarters and on the street outside of same over 50 Mexican soldiers, who were armed with thirty-thirty carbines and rifles and with a few Mauser rifles and carbines. All of them seemed to be plentifully supplied with ammunition. Also noticed at his military headquarters five boxes of thirty-thirty cartridges, which had not been opened.

I had extended conversation with Col. Gonzales in regard to conditions on his side of the river, and learned from him, in answer to my questions, that there was, as a matter of fact a large number of Mexican bandits and cattle thieves apparently in his territory who regularly steal cattle on the Mexican side of the river, run it over to the United States side and also steal cattle from the American side of the river and take it over to Mexico.

Col. Gonzales claimed to be pursuing these bandits to the very best of his ability, but said it was very hard to wipe them out. He is a good listener, but a very poor talker, and it was a rather hard matter to dig any information out of him.

Learned from the American Consul Woodward at Matamoros, likewise from other American officials at Brownsville, that Col. Gonzales at times seemed to be willing to cooperate to a certain extent with the American authorities whenever the necessity for same arose. He, however, like all Mexicans, is strictly out for No. 1, and is undoubtedly, as the majority of all other Mexicans are, anti-American.

(Creese code name for Jones.)

Confidential report by Creesse to Department of Justice re Alfonso Bennevendo, Mexican vice consul at Brownsville, Tex., alleged to be pro-German and suspected of Germany propaganda and spy work.

NEW ORLEANS, LA., *August 19, 1918.*

On the morning of August 1, when I called at the Mexican consulate in Brownsville Tex., as per my previous reports, Jose Garza, Mexican consul at Brownsville, introduced me to his Vice Consul Alfonso Bennevendo.

During the time I was in Brownsville had several conversations with Bennevendo. He speaks English, is exceedingly shrewd, well posted, and apparently is open at any time to a proposition in which there is any cash.

I learned from Mexican Consul Jose Garza that Bennevendo is unmarried and is a very liberal spender. Also learned from Consul Garza while we were at lunch at Matamoros, Mexico, and while Garza was feeling pretty good from the wine he had drank, that he did not think very much of Bennevendo, due to the fact Bennevendo was getting nearly as much money as he, the consul, was, likewise had a fine automobile and did but very little work, while on the other hand he, the consul, had all of the responsibility, did nearly all of the work and got but very little more money than the vice consul. Told Garza I found that very strange and asked him why such a condition existed and he said apparently Bennevendo had a great deal of influence with the administration at Mexico City or had strong friends around President Carranza.

The consul also said that Bennevendo was very fond of women and chased around after them a great deal and was likewise a very liberal entertainer. I then said to the consul, Bennevendo must have a considerable amount of money and he said, no, Bennevendo's family had practically no money, and I then said, Bennevendo must be a good poker player and in that way keeps in funds, and the consul said, no, he thought Bennevendo had friends in Mexico City who forwarded him money.

Also at that time learned from the consul that Bennevendo some two or three months ago went to Mexico City and when he returned to Brownsville, he did so via an automobile which he claimed to have purchased in Mexico City. I saw this car in Matamoros, driven by Bennevendo, and it is a large, heavy, and up-to-date model roadster Jordan car, painted red, and I understand with its fittings said to be worth in excess of $2,000.

It is also alleged that Bennevendo has a brother by the name of Alberto Bennevendo, who lives in Matamoras, Mexico, across from Brownsville, who is alleged to be extremely pro-German and is said to have made many vicious remarks in regard to the United States and that he hoped and believed and wanted Germany to win the war. Also that he had been helping and proposed to help Germany in every way he possibly could.

Also understand that Bennevendo, the vice consul at Brownsville, has a sister who is the wife of a German Army officer and who is now in Germany.

Alfonso Bennevendo, the Mexican vice consul at Brownsville, was formerly secretary to Juan Burns, Mexican consul general at New York, and who I now understand is Mexican consul at Hamburg, Germany.

Roberto Bennevendo, a brother of the vice consul, likewise another one of his brothers, I understand, were educated in Germany and the entire Bennevendo family are said to be in every way and at all times straight from the shoulder pro-German.

It is likewise alleged that the father of the Bennevendo family was a German who upon his arrival in Mexico changed his name to Bennevendo and who, shortly after his arrival into Mexico, married a Mexican woman. If this information is correct in that event the Bennevendo brothers are half German.

On my next trip to Brownsville, during the early part of September, I expect to cultivate Bennevendo, with whom I became friendly, and in that way hope to be able to secure sufficient proof of his pro-German sentiments and activities, which will thereby give the State Department opportunity to ask the Government of Mexico to remove him as vice consul at Brownsville.

I also at that time will be able to suggest to the Mexican ambassador at Washington, which I will be able to do on account of my connection with the Mexican Government, that on account of the feeling at Brownsville and in that territory regarding Bennevendo it would be policy to secure a complete cooperation from the various officials in that territory in regard to helping to eliminate and prosecute Mexican revolutionists to remove Bennevendo as his vice consul at Brownsville.

(Cresse code name for Jones.)

Confidential report by Cresse to Department of Justice re Mexican conditions at and around Bonillas.

NEW ORLEANS, LA., *August 17, 1918.*

Understand that Juan Sada and Van Kaufman have a store at Boquillas and have been during the last several months disposing of an unusually large quantity of miscellaneous goods, which according to my informant must evidently go into Mexico, as there is very few people on this side of the border who, I understand, would purchase such large quantities of goods as these two parties have been buying.

Juan Sada, I understand, recently skipped out of the United States and has gone into Mexico on account of being implicated in smuggling goods from the United States into Mexico which were prohibited by the War Trade Bureau.

Would respectfully recommend that Sada and Kaufman be checked up by the proper officials and that they be made to show what has become of the alleged large quantities of goods which they have purchased during the last several months.

Monroe Payne, a negro renegade, has a ranch near Boquillas and is one of the most noted smugglers on that part of the border. Payne is likewise said to be at the head of a bunch of Mexican bandits who are operating in that territory and who have made a constant practice of stealing cattle from the American side of the river and running them over into Mexico.

Benino Menchaca, who is originally from Musquiz, Mexico, but is now at the Boquillas del Carmen mine, in Mexico, which is about 8 miles from the border, is the revolutionary representative in that territory and is in constant communication with Pablo de la Garza, of Eagle Pass.

Menchaca told my informant that their plans were now complete in regard to starting their revolutionary movement, and that during September they expected to be able to throw all of that part of the border into a general uproar, which would cause Carranza a world of trouble and likewise show the United States that the revolutionists were the only ones who should receive the support of the United States to accomplish anything in Mexico.

Menchaca also told my informant that they had a liberal supply of guns, horses, and saddles, but at this moment they were short of ammunition. However, expected at an early date to secure an ample supply of same.

Due to the recent arrest, likewise the searching of many of the Mexicans at Del Rio, Eagle Pass, and other places on the border by the military authorities, this has resulted in the Mexican revolutionists becoming very careful in regard to what they say they are going to do.

(Cresse code name for Jones.)

Confidential report by Cresse to Department of Justice re Col. Tomos Pinarro, a Mexican at Laredo, Tex.

NEW ORLEANS, LA., *August 17, 1918.*

Col. Tomos Pinarro has resided in Laredo, Tex., to my knowledge since December, 1917, at the Hotel Bender in that city. He is an official connected with the Mexican railway system which ends at Nuevo Laredo, Mexico, across the river from Laredo, Tex.

Pinarro has apparently always been exceedingly pro-American in his sentiments and statements, although he is on the most friendly terms with another

Mexican who resides at the Bender Hotel at Laredo whose name is Villavicencio, and whose activities have been fully covered in my previous reports.

Villavicencio is supposed to be pro-German, likewise implicated in German propaganda and spy work.

Pinarro recently was a candidate for the Mexican congress or senate from the Mexican State of Durango and at the Mexican election in that state, which was held in July, 1916, Pinarro claims to have been elected. He also made the statement to A. M. Leckie at Laredo, Tex., on August 3, 1918, that he was afraid Carranza would cut him out in the elections, this being due to the fact that he (Pinarro) was a very warm personal friend and supporter of Pablo Gonzales who is to be one of the Mexican presidential candidates in the Mexican elections during September, 1920.

Pinarro then told Leckie, apparently it was the policy of Carranza to eliminate all congressmen and senators who were now being elected and who were in favor of Pablo Gonzales or Gen. Obregon this being due to the fact that Carranza by not having any congressmen or senators at the Capitol of Mexico who were friendly to anybody but himself, to in that way endeavor to work some scheme to succeed himself.

Pinarro then told Leckie that if Carranza endeavored to cut him out, in that event he (Pinarro) would personally start a revolutionary movement against Carranza in the state of Durango.

Pinarro is exceedingly shrewd, talks very freely, and is in every way very active. He is about 5 feet 7 inches in height, dark olive complexion, black hair with but very little gray in it, brown eyes, very neat dresser, and wears a mustache which is extremely noticeable on account of it being turned up so it is typically a German Army officer's mustache. He speaks English and seems to have a good many friends among Americans.

Also understand that Pinarro is endeavoring to assist Eractuasa C. Gonzalez, a money broker who lives at Laredo and who is trying to import $400,000 or $500,000 worth of silver from Mexico into the United States and secure gold in return for same. Pinarro has been very active in regard to assisting Gonzalez along these lines.

While in Laredo during May, 1918, constantly saw Pinarro and Villavicencio at the Bender Hotel together; likewise again saw them at San Antonio, Tex.

On letterhead of the St. Anthony Hotel Mr. Leckie gave me letter of introduction, dated August 6, 1918, to Pinarro as follows:

AUGUST 6, 1918.

Mr. TOMOS PINARRO,
Bender Hotel, Laredo, Tex.

MY DEAR PINARRO: This will introduce to you Mr. Charles E. Jones, of New Orleans, who is a thoroughly live wire, interested in the purchase of some cattle in Mexico, and in all probability he will have to arrange for getting accommodations on the railroad for shipping them to the border and I have told him that you would be the ideal man to aid him in this work, and I will appreciate it very much if you will render him such assistance as may be in your power.

The first opportunity you have please be good enough to write me at 817 Southern Building, Washington, D. C.

Very cordially, your friend,

ADAM LECKIE.

When I reach Laredo during the latter part of August I expect to cultivate Pinarro and hope to be able to secure considerable information from him which may be of value.

(Cresse code name for Jones.)

Confidential report by Cresse to Department of Justice re American Consul G. C. Woodward at Matamoros, Mexico.

NEW ORLEANS, LA., *August 19, 1918.*

While in Brownsville, Tex., on July 31, August 1 and 2 I had the opportunity of meeting Consul Woodward several times.

Learned in Brownsville, Tex., and at Matamoros, Mexico, that Consul Woodward for the last several months has received several anonymous letters containing threats, likewise these letters expressed the contempt and hatred of

the Mexican people for Consul Woodward, also for America and Americans. I also understand several of these letters stated Consul Woodward would be assassinated.

In checking up this matter feel sure these letters have originated from German or German sympathizers, whose activities Consul Woodward has interfered with. It is also possible these letters may likewise have originated from Mexicans, who Consul Woodward has refused passports to on account of their smuggling activities or on account of being pro-German.

Understand Consul Woodward lives at Matamoros, Mexico, with his family and that due to the cutting of telephone connections between Matamoros and Brownsville, the consul is therefore entirely cut off from any connection with Brownsville provided any emergency may arise at his consulate.

Would respectfully recommend that the Mexican Government be officially advised as to these threats and anonymous letters which Consul Woodward has received through the Mexican mails, and that the Mexican Government be also officially requested to see that Consul Woodward and his family at all times have the necessary protection.

Due to my connection with the Mexican Government as mentioned in my previous reports, I have likewise stated to them that it is good policy on the part of the Mexican Government to see that any party or parties who are implicated in sending threatening letters to Consul Woodward be apprehended and prosecuted. I did not have time when I was in Matamoros to run this matter down, but propose on my next visit to the Brownsville territory during the early part of September, to spend several days in and around Matamoros and in that way may be able to uncover the originators of these letters and if so, believe I will then be able to have the Mexican Government prosecute these parties.

Due to Consul Woodward's activities in fully and at all times protecting the interest of the United States and its citizens at his post, he has therefore created ill-feeling of the majority of the Mexicans in Matamoros and at Brownsville. This also applies, I understand, to many Americans, who for the sake of a few dollars believe Consul Woodward should allow suspected German sympathizers and likewise a large number of Mexicans to come and go into Brownsville from Mexico at their pleasure.

It is likewise alleged by many of the business men, so I was told at Brownsville, that they thought Consul Woodward was apparently too anxious at all times to prohibit the issuing of passports, and that formerly approximately 80,000 Mexicans from Matamoras and surrounding territory visited Brownsville each month prior to the time Consul Woodward had practically put regulations into effect which to a very great extent eliminates Mexicans from entering Brownsville from Matamoras and vicinity.

As far as that complaint is concerned, if every American consul on the border attempted to perform his duties as well as Consul Woodward apparently has done, then in that event there would be less smuggling activities and German propaganda and spy work on the border.

From every available source of information secured by me, am convinced of the fact that Consul Woodward is in every way and at all times more fully complying with his duties, than even the State Department expects of him, and that he is, without doubt, one of the hardest working, most practical and successful American consuls that we have ever had on the border. Believe he has and will at all times to the best of his ability cooperate with every department of the United States Government in his territory.

(Cresse code name for Jones.)

Confidential report by Cresse to Department of Justice re Mexican Consul Cosme Bengoechea at Presidio, Tex.

NEW ORLEANS, LA., *August 20, 1918.*

Understand that the Mexican consul at Presidio, Tex., Cosme Bengoechea, has had installed for some time a private telephone wire running from Presidio, Tex., across the river to Ojinaga, Mexico. It is also alleged that this telephone wire has repeatedly been used to the detriment of the United States.

Respectfully recommend that this matter be checked up and if this telephone wire in reality does exist, that it should be immediately cut.

(Cresse code name for Jones.)

Confidential report by Cresse to Department of Justice re E. Schreck, Mexican consul at Port Arthur, Tex., alleged to be of German extraction and suspected of German activities and sentiments.

NEW ORLEANS, LA., *August 24, 1918.*

Prior to my visit to Brownsville on August 5, 6, and 7, I had heard from other parts of the border that the Mexican consul at Port Arthur, Tex., was either a German or of German extraction, likewise had a large number of relatives who were said to be exceedingly pro-German living at Matamoros, Mexico.

When I was in Matamoros, Mexico, on August 9, with Jose Garza, Mexican consul at Brownsville, Tex., also with other Mexican officials of Matamoros, we visited the saloon operated by the Schreck family at a Matamoros, and at that time was introduced to one of the Schreck boys, who is typically German in appearance.

According to Consul Garza, the Schreck boys, of which there are several at Matamoros, while of German extraction, nevertheless, so he claimed, have never been proven to be pro-German. As a matter of fact, A. Schreck, a brother of the Mexican consul at Port Arthur, Tex., who is operating a saloon and restaurant at Matamoros, Mexico, across from Brownsville, Tex., is known to be very pro-German, and it is also said his saloon is the headquarters for all of the Germans in and around Matamoros.

Also understood while in Matamoros that American Consul Woodward had taken up the Mexican passports of all of the Schreck family, thereby stopping them from visiting Brownsville, Tex. This has resulted in a great deal of ill feeling being caused at Matamoros, Mexico, from the Schreck family, their friends and associates in that territory. It also may be possible that the Schreck family or their friends may have been implicated in sending, or causing to be sent, the several threatening anonymous letters which Consul Woodward has received, as mentioned in my previous reports.

Understand that the grandfather of the four Schreck boys was a German, and after arrival in Mexico married a Mexican woman.

Due to the short time I was in and around Matamoras did not have sufficient time to make a careful investigation of this matter; however, on my next trip to Matamoros during the early part of September, will carefully check these matters up.

Due to my connection with the Mexican Government, as mentioned in my previous reports, I expect to suggest to the Mexican ambassador at Washington, also to Andres Garcia, inspector general of Mexican consulates, that it is a mistake to have Schreck, their consul at Port Arthur, continue in his office, because of his German extraction, and his family at Matamoros, Mexico, who are alleged to be exceedingly pro-German; therefore, for the reasons mentioned, their consul at Port Arthur, to a very certain extent, is offensive to the people in that part of Texas, which does not enable him to give to Mexico successful representation at Port Arthur. This may be productive of results, and I hope in this way to cause the removal of Schreck, as Mexican consul, from Port Arthur.

(Cresse code name for Jones.)

Confidential report by Cresse to Department of Justice re Chico Cano, Villista bandit visiting United States Army Camp at Cadelario.

NEW ORLEANS, LA., *August 20, 1918.*

Understand that Chico Cano, a noted member of the Villista Mexican revolutionary factor and likewise one of the best known and most successful Mexican bandits, and who is said to have been one of the leaders in the Bright ranch raid sometime ago, is now said to be located in Mexico across the river from Cadelario.

On or about August 5 to 12 Cano crossed the river and visited the United States military camp at Cadelario and talked to the United States military officer in command at that camp.

If my information regarding this visit is correct, the United States Army officer should have detained Cano, for it is well known in that territory that he has been an active participant in several raids out of Mexico against ranches on the American side of the river.

(Cresse code name for Jones.)

Confidential report by Cresse to Department of Justice re Mexican Government opening up 17 new consulates in South and Central America, likewise Mexican Government making arrangements to change many of their present consuls and other matters regarding their foreign policy.

NEW ORLEANS, LA., *September 3, 1918.*

On the afternoon of August 30, Mexican consul general at New Orleans, La., Rafael E. Mugquiz, told me that Mr. Cabrera, Mexican minister of finance, would arrive in New Orleans on the evening of September 2 or the morning of September 3 and that he wanted to introduce me at that time to Mr. Cabrera. Hope to be able to secure some information that may be of value from Mr. Cabrera when I meet him. Mr. Cabrera has not yet arrived in New Orleans.

The Mexican consul also told me the Mexican Government was now making arrangements to open up 17 new consulates at various cities in South and Central America and that from now on the foreign policy of Mexico was to be in every way more aggressive. I asked him what he meant by being more aggressive, and he said President Carranza and his cabinet expected by opening up new Mexican consulates in South and Central America, to in this way place Mexico from a diplomatic standpoint on the level with any other country no matter how large it may be and he further said this was only the beginning and that within the next 12 months Mexico would open up a much larger number of new consulates throughout the world.

I of course expressed to him my enthusiasm in regard to such a plan, and then learned from him that Mexico hopes to create for herself a position diplomatically in South and Central America, whereby she in this way intends to try and become a strong factor in South and Central America in regard to creating friendship for herself and her policies throughout that country.

The consul general then told me he was just in receipt of a confidential letter from an official in the Mexican foreign office telling him that there was to be a big shake up in the Mexican consulate force throughout the United States. He also stated that he had received official notification to the effect that he was not to remain as consul general at New Orleans, and expected within a few weeks to leave for Mexico.

I asked the consul general who his successor would be and he stated the present vice consul would, as he understood it, succeed him as consul general at New Orleans.

The consul general also stated that the Mexican policies in regard to their foreign relations with other countries from now on would become more aggressive and in that way they hoped and believed that Mexico very shortly would begin to stand as she ought to, as far as other countries are concerned.

(Cresse code name for Jones.)

Confidential report by Cresse to Department of Justice re President Carranza's close personal and political adviser, who is exceedingly pro-German.

NEW ORLEANS, LA., *September 4, 1918.*

When I met Leckie in San Antonio, Tex., between August 3 and 6, he at that time told me that Carranza's closest personal and political adviser was the present Mexican minister of interior. Leckie also said that Carranza had more confidence in this party, paid more attention to what he said than he did to anybody else.

Leckie then said the Mexican minister of interior was noted as being one of the most active pro-German sympathizers in Mexico and that Leckie likewise knew him to be exceedingly anti-American.

Leckie is of the opinion, as mentioned my previous reports rendered in 1917 and 1918, that the majority of the higher Mexican Army officials are still in the pay of the German ambassador to Mexico and that Germany will continue to feed the majority of the ranking Mexican officials money until Germany no longer needs them. Leckie, however, seems to believe it is a debatable question as to whether or not Carranza himself has been bought by Germany or has taken any German money.

It is well to remember, however, that it would be a miracle of God alone if there was any German money loose in Mexico that Carranza has never in that event taken any of it. If he has not, he in no way, then, is a typical Mexican, for all of them, irrespective of who they are, will take anybody's money and their great national game is trimming an American.

(Cresse code name for Jones.)

Confidential report by Cresse to Department of Justice re participation of Mexican Government in smuggling narcotics out of Mexico into United States, and ammunition from the United States into Mexico, via Mexican mail coaches and in Mexican mail bags.

NEW ORLEANS, LA., *September 24, 1918.*

Through one of my informants on the border who lives at ———, ———, namely, ——— ———, understand from him that the Mexican Government is alleged to actively be participating through its officials at Piedras Negras, Mexico, and with the knowledge, consent, and assistance of the Mexican consul general at Eagle Pass, in smuggling opium and other narcotics out of Mexico and ammunition, pistols, and other firearms out of the United States into Mexico by a system alleged to have been successfully conducted by them for some time, which is as follows:

My informant tells me that the Mexican Government mail coaches which carry the mail from Piedras Negras, Mexico, to Eagle Pass, Tex., and then return from Eagle Pass to Piedras Negras via the international bridge across the Rio Grande River, contain mail pouches which, when they leave Piedras Negras, Mexico, are brought over to the United States. These mail sacks presumably contain mail, and when the mail coaches come across the bridge into Piedras Negras again instead of going direct to the post office and unloading the Mexican mail, that the mail coaches are very frequently seen driving around to various Mexican stores.

My informant also states that after the Mexican mail coach receives the Mexican mails at the post office in Eagle Pass, that instead of going direct to the international bridge the mail coach drives around to various Mexican stores and, presumably, from some of these stores arms and ammunition are secured, which is brought in the mail sacks and carried across to Piedras Negras, Mexico.

The mail coaches, as stated, are never searched by the United States guards on the international bridge and, if such is the case, it is certainly a very simple matter for those involved to smuggle into the United States or out of the United States into Mexico whatever they may so desire to use.

Would respectfully recommend that hereafter the Mexican mail coaches or any other method of transportation used by Mexicans coming into the United States be carefully searched; likewise, that when such outfits cross into Mexico at Eagle Pass that they also be searched.

(Cresse code name for Jones.)

Continuation confidential report by Cresse to Department of Justice re presidential candidates in the next Mexican presidential elections and the serious Mexican situation which will arise from same at that time.

NEW ORLEANS, LA., *November 14, 1918.*

My report of July 16, 1918, under the heading mentioned above fully covers the situation at that time, also to a very great extent at the present time regarding the serious difficulties which are rapidly approaching a climax, which is being caused by jealousy between the various candidates for the Presidency of Mexico in the next Mexican presidential elections, which I understood are to be held in Mexico during July, 1920.

As stated in my report of July 16, 1918, I fully covered at that time, on pages 2, 3, and 4 the various combinations that Gen. D. Aldaro Obregon has arranged in regard to securing support for himself in the next Mexican presidential elections.

When I was in El Paso, Tex., on October 4 and 5, also on October 24, 1918, I had several extended conversations with Andres Garcia, inspector general of Mexican consulates and consul general of Mexico at El Paso. Garcia is strictly an Obregon man, and likewise said that the majority of the present Carranza officials were either avowed supporters of Obregon or favored him.

Garcia further stated that fully 75 per cent of the present Mexican Army, and practically all of the veterans who had served under Obregon, many of whom were now scattered from one end of Mexico to the other as civilians, were strictly Obregon men and would rise at his call. Garcia also said that Gen. Obregon had and would control practically all of the Yaqui Indians.

Garcia, in answer to my questions regarding Pablo Gonzales, said that he was an utter impossibility as a presidential candidate and could never be

elected President of Mexico. This also applies to Gen. Alvarado, ex-governor of Yucatan.

Garcia was inclined to be rather guarded in his statements about the alleged break, or difference of opinion, which is said to have occurred between President Carranza and Obregon, likewise regarding the fact that President Carranza had planned and was intending to do all he could, officially and otherwise, to place some other man in as President of Mexico. I finally wormed out of Garcia the admission that there had been some difference of opinion between Carranza and Obregon, and that Obregon intended to be the winning candidate in the next Mexican presidential elections, irrespective of whether he had the support and friendship of Carranza.

Also learned from Garcia at that time, which I later confirmed from other sources, that Gen. Obregon has and is perfecting his political and military machine, whereby he proposes to make a strong effort to become President of Mexico either via being elected or by the revolutionary route.

Obregon, at the present time, I understand, is making arrangements to establish Obregon juntas in Los Angeles, El Paso, San Antonio, and at practically all other points containing a large Mexican population along the border. His plans, I also understand, will result in him establishing at San Antonio or El Paso, Tex., a weekly newspaper, which will be published in his interests.

When I was in El Paso, Tex., on October 4 and 5, 1918, at that time Andres Garcia gave me a letter of introduction to Gen. Obregon, who was then at Nogales, Ariz., or across in Mexico from that town. I expected to see Gen. Obregon on my return from California, but was unable to do so on account of the fact that I was called to New York due to the serious sickness of my brother.

I am convinced of the fact from the constant and careful observations I have had the opportunity to make during the last year that Obregon will win in the next Mexican presidential elections, and if he is counted out, or the election is stolen from him, he will immediately start the most thoroughly organized and strongest revolutionary movement that Mexico has yet seen.

Feel sure of the fact that one way or the other Obregon, irrespective of any difficulties that may be placed in his way, will succeed Carranza. Furthermore, if Carranza resigns, or is forced out, or is assassinated before the next Mexican elections, Obregon will immediately start his fight to succeed him. Therefore if I can work my way in with Obregon and by chance secure the opportunity to privately or publicly represent his interest or campaign in the United States, I will in that way be able to probably render service that no one else can.

As mentioned in my report of July 16, 1918, Obregon had prior to his visit to the United States last year, been inclined to be exceedingly pro-German in his sentiments and statements. However, after he returned to Mexico, it is said of him, that his sentiments were completely changed, due to the fact that he fully realized it might be necessary for him, when he becomes a presidential candidate, to have the friendship of the United States.

As far as Obregon personally is concerned, he, as all other Mexicans, at heart is absolutely anti-American and but very little belief as to his responsibility or friendship for the United States could be placed in him, than in any other Mexican. However, if I can succeed in winning his confidence and direct, to a certain extent, his activities throughout the United States, I may be able to shape his ideas and opinions to a certain degree that might be friendly and favorable to the United States. If I could succeed in doing this, the service I could thereby render, would be well worth while.

My report of September 26, 1918, under the heading of "Confidential report re break alleged to have occurred between Carranza and Gen. Obregon," will give you considerable information regarding the alleged difficulties which have arisen between Carranza and Obregon.

I will undoubtedly hear from Garcia in answer to my letter mentioned hereinbefore, and if he accepts the suggestion made by me in regard to personally seeing Gen. Obregon, in that event, unless otherwise so instructed by you, will proceed to El Paso and there endeavor to have Garcia accompany me to Nogales to personally discuss the matters outlined in my letter to Garcia of November 13 with Gen. Obregon.

(Cresse code name for Jones.)

(For the information of the committee: This report, which was one of several, shows that as far back as 1918 the United States was warned in my reports of the present Mexican revolution.)

Confidential report by Cresse to Department of Justice re participation of Col. Estaban Cantu, Mexican governor of Lower California in Mexican revolution activities.

NEW ORLEANS, LA., *Sept. 4, 1918.*

As mentioned in my previous reports, F. R. Betancourt, Mexican revolutionary leader, according to positive information which I have secured, and likewise forwarded in previous reports to your Department, has been on very close and intimate terms and in constant correspondence with Col. Estaban Cantu, governor of Lower California.

Betancourt, George Warden, and Ignacia Pelaez have also several times told Godchaux that Governor Cantu had given them financial assistance.

During April and May, 1918, while Godchaux and myself were in San Antonio, I reported at that time through information secured by Godchaux that Ignacia Pelaez, who is the brother and active agent in the United States for Gen. Manuel Pelaez, George Warden, Betancourt, Garcia Naranjo, and other prominent leaders of the Mexican revolutionary group in the United States were on friendly and intimate terms and in constant correspondence with Jose Cantu, of Mexico City, who is a brother of Estaban Cantu, governor of Lower California.

Betancourt and Ignacia Pelaez told Godchaux that Governor Cantu had agreed to help the revolutionary leaders associated with Betancourt and particularly those Mexican revolutionary leaders in Sonora.

At my suggestion Godchaux asked Betancourt and Pelaez what was the reason of Cantu giving his cooperation to himself (Betancourt) and the other Mexican revolutionary leaders, likewise in regard to assisting the Mexican revolutionary movement in the State of Sonora. Betancourt's answer was that in this way Carranza who really wanted and hoped to be able to do so never could operate, if he decided to do so, an expedition out of the Mexican State of Sonora against Governor Cantu of Lower California.

Betancourt also stated that Cantu for the last year and a half had been making practice of financially backing the different Sonora revolutionary parties for the reasons mentioned.

From correspondence that Godchaux has seen to and from Jose Cantu, and Governor Estaban Cantu addressed to Betancourt I feel sure of the fact, as mentioned in my previous reports that the Mexican revolutionists have and are still receiving assistance and cooperation from Governor Cantu.

Continuation confidential report by Cresse to Department of Justice September 4, 1918. Re participation Col. Estaban Cantu, Mexican governor of Lower California, with various Mexican revolutionary leaders, likewise plans of the revolutionists to secure complete cooperation of Gov. Cantu.

NEW ORLEANS, LA., *September 27, 1918.*

As mentioned in my previous reports Col. Estaban Cantu, Mexican governor of Lower California, for the last 8 or 12 months has been actively cooperating with all of the various Mexican revolutionary leaders. For full details regarding this matter refer you to my report of August 28, 1918, entitled:

"Trip of F. R. Betancourt, Mexican revolutionary leader, of New Orleans, to Mexicala, Mexico, where he is to arrange plans with Gov. Estaban Cantu to smuggle arms and ammunition out of the United States to Mexican revolutionists in Sonora. Likewise pertaining to alleged participation and activities of Gov. Cantu with Mexican revolutonists."

During November, December, 1916, and also during the early part of January, 1917, Miguel Tarriba, care of F. C. Brauet Co., Welsh Building, 244 California Street, San Francisco, Calif., had several conferences with Col. Estaban Cantu and his representatives in regard to securing the support of Cantu for the Felicista revolutionary movement in the Mexican State of Sonora.

When Alfonso Hoyola, of 35 Kennedy Street, Tucson, Ariz., got into trouble at New Orleans during May, 1917, at that time helped him out and incidentally secured from him many important papers and documents pertaining to the revolutionary movement in the Mexican State of Lower California.

This also applies to Ignacio Pesquiera, of 629 North Seventh Avenue, Tucson, Ariz., who was also in trouble at New Orleans. From Pesquiera and Noyola I secured many papers, likewise a great of information, all of which was forwarded at that time in reports to your department.

Learned from them at that time that Gov. Cantu, of Lower California, acting through Miguel Tarriba, care of F. G. Brauet Co., Welsh Building, 244 California Street, San Francisco, Calif., had cooperated with the revolutionary party in Sonora.

Pesquiera's and Noyola's statements regarding Cantu's participation in their revolutionary movement in Sonora was that Cantu wanted to control the State of Sonora, so that in this way Carranza would never have the opportunity to send troops from the Sonora coast over the Gulf of California against him (Cantu) in Lower California.

The revolutionary leaders in Sonora at that time dissipated all of the money raised for their movement. Also several of their leaders about that time were arrested and prosecuted in the United States courts.

During March, 1917, Miguel Tarriba wrote a 12-page letter to Gen. Felix Diaz reviewing the entire revolutionary movement and other matters pertaining to same. This letter was taken by Noyòla and Pesquiera to Guatemala to be forwarded by them from there to Gen. Felix Diaz. They, however, failed to get it through to Gen. Diaz, and when they returned to New Orleans the letter fell into my possession. That part of his letter to Gen. Diaz referring to Cantu is as follows:

* * * * * * *

"CONFERENCIA CANTU:

"Vd. recordars, Senor, Terriba sometio a su consideracion un proyecto para apoderarse en su nombre de la Baja California; todo marchaba bien y sin autorizacion no acuardo de Don Miguel para decirselo a Vd. de su peculio personal estuvo expensando los gastos hast llegar las cosas a su madurez, y es equi donde no teniendo el ya elementos propios tuvo que atenerse a las ofertas de Nueva York; estas desgraciadamente no fueron complidas y sobrevino la delacion de estos asuntos por una de los conjurados, y naturalmente la parision de la mayoria d los Jefes y oficiales que mandaban las fuerzas de Cantu.

"Bajo este estado de animo de este Sr. para nosotros no es posible contar con su ayuda de una manera francs; pero su instinto natural de conservacion le indica la conveniencia de pro tegar la protegar la rebellion en Sonora. Ocultandole por necesidad la amistad que me liga al Sr. Tarriba y garantia dondole expresa de no atentar contra la estabilidad de su gobierno, obtuve de el una conferacia en virtud de la cual estoy segurode què nos prestara su ayuda, a facilitandonos aramento, municiones y dinero y permitiendo que nos organicemos den tro de su territorio, sin astentacione si ni imprudencias que le compromentan; pero hay que tartar con el con plena autorizacion de Vd. pues naturalmente pretende la consolidacion futura de sus actos, si nostros llegamos a un exito, y en cao contrario no verse arroydao por nuestros fracasos Este Vd. seguro de que si llegamos a un entendimiento en este punto, la conquista de Sonora sera un hecho, pues la Baja California es un punto verdaderamente estrategico donde puede organizarse un verdadero ejercito, y el tiene elementos en abundancia para ayudarnos, Para llegar al fin de que me permito hablarle, seria indispensable que Vd. me acreditara ante el como su enviado para obtener de us parte su ayuda. Esta autorizacion deberia ser de caracter politico y en este orden lo suficientemente amplia para que el, sin retimencias, formulara sus proposiciones, las cuales para su aceptacion deberian estar sujetas a la aprobacion de Vd. El manejo de los fondos que en tal virtud proporcionara quedaria bajo el controll de los hombres de capital que al acuerdo con nostros en Sonora estan obrando y obran en el futuro. lamentando no poder indicar a Vd. a Don Miguel en este caso por el antecedante y expresado; pero podia Vd. expedir un nombramiento a tal efecto en favor del Ignacio Pesqueira a quien su patrimonia personal pone fuera de sospechas Es conveniento en mi homilde concepto y salvo sumejor parecer, que el nombramiento que Vd. haga enmi favor y en el cual me autorice para tratar las bases politicas hajo hajo las cuales el Sr. Cantu preste su apovo al felicismo, se haga notar que enmanera alguna tales arreglos podran ser del dominio del ningun comitte directivo o politico signidicado que pudiera usar de este secreto. Digo a Vd. esto proque asi me lo indico muy claramente."

* * * * * *

NOTE.—Copy of the entire letter of Tarriba to Gen. Diaz was forwarded by me at that time in my reports to your department.

Likewise, as mentioned in my previous reports, Los Angeles, Calif., apparently is now rapidly becoming the headquarters of all of the various promi-

nent leaders of each of the Mexican revolutionary parties in the United States and Mexico.

Betancourt is already on his way to Los Angeles, to make his home, so he claims, in that city; Narno Dorbecker told Godchaux that he expected to be in Los Angeles, Calif., within the next month or six weeks; Gen. S. R. Gral Don Francisco de P. Alvarez, has also stated he will be in Los Angeles within the next 60 days, and thereafter will make Los Angeles his headquarters.

Betancourt also told Godchaux that from now on Gov. Estaban Cantu, who has for the last year been carefully arranging his plans along these lines, will in the future, in a quiet and confidential manner, be the real directing head of the entire revolutionary movement throughout Mexico and the United States.

A great many of the strong, well-known, active, and popular leaders and supporters of the Felicista revolutionary movement in Texas, Arizona, New Mexico, and California during the last several months have been seduced away from the Felicista party by Betancourt, Gen. Alvarez, and other active supporters of Gov. Cantu.

Betancourt also told Godchaux that Gen. Juan Almazan, the Mexican revolutionary leader in the State of Tamaulipas, with all of his officers, soldiers, supporters, and friends throughout that part of Mexico, are pledged to cooperate with Gen. Pelaez and Cantu.

This also applies to the forces of Gen. J. Andreu Almazan, Gen. Caballero, Gen. Zaragosa, and all other Mexican revolutionary leaders in Tamaulipas, Coahuila, and other Mexican border States, all of whom have received assistance during the last year from Gen. Manuel Pelaez.

Betancourt also claims that many of the strong Villista revolutionary leaders have likewise pledged their support to the Cantu-Palaez combination.

Betancourt also claims that the Gutierrez brothers' revolutionary combination as mentioned in my confidential report of August 12, 1918, entitled "The Gutierrez brothers and Felicista revolutionary combination against the Mexican State of Coahuila," have likewise pledged the support of all members of their party to the Cantu-Pelaez movement.

Continuation confidential report by Cresse to Department of Justice of September 4, 1918, re participation of Col. Estaban Cantu, Mexican governor of Lower California, in Mexican revolutionary activities, and his connection with Pablo Dato, sr., alien enemy and real power and brains behind Cantu.

NEW ORLEAN, LA., *October 23, 1918.*

As mentioned in my previous reports, Godchaux, through F. R. Betancourt and E. Calzado, had made arrangements with these parties to meet Gov. Cantu, and negotiate with him for the purchase of military arms and ammunition.

Godchaux and Calzado, on October 18, arrived at Mexicali, Mex., from Los Angeles, Calif. Upon their arrival at 10.30 a. m., Godchaux was introduced to Jacinto Barrera, secretary of state for Lower California, whose office is an anteroom of Gov. Cantu, and a few moments later Calzado and Godchaux were taken into Gov. Cantu's office, where they saw Ramon Guerrero, private secretary of Gov. Cantu, who Godchaux had previously met on his first visit to Mexicali, with Betancourt. Godchaux was then introduced to Gov. Cantu by Barrera.

After a conference of about two hours Gov. Cantu, who was very much interested during that time in the arms and ammunition proposition told Godchaux that he could use 10,000,000 7-mm. cartridges, also 1,500 rifles or carbines, and from 15 to 25 automatic rapid-fire guns. Cantu during this conversation told Godchaux that he intended to head the largest Mexican revolutionary movement Mexico ever had, and that he had gradually been perfecting his plans for the last year along these lines, and through his combination with Manuel Pelaez in the south, Villa in the center of Mexico, and with a complete perfected organization along the border, when he, Cantu, started his movement, that he would sweep everything from one end of the border to the other and then on into Mexico.

Cantu gave Godchaux to understand that he had positive assurances through his intimate friends and associates, who were powerful American business men,

that the United States State Department would favor him; likewise the same parties had told him the United States secret service people would close their eyes and not interfere with the revolutionary activities of his associates and himself. In a very proud manner he at that moment, as an illustration of his power with the United States officials, said, "Why they even have allowed me many times to secure arms and ammunition out of the United States."

Godchaux then asked how he expected to get such a large quantity of arms and ammunition into Mexico, and Cantu said, "I want this equipment in carload lots; and inasmuch as I know the United States guards at Calexico and they will do anything in the world for me, and also I am not going to be interfered with by the United States authorities, therefore those carload lots of equipment could be shipped to me through Calexico into my territory in Mexico, chaux that he could use 10,000,000 7-mm. cartridges, also 1,500 rifles or carbines, and from 15 to 25 automatic rapid-fire guns. Cantu during this conversation told Godchaux that he intended to head the largest Mexican towns across from the American towns mentioned our revolutionary leaders in those localities will at the same time be prepared to seize these towns."

Godchaux spent considerable of his time while in Calexico and Mexicali with Barrera, Guerrero, and one of Dato's boys, also had lunch and dinner with these parties.

On the afternoon of October 18, Godchaux, Calzado, Guerrero, and another Mexican by the name of Antonio Elosue went riding in a seven-passenger Packard auto, driven by the youngest son of Pablo Dato. They drove out to a cotton plantation owned by the Dato family about 5 miles from Mexicali, in Mexico. This cotton plantation follows a little canal or water ditch close to the international dividing line between California and Mexico. This ditch or canal was shown to Godchaux as they passed where Calzado said he and other friends of Cantu had several times during the last year sent over the border quantities of ammunition for Cantu.

Calzado, while talking to Godchaux on the train en route to Calexico, also when returning to Los Angeles, said that Cantu had the United States officials hypnotized into believing that Cantu was willing to do everything he possibly could to cooperate with the United States. Godchaux asked him how Cantu had worked it, and Calzado said the United States believes that all they have to do is to ask Cantu for any slacker or deserter or German spy in his territory and that whatever party the United States wanted or asked Cantu for would then immediately be sent up to the American border and turned over to the United States.

Calzado then boastfully and in a laughing manner further said, "Yes, Cantu is a very wise one, and the only ones he ever kicked out of Lower California back into the United States that the authorities on this side of the river wanted were a few bums that could never be of any use to Cantu."

While Godchaux was in Mexicali, Mexico, and Calexico, also while on the train from Calexico to Los Angeles, Calif., he learned from Calzado and Jacinto Barrera, secretary of state for Lower California, and from Ramon Guerrero, private secretary of Cantu, likewise from information obtained from Betancourt and Martin de Leon, which shows from all of these available sources of information that all of them, likewise Cantu's other friends and followers consider him to be personally a nice fellow, but they admit or state that he has been made entirely by his father-in-law, Pablo Dato, sr., likewise that Pablo Dato, sr., has been and always will be the brains and executive leader behind Cantu, furthermore, that every move irrespective of its importance or not that Cantu makes, same is fully discussed, agreed upon, or planned by Pablo Dato, sr., and that if Dato does not approve such plan or movement then in that event Cantu drops same. It is also the consensus of opinion among the parties mentioned hereinbefore that to get anything out of Cantu it is first necessary to win over Dato to their side.

Calzado, Betancourt, and De Leon, due to leading questions suggested by me, and skillfully put to these parties by Godchaux, regarding Dato, secured information from these parties that Dato and all of his family have always been exceedingly pro-German, likewise have been the actual heads of all real German propaganda and spy work that has been conducted on that part of the border before and since the United States entered the war.

Such being the case as will be shown hereinafter, furthermore on account of the fact that Cantu and all of his officials and supporters have always been fully aware of the fact that Dato is a German alien enemy, and very active in his efforts for Germany, in that territory, therefore no other conclusion can be

drawn but that all of the activities of Dato and his many German associates in Gov. Cantu's territory (Lower California), has been at all times done with the knowledge, consent, approval, and undoubtedly with the assistance of Cantu and his associates.

Pablo Dato, sr., is known to be a German alien enemy, and if necessary can furnish your department positive proof to that effect. He was born in Grossner, Germany, June 11, 1840. On December 18, 1865, he was appointed acting German consul in Paris, France. On May 30, 1868, he was notified that his Majesty the Prussian King, had conferred on him the Imperial Order of the Crown of the fourth class. On August 9, 1897, Dato registered with the German consul at Guaymas, Mexico, and again on August 25, 1897, Dato registered as a German subject with the German consul at Acapaico, Mexico; Dato also in China, was a German consul general for Germny. Dato before the United States entered the war and also since, has been the head of the German information bureau in Lower California, and gave financial assistance to many German agents in Mexico, who were engaged in securing and sending information from the United States to the German ambassador at Mexico City.

It is also a known fact that Pablo Dato for several years has claimed to be a naturalized American citizen. As a matter of fact he never has become an American citizen. Godchaux also learned while in Mexicali and Calexico, that Dato is in direct and constant communication with German consuls at Guaymas, and other Mexican towns, and with the German ambassador at Mexico City.

In 1863 Pablo Dato served for over a year as a volunteer in the German Army. I understand that Pablo Dato married a Mexican woman and that they have six children, Fred, William, Gustave, Anna, Paul, and Adolph Dato.

Also understand that each of his sons have always been pro-German, and were likewise active with their father in his German activities.

Pablo Dato has been and is on very intimate terms with Adolph Garcia, who is said to be a German agent at Mexicali. Garcia is known to have received telegrams and letters from the German consul at Guaymas in regard to remittances of money to him from the German consul at that place and has likewise had in his possession at Mexicali drafts and checks in his favor from Rademacher, the German consul at Guaymas, who is a member of the firm of Rademacher-Muller & Co. at Guaymas.

Pablo Dato, sr., as mentioned hereinbefore, has always been the absolute directing power behind Gov. Cantu, and has controlled Cantu in all of his activities in the past, as he will continue to do in the future. Closely cooperating with Pablo Dato, sr., Manuel L. Lugan, Cantu's legal adviser and his personal intimate friend, also his secretary of state for Lower California, Jacinto Barrera.

It will be well for the United States when considering the advisability of centralizing their hopes on Cantu as a prabable solution of the Mexican question, or even as a friendly hitching post in time of trouble with Mexico, in the future to seriously consider before so doing the fact that his father-in-law, Pablo Dato, sr., and many other Germans who are closely affiliated with Dato are the ones who absolutely control Cantu, now and for the future, and such being the case Germans, as they have been and always will be, therefore the United States as it looks to me will have but very little chance for an even break as far as the Dato-Cantu combination is concerned regarding future Mexican affairs in which the United States may be expecting to use the friendly interest of Cantu.

All of my reports to your department has contained information just as I find it whether for or against friends or enemies, likewise whether favorable or unfavorable regarding myself. Several years ago I secured the original leads, worked them out, and broke up the transaction which showed at that time, that ——— had secretly agreed to accept employment as attorney for the Felicista Mexican revolutionary party at Washington, and that the principal part of his work to be done for them was to endeavor to seduce the opinions of Mr. Lane, Secretary of the Interior, Cone Johnson, of the State Department, and other United States officials as to the benefits the United States would receive by recognizing or giving their support to the Felicista Party.

I later secured and sent forward to your department photographic copies of letters passing between Gen. Felix Diaz and his wife and others closely allied with him, which showed his utter contempt and hatred for the United States, and his intention if war occurred between the United States and Mexico to fight

side by side with Carranza against this country, irrespective of the fact that even at that moment Pedro del Villar, his representative in the United States, was assuring the State Department of the great friendship of Felix Diaz, and that he would also support the United States if our Army went into Mexico.

I likewise secured and sent forward to your department several hundred original letters passing between Carranza and many of his prominent officials, to and from each of the revolutionary leaders in all of the Central American countries with the exception of Costa Rica, which showed, as I had previously reported for over a year, that Carranza, as I now know it to be so, was financing with German money various revolutionary movements in Central America. These original letters and reports covering a period of over two years to a certain extent prevented Germany through Carranza from obtaining a stong foothold in Central America, likewise broke up practically all of these revolutionary movements.

I have likewise in times past secured and sent forward to your department original and photographic copies of many important letters, contracts, documents, etc., which showed the affiliations and connections and plans of many prominent Americans, financiers, and others with Mexican and Central American revolutionary affairs.

I fully realize that I am making some very strong statements regarding these matters, particularly so as I believe the State Department may be inclined to have some confidence in Cantu, due to certain representations that have been made to them in regard to the ability and friendliness of Cantu for the United States.

However, I am willing to risk the reputation I believe I have made during the last several years with your department regarding the accuracy of my reports pertaining to Mexican and Central American affairs, and which Chief Bielaski during September, 1918, personally told me that the State Department considered my reports regarding Mexican and Central American affairs the best they received. Many of such reports at the time they were rendered appeared to be pipe dreams, which later were substantiated by documentary evidence or by information secured by other parties for your department.

I mention the foregoing facts to qualify my statement to the effect that sooner or later your department will secure from other available sources confirmation of the information given herein and my statements to the effect that the Americans who are alleged to be backing Cantu are also alleged, simply for the profits they can make, have and are endeavoring to secure the assistance of the United States for Cantu and his other revolutionary associates.

If this is ever accomplished then in that event the United States will have to face the fact that if Cantu is ever President or dictator of Mexico that his every move will be made only on the advice or by the suggestion of his father-in-law, Pablo Dato, sr., a proven German alien enemy, and one who will always be bitter in his thoughts, plans, and actions toward the United States.

INFORMATION REGARDING PABLO DATO, GERMANY'S CONFIDENTIAL AGENT IN LOWER CALIFORNIA, AND ALONG THE ARIZONA, NEW MEXICO, AND CALIFORNIAN BORDER.

Paul Dato, alias Pablo Dato, as shown in the file regarding this party, was born on June 11, 1840, at Grossen on der Order, Prussia, and served as a volunteer in the German Army. For over a year he was in the German diplomatic service in China, and for about a year and a half, as shown in detail hereinafter, served as acting consul general for Germany at Paris, France. He arrived in the United States via steamship *Percire* from Germany at the port of New York on the 22d day of August, 1869.

He is the father-in-law of Gov. Estaban Cantu, Mexican governor of Lower California.

During August of 1874 he left San Francisco, Calif., for Guaymas, Mexico, and in a few months thereafter went to Muleje, Lower California, where he was supposed to have been the secretary of the Lower California Lead & Silver Mining Co. He remained their until the latter part of February, 1875, and in March, 1875, returned to San Francisco, and he remained there for two months and then returned to Guaymas, Muleje, Mexico, and remained in that part of Mexico until 1883.

Shortly after his return in Mexico he married a Mexican woman in Provedencia in 1881, whose name was Donaciana, and who was a native of Sonora. On July 13, 1882, his oldest son, Fred, was born at Sonora, Mexico.

During 1883 he returned to San Francisco and remained about 10 days, and then returned to his home in Lower California. On March 17, 1886, his second son, William, was born at San Jose de Guaymas. In 1888 Gustave, his third son, was born at Guaymas, and on May 6, 1891, his daughter, Anna, was also born at Guaymas. On June 1 Paul Dato, jr., was born in Sonora, Mexico, and on February 24, 1897, his fifth son, Adolph Dato, was born in Sonora, Mexico. Therefore all of his children were born in Mexico.

For a good many years in the past, Pablo Dato repeatedly claimed that he was a naturalized American citizen, and that all of his children were Americans and had been born in the United States. This is a deliberate falsehood. His record also shows since 1906 and up to including 1918 that he was a regular voter in all of the city, county, State or national elections at Calexico, Calif., where he has maintained his home since 1906. Each time he voted as an American, and when he did so knew that he was not a citizen of the United States.

When Germany declared war on the Allies Pablo Dato appeared before Perry Windener, the German consul at Los Angeles, Calif., and registered as a German subject.

At the start of the European war, insomuch as Pablo Dato represented himself as an American citizen he therefore was able to come and go with his sons across the border, this being due to the fact that he had secured as an American citizen an immigration card permit to come and go over the border.

Several years ago his daughter, Anna, or Anita, married Estaban Cantu, Mexican governor of Lower California. Cantu is decidedly a weak character, and is extremely susceptible to flattery or suggestions made by any one in whom he has even the slightest amount of confidence. Therefore Pablo Dato and his sons, and others who were strictly pro-German that Pablo Dato drew around him, have always been, and still are, the directing power behind Cantu.

At the outbreak of the European War, Pablo Dato immediately took charge of all of the spy and propaganda work for Germany in Lower California and in the United States along that part of the border of Arizona, New Mexico, and Lower California, and as directing head of all of the German spy and propaganda systems in that section, so it is said of him, secured greater results for Germany in everyway than any other German was able to secure along the border.

His son-in-law, Gov. Cantu, of Lower California, from 1916 up to and including October, 1919, carefully followed out all instructions of his father-in-law, Pablo Dato, in regard to helping Germany's cause in Lower California. During this time Cantu did everything in his power to convince United States officials in that part of the country and likewise of Washingon, that he, Cantu, was the true and firm friend of the United States.

And in the end, so it is alleged, Cantu was able to convince the State Department that he was really friendly with the United States. This enabled Cantu on account of his presumed friendship for the United States to secure many favors and practically operate along that part of the border with a free hand. Therefore on account of the belief that the United States had in him, Cantu and his father-in-law, Pablo Dato, with his German spy and propaganda system was able to operate same up to October, 1918, almost with a free hand, and which resulted in him after the United States entered the war in rendering service to Germany along these lines that from a standpoint of its value to Germany could never be estimated.

During that time Pablo Dato resided at Calexico, Calif., which is across the border from Mexicala, Lower California. He was during this time on close and intimate terms with the officials of the Calexico national bank which was alleged to be a pro-German institution. Dato was likewise a heavy depositor in that bank, and in their safety deposit vaults held three safety deposit boxes in his name. Among the intimate friends at Calexico connected with this bank was F. Cloake, as president, and William Gutimann, as cashier. All of his sons likewise when on the Mexican side of the border were extremely pro-German and likewise participated in all of the German spy and propaganda plans of their father.

During 1917 Fred Dato was convicted in the United States courts on a charge of conspiracy in an attempt to take arms and ammunition to Mexico. For this offense he was sentenced to serve 10 months imprisonment and to pay a fine of $10,000. The United States Government, however, are alleged to have allowed his case to drag along due to the fact that they did not want to offend his brother-in-law, Gov. Estaban Cantu.

During 1917 Pablo Dato and all of his sons constantly carried out of Santiago and Calexico into Mexico, many thousands of dollars worth of farm machinery and food products, likewise handled so it is said several hundreds of dollars of gold which they carried into Mexico. This resulted in a charge being made in the United States courts against Fred Dato in 1917 on a charge of violation of the espionage laws for illegally taking into Mexico without the proper licenses, certain farm machinery and food products from the United States. This charge was also held up so it is alleged, by orders from Washington, due to the fact that it might offend his brother-in-law, Gov. Estaban Cantu, if the case was pushed.

After the United States authorities woke up to exactly what the Dato family were and realized that Gov. Cantu's friendship for the United States meant nothing, it then resulted in the United States authorities during October or November, 1918, forcing Fred Dato to end his cases in the courts, and which resulted in Fred Dato paying a fine of $5,000.

The three safety deposit boxes of Pablo Dato, at Calexico National Bank were numbers 54, 87, 99. When these were opened by United States authorities they contained positive proof regarding Pablo Dato, sr.'s German citizenship, also regarding his German spy and propaganda system along the border.

Pablo Dato during the war repeatedly signed checks or indorsed notes for Mexicans who were known German operatives on the Mexican side of the border.

Pablo Dato maintained at Calexico an underground clearing house which resulted during 1916, 1917, and 1918 in many Germans being able to leave the United States by Calexico, San Diego, Calif., or at other various border points in California, Arizona, and New Mexico.

He secured from Von Eckhart, the German ambassador at Mexico City, the necessary funds to erect at Mexicala a powerful and fully equipped wireless station, which was in constant operation and which was at all times in direct and constant communication with the German consuls at Guaymas and Mazatlan and from those towns relayed to the German Embassay at Mexico City. Messages all during this time were constantly sent and received through these channels which enables them without any interference to freely have the opportunity for the transmission of information from the United States to the German Embassy at Mexico City, and to do so by this wireless was a simple and immediate matter. Pablo Dato is known to have repeatedly boasted that wireless messages had been sent from Mexicala by Guaymas and Mazatlan to Mexico City and an answer received within from an hour and a half to two hours.

It is also a known fact that Pablo Dato was the active paymaster along that part of the border for Von Eckhart, the German ambassador to Mexico City, and that prior to the start of the European war Pablo Dato and all his sons, also Gov. Estaban Cantu were all at times from a financial standpoint exceedingly hard up; after the war broke out it became an extremely noticeable fact that all of the Dato boys, their father, and Gov. Cantu were extremely well fixed financially. They then became owners of three expensive automobiles and the Dato boys began spending each day large amounts of money.

Many of the Mexican officials of the Cantu administration also became financially well fixed at that time. Names of these Mexicans will be mentioned hereinafter.

On the night of the day that the news was received in Mexicala that the *Lusitania* had been sunk by German submarines there was held at Gov. Cantu's house a banquet which was given in honor of the naval power of Germany; Pablo Dato and all of his sons were there, likewise a large number of Gov. Cantu's officers and several Germans.

At the time Pablo Dato's bank accounts, property, and safety deposit boxes were seized by the United States officials in Calexico during April or May of 1918, $8,000 was found to the credit of Pablo Dato, $4,000 of which was in a savings account, and $4,000 in a checking account. A few days prior to the time the property was seized it was said that he and his sons drew out of the bank at Calexico, and from other banks in San Diego and Los Angeles, Calif., in excess of $75,000 gold.

Another account at the Calexico National Bank it is alleged, stood in the name of Carlotta T. Dato, by Pablo Dato, agent. This account is said to have been in excess of $5,000, and Carlotta is a sister of Pablo Dato and resides in Germany.

In and within a few miles around Mexicala there are from 20 to 25 Germans employed on farms. At one time on the Becker Ranch, which is leased by

Martinez, there were said to have been quite a number employed, as high as 20 at one time. All of these Germans were constantly in conference with Pablo Dato, Gov. Cantu, or the various Dato boys.

All during 1917 and 1918 there were from 10 to as high as 25 itinerant Germans in Mexicala, who invariably upon their arrival there immediately got in touch Pablo Dato. Such Germans were going and coming all the time, and whenever necessary were said to have been financed by Pablo Dato or Adolph Garcia, and were then sent south to Guaymas or to Mexico City.

Among those known to have been active participants in German spy and propaganda work at Mexicala, and Guaymas, Lower California, Calexico, San Diego and Los Angeles, Calif., also at other border points, who at all times were acting under orders and instructions of Pablo Dato, sr., are the following: Gov. Estaban Cantu, Mexican governor of Lower California; Paul Dato, jr., Mexicala, Lower California; Gustave Dato, Mexicala, Lower California; William Dato, Mexicala, Lower California; Jacinto Barrera, secretary of state for Lower California, Mexicala, Lower California; Gen. Cordillo Escudero, Mexicala, Lower California; Ramon Guerrero, Mexicala, Lower California; Gustave Buinzo, Nogales, Ariz.; Paul Krause, an Austrian living for a time in San Diego, Calif., and while there operated a livery car which was supposed to have been furnished him by the Dato boys. Krause knows the Dato boys, as they were schoolmates together; Fred Dato, Mexicala, Lower California; Adolph Dato, Mexicala, Lower California; Rafael Cantu, Mexico City, Mexico, and Mexicala, Lower California; M. Guerrera, private secretary of Gov. Estaban Cantu, Mexicala, Lower California; and Col. Cerduche.

The following Germans and Mexicans were very active in German spy and propaganda work under the direction of Pablo Dato, and the German consuls in Lower California and along the border: Gustavo Buinzo, Nogales, Ariz.; G. Hans, Mazatlan, Mexico; Roberto Still, Mazatlan and Guaymas, Mexico; L. Constancia, Guaymas and Mexicala, Mexico; A. Rademacher, German consul at Guaymas, Mexico; Col. Jose T. Cantu, Mexico City and Mexicala, Mexico, a brother of Gov. Estaban Cantu; Gen. P. Elias Calles, secretary of commerce and industry in Carranza's cabinet, also ex-governor of Senora; Lathor Witehe (alias Pablo Wabirski), operated in and across the border from Texas, Arizona, New Mexico, and Lower California, now in military prison at San Antonio under court-martial, sentenced to death; Fernando Gregoir, Mazatlan, Mexico; C. R. Lings, Mazatlan, Mexico; Max Cohen, Guaymas, Mexico; ——— Muller, of Guaymas, Mexico; W. R. Reachy, one of the secretaries of Gov. Cantu, Los Angeles, Calif., Calexico, Calif., and Mexicala, Mexico; Gen. Carlos Plank, Mexican military commander in northern Sonora; Capt. Cailles, commander thirty-fourth detachment of Mexican troops on the Colorado side in the State of Sonora.

One of Pablo Dato's most successful agents at Mexicala, Mexico, and Calexico, Calif., and along the Sonora border, was Adolph Garcia, who after the United States entered the war was actively engaged in various German spy and propaganda efforts in behalf of Pablo Dato. Garci keeps a general store at Mexicala and has a large warehouse in the rear. He employs two Germans, both of whom are clerks in his store; neither one of these parties were but very seldom in Mexicala and are alleged to have acted as messengers for Pablo Dato between Mexicala and various towns and cities in Mexico. One of these parties is a tall, slim fellow, pale complexion, and about 44 years of age, and is known as Gustavo. The other is young (about 25 years of age), red faced and apparently a sailor, very strongly built, and is known by the name of Christian .

During the latter part of March, 1918, Garcia, while intoxicated, exhibited a wireless telegram received at the local wireless station in Mexicala from the German Embassy at Mexico City. The telegram read:

"Am instructing consul in Guaymas to remit to you. Will send more later."

Garcia then endeavored to have a draft cashed which came from Herman Rademacher, the German consul at Guaymas, who is a member of the firm of Rademacher-Muller & Co., at Guaymas. The draft was for $800.

Part of this money, it was understood, was to repay Garcia for having advanced something in excess of $300 to five men who had been sent south by Garcia. These five men were Germans and are said to have been the same men who were captured on board *The Alexander Agassiz*. These five men left Mexicala during February, 1918, proceeded eastward and crossed the Colorado River near Monument 204. They were guided by the German clerk of Garcia, Christian. Upon reaching the Sonora side they were met by Capt. Calles, of

the Mexican Army, who is in command of the Thirty-fourth detachment of troops on the Colorado side in the Mexican State of Sonora. Calles furnished guides and burros for these five men and sent them eastward across the Sonora desert to some point where it was presumed they would connect with the railroad south of Guaymas.

Garcia during the early part of 1918 was very jubilant over the German advances that at that time were being made in France. During March he deposited in bank $500 gold, which was in the form of postal money orders from Herman Rademacher, the German consul at Guaymas.

Garcia repeatedly during 1917 and 1918 borrowed several different amounts of money at the Mexicala Bank. These amounts ranged from $200 to $1,000, all of which he is said to have repaid. His notes were always indorsed by Pablo Dato.

Adolph Garcia is said to be an extremely well-educated man, speaks English, French, Spanish, and German. He is by no means such a man as would engage for his living as a regular business in a small mercantile establishment such as he was operating in Mexicala, and which is said to be simply as far as the business is concerned a blind.

He is a heavy drinker and gambles, and his gambling losses have always been very heavy. He always carried with him, so it is said, from $500 to $1,000 so that he will be able to supply traveling Germans on the way to Mexico City or other places in Mexico with funds.

BIRTH CERTIFICATE OF PABLO DATO, CONFIDENTIAL GERMAN AGENT IN LOWER CALIFORNIA.

The following is translation of an original document in the German language:

This birth certificate also shows that in 1863 Pablo Dato served as a one-year volunteer in the Prussian Army.

"Birth certificate of Adolph Paul Dato:

"In the respective register of the Church of Grossen, there was entered on the 21st day of June, 1840, the following:

"Adolph Paul, born June 11, 1840, mother, Caroline Frederike Dato; father, Carl Frederich Dato; baptizsed this date.

"This certificate is extended without charge.

"Given at Grossen March 8, 1858.

"GEMBER,
"*Supt. and High Pastor of the City.*"

NOTIFICATION FROM THE COUNT SOLMS, THE GERMAN CHARGÉ D'AFFAIRES AT PARIS, FRANCE, TO PABLO DATO, REGARDING CREDENTIALS OF PABLO DATO TO WEAR THE GERMAN DECORATION, THE ROYAL CROWN.

To Mr. PAUL DATO, Associate of the Mission Duchemin, Ducasse et Cie, Paris.

[Printed letterhead Prussian Embassy in France.]

PARIS, *August 6, 1868.*

SIR: Referring to my letter of June 18, to-day I take pleasure in inclosing the proper credentials authorizing you to wear the order of the Royal Crown of the Fourth Class.

Accept assurances of my highest consideration.

The chargé d'affaires:

COUNT SOLMS.

Mr. PAUL DATO,
Paris, No. 10 Rue de Engtien.

CITATION FROM THE GERMAN EMPEROR DECORATING PABLO DATO WITH THE IMPERIAL ORDER OF THE CROWN.

The following is translation from the original in the German language:

"On orders from his majesty, the King, the general commission in charge of the royal Prussian orders, hereby attests that his majesty has gracefully conceded to the merchant, Paul Dato, of Paris.

"The imperial order of the crown of the fourth class and it herewith extends the proper credentials bearing our seal and signature.

"General commission of the royal Prussian orders:

"COUNT SOLMS."

BERLIN, *May 30, 1868.*

NOTIFICATION FROM THE GERMAN "CHARGÉ D'AFFAIRES" AT PARIS, FRANCE, TO PABLO DATO REGARDING DECORATIONS PRESENTED TO HIM BY THE EMPEROR OF GERMANY.

The following is translation from the original document, which was written in French:

[Printed letterhead, Prussian Embassy in France.]

"PARIS, *June 15, 1868.*

"Sir: The King, my august master, has conferred upon you his order of the Royal Crown of the fourth class (cross of a knight), you so well deserved.

"By handing you this high distinction I request you to acknowledge receipt and the proper credentials will be extended to you.

"Receive, sir, my congratulations and the assurance of my distinguished consideration.

"For the Ambassador of Prussia.

"The Chargé d'Affaires:

"COUNT SOLMS."

COPY OF THE APPOINTMENT OF PABLO DATO AS ACTING GERMAN CONSUL IN PARIS, FRANCE.

The following is the correct translation from the original document, written in the German language:

"STUTTGART, *December 19, 1865.*

"YOUR HONOR: Yours of the 14th instant I have received and had the honor to inform myself that the Royal consul, Mr. Glaenzer, during his absence has appointed you to act in his place and that you gracefully accepted.

"I hasten to express to you my approval of the decision of the Royal consul and hereby express to you at the same time my high appreciation for having accepted the representation of this consulate, and it would afford me pleasure to enter into official relations with you.

"WAMBULLER."

His Honor, the representative of the Royal consul at Paris.

Mr. Paul Dato, whose direct address is not known to me.

CERTIFICATE OF REGISTRATION OF PABLO DATO AS A GERMAN CITIZEN, BEFORE THE SUBPREFECT AT MULEJE, LOWER CALIFORNIA.

The following is correct translation of the original written in the Spanish language:

"To the subprefect of the Center Part, Muleje, Lower California.

"Pablo Data, a German citizen, a resident of Santa Rosalia, Lower California, appears before you and respectfully states:

"Having acquired real estate property in the port of Santa Rosalia, being married to a Mexican woman, who now is the mother of two children, in accord with the provisions contained in Article I, Capital V of the law governing the naturalization of foreigners, dated May 2, 1886, and being inside the limit of time set in referred to article, hereby express my desire to conserve my German citizenship.

"In virtue whereof I beg that this, my expressed desires, be admitted and that a certified copy be furnished me.

"I swear that I proceed in good faith.

"SANTO ROSALIA, *November 15, 1886.*

"Two stamps of 50 cents each duly canceled.

"On the margin a seal—Mexican coat of arms, reading, 'Subprefecture of the Center Part of Lower California.'"

Muleje, November 18, 1886, presented under this date the above petition, note has been made in the respective book. Return original to petitioner. Approved and signed by the subprefect of the Center Part of Lower California, in presence of the official clerk.

J. YGNACIO ARIO,
RAMON MERIRO, *Clerk.*

"The original has been delivered as ordered, after due entry had been made in the respective book."

DATA REGARDING THE ORIGINAL GERMAN ORGANIZATION WHICH IN MEXICO HANDLED THEIR ECONOMICS AND WAR PROPAGANDA.

Pablo Dato, sr., was very active in this organization.

It was known as the Verband Deutscher Reichsangerhoriger (Union of Subjects of the German Empire) with headquarters in the Boker Building, Mexico City, and has branches and agents as follows:

Mexico: —— Krause, Julio Blumenkow, Augustin Grosset, Ernest Grether, Hans Muller, Karl Janke, head of German secret service in Mexico; E. Von Lubek, Boker Building; Theodo Rch Schumacher, Box 1388; Hugo Marquardt, 2a San Agustin 56; Franz Boker, Mexican Hardware Co., Box 149; Dr. Emil Boese, S. Pedro los Pinos Avenue 16 No. 2315, care of Ketelson & Degetau.

Chihuahua: Max Fishbaum, Herman Kreigsmann, Otto Brelefield, Herman Pless, —— Von Keik.

Ciudad Juarez: Frederiets Reuther, German consul at Juarez; S. Blancas.

Durango: Rodolfo Schommer, ——Peters.

Guadalajara: Paul Hansen, Hans Deeke, Karl Paulsen.

Guaymas: Max Cohen, L. Constancia, Gustave Iberi, A. Rademacher, German consul; Hnos. Muller, partner of Rademacher.

Mexicala: Frederick, Gustave, Adolph, Pablo, jr., Williams, W. R. Reachy, and Pablo, sr., Dato.

Mazatlan: Fernando Gregoir, G. Himback, G. Hans, C. R. Lings, Robert Stoll, Melchers Suers.

Merida, Yucatan: W. Dirks, Maurice Galler, Adolphus Struck, Augustine Lewels, Kumm Heller, Emil Moller, Consul F. Guckler.

Monterey: R. A. Bremer, J. Cram, L. Langstruth, Adolf Schefold.

Parral: Edgar Koch, K. Stallforth, Eduardo Koch.

Puerto Mexico: G. C. Souffront, care of Hamburg American Line, Box 72.

San Luis Potosi: Consul George Unna, —— Ozuna.

Tampico: Carl Heynan, K. Eversbusche.

Tepic: Z. Guzeman, Julius Delius.

Torreon: Julian Lark, —— Normchren.

Vera Cruz: Arturo Arrieta, Pedro Basaner, Rudolph von Lubek, Guillermo Busing.

Zacatecas: Herman Reimers.

Montezuma: Joseph Korn.

Matormois: H. Eschreck.

Nuevo Laredo: Capt. K. Hinsch, German Army officer; Herman Ruckheim.

Nogales, Ariz.: Gustave Buinzo, H. J. Woodi.

The public head of this society is R. von Lubek, who lives at 28 Calle, Berlin, and has offices in Boker Building, Mexico City. He is a retired merchant, formerly of the firm of Robert Boker & Co., one of the leading hardware companies in the City of Mexico. Fritz Sommer, son of B. Sommer, one of the leading jewelers in Mexico City, traveling throughout Mexico organizing and furthering the work of this society.

There is also a committee organized under Von Lubek for active work in the Mexican Army. The German Army officer in charge of this work is Capt. Ricardo W. Schwierz, who worked through some 40 German officers in that body. This committee also works through Col. José del Campo, Corps of Engineers, Mexican Army; Cuatro Cienegas and Saltillo, Capt. Herman Ruekheim, Nuevo Laredo, Cal. Carlos Plank, of Sonora; Gen. P. Elias Calles, of Sonora; and a Spaniard named Gurdiola, editor of La Regeneracion, of Saltillo.

The society furnishes inspiration and financial backing for the following papers in Mexico City: Boletin de la Guerra, Informaciones en las Americas, Cronica Alemana, Duetsche Zeitung von Mexico, and all has subsidized the

following dailies: El Democrata. In Monterrey it subsidizes the following: El Heraldo Europeo. It also furnishes pro-German news for Mexican papers, and, in connection with La Sociedad Ibero Americana de Hamburg and Transocean, of Berlin, publishes and distributes pamphlets on the German side of questions. It encourages business men to advertise in Mexican newspapers and thereby gains their interest and assistance in spreading pro-German news and kultur. It publishes posters, which are seen throughout the leading cities of Mexico, and provides lectures on various subjects. It has organized societies of Boy Scouts to drill and train in German fashion. The influence is felt throughout the department of public schools, as shown by their training, which includes the "goose step." Another committee of this society arranges for free courses of German in the schools; another is charged with providing a hospital.

During the strained times with the United States the Germans throughout Mexico showed most lively sympathy with the Mexicans, and promised them active aid in case of war between Mexico and the United States. Recently Von Lubek wired all German consuls in Mexico of the enthusiastic reception awarded the German minister, and of the hissing and anti-American sentiment shown the American ambassador at the opening of Congress, and requested them to see that same was published in Mexican towns and papers.

The following letter covers the organization and intentions of the society:

APRIL 15, 1916.

From: Verband Deutscher Deichsangehoringer, Box 1221, Mexico City.
To: Deutscher Wirtschaftverband, Central and South America, 28 Potsdamer Str., Berlin, W–35.

This is to advise of the organization in this society as far back as June 16 last. As your association is occupied in Latin-American countries, our society will pursue the same course here. It is not practical for us to aid Germany by force of arms, so our main intention will be to aid all possible in an aconomic manner.

The society was founded June 16, having 164 members, and the first committee was chosen October 12, at which time the propaganda was circulated in the capital and throughout the interior, and at the same time 245 Germans of the empire joined in the capital and 113 from the interior, making a total of 522.

As you can readily see from reading our statutes, we will accept none as members save native-born Germans, and their nationality must be proven beyond doubt. That proscription also permitted the imperial authorities to recognize the nationality of 60 Germans. Moreover, there is a great number of Germans who for various reasons "by not observing the ancient regulations lost their nationality," have regained their standing as Germans and have been rehabilitated under the new liberal rules of the association, and it is to be hoped that excellent results will emanate from this source.

Up till the present a great number of publications on the war have been circulated in the cities and throughout the country dealing from the German viewpoint, by the Ausschuss fur Verteillung von Aukklaruns Material who have been working for three months, and a great number of Mexicans have been convinced that we are in the right, in the methods of conducting the war and our spirit of German culture. Also the following technical works and serials have been distributed: "The Great War in Description," "The Actual War," "The Discourse of the Chancellor of September 12, 1915," "The War and the Right of Dr. Ed. Llorens." The stories contained in the Herald, of Hamburg, received here in December met with great approval.

The circulation of propaganda will be assured by means of 29 local committees and other members throughout the country, and we are hopeful of the greatest results.

Free courses in German have been instituted in the German schools by Mexican instructors without special effort on the part of our association, although a part of the general plan of the committee, and has been received with great approval by the public, and adds to our propaganda. By this means the public will be given to understand Germany and to receive the true communications of our general staff on happenings of the war, and the public will be disposed to accept our announcements.

It is desired to begin the immediate construction of a German hospital, which will be a great impulse to our colony and will demonstrate to our following, the power of German science, German ability, and the German spirit of

organization. If the Empire approves and will give aid it will be a great point for our propaganda. A committee of physicians has this matter under study from the scientific point of view.

The colony of Germans of the Empire here is relatively small, and the economical setbacks of the country for the past five years have greatly hindered our spirit of enterprise against the economical strength of our enemies.

Address the correspondence for the president to Ad., Christliebsan, Apartado 58, Mexico, or to the secretary, Hugo von den Steinen, Apartado 1221, Mexico.

Continuation confidential report by Cresse to Department of Justice re trip of F. R. Betancourt from New Orleans to Los Angeles, to make arrangements with Gov. Cantu of Lower California regarding arms and ammunition to be run out of the United States.

NEW ORLEANS, LA., *November 23, 1918.*

My report of September 23, 1918, will give you full information regarding negotiations between Betancourt and Godchaux regarding the proposed arms and ammunition transaction with Gov. Estaban Cantu of Lower California.

Betancourt left New Orleans as mentioned in my report of September 23, at 7.30 p. m. Saturday, September 21. He arrived in San Antonio, Tex., 1.30 p. m. September 22, and registered at the Menger Hotel that city.

Godchaux left New Orleans September 23, via Southern Pacific Railway. He arrived in San Antonio September 24 and registered at the Menger Hotel that city, room 122. Prior to his arrival in San Antonio he wired Betancourt the date of his arrival, and Betancourt was waiting for him in the Menger Hotel lobby. By previous arrangements Betancourt and Godchaux were to leave San Antonio immediately upon the arrival of Godchaux in that city. Betancourt, however, wanted to wait around in San Antonio until his lover, Mrs. V. Lorie, met him there.

My confidential report of November 27, 1918, entitled "Re F. R. Bentancourt alleged to have transported Mrs. V. Lorie for immoral purposes from New Orleans to San Antonio and from there to Los Angeles, Calif.," will give you full information regarding why Betancourt laid around San Antonio for about a week waiting to get in touch with Mrs. Lorie and have her meet him in San Antonio.

Godchaux, from September 24 to September 28, at San Antonio, was constantly in the company of Betancourt, Antonio Magnon, George Warden, and many other Mexicans who are affiliated with Mexican revolutionary activities in that city. Godchaux, while in San Antonio, made his headquarters at 402 Brady Building, which is the office of Warden and Magnon.

During this time Betancourt several times suggested to Godchaux that he start for Los Angeles and that he (Betancourt) would follow him on the next train. Godchaux stalled Betancourt along regarding this matter until he had communicated with me, and at that time also told me the probabilities were that Betancourt might try to cross over the border into Mexico without a passport. I therefore requested your New Orleans office to telegraph the following instructions to Godchaux through your San Antonio office. The telegram mentioned was as follows:

"Tell Godchaux who is at Hotel Menger, and who expects to leave San Antonio to-night, not to leave Betancourt for a second, and to positively go with him wherever Betancourt goes, and if Betancourt crosses into Mexico without passport, also do the same. Agent Keep, at Los Angeles, will arrange your permit card to get into Mexico. Also instruct Godchaux to telegraph Kale Jones, at Hotel Paso del Norte, El Paso, Tex., when Godchau arrives in Los Angeles and his exact route from Los Angeles, and to positively go with Betancourt to see Cantu."

NOTE.—It is important in your telegram to the San Antonio office to caution them about seeing Godchaux, for he is with a bunch of Mexicans there, all of whom know the majority of the men connected with the San Antonio office.

Mr. Sullivan, of your San Antonio office, on September 27 telephoned Godchaux, and when none of the Mexicans were around Sullivan then called at the Menger Hotel and gave Godchaux the instructions mentioned in the above telegram.

On September 27 Betancourt told Godchaux he was ready to leave for Los Angeles but that it would be very unwise and not safe for him (Betancourt)

and Godchaux to leave San Antonio on the same train, because the secret-service people were watching him (Betancourt), and if they saw him leave San Antonio with Godchaux it would make them more suspicious than they already were. He insisted upon Godchaux leaving San Antonio the next day, and said he would follow on the next day. Godchaux therefore left San Antonio on September 28, fully expecting Betancourt would follow him on the next train.

Godchaux, on the night of September 27 wired my office manager as follows:

"Leaving for Los Angeles Saturday, noon; stop Hotel Alexandria. Anxious see Kate before leaving here. Will try see her at depot if she is on train arriving 1 o'clock otherwise will stop El Paso on Sunday to see her. Resume trip same night, get Los Angeles Monday evening. Do not answer; left hotel.

"PAUL."

NOTE.—Kate is code name for Cresse.

In answer to Godchaux's telegram of the 27. I immediately wired him at Sanderson, Tex., and El Paso, as follows:

NEW ORLEANS, LA., *September 28, 1918.*

Dr. P. M. GODCHAUX,

Sanderson, Tex. (Please try and deliver this message to him on S. P. train to El Paso during the next 24 hours):

Kate not at El Paso and won't be there until next Wednesday of Thursday; likewise will not arrive Los Angeles until next Sunday or Saturday; therefore not necessary for you to stop at El Paso and you can continue your trip without stopping off at El Paso.

NEW ORLEANS, LA., *September 28, 1918.*

P. M. GODCHAUX,

Hotel Paso Del Norte, El Paso, Tex.

Kate leaving home to-morrow and won't arrive El Paso until next Tuesday or Wednesday, as she is stopping off to make other visits; very important for you not to see any of the family at El Paso, or attend to anything there; also keep away from everybody else. Likewise suggest stop at all times with Court and complete trip with him. Kate expects to arrive Los Angeles on October 4 or 5.

NOTE.—Court is code name for Betancourt.

Godchaux, therefore, did not stop off at El Paso, and proceeded direct to Los Angeles, arriving there September 30.

I left New Orleans via Southern Pacific Railway October 1, at 7 p. m. After the train left the depot I noticed, in the sleeping car that I was in, Mrs. V. Lorie, who is the lover of Betancourt. I knew her by sight, but feel sure she, up to my arrival the following day in San Antonio, did not know me.

When I arrived in San Antonio at 1.30 p. m., October 2, was very much surprised to see Betancourt meet Mrs. Lorie at the depot, for up to that moment felt sure he was on his way to Los Angeles with Godchaux, for at that time had heard nothing from Godchaux regarding him leaving ahead of Betancourt.

Betancourt saw me at the depot in San Antonio, rushed up to me and was apparently very glad to see me, which, of course, I knew was nothing but hypocritical on his part, due to the fact that in times past I had several run-ins with him, as will be mentioned hereinafter.

I told Betancourt I was passing through San Antonio, and then got into a taxicab and went to the St. Anthony Hotel. As I was registering Mrs. Lorie walked into the lobby of the St. Anthony Hotel and likewise registered. I had expected to leave San Antonio that night, but due to the fact that Mr. Breniman, superintendent of your San Antonio division, expected to go to El Paso the following day, I therefore waited over and Mr. Breniman and myself left San Antonio for El Paso at 1.30 p. m., October 3. We had a drawing room on that train, and I had made arrangements to meet Mr. Breniman in the drawing room.

When I arrived at the depot, saw Betancourt and Mrs. Lorie there. They at once saw me and I, of course, stopped and spoke to Betancourt, who at that time introduced me to Mrs. Lorie. He asked me where I was going and I told him over to El Paso, and he said he likewise was going to El Paso. I knew, however, he was lying, for I had overheard him tell Mrs. Lorie in Spanish the exact time he would arrive in Los Angeles.

I saw Betancourt once or twice on the train and had very little conversation with him and he at no time saw me with Mr. Breniman.

On the morning of October 4 I arrived in El Paso. Betancourt went to Los Angeles. I had wired Godchaux from San Antonio asking him why Betancourt was not with him, and suggested that he telegraph Warden. The telegrams I received from Godchaux were as follows:

LOS ANGELES, CALIF., *October 1, 1918.*

KALE JONES,
Hotel Paso del Norte, El Paso:

Your telegrams here received. Wanted to see you before leaving El Paso, but arranged matters myself. Everything fine; customers here treated me royally. Wire me where and when you be here. Want to see or write you before going away. Will advise what town I make next. Folks send you regards.

HENRY.

LOS ANGELES, CALIF., *October 3, 1918.*

KALE JONES,
Paso del Norte Hotel, El Paso:

Friend wired he be here Saturday. Received wire later confirming his departure. Doubtful whether we leave before Monday to see party unless decide go immediately upon arrival Saturday. Wired you El Paso October 1. Have everything fine shape. Necessary I see or communicate with you before returning south, account expenses. Regards.

HENRY.

Godchaux, as per my instructions to him by telegraph, wired Warden at San Antonio regarding Betancourt as follows:

LOS ANGELES, *October 3, 1918.*

GEORGE WARDEN,
402 Brady Building, San Antonio, Texas:

Waiting for Betancourt. When can expect him? Answer.

P. M. GODCHAUX.

In answer to the above telegram Warden wired Godchaux as follows:

SAN ANTONIO, TEX., *October 3, 1918.*

P. M. GODCHAUX,
Hotel Alexandria, Los Angeles, Calif:

Left to-day at noon.

GEO. B. WARDEN.

In the meanwhile had received telegram from Mr. Sullivan of your San Antonio office while en route to El Paso, as follows:

C. E. JONES,
Drawing Room A, Car 59, care of Conductor No. 101, Hondo:

I have your coat. Redhead still here. Will cover and wire you. Blackhead went on train.

SULLIVAN.

NOTE.—Blackhead refers to Betancourt; redhead to Mrs. Lorie.

Also received the following telegram at El Paso from Mr. Sullivan regarding Mrs. Lorie, as follows:

SAN ANTONIO, TEX.

C. E. JONES,
New Hotel Rosslyn, Los Angeles, Calif.:

Your overcoat left here 1.20 train October 8, addressed Eugene Jones, care New Hotel Rosslyn. Trace Wells Fargo there for San Antonio. Waybill No. 1, October 8; baggage, 6 pounds; 74 cents prepaid; value, $30; mailed letter regarding same October 7.

SULLIVAN.

Before I left San Antonio, felt sure that Mrs. Lorie would follow Betancourt on the next train. Am convinced of the fact that Betancourt got Godchaux out of San Antonio as mentioned hereinbefore so he could meet Mrs. Lorie and then travel with her to Los Angeles, but after she arrived in San Antonio he probably thought that in some way it might be dangerous for him to make the trip from San Antonio to Los Angeles with Mrs. Lorie, therefore had her follow him the next day.

I then wired Godchaux from El Paso as follows:

EL PASO, TEX., *October 4, 1918.*

P. M. GODCHAUX,
Alexandria Hotel, Los Angeles, Calif.:

Party left San Antonio same train I did yesterday. He should arrive Los Angeles Friday morning. When he arrives, rush business with him; also urge that he start immediately. See those parties. Very important successfully push that business through. I expect arrive Los Angeles Sunday or Monday night. Will wire exact arrival.

KALE.

Godchaux in the meanwhile had received the following Western Union telegram from Betancourt:

SAN ANTONIO, TEX., *October 3, 1918.*

P. M. GODCHAUX,
Alexandria Hotel, Los Angeles, Calif.:

Arriving Saturday morning.

F. R. BETANCOURT.

I left El Paso on the afternoon of October 5 and arrived in Los Angeles October 6. Immediately got in touch with Godchaux, and much to my surprise learned from Godchaux when he met me in my room, 738 New Rosslyn Hotel, that Betancourt and Mrs. Lorie had registered on October 6 at the New Rosslyn Hotel as Mr. and Mrs. Lorie, San Antonio, Tex., and were in room 836, which was directly over my room.

On October 7 I ran into Betancourt in one of the elevators of the New Rosslyn Hotel and he nearly dropped dead with surprise at seeing me. He wanted to know how long I had been there, when I was leaving, etc. Told him I was leaving for Tucson and Phoenix, Ariz., in a day or so. After that day Betancourt never saw me again in Los Angeles, although I several times saw him.

Betancourt when he arrived in Los Angeles, October 5, registered at the Hotel Alexandria, room 870. All of that day and evening he spent with Godchaux and Martin de Leon planning to leave at an early date for Calexico to see Gov. Cantu. He said nothing at all to Godchaux regarding Mrs. Lorie, or her expected arrival in Los Angeles, nor did he ever thereafter mention Mrs. Lorie to him.

Godchaux on the morning of October 6, while endeavoring to secure a copy of one of the New Orleans daily newspapers, was going from one news stand to another in several of the Los Angeles hotels, and for that reason was in the lobby of the New Rosslyn Hotel, when he saw Betancourt come in with Mrs. Lorie. Godchaux immediately disappeared and Betancourt and Mrs. Lorie went to their room. Godchaux then went to the register and learned what room they were in, and a few moments thereafter he telephoned their room and asked in a disguised voice for Mr. King, and Betancourt answered the telephone. Godchaux in that way knew that Betancourt was in the room. Godchaux then told Betancourt to excuse him, for he undoubtedly had been connected with the wrong room.

On October 1 or 2, Godchaux called at your Los Angeles office and introduced himself to Mr. Keep, and was then introduced to Mr. Conaty, immigration inspector at Los Angeles, who gave him letter to Mr. Musgrave, his inspector at Calexico, instructing him to issue to Godchaux temporary citizen's permit card to cross into Mexico.

Godchaux on October 7 was told by Betancourt that he was leaving the Alexandria Hotel, and he thereafter would be at room 523, Hotel Hayward. Betancourt secured this room at the Hotel Hayward simply as a blind and to receive his mail from his family and associates, for thereafter he spent all of his time with Mrs. Lorie and was but very seldom in his room at the Hotel Hayward.

At the time Betancourt met Godchaux in San Antonio he assured Godchaux that he would have no trouble at all in regard to securing his passport to cross into Mexico. After Betancourt arrived in Los Angeles he told Godchaux he had been unable to secure his passport and would have to wait 30 days for same. Godchaux then said. probably Mr. Poole, due to his political influence, would be able to arrange to have a temporary permit card issued in Betancourt's favor. Therefore Godchaux sent Mr. Poole the following phony telegram:

LOS ANGELES, *October 9, 1918.*

S. J. POOLE,
Hotel Waldorf-Astoria, New York City:

Must have interpreter arrangement at Washington for Betancourt; permit immediately.

P. M. GODCHAUX.

Through the cooperating of Mr. Keep, of your Los Angeles office, at my request Godchaux received the following phony telegram from Mr. Poole:

NEW YORK, N. Y., *October 9, 1918.*

P. M. GODCHAUX,
Hotel Alexandria, Los Angeles, Calif.:

Replying your telegram, have arranged through Senator friend to have immigration department grant three-day permit card for interpreter; necessary instructions, so I am advised, have been telegraphed regarding the matter to immigrant official at Los Angeles and Calexico; see them immediately.

POOLE.

On October 10 Godchaux took Betancourt to the office of Mr. Conaty, immigration inspector at Los Angeles, who at that time per previous arrangements made with Mr. Conaty by me wrote a letter to his inspector at Calexico to issue a temporary permit card to Betancourt to cross into Mexico from Calexico.

Betancourt prior to that time had asked Godchaux to secure some positive letter of authority from Mr. Poole which would show that Godchaux had full power to complete the negotiations for the arms and ammunition with Cantu. Godchaux therefore wrote a telegram showed it to Betancourt, who thought this phony telegram was sent to Mr. Poole.

Through the cooperation of Mr. Keep of your Los Angeles office at my request Godchaux received the following phony telegram from Poole.

NEW YORK, N. Y., *October 7, 1918.*

P. M. GODCHAUX,
Hotel Alexandria, Los Angeles, Calif.:

Your letter September 13 received. Can handle order for any amount of goods for immediate delivery. Do not think necessary for me to again confirm by letter your authority, as this will serve the same purpose as I have given you full power to act as my representative of which your parties are fully aware and familiar with now. Understand that I am placing full responsibility and confidence in you and can not accept any business only upon cash basis as previously arranged with your parties and agreed upon. Goods now in your possession should be disposed of before any further shipment made. Wired you last Tuesday regarding tug and barges.

POOLE.

Betancourt and Godchaux had planned to leave Los Angeles on the night of October 10 for Calexico, but Betancourt, however, postponed the trip until the night of October 11 and then again to the 12th. Finally he and Godchaux left Los Angeles at 11.30 p. m. on the night of October 13 for Calexico. They arrived there at 7.45 a. m. October 14 and both registered at the Calexico Hotel in rooms 120 and 122.

Godchaux got away from Betancourt for a short while, and went to see Mr. Musgrave, immigration inspector in charge at Calexico, and told him that Betancourt and he would call within a short time to secure Betancourt's temporary permit card. Mr. Musgrave had also received confidential letters from Mr. Keep and Mr. Conaty which were written at my suggestion, in regard to issuing the permit card to Betancourt. Godchaux and Betancourt about noon of that day went to Mr. Musgrave's office and there secured their temporary passports.

They then returned to the hotel and Betancourt told Godchaux it was best for him to first go over into Mexicala and have a private preliminary interview with Cantu. Betancourt then immediately left for Mexicala and about 3 p. m. the same day returned to Calexico and told Godchaux that Cantu was sick and could receive no visitors that day, but he had made an engagement for Godchaux and himself to meet Gov. Cantu the following day, October 15, at noon.

Betancourt then told Godchaux that Gov. Cantu's private secretary, Mr. Ramon Guerrero, had accepted an invitation to eat dinner with them that

evening. Guerrero promptly kept his engagement, and at that time was introduced to Godchaux by Betancourt. At dinner Guerrero, Betancourt, and Godchaux arranged between themselves to secure a large additional profit on all arms and ammunition that they sold to Cantu. Guerrero then told Godchaux he would see him the next day at Gov. Cantu's office in Mexicala, and that there was no doubt but that they all would make a great deal of money out of these deals.

On October 15, at about 8.30 a. m., as Betancourt and Godchaux were coming out of the Hotel Calexico dining room, Betancourt said to Godchaux, wait a minute there is an old-time friend of mine and then went up to a Mexican, who Godchaux learned afterwards was Emilio Gonzales. Betancourt and Gonzales moved over to a corner of the lobby of the hotel, sat down and started a conversation which extended well over an hour. During that time Godchaux was watching them and noticed Betancourt was becoming very much excited and exceedingly nervous and that Gonzales was talking to Betancourt in a most earnest manner.

Betancourt after his conversation with Gonzales returned where Godchaux was waiting and told Godchaux that Gonzales had just told him (Betancourt) that all of their plans were fully known to the police and secret service people; furthermore, that Gonzales had positively told him a secret service friend of his (Gonzales') had stated the secret service even had photographic copies of all of the correspondence, contracts, etc., pertaining to the Godchaux-Betancourt arms and ammunition proposition.

Godchaux states Betancourt looked like a dead man at that time and was in every way in his actions, opinions, and conversations entirely a changed man from what he had been prior to his conversation with Gonzales. Godchaux tried to assure Betancourt of the fact that Gonzales' statements were absolutely incorrect and that it was utterly impossible for the secret service people to be aware of their negotiations for the arms and ammunition.

Betancourt, however, could not be reconciled as to their safety and said, "No; no; Gonzales knows what he is talking about and we are all going to get into serious trouble," and then said to Godchaux it will never do for you and I to be seen together at Calexico, therefore, you stay away from me and I will meet you later in my room.

Godchaux then asked him what about their engagement with Gov. Cantu for noon of that date, and Betancourt said, "That's off for to-day."

Later that day Betancourt met Godchaux in his room and asked him to telephone Calzado at Los Angeles that he, Godchaux, was leaving Calexico that night for Los Angeles. Betancourt then said, "Upon your arrival in Los Angeles explain the entire situation to Calzado and have Calzado come back to Calexico with you the following night, and then the three of us will go over to Mexicala and close the entire proposition up with Cantu."

Godchaux therefore telegraphed Calzado at follows:

CALEXICO, *October 15, 1918.*

EUSEBIO CALZADO,
1343 Albany Street, Los Angeles, Calf.:

Betancourt advises wait for me. Leaving to-night. Important see you.
P. M. GODCHAUX,

Godchaux also from Calexico, telegraphed me as follows:

CALEXICO, CALIF., *October 14, 1918.*

MIKE BROWN, No. 715,
Care New Hotel Rosslyn, Los Angeles, Calif.:

Received letters; expect see customers to-day; will advise further to-morrow.
PETE.

NILAND, CALIF., *October 15, 1918.*

CHAS. E. JONES,
Care New Rosslyn Hotel, Los Angeles, Calif.:

Party sick, unable to see him; important be Los Angeles to-morrow morning.
KATE.

Godchaux left Calexico that night and arrived in Los Angeles on the morning of October 16. My report of November 23, 1918, entitled "Re Eusevio Calzado, Mexican revolutionary leader, at Los Angeles, Calif., which shows his connections with Col. Estaban Cantu and Gen. Pancho Villa," will give you full details regarding Godchaux's conversation with Calzado after he arrived in Los Angeles.

Godchaux states he feels fully satisfied of the fact that Betancourt simply wanted him to get out of Calexico as quickly as he could, notwithstanding the fact that Betancourt assured Godchaux of his being there upon his (Godchaux's) return to Calexico, and that Betancourt had fully made up his mind at that time as soon as Godchaux left he would take the next train out of Calexico, which as a matter of fact he did.

When Godchaux returned to Calexico on the morning of October 18, with Calzado, they found much to their surprise that Betancourt had left Calexico on the night of October 17 for Los Angeles and had arrived there on the morning of October 18.

My report of November 23, 1918, entitled "Confidential report re Rusevio Calzado, Mexican revolutionary leader at Los Angeles, Calif., which shows his connections with Col. Estaban Cantu and Gen. Poncho Villa." On pages 5 to 10, inclusive, of that report will give you full particulars regarding all of the matters which happened after Calzado and Godchaux arrived in Calexico on the morning of October 18.

After Godchaux returned to Los Angeles and went to his hotel room, he telephoned Betancourt at room 523, Hayward Hotel, and made an engagement with him to meet him at Calzado's office as has been previously arranged with Calzado for 12.30 p. m., that day. Betancourt asked Godchaux at that time if Calzado was at his office or residence at that moment, and Godchaux said presumably at his residence.

Godchaux therefore at noon on October 20 met Betancourt and Calzado at Calzado's office, 838 Title Insurance Building. Calzado told him he had seen Betancourt at 10.30 a. m. that morning and that he and Betancourt had a very extensive conversation in regard to the arms and ammunition proposition, likewise in regard to their negotiations with Cantu.

Godchaux then immediately realized that Betancourt had thoroughly impregnated Calzado with the same fear that he (Betancourt) had regarding the fact that the secret-service people were after Betancourt and Godchaux as per information given to Betancourt regarding this matter by Emilio Gonzales, who had told Betancourt at Calexico that a secret-service friend of his (Gonzales) had told him they knew all about the entire Betancourt-Golchaux negotiations and even had seen photographic copies of a great deal of Betancourt's correspondence regarding these matters.

Godchaux could see at that moment that Calzado was a changed man and was exceedingly nervous and apparently very much frightened over the entire situation and repeatedly walked up and down his office and said: "My God! this is dreadful; it will simply ruin everything we have planned."

Godchaux states that Calzado had a most extreme case of nervousness and fright regarding this matter, and closed up like a clam regarding the entire matter and said: "We will have to drop this matter for the time being; furthermore, all of us if we are brought before the authorities must swear there is absolutely nothing in this matter and we have never discussed arms and ammunition." Calzado then said: "I am going to deny to the bitter end that I ever went to Calexico."

Godchaux then made an engagement to see Betancourt and Calzado that evening and later took Calzado and his lover at 8.15 p. m. to the Victor Hugo restaurant. Godchaux at that time for over two hours attempted to ease Calzado's mind in regard to their being any danger and furthermore told him it was utterly impossible for Emilio Gonzales to have ever received such information as he in turn had passed on to Betancourt regarding the secret service people being fully aware of their plans, etc.

Godchaux at that time asked Calzado who Emilio Gonzales was, and Calzado told him Gonzales was a very prominent Mexican lawyer, who had many influential friends and there wa no doubt in his mind but that if Gonzales told Betancourt he had received information through a secret service friend of his that they were thoroughly familiar with the entire Betancourt-Godchaux-Cantu proposition, that he, Calzado, could bet his life that Gonzales was absolutely correct in regard to the information he had given to Betancourt.

On October 21 at 10 o'clock a. m., Godchaux met Calzado, and Betancourt at Calzado's office for a definite answer in regard to the entire arms and ammunition proposition. Godchaux states that Calzado at that meeting was as much frightened and nervous about the entire matter as he previously had been, and that Betancourt was in every way all together different in his actions, talk, and opinion regarding the arms and ammunition matter. Betancourt then said, "Remember all of us have to stick together and deny forever that any such a deal existed."

Godchaux then fully realized that due to the fright which had been thrown into Betancourt by Emilio Gonzales at Calexico regarding the fact that the secret service people and the United States knew about the entire matter, that Betancourt therefore had made up his mind to, if possible, sacrifice everybody else and save himself, and that Calzado who in turn had been badly frightened by Betancourt likewise intended to do the same. They also said, we have to take to cover now and drop this deal forever.

Betancourt also at the start of the conversation treated Godchaux in a very cold manner, and seemed to blame him for the entire matter. Godchaux then asked Betancourt where do you suppose I am going to get off regarding this matter with my principals? Furthermore, you have dragged me around the country for about six months on this deal promising this, that, or the other thing, and you have never complied with any parts of your proposition, and in addition to that, if you are involved with the authorities, so am I.

Godchaux states his idea in making that remark to Betancourt was to learn positively if Betancourt and Calzado were really sincere in regard to their changed ideas and attitude regarding their arms and ammunition deal.

Betancourt then said to Godchaux: "It is true I am not complying with my agreements, but after having received that information from Gonzales it looks like jail for me, and I am going to save myself irrespective of who else gets saved or not." He then said to Godchaux: "Where are all of the contracts, papers, documents, etc., pertaining to these deals which I have signed and which are in your possession?" Betancourt then also said: "I want all of those papers and contracts back, for I would not be able to sleep any more as long as I knew they were out of my hands." Godchaux told him they were in his possession in a safety deposit box at the Alexandria Hotel. Betancourt and Calzado then said: "Let's go over to the hotel and get those papers at once."

Godchaux said: "No, that can't be done, for these are papers and documents that belong to my principals and I am not going to give them back to you until I am so authorized to do so by Mr. Poole." At that moment when Godchaux refused to surrender these papers, Betancourt, so Godchaux states, had a brain storm, jumped up and yelled out, he would get those papers if he had to choke them out of Godchaux, and started over to Godchaux, who then got out of his chair, backed into a corner, and told Betancourt, "You try to put your hand on me and I will kill you."

Godchaux realizing that everything was up as far as Betancourt and his associates were concerned, and nothing more could be done with them, so he tells me. He then backed out of Calzado's office and told both Calzado and Betancourt: "Go to hell; if you try to start anything with me, I will bump the pair of you off." Betancourt at that moment started toward the door, so Godchaux states, and Godchaux lifted his coat, which allowed Betancourt to see he had a gun in each hip pocket, and told Betancourt: "You can't bluff me; try jumping on me and you will get hurt."

Godchaux then left the building and late that afternoon Calzado telephoned him and said: "Old man, you are not sore at me, are you, for its not my fault," and also said that Betancourt was crazy, and he and Betancourt would be willing to give Godchaux $600 for the papers and contracts, and made an engagement to meet Godchaux at his, Calzado's office, at 3.30 that afternoon. Godchaux, however, at my suggestion, did not keep his engagement with Calzado.

On October 22 Calzado telephoned Godchaux at the Alexandria Hotel, and at that time told him it was the best thing for everybody to settle the entire matter amiable and for Godchaux not to stay mad at him. Calzado then told Godchaux, "We will pay all of the expenses you have had in regard to those negotiations," and asked Godchaux what it amounted to. Godchaux told him about $1,200, and Calzado said: "All right, we will arrange that, and you will turn all of Betancourt's papers over for that amount." Godchaux said only after he had put their proposition up to Mr. Poole.

At about 2.30 p. m. October 23 after I had checked out of the New Rosalyn Hotel and went by the Alexandria Hotel to get Godchaux to go to the depot as we had intended to leave Los Angeles that afternoon at 4.00 p. m., and just as I got into Godchaux's room the telephone rang and I answered it and found that Mr. Dennison was on the telephone. He told me a very important matter had come up and asked me to immediately come down to Mr. Keep's office. I told Godchaux to wait for me in the lobby of the hotel, jumped into a taxicab and went to Mr. Keep's office and found Mr. Dennison waiting there for me.

He told me that about an hour before he telephoned me he had received a request from Assistant United States Attorney Palmer to come to his office, and that when he (Dennison) arrived there he found Mr. Palmer in consultation with Betancourt, Calzado, and Ben Hunter, who said he was their attorney. Mr. Palmer introduced Dennison to these three men and stated that Betancourt had entered into a contract with P. M. Godchaux for the delivery of arms and ammunition, which he did not know was illegal, and that his attorney, Mr. Hunter, told him it was, and recommended to him that he confess to the authorities regarding the entire matter and by doing so gain immunity for himself.

Mr. Dennison called Mr. Palmer out of the office and explained Godchaux's connection with this proposition.

Mr. Dennison's report of October 24 regarding Calzado and Betancourt will give you additional information regarding this matter.

After I arrived at Mr. Keep's office, Mr. Dennison, Mr. Keep, and myself conferred with Assistant United States Attorney O'Connors and Assistant United States Attorney Palmer. I explained to these gentlemen the entire circumstances in regard to Godchaux's connections with this case, and they asked me what should be done in regard to Betancourt and Calzado. I then suggested that Mr. Dennison make complete reports to your department regarding the entire matter up to that moment and thereafter as these matters developed.

Likewise told them regarding what should be done with Betancourt, Calzado, and their associates I believed was a matter that should be passed on by Chief Bielaski or the Attorney General's Office at Washington, due to the fact that no prosecution against these Mexicans should be started on account of other matters which might interfere with the ideas of the State Department regarding various Mexican revolutionary affairs. It was therefore agreed between all of us to let the case against these Mexicans rest pending instructions from Washington regarding same.

I then suggested to Mr. Dennison that he immediately get in touch with Betancourt and Calzado, and dig out of them all of the additional information he could secure, and made arrangements to meet Mr. Dennison at Godchaux's room at the Alexandria Hotel between 4.30 and 5.00 p. m.

Then returned to Godchaux's room at the Alexandria Hotel. He told me that in the meanwhile Betancourt and Calzado had seen him and asked him to call at Calzado's office around 5 o'clock that afternoon, for they wanted to give Godchaux twelve or fifteen hundred dollars for the papers and contracts pertaining to the expenses caused by arms and ammunition contract deal.

Mr. Dennison in the meanwhile arrived at Godchaux's room, and we agreed that it would be best for Godchaux to keep his engagement at Calzado's office. While Godchaux was waiting for them in the hallway outside of Calzado's office Betancourt showed up, and Godchaux asked him what he meant by turning him (Godchaux) up to the authorities. Betancourt indignantly denied that he had seen the authorities and claimed to know nothing about it; likewise said Calzado had done nothing of the kind. He assumed at that time a most friendly and cordial attitude toward Godchaux, and again told him he wanted to buy the papers and would meet him (Godchaux) the next morning around 10 o'clock.

Godchaux then returned to his room at the Alexandria Hotel, where Mr. Dennison and I were waiting for him. I then suggested to Mr. Dennison that he telephone Calzado and Betancourt, get them together, and secure from them any additional information he could. Later that evening Mr. Dennison got in touch with Betancourt and Godchaux and had an interview with them, which lasted for several hours, and secured from them the statements and information mentioned in his report of October 23, 1918, entitled "Re Fiacro Betancourt and E. Calzado, Mexican Revolutionary Activities."

Mr. Dennison returned to Godchaux's room at the Alexandria Hotel at midnight and related to me all of the information he had secured from Betancourt, including the personal remarks expressed by Betancourt regarding myself, likewise the information he had secured from Betancourt in regard to the statement made by Emilio Gonzales about having received information from secret-service friend of his as to Betancourt's and Godchaux's revolutionary activities; also regarding the statement made by Betancourt in regard to the cooperation extended to him and his associates by Mr. Breniman and Maj. Barnes, of San Antonio, Tex.

I suggested to Mr. Dennison that he immediately render complete reports to your department regarding all of these matters and continue to follow the case up until completed.

It was then decided between Dennison and myself that, irrespective of the positive willingness of Betancourt and Calzado, as they expressed same to Mr. Dennison in regard to them paying Godchaux twelve or fifteen hundred dollars for the arms and ammunition contracts and papers, that it would be best for Godchaux not to accept same, likewise not to turn loose to them.

Godchaux, on the morning of October 24, did not keep his appointment with Betancourt at the Citizen's National Bank Building for 10 a. m., at which time Betancourt was to have paid Godchaux the money for the papers. Godchaux, however, telephoned Betancourt on or about that time and told him that if Betancourt wanted the papers, then in that event write him at New Orleans, or have his attorney do so in regard to this matter.

In Mr. Dennison's report of October 23, regarding Betancourt and Calcado, I noticed remarks made by Betancourt to Mr. Dennison regarding myself. He, however, when Mr. Dennison nailed him down to facts, could not remember names, dates, or places regarding various Mexicans whom Betancourt stated I had taken advantage of.

When Mr. Dennison first told me that Betancourt knew I was in Los Angeles, and that he had taken a pass at me in his conversation, I then requested Mr. Dennison to pin Betancourt down to facts, and if possible get him to give complete statement in regard to myself, which Mr. Dennison apparently did as per his report.

The original feeling of bitterness between Betancourt and myself goes back to May 21, 1917, which arose at that time, due to the fact that Guillermo Castillo Najera was the right-hand gunman for George Warden, Betancourt, and their crowd. Najera was arrested with Ramon Diaz and three or four other Mexicans by agents of your department when they arrived at the port of New Orleans May 21, 1917, on the steamship *Surname*. They were placed in the immigration station, and a few days after they arrived here, each of them, as mentioned in my reports at that time, became suspicious of each other and they all finally paired off, each pair fighting the other.

Insomuch as it was my work to stick in with Ramon Diaz and Alfonso Noyola I therefore did so and took up their side of the factional fight, which had arisen between the Mexicans mentioned. This resulted, as my reports show at that time, in Guillermo Castillo Najera and all of his friends and associates becoming sore at me, among which were Betancourt and Warden.

You will remember from my previous reports that when Najera was interned at the immigration station a very stiff fight was put up at Washington by a Mr. Chambers, his attorney from San Antonio to secure his release, and due to the fact that Najera had stated he proposed to kill Ramon Diaz and myself just as soon as he got out of the immigration station and as Diaz was afraid of him, and to please Diaz, also rather than have me kill him when he did get out, I took the Najera case up with several Congressmen and Senators at Washington as an offset with the Immigration Department to oppose the request of several other Congressmen and Senators whom Chambers had brought into the case. These Congressmen and Senators whom I had were simply asking at my request that the immigration authorities comply with the law regarding Najera's case. This was finally done and Najera was ordered deported. He, however, was allowed to remain in this country under a $2,000 surety bond, guaranteeing his deportation at the end of 12 months.

It was Betancourt, Warden, and other associates of Najera who at that time were trying to start the Rudolfo-Reyes Mexican revolutionary movement, who employed Chambers who formerly was a member of the law firm of Watson, Chambers & Reyes of San Antonio, Tex.

During the time this fight was going on over Najera I told both Warden and Betancourt that I had heard they were also interested in getting even with me for fighting Najera and that they better keep their hands out of that affair. They both denied they were mixed up in helping Najera, and assured me of their friendship, which I, of course, knew was a lie.

Betancourt from that time on while on the surface at all times was friendly, nevertheless he has been ever since then very bitter in his ideas and remarks about me.

My reports of May, June, July, and August, 1917, regarding Ramon Diaz, Guillermo Castillo Najera, and others will give you full information regarding this matter.

On page four of the testimony of the immigration board of special inquiry held at the immigration station, New Orleans, La., July 23, 1917, the following sworn testimony was given by Charles M. Chambers of San Antonio, Tex., in the interest of Najera:

"Q. Do you know Mr. Jones?—A. No; only I have heard of him since being employed in the case of Guillermo Castillo Najera.

"Q. Do you know what business he is in?—A. I do not know Mr. Jones personally, nor do I know his business, except from information received by letter from Hon. Eugene Black, Member of Congress, now in Washington, of date July 17, 1917, who stated to me in said letter that he ascertained from the commissioner that a man by the name of Jones was taking the leading part in insisting he (meaning Najera) be deported and that the commissioner said Jones was a newspaper man.

Your department is in possession of complete official copy of the above-mentioned testimony, which I sent forward at that time.

The testimony of Najera, Chambers, and of all of their own witnesses show that they attempted to have Ramon Diaz deported on account of his moral and revolutionary reputation.

If Betancourt or any of his associates could say more than has been said about me by Mexicans and Central Americans, and some Americans whose plans I have helped to spoil, in that event it would be necessary for them to have the vocabulary of Webster.

Irrespective of knowingly putting myself in a false position, criticisms, knocks, false statements, or many threats to assassinate me that your department is aware of, I have, as your department knows, at a considerable personal financial loss to myself, always gone the limit to produce results in my work regarding Mexican, Central American, and other affairs for your department.

I personally feel about such matters as President Lincoln must have, when he said:

"If I were to try to read, much less answer, all the attacks made on me, this shop might as well be closed for any other business. I do the best I know how, the very best I can, and I mean to keep on doing it to the end. If the end brings me out right, what is said against me will not amount to anything. If the end brings me out wrong, 10 angels swearing I was right would make no difference."

(Cresse code name for Jones.)

Confidential report by Cresse to Department of Justice re Eusevio Calzado, Mexican revolutionary leader at Los Angeles, Calif., which shows his connections with Col. Estaban Cantu and Gen. Pancho Villa.

NEW ORLEANS, LA., *November 23, 1918.*

On October 14 I asked Mr. Keep, special agent in charge of your Los Angeles office, if he had any information pertaining to Calzado. He told me his office had no file or information pertaining to this party.

Prior to my arrival in Los Angeles, Calif., on October 6, 1918, had heard a great deal about Calzado and his activities with various Mexican revolutionary parties during the last several years on various parts of the border.

At the time I was active and friendly with many of the leaders of the Villista revolutionary movement several years ago, at that time first heard of Calzado. Up till October 8, 1918, I however, had never seen Calzado, and he likewise to this date personally does not know me.

On October 8 at about 2 p. m. Martin de Leon, ex-Mexican revolutionary agent at Tampico, Mexico, who has been mentioned in my previous reports, accompanied by Betancourt and Godchaux, called at the office of Calzado and Godchaux was at that time introduced to Calzado. From that time on I keep in very close touch with the activities of Calzado through Godchaux, as is fully covered in my report of October 23, under the heading: "Continuation report re F. R. Betancourt and his Mexican revolutionary activities."

On October 14 at about 2.30 p. m. I was at the office of Mr. J. A. Conaty, immigration inspector in charge at Los Angeles, who pointed to a Mexican standing in an outer office, and said, "Do you know that party?" and I told him I did not. Conaty then said his name was Calzado and that he (Calzado) had just presented to him (Conaty) a telegram signed Bielaski, which Calzado had endeavored to use on Conaty to force him to issue a temporary permit card so Calzado could cross into Mexico.

Conaty then told me that Calzado had told him he was a warm personal friend of Bielaski's; furthermore had and was doing confidential work for Mr. Bielaski on the border, and at and around Los Angeles. I questioned Conaty very closely regarding the statements he said Calzado had made as

mentioned, and Conaty stuck to his statement about what Calzado had said. I then asked Conaty if Calzado from his talk and action had given him the impression that he was a confidential representative of Mr. Bielaski or of the Department of Justice, and Conaty said he certainly did.

In so much as I had previously asked Mr. Keep if he knew of Calzado, or anything about him, and Mr. Keep said he did not; therefore felt sure of the fact that if Calzado was a confidential informant or representative of Mr. Bielaski that Mr. Keep would know of it. Therefore suggested to Conaty that he take Calzado into another office, and detain him in conversation until I telephoned Mr. Keep's office regarding this matter.

Immediately then telephoned Mr. Keep's office, and got Mr. Dennison, Mr. Keep's assistant, on the telephone, and asked him to step down to Conaty's office for a moment. Dennison immediately came down to Conaty's office, and I explained the situation to him; likewise in the presence of Conaty repeated to Dennison the statements Conaty had said Calzado had made to him and Conaty confirmed Calzado's remarks to Dennison.

Mr. Dennison, then asked me what ought to be done, and I suggested to him to immediately wire Mr. Bielaski explaining the entire circumstances regarding Calzado, and the claims he had made. Mr. Dennison then telegraphed Chief Bielaski, and on October 16 Mr. Dennison showed me copy of Chief Bielaski's wire to Mr. Keep regarding Calzado, which proved, as I already had known, that Calzado's statements to Conaty were simply the customary Mexican lies.

Calzado in his several conversations with Conaty endeavored to use Chief Bielaski's name, and the telegrams he had received from him; likewise his alleged employment as a representative of Chief Bielaski to intimidate Conaty into issuing him a temporary permit card to visit Mexico.

Calzado was born on October 14, 1875, at Saltillo, Coahuila, Mexico. His mother, Mrs. Santos Barrero Calzado, is now living at Galveston, Tex. Calzado entered the United States during October, 1914, at El Paso, Tex., and in 1914, 1915, 1916, 1917, and to date 1918 claims to have resided at Los Angeles, Calif., with the exception of about six months during 1916, when he lived at Galveston, Tex.

He claims to be 42 years of age, in height is about 5 feet 8 inches, weighs 125 to 130 pounds, eyes hazel in color, hair black, complexion dark, clean shaven, has a square chin, face and nose regular, but face thin and cheeks inclined to be sunken, has false teeth in front showing gold bands on bridge.

He is the lover and is alleged to be living with the divorced wife of a chocolate manufacturer of San Francisco, Calif., whose marriage name is alleged to have been Mrs Gerribelli. Calzado lives at the same house this woman does, located at 1343 Albany Street, Los Angeles, Calif.; telephone 21486 or 65275. She is a small blonde, blue eyes, scars on lower part of throat, dresses fashionably and in an extremely loud manner, is a loud talker, and drinks and smokes in public.

Calzado's office is at 838 Title Insurance Building, Los Angeles, Calif., and he represents himself as being a mining engineer and oil operator. His office is very poorly furnished and has but very little office equipment in same.

Understand that Calzado's attorney and close associate is alleged to be O. D. Bennett, Security Bank Building, Los Angeles, Calif. He is likewise alleged to have a friend in James Spence, one of the minor officials of the Los Angeles Trust & Savings Bank.

At my request Mr. Dennison, of your Los Angeles office, after I had learned where Calzado banked, secured for me the following report from the Los Angeles Trust & Savings Bank regarding Calzado:

"Called at the Los Angeles Trust & Savings Bank and find that up until October 10 subject's account did not amount to much, never more than a few hundred dollars, but on October 10 subject deposited a draft signed by ——— ———, on ——— ———, New York, payable to himself for $10,000. Subject at once drew a draft for $5,000, to whom the bank was unable to state at this time, but will try to ascertain for us.

"On October 11 subject drew another draft of $2,550, payable to Santos Calzada. He, subject, has had an account in this bank for about four years. He is thought to be in the mining business in Lower California. He was introduced to the bank by the State Bank & Trust Co., of San Antonio, Tex., and was also introduced by Mr. A. F. Naftsger, of Riverside, Calif.

"Checks with which he opened this account were drawn on the ——— ———. Mr. Naftsger, in introducing subject to the bank, stated that he had known

him long and favorably; that he was interested in large financial operations in Mexico, and that at some future date his account would be a profitable one. So far as the bank records show, the checks they have on hand drawn by this subject are all in rather small amounts, nothing over $150, and payable to various merchants about the town, the telephone company, etc., and a number of $25 checks to himself."

In checking up Calzado through Godchaux, who had for a period of nearly two weeks many conversations with Godchaux, who likewise lavishly entertained him and his lover and other friends of his, and who likewise, on my instructions, flattered him in regard to his importance as a Mexican revolutionary leader, secured for me in that way a great deal of information from Calzado regarding himself and other Mexican revolutionists. Calzado apparently is exceedingly vain as to his own ability, standing, etc., in Mexican revolutionary affairs.

As mentioned hereinbefore, Godchaux was first introduced to Calzado by Martin de Leon and Betancourt, at Calzado's office, 848 Title Insurance Building, on October 8, and at that time Godchaux told Calzado that he himself was also an oil operator, and that his several principals in New York would be very much interested in the possibilities of oil investment opportunities in Mexico. Calzado, thinking he undoubtedly had a live fish on his line, immediately began opening up to Godchaux regarding his (Calzado's) importance and influence with many prominent Mexicans and Americans.

Godchaux was constantly with Calzado from that time on. Godchaux, on October 11, with Betancourt, Martin de Leon, and Calzado, were to go to San Diego by automobile with Samuel Vasquez, Mexican consul of San Diego. Vasquez, however, was unable to make the trip, and it was therefore postponed.

On October 13, 1918, Godchaux went to Calexico with Betancourt, and on October 15, 1918, as fully covered in my report of October 23, 1918, entitled: "Re F. R. Betancourt and his Mexican revolutionary activities," Godchaux returned to Los Angeles, at Betancourt's request, to get Calzado and have him return to Calexico with Godchaux.

In so much as it was part of the arrangements between Godchaux and Betancourt to have Calzado go to Mexicala, Mexico, to see Gov. Cantu with them, and in so much as Calzado had not been able to secure a temporary permit card to cross the border, I therefore, on October 14, arranged, with the assistance of Mr. Keep and Mr. Conaty, to have it appear as if Godchaux, through the influence of Mr. Poole at New York, had fixed things at the State Department whereby the State Department had wired Conaty to issue a temporary permit card for Calzado. This was done and seemed to make quite an impression on Calzado in regard to the influence of Godchanx and his principals.

After Godchaux reached Calexico with Betancourt on October 14, 1918, he immediately, as mentioned in my report of October 23, 1918, regarding Betancourt, requested Godchaux to telephone Calzado at Los Angeles that he, Godchaux, was leaving there for Los Angeles to see Calzado. Godchaux, however, telegraphed Calzado from Calexico via Western Union Telegraph as follows:

CALEXICO, *October 15, 1918.*

EUSEBIO CALZADO,
1343 Albany Street, Los Angeles, Calif.:

Betancourt advises wait for me. Leaving to-night. Important see you.

P. M. GODCHAUX.

Godchaux then left Calexico on October 15 at 7.30 p. m. and arrived in Los Angeles at 7.45 a. m. October 16. He immediately telephoned Calzado at his residence and made engagement to meet him at his office at 10 a. m. Godchaux then fully explained the situation which had arisen at Calexico regarding the statements made by Emilio Gonzales to Betancourt about the United States Secret Service being wise to the entire Betancourt transaction, and which had greatly frightened Betancourt, as fully covered in my report of October 23, 1918, under the heading of "Confidential report re F. R. Betancourt and his Mexican revolutionary activities."

Calzado at that time seemed to be very much put out about Betancourt ever having gone to Calexico to take the arms and ammunition deal up with Gov. Cantu without he, Calzado, having been with them. Calzado then opened up and spoke very frankly about his entire revolutionary connections and ability to handle any and all revolutionary matters, and told Godchaux that he, Calzado, was in reality one of the most successful Mexican revolutionists that Mexico had ever known from the original Madero revolution to date.

Calzado at that time also told Godchaux that he, with Raul Madero, Gen. Angeles, Diaz Lombardo, and a few others, had been and was even to this day the real brains behind the Villa movement. He also told Godchaux that he, Calzado, had been Villa's chief of transportation, and even to this date was on close and intimate terms with Villa and his various leaders, and always had been and would be a Villista. Likewise he was thoroughly familiar with all of Villa's present plans, etc. He then showed Godchaux several photographs of himself with some of the Villistas.

He then explained to Godchaux that he knew all along about the Poole-Godchaux transaction, which first started in April and May, 1918, and that he, Calzado, had made a special trip to San Antonio, Tex., during May, 1918, to see these contracts and to fully discuss the entire proposed transaction with Betancourt, Warden, and others of their associates. Godchaux also learned from Calzado at that time that he, Calzado, had been largely instrumental, so he claims, in influencing Gen. Estaban Cantu, Mexican governor of Lower California, in entering into a combination consisting of nearly all of the different Mexican revolutionary factions, whereby Cantu was to head the movement to overthrow Carranza.

Godchaux asked Calzado at that time if Cantu was friendly with Gen. Obregon, and Calzado said Cantu was playing with Obregon but at heart has no use for him and at the proper time would double-cross him and throw the hooks into him in every way he possibly could.

Godchaux at this conversation learned from Calzado that he and several of his associates had been assured of the support of the United States from Chief Bielaski of the Department of Justice and others connected with the United States Government at Washington, and this support in every way possible would be extended to Cantu, Calzado, and their associates whenever they were ready to strike in their attempt to overthrow Carranza.

Godchaux states that Calzado then patted himself on the chest, and gave him to understand that he, Calzado, would be the biggest man in Mexico because he had negotiated things in Washington for Cantu and their revolutionary movement.

Godchaux flattered Calzado along at that time about his importance, ability, etc., all of which he scientifically ate up. Godchaux likewise learned from him that insomuch as Calzado did not care for anything except money he could make for himself and associates out of any Mexican affairs, and that he, Calzado, as a matter of fact, did not care whether they ever could or would do anything of importance for the United States or not, and they really only expected to use the good offices of those with whom they have talked in Washington to benefit their own plans. Calzado said to hell with everybody but ourselves, and while we promised much to the officials in Washington, nevertheless, what we promise and what they get is altogether a horse of a different color.

Calzado at this time stated Betancourt was a nice fellow, but egotistical, had no guts, and had never been cut out for a leader, irrespective of the fact that Betancourt has and was endeavoring to consider himself a leader, and that as far as Gov. Cantu and other Mexican revolutionary leaders were concerned, they all knew Betancourt, and none of them took him seriously. Furthermore, that Betancourt was a woman chaser, and in the end, if given plenty of rope, always balled everything up.

Insomuch as Calzado had fallen down in his attempt to secure a permit card to cross into Mexico at Calexico, through Chief Bielaski or from Conaty as mentioned in paragraphs 5 and 6, page 1, of this report, and as it was necessary for Godchaux to have Calzado in Mexicala when he saw Gov. Cantu, therefore, Godchaux told him that possibly Mr. Poole could, through his political influence, secure a permit card for him.

Godchaux, therefore, on October 16, after Calzado had read same, sent via Western Union the following telegram to Mr. Poole:

LOS ANGELES, *October 16, 1918.*

J. S. POOLE,
Hotel Waldorf-Astoria, New York City, N. Y.:

Had to return here this morning to secure advice and services experienced mining engineer, who is absolutely necessary to use to successfully handle business, therefore important. Immediately request State Department issue temporary permit card for at least four days in name Eusebio Calzado to

visit Mexico from Calexico. Dislike very much to bother you again regarding permit, but absolutely necessary to do so. Want permit card be issued if possible not later than October 17.

P. M. GODCHAUX.

Through the cooperation Mr. Keep, at my suggestion Godchaux received via the Western Union on October 17 the following phony telegram:

NEW YORK, N. Y., *October 17, 1918.*

P. M. GODCHAUX,
Hotel Alexandria, Los Angeles, Calif.:

Replying your night lettergram October 16, have arranged through Senator friend who has advised me that the State Deparment has wired immigration officials at Los Angeles instructing them to immediately issue permit card to mining engineer mentioned your telegram. Again refer you to my telegram October 16 regarding New Orleans merchandise.

When the above telegram was shown to Calzado it seemed to make quite an impression on him.

I then saw Conaty, explained the matter to him, and at my request he issued a temporary permit card to Calzado.

Calzado then arranged with Godchaux for them to leave for Calexico on the night of October 17. Godchaux and he left Los Angeles on that date at 7.45 p. m. and arrived at Calexico at 7.30 a. m. October 18, and registered at the Calexico Hotel.

On the morning of October 18, after Calzado and Godchaux arrived at the Hotel Calexico, they learned that Betancourt had left Calexico on the night of October 17 for Los Angeles, and therefore had not waited in Calexico for the arrival of Calzado and Godchaux, as per previous arrangements.

At this time Calzado told Godchaux not to let Betancourt or any of the others know that he (Calzado) had secured a temporary permit card to cross into Mexico through the influence of Godchaux, for he wanted his Mexican acquaintances to believe he had secured this permit card through his own personal influence at Washington.

On October 18 at 10 a. m. Godchaux and Calzado left Calexico for Mexicala. Upon their arrival in Mexicala Godchaux was introduced to Mr. Barera, secretary of state for Lower California, whose office is an anteroom of Gen. Cantu's, and a few moments later Calzado and Godchaux were taken into Gov. Cantu's office, where they saw Mr. Guerrera, the private secretary of Gov. Cantu, who Godchaux had previously met on his first visit to Mexicala with Betancourt. Godchaux at 10,30 a. m. was then introduced to Gov. Cantu, and at that time presented the arms and ammunition proposition, through Calzado, to Gov. Cantu.

After a conference of about two hours Gov. Cantu, who was very much interested at all times in the arms and ammunition proposition and who told Godchaux at that time he could use from one to ten million 7 mm. cartridges, also 1,500 rifles or carbines and from 15 to 20 automatic machine guns at the prices mentioned in Godchaux's phony letter of September 30, 1918, to Mr. Poole, which was shown to Gov. Cantu. This letter was prepared in advance and was as follows:

Letter addressed to Washington, D. C., and New York City, respectively.

SEPTEMBER *30, 1918.*

Mr. J. S. POOLE.

MY DEAR SIR AND FRIEND: Have just arrived in Los Angeles, after spending a few days at San Antonio to talk over business matters with my friends there.

They have suggested that, in so far as the volume of business that can be done here and in Lower California will be very large, I give them by way of a letter from you in which some guaranty as to my ability and likewise your assuredness of being able to sell them the following goods f. o. b. Lower California, as per listed price and quantity: 10,000,000 30.30 cartridges, at $50 per thousand; 10,000,000 7-mm. cartridges, at $54 per thousand; 3,000 30.30 Winchester rifles (carbine), at $16 each; 10 or more 7-mm. Colts machine guns, at $1,000 each.

Immediately upon receipt of this letter kindly advise me accordingly.

I feel certain that these gentlemen now mean business and that with my cooperation can see no reason why we should not close some satisfactory deal.

I will write you fully concerning the past transactions relative to the goods on hand, and assure you that by not having consummated same it has been a great loss to both you as well as them. Am writing somewhat in haste, wanting this letter to leave to-day, therefore pardon briefness.

Believe me, as ever,

Yours, very truly,

P. M. GODCHAUX.

Cantu told Godchaux he intended to head the largest revolutionary movement Mexico ever had had and that he had gradually been perfecting his plans for the last year along these lines, and through his combination with Manuel Pelaez in the south, Villa in the central of Mexico, and with a complete perfected organization along the border, that when he, Cantu, started his movement within the next three to six months they would sweep everything from the border down on into Mexico.

Cantu then gave Godchaux to understand that he had positive assurances from prominent American friends of his that the United States Government would corporate with him to the extreme limit, and at no time would the United States Secret Service interfere with his revolutionary activities. As an illustration of his power with the United States Government officials he said "Why they have even allowed me many times to secure arms and ammunition out of the United States."

Godchaux then asked Cantu how he expected to get these arms and ammunition into Mexico and Cantu said, "I want the goods in car-load lots, and insomuch as the United States guards at Calexico are my friends and for me and as the United States is also for me, therefore in car-load lots these goods can be brought into my territory via Calexico and I will then ship them from Mexicala, in bond back to the United States, to Mexican towns across from Eagle Pass, Laredo, Brownsville, and El Paso, Tex., and by the time these goods reach the Mexican towns across from the American towns mentioned our revolutionary leaders will at the same time be prepared to seize these towns."

When it came down to the question of terms and conditions regarding payment of these goods Cantu told Godchaux, that the entire details would be in the hands of Mr. Barera and Mr. Guerrera, and they in turn would handle their negotiation with Godchaux and Calzado. These three parties then assured Godchaux of the fact that they had and could get any amount of money they wanted to purchase these goods.

Prior to Godchaux's introduction to Cantu, Calzado told him he would have to arrange to fix the matter up as far as profit and graft was concerned so Barera and Guerrera could get this.

On October 18 Calzado, Barera, and Godchaux had supper together in a Mexican restaurant, and at that time it was agreed between the three of them that they would stick an extra profit of $5 per 1,000 on the cartridges, and the same price on each rifle and carbine for themselves on all such goods sold to Cantu or his associates, also that Godchoux and Poole were to let Calzado and Barera in on their profits.

After Godchaux's first conference with Cantu, and the other parties mentioned hereinbefore, it was agreed that during the following week they were to return to Calexico to consummate the deal or at least part of same.

On the afternoon of October 18, Godchaux, Calzado, Barera, Guerrera, and another Mexican by the name of Antonio Elosua, of San Diego, Calif., went riding in a seven-passenger automobile driven by the youngest son of Pablo Dato, who is the father-in-law of Gov. Cantu. They drove out to a cotton plantation belonging to the Dato family about 5 miles from Mexicala, in Mexico. This cotton plantation follows a little canal or water ditch close along the international dividing line between California and Mexico. Several points along this ditch or canal was shown to Godchaux as the places where Calzado said he and other friends of Cantu had several times during the last year run over quantities of ammunition for Cantu.

On October 19 Godchaux and Calzado again went to Mexicala, and Calzado told him that it was best for he, Calzado, to have a private talk with Cantu. Godchaux therefore waited for Calzado in the outer office of Cantu's place, and after Calzado came out of Cantu's office they then returned to Calexico. Calzado stated Cantu was very much impressed with Godchaux's proposition and his ability to handle arms and ammunition deals for them.

Calzado, when he first arrived in Calexico, on the morning of October 18, learned that Betancourt had returned in the meanwhile to Los Angeles. He

was very much put out about it and was in a deathly hurry to get back to Los Angeles to see Betancourt. Therefore on the night of October 19 Calazado and Godchaux left Calexico at 7.30 p. m. and arrived in Los Angeles at 7.45 a. m. October 20, and registered at the Alexandria Hotel.

On the trip up to Los Angeles on the night of October 19 Calzado was very much elated over their prospects, and said if they stuck together that he and Godchaux could make several hundreds of thousands of dollars out of the revolution by becoming purchasing agents for all of Cantu's arms, ammunition, and other supplies.

Godchaux at that time, as previously mentioned herein, lead Calzado on regarding Cantu, and Calzado said Cantu was a very good fellow, but had very little ability and would never have amounted to a dam if it had not been for his father-in-law, Pablo Dato, and that in reality Pablo Dato was the entire brains behind Cantu. Furthermore, that Dato had planned with him, Calzado, and his other associates, practically all of the revolutionary movements, and that Dato was the man they not only had to fear but to please, and that if any man ever controlled another man Dato certainly had Cantu and everybody around him under his thumb. He also said that he (Calzado) was on very intimate and friendly terms with Pablo Dato, who had a great deal of confidence in his, Calzado's, ability.

Godchaux on this trip to Calexico secured from Calzado and others a great deal of valuable information regarding Cantu, Dato, and others, which is fully covered in my report of November 23, entitled: "Continuation report September 4, 1918, re participation of Col. Estagan Cantu, Mexican governor of Lower California, in Mexican revolutionary activities, and his connection with Pablo Dato, sr., alien enemy and real power and brains behind Cantu."

After Calzado and Godchaux arrived in Los Angeles on the morning of October 20 Calzado up to that moment when Godchaux told him good-bye, and made an engagement to meet him at his office at noon of that day. Calzado could not, so Godchaux states, have been more friendly, intimate, or frank regarding the plans, etc., of the revolutionists.

After Godchaux arrived at his hotel he telephoned Betancourt at Room 523, Hayward Hotel, and made an engagement with Betancourt to meet him at Calzado's office as previously arranged with Calzado for 12.30 p. m. that day. Betan court asked Godchaux at that time if Calzado was at his office or residence at that moment, and Godchaux said presumably at his residence.

Godchaux therefore at noon on October 20 met Betancourt and Calzado at Calzado's office, 838 Title Insurance Building. Calzado told him he had seen Betancourt at 10.30 a. m. that morning, and that he and Betancourt had a very extensive conversation in regard to the arms and ammunition proposition, likewise in regard to their negotiations with Cantu.

Godchaux then immediately realized that Betacourt had thoroughly impregnated Calzado with the same fear that he (Betancourt) had regarding the fact that the secret-service people were after Betancourt and Godchaux as per information given to Betancourt regarding this mater by Emilio Gonzales who had told Betancourt at Calexico that a secret-service friend of his (Gonzales) had told him that they knew all about the entire Betancourt-Godchaux negotiations and even had seen photographic copies of a great deal of Betancourt's correspondence regarding these matters.

Godchaux could see at that moment that Calzado was a changed man and was exceedingly nervous, and apparently very much frightened over the entire situation and repeatedly walked up and down his office and said, "My God, this is dreadful; it will simply ruin everything we have planned."

Godchaux states that Galzado had a most extreme case of nervousness and fright regarding this matter, and closed up like a clam regarding the entire matter, and said. "We will have to drop this matter for the time being; furthermore, all of us, if we are brought before the authorities, must swear there is absolutely nothing in this matter, and we have never discussed arms and ammunition." Calzado then said, "I am going to deny to the bitter end that I ever went to Calexico."

Godchaux then made an engagement to see Betancourt and Calzado that evening, and later took Calzado and his lover at 8.15 p. m. to the Victor Hugo restaurant. Godchaux at that time for over two hours attempted to ease Calzado's mind in regard to there being any danger, and furthermore told him it was utterly impossible for Emilio Gonzales to have ever received such information as he in turn had passed on to Betancourt regarding the secret-service people being fully aware of their plans.

Godchaux then said to Calzado, "I don't understand this proposition at all. You, Betancourt, Cantu, and all the rest of you have repeatedly told me that the United States Government, likewise its Secret Service people, had assured you of their support, and now you come in and display the greatest fright in regard to them knowing anything of this deal." Calzado said, "You don't understand, Mr. Godchaux, for we were to let the United States Government and authorities know about everything we proposed to do and then secure their permission to do so, but as I have told you before, we would be damn fools to let them know everything, and we never intended to do so; therefore, if they now learn about this deal they will know we have not kept faith with them." He further said if this thing comes out it will land every one of us in jail.

Godchaux states Calzado was so nervous, frightened, and worried over the situation that he could not eat his dinner.

On October 21, at 10 a. m., Godchaux met Calzado and Betancourt at Calzado's office for a definite answer in regard to the entire arms and ammunition proposition. Godchaux states that Calzado at that meeting was as much frightened and nervous about the entire matter as he previously had been, and that Betancourt was in every way altogether different in his actions, talk, and opinions regarding the arms and ammunition matter. Betancourt then said, "Remember, all of us have to stick together and deny forever that any such a deal existed."

Godchaux then fully realized that due to the fright which had been thrown into Betancourt by Emilio Gonzales, at Calexico, regarding the fact that the Secret Service people and the United States knew about the entire matter; that Betancourt therefore had made up his mind to, if possible, sacrifice everybody else and save himself, and that Calzado who in turn had been badly frightened by Betancourt likewise intended to do the same. They also said, we have to take to cover now and drop this deal forever.

Betancourt also at the start of the conversation treated Godchaux in a very cold manner, and seemed to blame him for the entire matter. Godchaux then asked Betancourt, "Where do you suppose I am going to get off regarding this matter with my principals? Furthermore, you have dragged me around the country for about six months on this deal promising this, that, or the other thing and you have never complied with any parts of your proposition, and in addition to that, if you are involved with the authorities, so am I."

Godchaux states his idea in making that remark to Betancourt was to learn positively if Betancourt and Calzado were really sincere in regard to their changed ideas and attitudes regarding their arms and ammunition deal.

Betancourt then said to Godchaux, "It is true I am not complying with my agreements, but after having received that information from Gonzales it looks like jail for me and I am going to save myself irrespective of who else gets saved or not." He then said to Godchaux, "Where are all of the contracts, papers, documents, etc., pertaining to these deals which I have signed and which are in your possession?" Betancourt then also said, "I want all of those papers and contracts back for I would not be able to sleep any more as long as I knew they were out of my hands." Godchaux told him they were in his possession in a safety deposit box at the Alexandria Hotel. Betancourt and Calzado then said, "Let's go over to the hotel and get those papers at once."

Godchaux said, "No; that can't be done, for those papers and documents that belong to my principals, and I am not going to give them back to you until I am so authorized to do so by Mr. Poole." At that moment, when Godchaux refused to surrender these papers, Betancourt, so Godchaux states, had a brain storm, jumped up and yelled out he would get those papers if he had to choke them out of Godchaux, and started over to Godchaux, who then got up out of his chair, backed into a corner and told Betancourt, "You try to put your hand on me and I will kill you."

Godchaux realized that everything was up so far as Betancourt and his associates were concerned, and nothing more could be done with them, so he tells me. He then backed out of Calzado's office and told both Calzado and Betancourt, "Go to hell; if you try to start anything with me I will bump the pair of you off." Betancourt at that moment started toward the door, so Godchaux states, and Godchaux lifted his coat, which allowed Betancourt to see that he had a gun in each hip pocket, and told Betancourt, "You can't bluff me, try jumping on me and you will get hurt."

Godchaux then left the building and late that afternoon Calzado telephoned him, "Say, old man, you are not sore at me, are you, for it's not my fault," and also said that Betancourt was crazy and that he and Betancourt would

be willing to give Godchaux $600 for the papers and contracts, and made an engagement to meet Godchaux at his, Calzado's office, at 3.30 that afternoon. Godchaux, however, at my suggestion, did not keep his engagement with Calzado.

On October 22 Calzado telephoned Godchaux at the Alexandria Hotel and at that time told him it was the best thing for everybody to settle the entire matter amicably and for Godchaux not to stay mad at him. Calzado then told Godchaux "we will pay all of the expenses you have had in regard to those negotiations," and asked Godchaux what it amounted to. Godchaux told him about $1,200, and Calzado said, "All right, we will arrange that, and you will turn all of Betancourt's papers over for that amount." Godchaux said only after he had put their proposition up to Mr. Poole.

Godchaux from that time on until he left Los Angeles saw no more of Calzado.

The report of Arthur C. Dennison, of your Los Angeles office, of October 23, 1918, under the heading of "Regarding Fiacro R. Betancourt and E. Calzado, Mexican revolutionary activities," will give you complete details regarding additional information pertaining to Calzado and Betancourt in regard to the further developments of this case.

Your attenton is called to pages 6 and 7, 8, 11, and 13 of Mr. Dennison's report in regard to the alibi Calzado was attempting to fix up for himself regarding these matters with Mr. Dennison. Likewise the fact that Calzado, as shown on pages 7 and 8 of Mr. Dennison's report, deliberately lied to him in regard to him, Calzado, having gone to Calexico with Godchaux.

As mentioned hereinbefore, it was Godchaux who obtained through me the permit card for Calzado to cross from Calexico to Mexico. The immigration official, Mr. Ellis, at Calexico, issued the permit card to Calzado after having been introduced to him by Godchaux. This in itself shows how deliberately and consistently he lied in his statements to Mr. Dennison.

Mr. Dennison as mentioned in his above report handled all of the matters mentioned in his reports. At my suggestion dug out a great deal of information from Calzado and Betancourt from suggestive leads I gave him to ask these parties. Mr. Dennison's work in handling this entire matter was skillfully and exceedingly well done, for as his reports show regarding these parties, he was dealing with two of the most skillful liars he probably has ever come in contact with and who at one hour made to him a certain statement or claim and at the same hour the next day would repudiate it or change their previous statement.

This is fully illustrated in Mr. Dennison's report of October 28, entitled "Regarding Fiacro R. Betancourt and E. Calzado, Mexican revolutionary matters." In this report Mr. Dennison states that Betancourt changed his statement of the previous day regarding what Gonzales had told him about the secret service, people, etc.

Mr. Dennison's report of November 2, entitled "Re Fiacro R. Betancourt and E. Calzado, Mexican revolutionary activities," also shows that when he questoined Emilio Gonzales regarding the statement made by Betancourt as to what Gonzales had told him about the secret-service people knowing all about his arms and ammunition deals with Godchaux. That Gonzales flatly denied to Mr. Dennison he had ever mentioned such a matter to Betancourt.

On pages 1 and 11, of Mr. Dennison's report of October 23, Calzado stated that Betancourt had entered into all of these contracts with Godchaux and his principals innocently, not knowing that his act was a violation of the neutrality laws. Your department is in possession of letters written by Betancourt and many of his associates, warning them to be careful in regard to using the mails, due to the fact that many of their letters were being censored, and likewise they were in danger of being caught.

On page 15 of Mr. Dennison's report, of October 23, he fully gave the cause for the ending of the Betancourt-Calzado-Godchaux matters, as follows:

"It is apparent that the turning point in the entire negotiations between Godchaux and Betancourt came about in Calexico when Betancourt was warned by Emilio Gonzales against Godchaux."

Summing up all of the information that I have been able to secure from every available source regarding Calzado, am fully convinced of the fact that he has been and is a go-between for many Mexican revolutionary leaders with Americans who have or want to obtain large profits out of Mexican revolutionary affairs.

He also has, and is using to the extreme limit, the alleged assurances which he claims to have received from Chief Bielaski, and to Godchaux, Mr. Conaty of the immigration service at Los Angeles, and even to Mr. Dennison, used the name of Chief Bielaski just as if they were brothers, and, invariably to all of these parties, with the probable exception of Mr. Dennison, gave them to understand that Chief Bielaski intended to do everything he could at any time for Calzado, all of this, of course, was the usual Mexican lie.

As far as Calzado's general reputation is concerned, even among Mexicans, he is known to be very shrewd, a deliberate liar, and unscrupulous to the core, and yellow as far as his personal nerve is concerned. Mr. Dennison's report of October 23, entitled "Regarding Fiacro R. Betancourt and E. Calzado, Mexican revolutionary activities," conclusively proves that he deliberately lied to Mr. Dennison regarding practically all of his statements.

If I may be permitted to suggest, it is important, in my opinion, to have Mr. Keep or Mr. Dennison, of your Los Angeles office, instruct Calzado to call at their office and then emphatically warn him if they ever hear again of him (Calzado) using in any manner the name of Chief Bielaski or of any other United States official, in that event Calzado will be slapped into jail.

I make this suggestion due to the fact that Calzado, from all I can learn, as mentioned hereinbefore, has used Chief Bielaski's name to promote his own business and personal propositions not only with Mexicans but with Americans.

The telegram Chief Bielaski sent to his Los Angeles office in answer to the one mentioned hereinbefore proves that all statements made by Calzado to be the usual Mexican lie. The telegram is as follows:

WASHINGTON, D. C., *October 16, 1918.*

KEEP,
Federal Building, Los Angeles, Calif.:

Telegram of yesterday. Calzado called on me several times concerning his plans for revolution against Carranza to be headed by Cantu. Was encouraged to give details of his plans for information of this Government. Understand his reputation among Mexicans not good. Desired me help him secure passage across border. Only telegrams which I have sent him states that he should apply to immigration inspector, and second one advising him not practicable to waive regulations in his case. Secure all possible information concerning his activities, but do not take any action except in emergency without conferring with department.

BIELASKI, *Bureau of Investigation.*

Confidential report by Cresse to Department of Justice re statement made by F. R. Betancourt to agent of your Los Angeles office that Emilio Gonzales had received from a friend in the United States Secret Service full information regarding Betancourt's Mexican revolutionary activities.

NEW ORLEANS, LA., *November 27, 1918.*

On October 15, 1918, as mentioned in my report of November 23, 1918, entitled "Continuation confidential report September 23, 1918, re trip of F. R. Betancourt from New Orleans to Los Angeles to make arrangements with Gov. Estaban Cantu, of Lower California, regarding arms and ammunition to be run out of the United States," Betancourt claimed that Emilio Gonzales, in the lobby of the Calexico Hotel, at Calexico, Calif., told him that a secret service friend of his (Gonzales) had warned him to the effect that the secret service people were thoroughly familiar with all of the Betancourt-Godchaux revolutionary activities.

Mr. A. C. Dennison, of your Los Angeles office, in his report of October 24, 1918, entitled "Re Fiacro R. Betancourt and E. Calzado Mexican revolutionary activities," stated in that report that Betancourt told him he had met on October 15, in the lobby of the hotel at Calexico, an old friend of his whom he had not seen in 17 years, a Mexican attorney named Emilio Gonzales. I quote from the report of Mr. Dennison, as mentioned hereinbefore, as follows:

"A Mexican attorney named Emilio Gonzales: He stated that Gonzales was an attorney for the large cotton company in the Imperial Valley, the name of which company he could not remember. (This is the Globe Milling Co.) Betancourt stated that Gonzales had asked him if he knew a young Frenchman, who was staying at the Alexandria Hotel in Los Angeles, whose name he could

not remember, but which he believed began with "G-" Betancourt inquired if he meant Godchaux. Gonzales replied, "Yes; that is the name." Gonzales asked if Betancourt had had any dealings with Godchaux, and Betancourt replied that he just knew him slightly. Gonzales then warned him against Godchaux, stating that he (Gonzales) had a friend in the United States Secret Service, Department of Justice, who had informed him that Godchaux was being trailed by detectives, who followed him from New Orleans, and who were opening and photographing all mail and telegrams which were received by Godchaux. Betancourt claimed that Gonzales did not tell him the name of the man who had given him this information. Betancourt stated that this terrified him so that he was unwilling to take Godchaux to see Col. Cantu, and he returned to Los Angeles, leaving Godchaux at Calexico. Betancourt stated that he did not know how long Godchaux remained in Calexico or what success he had in his attempt to see Col. Cantu or sell him the arms and ammunition which he had in New Orleans."

You will notice in the above statement of Mr. Dennison's report that Betancourt lied to Mr. Dennison when he stated that he had left Godchaux in Calexico; as a matter of fact he requested Godchaux to go to Los Angeles to get Calzado, as is fully covered in my report of November 23, 1918, entitled, "Re Eusevio Calzado, Mexican revolutionary leader at Los Angeles, Calif., which shows his connections with Col. Estaban Cantu and Gen. Poncho Villa." In that report on page 4, paragraph 6, likewise on page 5, paragraphs 1, 2, and 3, you will find full information regarding this matter.

When Mr. Dennison repeated to me what Betancourt had told him regarding Gonzales, as mentioned on page 12 of Mr. Dennison's report, I suggested to Mr. Dennison that he immediately have Betancourt reduce his statement to writing regarding Gonzales, also that he get in touch with Gonzales and force him to divulge the name of his secret-service friend, who had given him the information Betancourt had mentioned.

Mr. Dennison's report of November 7, 1918, entitled "Re Fiacro R. Betancourt and E. Calzado, Mexican revolutionary activities," I quote from the above-mentioned report of Mr. Dennison as follows:

"Referring to my report for October 24, in the above-entitled matter, Emilio Gonzales to-day called at this office at my request. I asked him what he knew about a young man named Godchaux, who had recently been at the Alexandria Hotel. He replied that he had met Godchaux in Calexico some time during the week of October 14 in company with an old school friend of his, Betancourt. He said that he had never heard of Godchaux until the morning when he arrived in Calexico and looking over the hotel register he saw Godchaux's name written either just below or just above the name of Betancourt.

"I questioned Gonzales for some time, but could elicit no information other than this. I then told him briefly the story which Betancourt had told of his being warned against Godchaux by Gonzales, as outlined in my reports of October 23 and October 24. Gonzales branded this statement of Betancourt as an absolute falsehood, reiterating the fact that he had never heard of Godchaux until he had seen the name on the register with Betancourt's. He stated that he had heard rumors for some years past of Betancourt's revolutionary activities and upon meeting him in Calexico assumed that he was there in some such connection with Col. Cantu. He said that he had warned Betancourt in a general way that the Government officials were active in their investigation of such matters and that if he were in this part of the country in connection with any Mexican revolutionary plot it behooved him to be very careful. He strongly and specifically denied that part of Betancourt's statement in which it is alleged that Gonzales had said that he had been informed by a friend that the secret service was intercepting mail and telegrams addressed to Godchaux. Gonzales was unable to state the name of the person who had given him information in regard to Betancourt's past activities, but was under the impression that he had perhaps discussed the matter with Jose Trevino, who is attached to the staff of Col. Cantu.

"Gonzales, owing to his connection with the Globe Mills, is anxious, I am sure, to keep in the good graces of this Government, and I do not believe that his friendship for Betancourt would be sufficient cause for his falsifying in order to afford Betancourt protection."

The above report of Mr. Dennison shows that Betancourt or Gonzales, one or both of them, lied regarding this matter.

Betancourt, up to the moment he met Gonzales in the lobby of the hotel at Calexico, was very enthusiastic in regard to the prospects he and Godchaux had regarding the arms and ammunition deal and the big profit they were to make out of it. Also, up to that very moment Betancourt could not have been more friendly, intimate, or frank in his conversation and actions with Godchaux.

As stated in my report of November 23, 1918, regarding Betancourt, from the moment he finished his conversation with Gonzales at Calexico he was altogether a changed man, and was not only badly scared but avoided at all times and in every way Godchaux from that moment on, as has been fully covered in my report of November 23, entitled "Re Esuevio Calzado, Mexican revolutionary leader at Los Angeles, Calif., which shows his connections with Col. Estaban Cantu and Gen. Pancho Villa."

Mr. Dennison's report of October 24, entitled "Re Fiacro R. Betancourt, E. Calzado, Mexican revolutionary activities," page 15 of that report, fully gave the cause, as I see and understand it, for the ending of the Betancourt-Calzado-Godchaux matters as follows:

"It is apparent that the turning point in the entire negotiations between Godchaux and Betancourt came about in Calexico when Betancourt was warned by Emilio Gonzales against Godchaux."

Knowing Betancourt and all of his associates as I do, irrespective of the statement made by Gonzales, as is fully covered in Mr. Dennison's report of November 7, mentioned hereinbefore, that he never mentioned any such matter to Betancourt. I am nevertheless convinced of the fact that Betancourt did receive at Calexico the information he claimed Gonzales gave him regarding his Secret Service friend.

On October 15, over a week before the final breakup occurred between Godchaux and Betancourt, Godchaux received the information about what Gonzales had said, then a few days later Betancourt repeats to Mr. Dennison the same information he had given Godchaux. Therefore I see no reason for Betancourt to out of a clear sky have manufactured that story at Calexico. I feel absolutely sure that Gonzales did make the statement to Betancourt at Calexico that Betancourt claims he made.

Gonzales, in his statement to Mr. Dennison, realizing that he was probably up against it, flatly denied every having made any such statement to Betancourt. I believe it was necessary for Gonzales to do so to protect the source of information from his Secret Service friend which he claimed to Betancourt he had secured.

In so much as the information Gonzales gave Betancourt at Calexico was entirely responsible for ruining the inside source of information that your department has had regarding activities of Betancourt and all of his associates through Godchaux, which up to that moment had been of a great deal of value to your department, therefore strongly recommend that this matter be closely watched, and if possible worked out whereby it will be shown how and through whom the leak to Gonzales originated.

(Cresse code name for Jones.)

Confidential report by Cresse to Department of Justice re Samuel Vasquez, Mexican consul general, San Diego, Calif.

NEW ORLEANS, LA., *November 30, 1918.*

When Godchaux was in Calexico, Calif., he was at that time introduced to Vasquez. Later he met Vasquez in Los Angeles through Martin de Leon, who told him that he was a lifelong friend of Vasquez and that Vasquez was for Cantu first, himself second, and for Carranza third.

De Leon, on his personal card, sent the following to Vasquez by Godchaux.

"Ya se lo presentare y tal vez podamos hacer algo con el.

"M. DE L.

"AMIGO SAMUEL: Mi amigo el Sr. Godchaux que esta en este Hotel en el cuarto No. 573 desea con mucho interes un minero del San Diego Union sivace dejarle en la Adsalonon de este Hotel un numero. Gracias el Sr. Godchaux es hombre de negocias."

Vasquez recently established a Mexican monthly magazine at San Diego, which De Leon said was to be published in the interest of Cantu. De Leon also told Godchaux that Vasquez had received from Cantu and his friends financial backing to establish a printing plant and to operate the publication.

De Leon also said that the purpose of the publication was to develop and spread propaganda for Cantu as a candidate for the Presidency of Mexico.

Vasquez is well educated, exceedingly shrewd, and has a strong following among the Mexican population in Lower California and around San Diego and Los Angeles.

As mentioned in my confidential report of November 23, 1918, under the heading "Eusevio Calzado, Mexican revolutionary leader at Los Angeles, Calif.," which shows his connection with Col. Estaban Cantu and Gen. Pancho Villa. Vasquez is the close personal friend of Cantu; likewise is alleged to be his principal purchasing agent.

(Cresse code name for Jones.)

Confidential report by Cresse to Department of Justice re Mexican Government having secured arms and ammunition from United States, likewise now making inquiries for large additional quantities of same and mistake I believe United States Government will make by allowing arms and ammunition to go into Mexico.

NEW ORLEANS, LA., *April 15, 1919.*

Understand that during the later part of March the Mexican Government exported from El Paso, Tex., into Juarez, Mexico, 5,000 Winchester 30.30 rifles and carbines, likewise several hundred thousands 30.30 cartridges. Mr. J. Krakauer, who is a member of the firm of Krakauer, Zork & Moye's Sucs., wholesale hardware dealers of El Paso, Tex., was in New Orleans on April 7 to 10, and at that time told me his firm had purchased these rifles and carbines from the Winchester Arms Co., of New Haven, Conn., and in turn sold them to the Mexican Government, also the large quantity of 30.30 cartridges the Mexican Government exported to Mexico with these rifles were cartridges the Mexican Government had previously purchased, and in this lot of cartridges were a large quantity which had been taken over by the United States Government when the embargo was put on by this Government.

Mr. Krakauer called to see me when he arrived in New Orleans, in answer to one of the circular latters I had sent out to a large number of wholesale and retail dealers offering various lots of arms and ammunition, and which have been fully covered in my previous reports of March 20, 26, and 29 entitled "Suggestion in regard to securing lists of various military arms and ammunition being offered for sale throughout the United States."

He at that time told me his firm was in the market for all the 30.30 cartridges they could purchase, likewise several thousand 30.30 rifles and carbines. He also told me that these goods which his firm were getting lined up were being secured for the Mexican Government.

From his conversation understood that the Mexican Government either has secured permits from the State Department to export into Mexico large additional quantities of arms and ammunition, or are intending to request such additional permits from the State Department.

IRRESPECTIVE OF CONDITIONS IN NORTHERN MEXICO, AND I BELIEVE INVESTIGATION BY YOUR DEPARTMENT WILL CONCLUSIVELY PROVE MY SURMISE CORRECT, WHICH IS THAT IT IS THE ABSOLUTE CONSENSUS OF OPINION AMONG EVERYBODY IN ALL OF THE VARIOUS BORDER STATES, EXCEPT THOSE WHOSE OPINIONS ARE INFLUENCED BY FINANCIAL PROFITS TO THEMSELVES, THAT IT IS A SERIOUS MISTAKE FOR THE UNITED STATES GOVERNMENT TO ALLOW THE MEXICAN GOVERNMENT AT THE PRESENT TIME TO SECURE ANY ARMS AND AMMUNITION FROM THE UNITED STATES.

The Mexican Government claims to need such arms and ammunition to eliminate Villa and other bandts. As a matter of fact, Villa and all of his supporters and friends on both sides of the border are very glad to see arms and ammunition coming into Mexico from the United States.

For it enables the Villistas to replenish their own supplies of arms and ammunition; first, by capturing such equipment from the Mexican soldiers, and secondly, insomuch as rifles, carbines, and cartridges are standard currency in Mexico, therefore the Villistas and other revolutionists have and will continue to secure large quantities of arms and ammunition from the Mexican soldiers by purchasing same from them.

Those who really know how things are worked in Mexico would consider it a safe bet that the Villistas, the Felicista, and other Mexican revolutionists will within the next four months have possession either by capture or purchase at least one-fourth of the last lot of arms and ammunition the State Department has just allowed the Mexican Government to import into Mexico.

I KNOW THE ARMS AND AMMUNITION BUSINESS AND I LIKEWISE KNOW THE MEXICAN SITUATION, AND CONSIDER IT IS MY DUTY TO EMPHATICALLY RECOMMEND THAT UNTIL THE PRESENT MEXICAN GOVERNMENT SHOWS ITS ABILITY TO CONTROL THE MEXICAN SITUATION THAT IT IS A SERIOUS MISTAKE FOR THEM TO HAVE THE RIGHT TO SECURE ARMS AND AMMUNITION FROM THIS COUNTRY. (Cresse code name for Jones.)

Continuation confidential report by Cresse to Department of Justice re Mexican Government having secured arms and ammunition from the United States; likewise, now making inquiries for large additional quantities of same, and mistake, I believe, United States Government will make by allowing arms and ammunition to go into Mexico.

NEW ORLEANS, LA., *April 26, 1919.*

As mentioned in my report of April 15, 1918, under the above heading, have received information from several of my informants on the border, who are on friendly terms with many of the revolutionists, that all of them are glad to see the United States allow arms and ammunition to go into Mexico, these revolutionists claiming either by purchase from the Mexican soldiers or capture that they will soon be in possession of large quantities of such arms and ammunition, horses and other equipment the United States has allowed the Mexican Government to export from the United States into Mexico.

I understand the Villistas have already captured from Mexican troops between 250 and 300 of the cavalry horses and some of the firearms and ammunition the Mexican Government recently secured from merchants in the United States.

As an illustration of this, ———, one of my informants, who lives at ———, Tex., on April 18 wrote me as follows:

"I notice the Mexican Government secured permission to cross a large amount of guns and ammunition, also 1,000 cavalry horses, at El Paso, Tex., and they have also secured permit to cross a large amount of ammunition at Laredo. In conversation with an officer of the Carranza Army in Chihuahua, he tells me the campaign against Villa has been a failure and in every way a farce, and that Carranza could not get troops in Chihuahua that would be loyal and could be depended on to capture or combat Villa. The crossing of ammunition at this time is very bad, a most of it if not all will fall in the hands of the rebels, either by capture or they will be able to buy it from the Carranza troops. For money, any of the Mexican troops will sell their rifle or any quantity of cartridges at any time. We have a case now where the private coachman of Maj. Velard, commanding officer of Piedras Negras, Mexico, who has been crossing people across the river at night; these people are Syrians and other foreigners, and they generally charge $50 to $100 per head to put them over. You can take Velard, and for money could put over any crooked deal."

Having spent a great deal of time for the last four years in Mexico and on all parts of the border from Brownsville to Los Angeles, likewise probably having more than the usual opportunity to know the inside facts regarding all of the various Mexican revolutionary parties and being able at any time to pass up and down the Mexican side of the river, therefore am absolutely convinced of the fact, as I HAVE MENTIONED IN MY PREVIOUS REPORTS REGARDING THIS MATTER, THAT IT IS A MOST SERIOUS MISTAKE ON THE PART OF OUR GOVERNMENT TO ALLOW ARMS AND AMMUNITION AT THIS TIME TO BE EXPORTED FROM THE UNITED STATES INTO MEXICO.

Your department is in a position to have this matter checked up by your special agents along the border, all of whom are unusually capable and thoroughly posted regarding Mexican border conditions, and I feel sure such investigation will show it is the consensus of opinion among disinterested business men at all border points, that within from one to four months from 25 to 50 per cent of the large quantity of arms and ammunition shipped from merchants in the United States to the Mexican Government will within the time mentioned be in possession either by capture or purchase of the Villistas or other Mexican revolutionary factions.

Instead of the United States assisting as they believe they are in helping the Mexican Government to put down and kill off the Villistas and other similar

bandits and revolutionists, in reality as it appears to me the United States is to some extent in the end, unintentionally helping these Mexican bandits and revolutionists to continue their activities by making it possible for them to secure by purchase or capture from the Mexican troops the arms and ammunition necessary for such revolutionists to continue their activities.

——— for many years lived in Mexico, and at border points in Texas, Arizona, and New Mexico. He married a Mexican woman and probably has as much experience with Mexicans and knows as much regarding them and their activities as any other white man on the border. His information during the last year and a half has always been valuable, and with the exception of two occasions never found any of his information incorrect. I have in nearly every instance checked up his information and found it absolutely straight.

He is friendly with many of the Mexican officials, likewise with various Mexican revolutionists. Since he went to work for me over a year ago, at my suggestion he has to the best of his ability given Mexican Government officials and revolutionists the impression that as far as he was concerned the United States could go to hell, and in this way has been able to secure considerable information of value.

From the reports of Cresse to the Department of Justice regarding

CARRANZA'S CENTRAL AMERICAN REVOLUTIONARY PLOTS.

[Referred to on p. 5622 of testimony.]

Immediately after Carranza received from the United States de facto recognition as first chief of Mexico he began carrying out his Pan American ideas to become dictator, not only of Mexico, but, as he hoped, of Pan America. He had these plans in mind even at as early a time as he was a revolutionist.

The one paramount idea often reiterated by Carranza and his officials was to nullify the Monroe doctrine by putting in its place Pan-Americanism. He wanted to array Latin America against the United States economically and politically, not to mention his military ambitions. He sought to establish the approximately 100,000,000 people of Pan America and Mexico against America's millions in the marts of trade and on the fields of war.

In public address and through diplomatic channels in South and Central America, Carranza always has been and is active at present in his advocacy of anti-Americanism. In a speech to the Mexican Congress on April 15, 1917, Carranza said:

"There has been developed a vigorous feeling of approximation and fraternity by and between all the Latin-American nations, with whom Mexico is closely related, by reason of origin, ideals, and common interests. These nations and their respective Governments have cooperated with pleasure, and even with enthusiasm to the work, from which the best results for the benefit of all are to be expected. For this reason, this Republic has increased the personnel of its diplomatic corps, as well as the number of its legations.

"It is a pleasure for me to state that the manifestations of consideration and sympathy, which have developed in our relations with our sister Republics have been eloquent and significant, and with an emphatic tendency toward drawing these Republics and Mexico closer together.

"In this connection I take satisfaction in making special mention of the mutual proofs and demonstrations of deep esteem and sincere fraternity which have been mutually exchanged between the people and the Governments of Salvador and Mexico.

"The Government, under my charge, presented to the Government of Salvador a biplane, built at the aviation factory in this capital (Mexico) and a complete wireless installation. Both were delivered by commissions sent to Salvador.

"The Mexican commissioners were received with noticeable courtesy. Decorations were bestowed upon the commissioners by the President of that important Republic, which has conducted itself toward Mexico and its Government in a manner which displayed deep sympathy and high esteem, all of which emphatically call for national gratitude."

The Mexcan mission arrived at Acapulco, Salvador, on a Mexican gunboat. The gunboat returned to Mexico and then made another voyage to Salvador with a large contingent of Mexican military officers. They were at once put in charge of training troops of Salvador. Much ammunition also was supplied

Salvador by Mexico at this time, together with arms. My reports to the Bureau of Investigation at that time fully covered these activities.

To realize his mad ambition of becoming dictator of Latin America Carranza seized on the cooperation of Salvador and Mexico, which he frankly admitted in his address was a fact, to gain an opening. That Von Eckhardt, the German ambassador to Mexico, financed Carranza's Latin-American dreams, will be shown later by complete documentary evidence which I have put in possession of the New York American.

Carranza, whose principal disciple in his Latin-American ambitions was Louis Cabrera, whose celebrated trip during 1918 through South America was to spread Carranza's doctrine of anti-Americanism and pro-Latin-Americanism, planned to have the Central and South American countries come out openly in favor of Germany. When they found that this could not be accomplished, they then decided to put through their scheme for the League of Neutral Pan American Nations, which was headed by Mexico.

Warned far in advance of these plans, the United States was able to block them successfully.

Nevertheless, it is notable that Salvador during the World War remained neutral and on every occasion coincided with Mexico's most remote dictates and policies. Also, Salvador sided wholeheartedly with Carranza in opposition to the Monroe doctrine. Along this line Carranza declared in his message to the Mexican congress on September 1, 1919:

"As the question of the acceptance of the Monroe doctrine was taken up at the Paris peace conference, the Government of Mexico found it advisable publicly to declare and officially to inform friendly governments that Mexico had not and would not recognize that doctrine, because, without the consent of all the people of America, it established a criterion and a situation about which they had not been consulted. Therefore, that doctrine attacks the independence of Mexico."

Several months ago Salvador made an official request on the United States as to an official definition of the Monroe doctrine. This was a ruse on Carranza's part, using Salvador as a catspaw to gain this definition for his own usage. Already Salvador is dominated by the dictator of Mexico.

In my report of July. 19, 1918, to the Bureau of Investigation and headed "Confidential report, re Interview with Ignacio Bonillas, Mexican ambassador to the United States at Washington, and plans suggested as a result of these interviews which may help to offset Germany's strength in Mexico," and based on an interview with the ambassador on July 1, I pointed out:

"I asked Bonillas a point-blank question as to why Mexico had not and would not declare war on Germany. Likewise, as to why President Carranza appeared, so it was said, to interfere constantly in the affairs of other Latin-American countries. Likewise, if it were not a fact that a majority of the army officers of the Mexican Government were in the pay of the German ambassador to Mexico City or of other interests who were friendly to Germany. The ambassador answered:

"'It seems to be the policy of the United States to interfere more in the affairs of Mexico and Central American than Mexico does in the affairs of the United States. It is President Carranza's own affair as to where and in what way Mexico extends her power throughout Pan-America.'

"He also said that undoubtedly some of the Mexican army officers had taken money from Germany, but, as a whole, he did not believe that the majority of Mexican army officers were in the pay of Germany.

"I then said to the ambassador, 'If my supposition is correct, that the majority of your army officers are in the pay of Germany and President Carranza decided to declare war on Germany, what effect would it have as far as those army officers in the pay of Germany being able to attempt the overthrow of President Carranza?'

"The ambassador said that if such a condition really existed and President Carranza declared war on Germany, provided the majority of the army officers were in the pay of that nation, it would result in the present Mexican Government being overthrown by the army."

At the time of this interview with Ambassador Bonillas I was in the employment of the Mexican foreign office as one of its confidential agents. As a matter of fact, President Carranza had been charged with "feathering his nest" financially with more German money, all of which he is said to have "salted away" carefully in banks outside of Mexico than any other 10 Mexicans.

Carranza's plans to become dictator or leader in all of Pan America through his league of neutral nations having been successfully blocked by efforts of the United States, with the exception of the Government of Salvador, he then attempted, with money provided by Von Eckhardt and which he procured from other German interests, to plot to secure control of all of Central America by surrounding himself with the leading revolutionary chieftains from each of the Central American nations.

This was known as Carranza's Central American revolutionary plot, and the facts for the first time, backed up by documentary evidence, will be shown in this series. Likewise, it will be demonstrated how, through the efforts of the Bureau of Investigation of the United Sattes Department of Justice, this entire scheme of Carranza to extend his dictatorship throughout all Central America was broken up.

Through Carranza's representatives in the United States, he approached each of these Central American revolutionists who he knew were at that time political exiles and would be available in fomenting several revolutionary movements. Among these revolutionists were Gen. Maximo Rosales, of Honduras; Pedro Grave de Peralta, of Honduras; Dr. Julian Irias, of Nicaragua, and Gen. Jose Castillo, of Guatemala.

Carranza's principal representatives, who he used to open up negotiations to start simultaneously a revolution in Guatemala, Nicaragua, and Honduras, were Carlos Felix Diaz, Mexican consul general at Belize, British Honduras, and F. R. Villavicencio, consul general of Mexico at New Orleans, La.

The following letter from Villavicencio to Peralta shows that the former instructed the latter to call at Villavicencio's office; the translation of the original, herewith reproduced, and dated April 19, 1916, reads:

"I would thank you to come up to my office at any time that should be convenient to you; telephoning me, however, before you come, so that I may wait here for you, since I have to speak to you about a matter that will interest you."

On March 27, 1916, Carlos Felix Diaz wrote Pedro Grave de Peralta as follows:

"The undersigned is here, and has taken advantage of all the means that are within his reach, working in connection with the revolutionary movement which is springing up in Guatemala. On account of my position, I established relations with some rebels from Honduras who arrived here in a bad fix, and whom I helped out.

"I suppose you are aware of the fact that between the despotic Governments of Guatemala and that of Bertrand (the then President of Honduras), which is of the same sort, there exists strong ties of friendship and defense, and it seems to me that it would be a prudent and logical thing for the two revolutionary parties to do to come also to a common understanding.

"The junta over there, whose worthy secretary you are, should also be represented in the Republic of Mexico and should come to a working agreement with the revolutionaries in Guatemala.

"Tapachula would in my opinion be the right place, once that Cabera (the President of Guatemala) is out of the way. Bertrand then will fall by his own weight. In case that the honorable junta should think the same way, then I would write to Dr. Toledo, the chief of the revolution in Guatemala, and would communicate this plan to him, and, if you find it convenient, then you could communicate it to Gen. Maximo B. Rosales.

"In the meanwhile, you may count on me in any matter that is connected with your movement. There are a good many revolutionaries from Honduras here, but since they have no resources, they are swelling the ranks of the revolutionaries from Guatemala, hoping, of course, they will be able to fall over Bertrand as soon as Estrada Cabera has been disposed of. I am waiting to hear from you, and in the meantime I will keep on writing and do whatever I can to obtain the freedom of Honduras and Guatemala, which no doubt will be of some help."

The above letters, which indicated the launching of the revolutionary plan, were hardly dry until I became actively engaged in investigating the scheme. It may be a source of surprise to the parties to the plan to know now, for the first time, that I, who had "worked in" on the entire scheme as a personal adherent and coconspirator, also almost daily reported their plans and movements to my government and aided in blocking the intrigue. Unknown to the plotters, I had had them under surveilance in their own "camps" shortly after they had set foot on American soil.

Peralta immediately referred the proposition, which he had received from Villavincentio and from Carlos Felix Diaz regarding Mexico's plans to make

Rosales revolutionary president of Honduras, to Gen. Rosales. The latter, who for many years has been known as "The Stormy Petrel of Central America," with unlimited political ambition, bit immediately at the bait offered in the way of cooperation by Carranza.

Dated February 22, 1916, Rosales, then in San Francisco, wrote Peralta, in part, as follows:

"You must attend to the Mexican business well, for I have been informed reliably that Carranza, in order to change things in Central America, and for that reason he would like to come to an understanding with the foremost politicians of each country. It is of the utmost importance, and as soon as you have matters fixed up over there, then go to Mexico.

"Be careful that nobody learns of your trip to Mexico. I inclose you a personal letter of recommendation from his (Carranza's) representative here, who at that time was Ramon P. Ienegn."

On March 2, 1916, Rosales wrote Peralta:

"Did you receive my letter of credentials for Gen. Carranza? I hope that Irias has prepared something and that he will take the field, because the political situation in Central America makes me believe that they will not fight the revolutionaries, and that the American Government will not intervene, on account of grave political affairs in their own country, the German situation is very grave, as well as other matters, and they are not ready now to attend to small governments.

"For such reasons, we have to take advantage of these opportunities and see which way we will get the best of the bargain. You may be sure, my friend, that in Central America something is going to happen and that we shall be victorious."

Under date of March 4, 1916, Rosales wrote Peralta, as follows:

"I have become convinced that a great change is going to take place in Central America.

"The Mexican situation is beginning to look serious, and on that depends largely what will happen in Central America. Therefore, immediately make your secret trip to Mexico so that our understanding with Mr. Carranza will be perfected."

On March 11, 1916, Rosales, in a letter to Peralta, states:

"The situation in Mexico is getting more serious every day. He (Carranza) has now decided to shake up Central America. Do not fail to continue our affairs with the Mexican representatives, but without letting anybody know about it, not even Jones (meaning myself) or any of his friends.

"When you go to Mexico keep it quiet, and you may tell Jones that you are going to Washington. I inclose you my personal letter (to Carranza).

"I knew already of the appointment of Refael Lopez Gutierrez. He is an old degenerate and the Government does not gain anything by that. Bertrand keeps him satisfied after having fooled him with the vice presidency.

"I hope that you are right about Nicauragua and that the bomb will explode there. I am sorry they caught the 200 cases of rifles that were shipped to Costa Rica."

Rosales, having become so enthusiastic regarding Carranza's revolutionary plans, outlined fully in the same letter his ideas of how their various armed expeditions could be operated against Honduras and Guatemala. His letter continued:

"The armed expeditions could be easily organized and leave Mexico. Once that we have organized the expeditions there, our expedition from New Orleans can leave immediately, and this boat can be cleared for Mexico and she can land on some point on the Yucatan coast, in conjunction with the expedition that is to leave from Belize, and which is supposed to capture Tela, landing on an obscure spot near Tela (Honduras).

"During the night they can make a surprise attack on Tela, beat off the garrison, organize again and take the townships near La Ceiba, and then make a surprise attack on La Ceiba before people arrive who could defend it, then organize again and take Trujillo. After that has been done form a column under the command of Gen. Isaula and let him march on Yoro and Juticalpa, together with Gen. Teofilo Rosales; after, we can form another column and march on Progresso and San Pedro.

"All this can be done while we land with the other expeditions. The first expedition, under Soriano, can notify the firm of Perdomo Bros., in Belize (the capital of British Honduras in the West Indies), whom you know are our

agents there. They can again notify us in Yucatan through prearranged messages, so that we may not suffer any disappointment."

On March 12, 1916, Peralto wrote Rosales from New Orleans, La., as follows:

"Mr. Perdomo came here directly from Belize to have a talk with us, but it looks like he wants to swim without getting wet. He tells me that he is with Carranza now, and that he is going directly to him in order to get money from him, which in turn he will hand over to us and our cause."

On March 22, 1916, Rosales wrote Peralta from San Francisco:

"The governor of Yucatan (Salvador Alvaredo) is an important person, and he is interested in the affairs of Central America. It would be well to take up the matter of Yucatan in a private way with the counsel, Villavicentio, and you could make a trip there with a letter of recommendation from him.

"I have an offer here for four pieces of artillery, for which I can settle after my triumph with artillerymen and which helps a good deal. From Yucatan, as well as from over there (New Orleans) we can ship these goods as machinery, consigned to Perdomo Bros. for the expedition from Belize, which will be headed by Soriano (one of their dendis in Honduras), and which will be our advance guard from that country.

"Do not fail to make the trip to Yucatan, which is important. And I repeat to you that you must be very reserved about this trip."

Peralta did secure the letter Rosales requested, introducing him to the governor of Yucatan, Gen. Salvador Alvaredo. The English translation of same is as follows:

NEW ORLEANS, LA., *May 12, 1916.*

MY ESTEEMED AND FINE GENERAL: This letter will be handed to you by Mr. Pedro Grave de Peralto, the legal representative of Gen. Maximo Rosales, chief of the Liberal Party of Honduras, and he goes to our Republic in order to arrange some matters of the highest importance.

I have no doubt that you will assist Mr. Pedro Grave de Peralto in every possible way as soon as you know of his affairs.

Thanking you very much, I remain, as always,

Your good friend and partisan,

F. R. VILLAVICENTIO.

On March 24, 1916, from San Francisco, Rosales wrote Peralta again stating:

"The governor of Yucatan is very much interested to assist a move against the allied governments of Central America, especially those that are protected by the Guatemalian Government.

"I have told you several times the planned combination, with the movement which I have prepared from the south, coming from Nicauragua, and from the east.

"Be careful of the Judas and the spies and remember the mayor of La Ceiba, who approached you as your friend, and who was undoubtedly sent there to pump you and lay a trap for you."

On April 1, 1916, from San Francisco, Rosales wrote Peralta at New Orleans as follows:

"The pieces of artillery, which I have been offered, are cannons and can be shipped as machinery. Do not forget to take this matter up with Perdomo when he goes back to Mexico, so that he can serve as our agent in Belize.

"Fix up a code with him for ordinary letters, as well as for cable communications. All will go well with sufficient calmness."

From Belize, April 20, 1916, Carlos Felix Diaz wrote Peralta at New Orleans:

"MY DEAR FRIEND AND PARTISAN: I had the pleasure of receiving and carefully reading your favor of the 6th instant. I want to state to you that my initiative was born out of my enthusiasm and my sympathy for the freedom of nations.

"I am convinced that the government of Bertrand is a despotic government, which is based on fraud and brutal force, and that is my reason for helping you openly, but only myself in person am responsible for what I am doing for you. I can not approach the first chief officially in this matter. I have written him and have transcribed your letter under the guise of friendship as well as to other prominent men among the Constitutionalistas.

"Of course, I have done it in such a way that no responsibility can be placed upon them, besides the one that it has occurred to me to write to them. You will see clearly what I intend to say in these lines.

"You can count on the chief of the territory of Quintana Roo (a territory of Mexico close to British Honduras and which is under the military control of

the governor of Yucatan, who at that time was Alvaredo), Gen. Carlos A. Vidal, as if he were myself.

"I have gathered some men in Payo Obispo, Maradiagua, Matute, and others. (All of which are towns in Quintana Roo.) It would be too late to receive the arms which you want, even if they should give them to us. I agree with you that Tapachula is not the right point for a junta, with all they possess in Payo Obispo.

"I want to tell you that Gen. Carlos Vidal is a young man of noble ideals, and you can write to him in my name. He tells me to get something definite, which is up to you. The fact is that we can count on Payo Obispo as a place to unload our arms. We can make it appear as if the arms were consigned to Gen. Vidal through my conduct. In this manner you will have a safe point where to ship your war equipment and to form your expedition for the taking of La Seiba, Puerto Curtez, Tela, and other points. (These are towns in Honduras.)

"I am waiting for your answer and for your further disposition, and in the meanwhile I will attend to anything that may help our cause."

The arms were to be shipped from Mexico ostensibly for the use of the Mexican Army forces in Quintana Roo, but in reality, as shown in the above letter from the Mexican counsel, they were to be employed for the several armed expeditions from there against the Central American Republics.

At about this time the Government of Honduras became partially aware of the revolutionary plot, which resulted in them sending to New Orleans for repair the Honduran gunboat *Barahona*. Rosales in one of his letters from San Francisco to Peralta at New Orleans wrote as follows:

"We have to blow up the steamer *Barahona*."

Peralta, in answer to Rosales's suggestion in regard to blowing up the Honduran gunboat, wrote the latter:

"What you tell me about the blowing up of the gunboat *Barahona* would be a fine thing, but very dangerous at the same time for the man who does it, and we would have to give him a goodly something so that he could make his escape and live in peace wherever he may choose to go."

Rosales, in reply to Peralta, corresponded as follows:

"You must fight the enemies with all means at your disposal, as they will do the same thing to you. You must therefore get together with Mr. Jones, and as the first thing blow up the gunboat *Barahona*. Any nigger or some other fellow will attend to that job for a few dollars; but, of course, you must be careful."

Due to proper authorities having been warned in my confidential reports, the gunboat was carefully watched, and I likewise showed to Peralta the inadvisability of attempting this deed. The scheme was abandoned.

On April 21, 1916, Peralta from New Orleans wrote to F. R. Villavincentio, Mexican consul general there:

"I have shown you several letters from Gen. Maximo B. Rosales, the chief of the Liberal Party of Honduras, ordering me to leave immediately for Mexico and to get in touch there with President Carranza."

Dated April 24, 1916, from No. 3426 Canal Street, New Orleans, Peralta corresponded with Rosales at San Francisco:

"Mr. Villavincentio, the consul of Mexico here, has shown an interest again of seeing me, in order to tell me that it is of the highest importance that either you or I should go to Mexico to come to an understanding with Mr. Carranza. He assures me that our trip would bring sure results, and that I should not hesitate in going there.

"No; I was surprised by another letter from the consul of Belize (British Honduras). And I have no doubt that he is doing so under orders from his Government. He has got for us precisely the place that I wanted in Yucatan, Payo Obispo, on the frontier of the colony from where Manuel Bonnila organized his first expedition."

This refers to an expedition which resulted in a revolution which placed Bonnila in the presidency of Honduras. The letter continued:

"Gen. Vidal, of whom he speaks, is a downright brute, without any fear, and we can send the pieces of artillery that you have there to him. Study this letter well. If he would not have been authorized he would not have talked to us like he did. Who knows what his Government (Mexico) wants? But I will get it out of him. We must not lose any time."

On April 24, 1916, from the same address on Canal Street in New Orleans, Peralta, as secretary general, wrote Carlos Felix Diaz, at Belize, as follows:

"I have read the contents of your letter of the 20th of this month with pleasure. And I have transcribed it to our general in command, Maximo B. Rosales. You will understand how your important cooperation in our affairs is of the greatest value, since you are with us heart and soul.

"I respectfully ask that you come to a definite understanding with the first chief and with Mr. Alvarado, the governor of Yucatan, who would be more convenient, to my thinking. The consul of Mexico here already has written his Government, showing real zeal and energy.

"I deem it necessary to sign a defensive and offensive treaty with Gen. Carranza now through Mr. Alvarado, of Yucatan, by means of your mediation. We appreciate your activity on our behalf very highly, especially what you have done for us in regard to Payo Obispo and our good friend, Gen. Vidal, and we would thank you to keep after him and find out what we could do for the protection of our chief (Rosales) when landing on the coast.

"Anyhow, study well what I have said before, and be satisfied about one thing: It is that a beautiful future awaits you. Consider me your friend and let us fight side by side. It may be that my country is not as large as yours, but we have a lot of room there for friends like you."

On April 25, 1916, from New Orleans, Peralta wrote Gen. Rosales at San Francisco:

"I am writing now to Perdomo Bros. and to the Mexican consul at Belize, so that they will send Punta Gorda, who is now in Belize, to me here. Roman Diaz is free now and we ought to send him to Payo Obispo, and I do not know where he is at the present.

"Whatever you say goes. I believe that Isaula, Soriano, Euceda, Maradiaga, Manutle, and the Munguias could pull off a first-class invasion that would have a sure and successful result without a shadow of doubt. This, my friend, is not epen counting on Elvir, Mauricio Ramirez, Roman Diaz, Gen. Teofilo, Rosales, Gen. Purificacion Zelaya, Col. Ballesteros, Fuentes, Cruz, and others, who are waiting on you, and each of them counts with his bunch of followers; then there are Ceferino Delgado and others whom you have in the south.

"With Isaula and the men that he has picked out, we could take Trujillo, and with the arms which we find there we could outfit our recruits from Trujillo, Guaimorete, Betulia, Balfate, Rio Estevan, Neuva Armenia, and the other near-by townships; these points are between Truillo and Ceiba .

"Soriano and the men he takes along could attack Telja and could arm with whatever he finds there. Colfado and the railroad line and this port; it would be easy to unite about 2,000 men between these points and enough silver to make ourselves solid; the flower of the coast would be with us.

"I deem it of the highest importance that one of them should go to see Carranza and Alvarado in Yucatan."

On April 27, 1916, from San Francisco, Gen. Rosales wrote Peralta at New Orleans as follows:

"MY DEAR FRIEND: I have your letter of the 19th instant. Also the letters exchanged with the counsel of Mexico, Villavicentio, and the answer that you have given him has my absolute approval. I have written to the consul in Belize, and I have told him that I have sanctioned your communications and that I hope that all of these actions will have good result.

"It seems, and it is clear to me that they would like to come to an understanding with us. We should take advantage of it. Your clear intelligence, your prudence, and your necessary reserve should do all that can be done to push these matters along.

"We have to be very political and very reserved in whatever we undertake. We will be there and stand back of our compromises. You must not make Jones angry."

I at that time, to procure additional information concerning plans of these parties, had told them that it appeared to me as though they never would be able to carry through their schemes and that I thought they must have been "handing me a bunch of hot air." I appeared as if I were mad and ready to "throw up the job." The letter went on:

"You must appease him in some way, by raising fresh hopes in him. Tell him that I am not asleep. Tell him that I am a fighting man and that a few failures don't bother me. Tell him that I am constant and that I go on ahead until I fulfill my ideals.

"If Consul Villavicentio receives a favorable reply (this was in regard to Peralta having informed Mexico through Villavicentio that Rosales and his associates were willing to enter into the plan of Carranza to overthrow the Central American Governments) then you should make up your mind to go to Mexico.

"Aside from the letters of recommendation that have been offered you, you should ask them for one from the governor of Yucatan, in which manner we can organize an expedition from there. This is the most proper point, and you should take this matter up with the governor of Yucatan in the manner that you think best."

Dated May 6, 1916, Peralta wrote from New Orleans to Gen. Rosales at San Francisco:

"I have seen the consul (Villavicentio) and the admiral again, as well as the former minister of Madero, who is now vice admiral of the Mexican fleet (this party whom Peralta refers to as the admiral was Hilario Rodrigues Malpica) and who desired that we should go to Mexico together. They are certain that our mission will meet with success and that the first chief (Carranza) will give us what we want, and I myself believe that he will."

Peralta wrote from New Orleans on May 8, 1916, to Rosales, at San Francisco:

"I inclose you an official letter from the consul of Mexico in Belize, of which I could not make a copy on account of too much work, but which I shall be able to answer in the next mail.

"We must make him (Carlos Felix Diaz) believe that the war equipment from them is merely a second consideration for our people, and that we have all that we need in the interior of our country.

"Bertrand (then President of Honduras) is getting old and sick; in regard to the handbill he says:

"'Look here, friend Vasquez, I did not kill Salamanca; I may have killed somebody else, but I did not kill Salamanca.'

"Alvarado Guerrero (a Government official of Honduras) treats Chico Mejia (another official under Bertrand) like a good-for-nothing, and tells him:

"'If you did have any honor at all, you would have resigned long ago, because you were dismissed as minister of war so that you could resign, and you have not done so because you have no honor; Membreno (Honduran minister to Washington) took Juan Bustillo from Liverpool, and the people shout for Rosales (Maximo B.); they are up in arms from Puerto Cortez, Choloma San Pedro, La Pimienta, Sta Barabara, Comayague, Tegucigalpa, on that side, and on the other side is La Cebi, Tela, Trugillo, Opanchito, Yoro, and Copan. Salvador J. Garcia is in Copan

"Sugusto Coellosis is in Tibueo; Ariti is in Puerto Cortez; Cobar is in Yoro; the bandit Williams is in Cholutecaffi Faustno Calix is in Trujillo; Mejia Juarez is in the Comayagua; Cl Aplicanos is in Julicalpa, and in Belize there is a colony of Rosalistas, a hundred strong, ready for work.

"I sent $150 to Isauia through Perdomo Bros.; he is likely to come here, but I told him to remain there until he heard from you, and you should write to him through Perdomo Bros. You have everything that you can ask for in Honduras. All it needs is to put the match to the powder and let the whole business blow up in a hurricane."

Peralta at this time was active in completing his plans, as pointed out hereinbefore, to leave for Mexico City to see Carranza and other prominent officials of the Mexican Government. He secured from F. R. Villavicentio, Mexican consul at New Orleans, a letter of introduction, which follows, translated into English:

[Lic. Jesus Ocuna, Secretario de Estabo y del Despacho de Gobierno, Mexico.]

MAY 12, 1916.

VERY ESTEEMED AND FINE FRIEND: The present letter will be handed to you by Mr. Pedro Grave de Peralta, who is going to that capital in order to arrange a matter of high importance, asking him to assist him kindly in every way possible, I beg to remain always,

Your good friend and partisan.

The understanding between Peralta and the Mexican consul, Villavicentia, was that he, Villavicentio, by one of his confidential couriers, several weeks prior to this time had sent full instructions to President Carranza; Gen. A. Obregon, Mexican minister of war and marine; Gen. Candido Aguilar, Mexican

secretary of foreign affairs, and other prominent officials advising them of the fact that Villavicentio's preliminary negotiations with Rosales and Peralta had reached the point where these Central American revolutionists were willing to become the tools of Carranza. Through them Carranza's plans to start his revolutionary movements in Central America, according to the understanding, could be carried out successfully.

The admiral of the Mexican Navy, Hilario Rodriquez Malpica, who was to accompany Peralta on his mission to Mexico, however, changed his plans and left New Orleans for Mexico City several weeks before Peralta started thither. Admiral Malpica was likewise to assure Carranza and his officers that their efforts through Rosales and Peralta and their other associates could be carried out successfully.

On May 17, 1916, Peralta in New Orleans, wrote Gen. Rosales in San Francisco as follows:

"I am leaving on Saturday, the 19th, for Yucatan and Mexico. I am taking along with me letters to Gen. Carranza, Gen. Candido Aguilar, the Mexican minister of foreign affairs; Lic. Louis Acuna, the Mexican Secretary of State; and for the Governor of Yucatan, Gen. Salvador Alvarado."

The letters Peralta tells Rosales he has, were from Villavicentio, the Mexican consul general at New Orleans, and from Carlos Felix Diaz, the Mexican consul general at Belize, British Honduras. It was also a known fact to the United States Government at this time that all plans involved herein, which had been secured by me, had been heartily concurred in by the Mexican ambassador to the United States. The letter continued:

"I would have left with Gen. Melpica, the admiral of the Mexican fleet, but he left by rail through the port that is infested with the adherents of Villa, and I was afraid to fall into their hands with the correspondence I carry.

"Admiral Malpica arrived there all right and is waiting for me now. I have great hopes to do something this month—be it with Carranza or any other devil.

"Dr. Alberto Membreno (at that time Honduran minister to the United States) comes via Panama directly to New York, and a handbill sent by Mr. Wright (Samuel B. Wright, who, as will be shown by correspondence in this series, was on apparently friendly terms with Peralta) to the Department of State (of the United States) which would show Membreno as a friend of Bryan's.

"We must do something that is sure, if you care to eat the fruit that is ripe now. I am going to try my luck now in Yucatan and in Mexico. Wait for my correspondence from Mexico."

Peralta, before leaving New Orleans, also procured letters from strong friends and supporters of President Carranza and his officials who were at that time in this country. Among them was Dr. Tos Garcia Lopez, a personal friend and supporter of Louis Cabera, Carranza's right-hand bower. A translation of this letter reads:

NEW ORLEANS, LA., *May 16, 1916.*

Lic. LOUIS CABERA,
Mexico.

MY ESTEEMED AND FINE FRIEND: It gives me great satisfaction to have this opportunity of introducing to you by means of this letter, the bearer, Mr. Pedro Grave de Peralta, the representative in Washington of the Liberal and Constitutional Party of Honduras, who is going on an important mission to our first chief (Carranza) which is also of the most vital importance for the interests of our party.

Your friends and partisans, who are residing at present in this great Republic, respectfully ask in his behalf that you assist him on his mission, and in all that he is going to tell you.

Peralta, on May 19, 1916, slipped out of New Orleans for Havana, Cuba. Just before taking his departure, he told me that one of his relatives was dangerously ill at New York City and that he was leaving for there, he being unaware of the fact that I was thoroughly familiar with all of his plans in regard to his trip which was taking him to Mexico.

He went from New Orleans to Havana and from there Peralta took a steamer to Vera Cruz. Estrada Cabera, President of Guatemala, who is known as the "political fox of Central America," long before this time had become cognizant of Mexico's plans in connection with Rosales, Peralta, Gen. Jose Castillo, Dr. Toledo, Dr. Julian Irias, and others to enter into the Car-

ranza plot to effect the downfall of Cabera's government and other administrations of Central America through revolutionary moves.

Cabera, having the most powerful and extensive spy and secret-service system in Central America, and which extends throughout the United States, was endeavoring to keep close scrutiny on the activities of these Central American revolutionists. The day after Peralta sailed for Havana, a celebrated woman spy of Cabera's force, left from New Orleans direct for Vera Cruz. This woman was known as Sonora Concho. Being familiar with her activities and being acquainted personally with her, I devised a scheme for "working in" a Central American, an assistant of mine and a source of valuable information, on this woman.

She became infatuated with him, as I had hoped she would do, and while partially intoxicated she divulged to him the plan of her trip to Mexico. She said she had been personally ordered by President Cabera to join Peralta and procure all information possible from him for the benefit of Cabera.

Senora Concho made her trip and managed in Vera Cruz to flirt with Peralta in a restaurant. She claimed that he became deeply attached to her, and by careful scheming she obtained from him many of his plans and the full story of his mission. When Peralta returned to Vera Cruz this woman spy procured complete details as to the success of his mission to Carranza and the latter's officials.

The woman then returned to New Orleans, where my spy, professing renewed love for her and plying her with wine, gained the entire story from Senora Concho. In my work I always kept four or five lines laid for information. In case one or two "fell down" I was able to turn to reserve sources to check and countercheck reports.

Peralta, upon his arrival in Mexico City, established elaborate apartments at the Hotel Iturbide, suite 55. From this hostelry, on June 7, 1916, he wrote to Admiral Hilario Rodriguez Malpica. The English translation follows:

MY DEAR GENERAL: I suppose that by now you know what my mission is to the government of Gen. Carranza, when I am counting on your precious and important offer, which you made me in the United States.

I do not doubt that it would help me materially in my work, since you are one of the most prominent members of the constitutionals.

The impressions which I have received up to now are so highly satisfactory that I would like to tell you about them privately, so that you may give me your opinion about this matter. I would thank you, therefore, to let me know which time would suit you best for me to see you, since my stay in Mexico will only be a matter of days, as I have to return to the United States as soon as possible.

I remain, your friend,

In handling all affairs, even the most intimate and personal, the Latin Americans and Mexicans are extraordinarily formal and particular as to etiquette, as is shown by letters which I have turned over to the New York American.

The admiral answered Peralta's letter as follows:

[Secretary of War—Navy Department—Private correspondence.]

MEXICO, *June 8, 1916.*

Dr. PEDRO GRAVE PERALTA,
Hotel Iturbide, 55, City.

DEAR MR. PERALTA: I see by your nice letter of yesterday that you would like to come to see me and tell me about the good impression that you have gained.

Kindly call to-morrow, the 8th instant, at this office of the department of navy, where I shall be waiting for you at 6 p. m.

Your friend,

H. RODRIGUEZ Y MALPICA.

Peralta wrote from Mexico City on June 7, 1916, to Gen. Candido Aguilar, Mexican secretary of foreign relations, translated as follows:

"MY DISTINGUISHED GENERAL: I have just arrived here from the United States on a mission of highest importance for the party of the constitutionalists, of which you are such a prominent member, as well as for the general interest of the party which I represent in Mexico and in Washington, and I

beg of you very respectfully to grant me kindly an hour or so that I may hand you a letter that I bring with me and also to speak about its contents with you.

"You will pardon me when I ask you to attend to this right away, since I am in a hurry to return to the United States, where our political affairs demand our presence in an urgent manner."

Peralta, on the same date, sent exactly the same letter as quoted above to Lic. Jesus Osuna, minister of government.

From Mexico City, Peralta, in a letter dated June 7, sent a communication to Carranza, the translation of which follows:

MR. VENUSTIANO CARRANZA,
First chief in charge of the executive power of the Nation,
City, D. F.

HIGHLY DISTINGUISHED SIR: A mission of vital importance for the Constitutionalists, whose worthy chief you are, as well as for the political party to which I belong and which I represent in Mexico and in Washington, has brought me to this country to comply with the wishes of those whom I represent. I have the honor of soliciting a private interview with you at the time you deem it convenient for your interests, and my return to the United States depends only on this audience with you and the members of the Constitutionalists.

I beg to repeat to you my highest consideration, and I am,

Very respectfully,

PEDRO GRAVE DE PERALTA.

The above letters, among other things, illustrate the typical Latin-American and Mexican manner of "camouflage." All these elaborate announcements and prayers for audiences were made despite the fact that Peralta, all along, knew that Carranza's representatives in the United States had "cooked everything" and had arranged long before for the interviews.

From Mexico City, on June 8, 1916, Carranza wrote Peralta, in answer to his letter of June 7. The first chief's communication was made on official stationery which bore the Mexican eagle of the Republic of Mexico. Under the eagle is the inscription "First chief of the Constitutionalist Army." The English translation follows:

MR. PEDRO GRAVE DE PERALTA,
Hotel Itrubide, Apartment 55, City.

ESTEEMED SIR OF MY CONSIDERATION: I have your attentive favor of yesterday, and in reply I beg to state that if you will call to-morrow afternoon at 4.30 at the Palace, I shall give myself to the satisfaction of receiving you.

I am, dear sir, respectfully,

V. CARRANZA.

The above letter was dictated to Carranza's stenographer, "M. C. R."

The English translation of Peralta's letter, dated Mexico City, June 8, 1916, to Mr. Charles Hammocken, Oliver Building, same city, follows:

MY DISTINGUISHED FRIEND: I am very sorry that I could not have the pleasure of seeing you when you called on me, but, as you know, I had some very important interviews to attend to. It is very necessary that we should meet as soon as possible, and I shall phone you to find out the best time for us to have a quiet talk by ourselves.

I remain your friend.

On June 10, 1916, Peralta wrote the following letter from Mexico City to Gen. Alvaro Obregon, Mexican minister of war and marine:

"MY DISTINGUISHED GENERAL: I want to express to you my sincere thanks for the honorable distinction extended to me in preparing the important interview with our worthy Gen. Carranza.

"I have come to the conclusion in consequence thereof that the most prominent members of the Constitutionalists, whose main representative you are, do no longer look with cold indifference at the fact that the Liberal Party of Central America is about to be enslaved, which party should form one great and solid body with the Mexican Constitutionalists.

"Grave and important matters are calling for attention and they are shaping up in a good many ways. As a partisan of the great cause that you stand for, I feel that it is my duty to denounce this matter before you.

"Mr. Ricardo Carrascosa has arrived recently from Chiapas (a Mexican State adjoining Guatemala, Central America) and he is the bringer of some

very important news which should not escape your knowledge. This news is a great help to the plans which I have submitted to you and to Gen. Carranza, in case that they will be verified as well as those which I have brought from North America, and which have been supplied by our most prominent leaders.

"It would be well for you to have this Carrascosa to come up to your office."

Carrascosa was a leader of the Carranza party in Chiapas. He is now said to be one of Carranza's military commanders in that State. The letter concludes:

"I want to tell you, distinguished General, that you have made the deepest impression upon me, which I shall communicate among the 800,000 liberals of Central America, and I shall tell them that the bell which shall announce the freedom of the Central American isthmus shall be rung by the orders of generals such as Carranza and Obregon. I deem it the highest honor to be bearer of such good news, and I await impatiently the resolve which will give us either life or death."

Peralta's reference to the "800,000 liberals" of Central America refers to those members of what is known as the Liberal Political Party of the five Central American countries: Costa Rico, Nicauragua, Honduras, Salvador, and Guatemala. Peralta admits in this letter that he, in connection with Gen. Rosales and their other revolutionary associates, is perfectly willing to carry through the plans of Carranza and the first chief officials to extend their dominating power through all of Central America.

On June 13, 1916, Peralta received a letter from Gen. A. Obregon, translated as follows:

[Private correspondence of the Secretary of War and Navy.]

Mr. Pedro Grave de Peralta,
Hotel Iturbide 55, City.

My Dear Friend and Sir: In answering your attentive letter of the 10th instant, I am glad to express to you my appreciation of your sentiments, expressed therein, and to tell you at the same time that it would be well for Mr. Carrascosa to come to this office in order to let me have the information of which you speak, and which I shall be glad to hear, so that I may make use of it in the best manner possible.

Thanking you again for your kind expressions, and always gladly at your orders, I am,

Your servant,

Gen. A. Obregon.

Through Carlos Felix Diaz, the Mexican consul at Belize, and through Gen. Carlos Vidal, the Mexican military commander at Payo Obisbo, Peralta had arranged with Carrascosa to take active charge of an armed revolutionary expedition out of the Mexican State of Chiapas against Guatemala. This was to be launched at a time when other expeditions were to attack Guatemala at the Atlantic ports of Livingston and Puerto Barrios.

On June 16, 1916, Peralta wrote at Mexico City to Carranza. The English translation follows:

Gen. Venustiano Carranza
(*Personal*).

Highly Honored Sir: Our distinguished friend, Gen. Gandido Aguilar, as well as the Hon. Mr. Ugarte, have communicated to me your precious and important resolution in favor of the political interests which I have the honor to represent before your distinguished person, interests which I consider firmly identical with those of the constitutionalists of Mexico.

I am bound, sir, to return to the United States in as short a time as possible, taking with me the valuable contingent of our worthy chief, Gen. Carranza, who may count on the unconditional service of the entire army of the liberators of Honduras, so that your Government will grow stronger every day, in a way that will be most convenient and useful for our interests.

Believe me, that it is really very important that I should return without delay, and I am anxious to comply with the orders of Gen. Rosales, who only waits for my arrival in order to start his campaign.

I therefore beg of you respectfully to get me ready by this week, since it is very difficult at the present time to get any steamers that are going north on account of the irregular itinerary. You may be sure that wherever you hear

the name of Gen. Maximo B. Rosales mentioned you will have a sincere and true representative of Gen. Venustiano Carranza, and I assure you that I, as a true admirer of your political creed, will be the same as he.

Necessity forces me to ask you for my answer, so that I may be enabled to act immediately.

Attention is called to the fact presented in the above letter that the Mexican Minister of Foreign Affairs, Candido Aguilar, and Derzayn Ugarte, Carranza's private secretary, had communicated to Peralta word that Carranza had assured them the first chief had decided in every way, through Peralta, Rosales, and other of their associates, to gain control of the several Central American countries.

I have found that the Mexican mind, as well as that of the Central American official, thirsts for publicity. I often played on this psychological trend to advantage. Peralta had been led to believe, through me, that "we" could control publicity in a large number of newspapers, and with this belief uppermost he boasted to Carranza of the "great publicity power he wielded."

Carranza asked for a demonstration of Peralta's power in the American press. I was not supposed to know where Peralta was, but to call Carranza's turn he was compelled to cable me. This resulted in the following correspondence between Peralta and Candido Aguilar, Mexican Secretary of Foreign Affairs, the English translations of which are as follows:

MEXICO CITY, *June 19, 1916.*

Gen. CANDIDO AGUILAR
(*Confidential*).

MY DISTINGUISHED SIR AND FRIEND: I beg of you very respectfully to tell me whether you and the first chief will allow me to send the following cable message to Washington, which letter, translated, reads as follows:

"CHARLES JONES,
"*Washington:*

"Call on Senators and press associations immediately in order to avoid international difficulties created by political speculators of both countries. The United States and Mexico should remain united in order to repel the European aggression. Public opinion is with Carranza.

"PEDRO GRAVE DE PERALTA."

Our object is to place at the disposal of Gen. Carranza our lawyers in Washington, since they are persons of political influence in that country. I would appreciate your answer highly, since I am very anxious to send this cable to-day.

I remain your friend.

Aguilar's answer to the above letter was as follows:

MEXICO CITY, *June 19, 1916.*

Mr. PEDRO GAVE DE PERALTA,
Hotel Iturbide, Room 55, City.

MY DISTINGUISHED SIR AND FRIEND: I take pleasure in replying to your kind letter of this date and beg to state to you that the message which you want to send to Washington is very appropriate. And I would that you let me have the exact translation (Spanish) of same. Of course I shall communicate to the First Chief (Carranza) these noble actions which you have taken for him and in his favor.

Highly appreciating the interest which you are taking in the affairs of this country, I beg to remain as always,

Your servant and friend,

C. AGUILAR.

Peralta them supplied to Gen. Carranza and Obregon at Mexico City the transcription of the message requested by Aguilar, which was as follows:

Gens. CARRANZA Y OBREGON,
Mexico City.

Puedo disponer 200 periodicos aqui y todo el pais, puedo entablar campana favor Carranza y su partido soberbia. Contesteme immediatamente si trato asunto deseo serles util, Estoy Hotel, Harrington.

PEDRO GRAVE DE PERALTA.

The translation of the above into English is:

I can have 200 newspapers at my disposal here and in the whole country can start a campaign in favor of Carranza and his party that will be first class. Answer immediately whether I shall take advantage of the offer.

The following letter from Peralta to Carranza, written on June 19, 1916, testifies to the bitter hatred of Peralta and his clique for America and his eagerness to join Carranza and all their supporters in each of the Central American countries with their armies and revolutionary groups "at any time Carranza so ordered" to defy the United States. This is openly expressed, despite the fact that Peralta, Rosales, and other plotters had and were enjoying with their families safe refuge in America. The communication reads, translated:

HIGHLY ESTEEMED MR. CARRANZA: Well acquainted as I am with the Machiavellan politics of Estrada Cabrera in Central America, I deem it my duty to warn your distinguished Government against all fakes, traps, or political acts which he employs to surprise the Mexican Government when he now uses his power and makes the Government of Honduras protest against the Yankee intervention in Mexico.

President Cabrera is employing dangerous means in fooling you, and he is hiding the fact that he has made an alliance secretly with Honduras as well as with Salvador to the effect that they must support him for the assistance he renders the two incumbents for their respective reelection.

The Liberal Party, whom I have the honor to represent here and in the United States is ready unconditionally to place their army at the exclusive orders of Gen. Carranza to fight the American colossus or any other enemy of his Government, and it all depends on you for us to prove what we say, especially under the present circumstances. I, in person, as the special representative of that great group, bring you their last word in this matter.

Estrada Cabrera has found out that he can not fool this great Republic any longer, and now he is going to employ politics against you.

Respectfully,

PEDRO GRAVE DE PERALTA.

Peralta at this time was engaged in creating a profound impression in the minds of Mexican officials regarding his ability to spread propaganda throughout the United States favorable to Mexico. The following letter illustrates this:

HOTEL ITURBIDE, 55.
Mexico City, June 20, 1916.

SUBSECRETARY OF FOREIGN RELATIONS,
Palace of Communications, City.

DEAR SIR: You will pardon me for taking up your valuable time with the object in view to have you ask our distinguished Gen. Aguilar whether I could send my cables to Washington free of charge in the respective departments, so that I can stir up the sympathies in favor of this great Republic (Mexico) which is unreservedly at our disposition.

I deem this of highest importance for our patriotic labors, as it will serve at the same time the cause of Latin America. It is understood that I will only make use of this for any messages that concern our actual political moves, but that under no circumstances will I do so for my own personal affairs.

Believe me, Mr. Secretary, a firm friend of your Government, and you may count unreservedly on my humble services whenever they may be of any use to you.

Respectfully,

PEDRO GRAVE DE PERALTA.

The following letter, written by Peralta in Mexico City on June 23, 1916, to Aguilar, secretary of foreign relations, and marked "confidential," further demonstrates the complete willingness on the part of Peralta, Rosales, and their associates in Central America to place their countries at the disposal of Carranza, provided they could overthrow the existing Central American Goverments by revolutions, as planned in the United States by Carranza's representatives:

DISTINGUISHED AND HONORED SIR: Since I have not had the honor of hearing from you up to this present time in regard to my affairs, which brought me to Mexico, and since I have received superior orders to get ready to leave in consequence of the pressure that is getting stronger every day among our parti-

sans and in our country, I beg of you most respectfully to give me an hour, if possible, to-day, so that I can have my last meeting with you and finish the mission for Gen. Carranza which brought me here.

You will understand that my party wants to know whether or not I have been successful in my mission to the fathers of the Mexican liberalism. To lose any further time without getting any practical results would prejudice my cause, precisely since the people of Honduras are anxious to see Maximo B. Rosales, the chief of the Liberal Party, return to his country, and who is waiting for me before he starts on this campaign.

UNDER SUCH PRESSING CIRCUMSTANCES I SIMPLY WILL HAVE TO GIVE UP MY MISSION AND LEAVE RIGHT AWAY, TAKING ALONG WITH ME THE LAST WORD, WHICH WILL DEFINE COMPLETELY IN CENTRAL AMERICA THE ATTITUDE AND OPINION OF GEN. CARRANZA TOWARD THE LIBERAL PARTY, WHICH NO DOUBT WILL AFFECT POLITICS IN SOUTH AMERICA.

IT IS USELESS THAT I SHOULD REPEAT ALL THAT I HAVE SAID; HOW GEN. CARRANZA, FOR POLITICAL AND STRATEGICAL REASONS, NEEDS A BASE IN CENTRAL AMERICA IN ORDER TO DISLODGE ANY GOVERNMENT WHO AFFORDS AND GRANTS AN ASYLUM TO HIS ENEMIES, WHO ARE MOVING RAPIDLY AND STRONGLY, AND WHO ARE CREATING THIS DIFFICULT SITUATION IN MEXICO TO-DAY IN ORDER TO CHANGE THE ORDER OF THE ACTUAL STATE OF AFFAIRS.

Neither do I have to repeat the solemn compromise of the Liberal Party in Honduras, whose chief Gen. Rosales is, to consolidate it with the government of Carranza through blood and fire, or ayway that it suits him, and I think that if Gen. Carranza looks upon all these grand propositions and great opportunities with cold indifference, then he should, later on, hold nobody to blame for this.

We came here with an open heart and have offered ourselves unconditionally in order to give more life, stability, to your cause in those regions (Central America).

Furthermore, you must readily see that the political machiavellan monster (meaning Estrado Cabrera) is getting busy against the constitutionalists and is looking for connections with other nations to that effect, but Gen. Carranza is not doing anything at all to cut the sane from the bad.

This is precisely the work that we want to take upon our shoulders, and we want to attack this matter as a deadly poison to the Liberal Party.

Delay brings danger, and a step well taken in time is worth that come too late. Believe me, General, to be your sincere friend, who appreciates you.

Peralta's letter to Gen. Aguilar contains a note of anxiety. This is precisely what Carranza aimed at, the latter having coached his officials to "drag Peralta along" and not seem overanxious. The purpose of this was to dissuade Peralta from demanding more money than Carranza and his aides proposed to give him. His letter, however, on the afternoon of the same day brought results in so far as the matter of finances for a Central American movement was concerned, as shown by the following letter:

[Secretary of Foreign Relations, Mexico.]

MEXICO CITY, *June 23, 1916.*

Mr. PEDRO GRAVE DE PERALTA,
Hotel Iturbide, City.

MY DEAR SIR: I beg to call your attention to the fact that Lic. Louis Cabrera already has instructions in regard to your affairs, and that you come up here to see him to-morrow at 12 o'clock. I am, sir,

Your servant,

JOSE PEREZ Y CARBONELL.

The following letter from the private secretary to Peralta acknowledges receipt of Peralta's several letters to Carranza, as quoted heretofore, and confirms the fact that Carranza had given the necessary instructions to Louis Cabrera, Mexican minister of finance, and GEN. A. OBREGON, MEXICAN MINISTER OF WAR AND MARINE, REGARDING THE FINANCIAL ARRANGEMENTS FOR PERALTA, AND ALSO THE ARMS AND AMMUNITION AND OTHER SINEWS OF WAR THAT THE CENTRAL AMERICAN REVOLUTIONARY MOVEMENTS WERE TO RECEIVE FROM MEXICO.

The English translation of the letter, which was written on Carranza's official stationery, bearing the eagle of the Mexican Republic, and dated Mexico City, June 23 1916, follows:

Mr. PEDRO GRAVE DE PERALTA.

MY ESTEEMED AND FINE FRIEND: This office has received the letters which you sent to the first chief of the Constitutionalist Army in charge of the executive power of the nation, as well as those which you have written to me, and Mr. Carranza has read them carefully.

You will understand that the delicacy of our present situation has loaded up with work all of our offices, and for that reason I have not been able to answer your letters, although I have continued to look after your matters, which, as you know, have my fullest support.

THE FIRST CHIEF (CARRANZA) ALREADY HAS GIVEN OUT HIS WILLINGNESS IN THE MANNER IN WHICH YOU WILL HAVE TO BE DISPATCHED. (THIS REFERS TO FINANCES, ARMS, AND AMMUNITION FOR THE CENTRAL AMERICAN MOVEMENTS.) AND IT WOULD BE VERY WELL FOR YOU TO COME UP HERE TO-DAY AT 6 O'CLOCK AND TO SEE LOUIS CABRERA, SECRETARY OF FINANCE, SO THAT HE MAY TELL YOU OF THE INSTRUCTIONS WHICH HE HAS ALREADY.

If you would not mind coming up to my office to-morrow at 12 o'clock, I shall be glad to receive you, and we may bring matters to a satisfactory end then. I am, sir, with all consideration and esteem,

Your sincere friend,

GERZAYN UGARTE.

The following letter shows that Gen. Alvaro Obregon, Mexican secretary of war and marine, as well as all other members of Carranza's so-called cabinet at that time, were cooperating fully with the Central American revolutionary movements. These movements originated, as has been pointed out in correspondence, through Carranza's general consuls at New Orleans and at Belize, British Honduras:

"MEXICO CITY, *June 27, 1916.*

"Gen. ALVARO OBREGON,

"*Secretary of War and Navy, National Palace, City.*

"MY DISTINGUISHED GENERAL: I am about to leave for the United States, from where I came, bidding farewell to this great and beautiful country (Mexico), where I have been treated so well and kind.

"I have come a true friend of yours, and the impression which I take away with me of you is so great that the press of the country (the United States) where I am going will soon have something to say about you."

"In saying good-by to you, I again want to express to you that I have become a true and sincere friend of yours from sympathy and admiration, and wherever I MAY BE YOU CAN COMMAND ME AND MY SERVICES UNCONDITIONALLY. I ASKED DR. LOUIS FELIPE OBREGON YESTERDAY TO GO TO SEE YOU IN PERSON IN ORDER TO OBTAIN A LETTER OF SPECIAL RECOMMENDATION FOR ME WELL EXPLAINED [THIS LITERAL TRANSLATION REFERS TO GEN. OBREGON GIVING THE NECESSARY MILITARY ORDER TO THE MEXICAN COMMANDERS TO COOPERATE WITH THE CENTRAL AMERICAN REVOLUTIONARY MOVEMENTS] FOR OUR PARTISAN, GEN. CARLOS VIDAL, MILITARY CHIEF OF PAYO OBISPO, IN THE TERRITORY OF QUINTANO ROO, WHERE THERE ARE A GOOD MANY OF OUR FRIENDS WHO ARE GOING TO TAKE ACTIVE PART IN THE DEVELOPMENTS WHICH ARE GOING TO TAKE PLACE SOON IN CENTRAL AMERICA UNDER THE LEADERSHIP OF GEN. MAXIMO B. ROSALES, CHIEF OF THE LIBERAL PARTY IN THAT SECTION OF THE CONTINENT.

"If you will honor me with such a letter, I ask that you kindly send it to-day, to Hotel Iturbide, room 55.

"Respectfully,

"PEDRO GRAVE DE PERALTA."

One of Carranza's widely known military leaders, Gen. C. Green, wrote to Antonio Hernandez Ferrer from Mexico City on June 27, 1916, to Havana, translated as follows:

"I have the pleasure of introducing to you through this letter my good friend, Pedro Grave de Peralta, a distinguished partisan of ours. He has ar-

ranged in a satisfactory manner some highly important matters, which brought him here to our dear Mexico. He is returning home now in order to give an account of his mission, taking with him the highest opinion of all of us, the real revolutionaries.

"I trust that you will treat him as he deserves by placing your unlimited confidence in him. From the many talks that he and I have had about you, he knows you very well; and I hope that the same friendship that has united us will exist between the both of you.

"Without any further news for to-day,

"I am your friend."

Peralta wrote Aguilar on June 27, 1916, a letter marked "confidential" in Mexico City, to wit:

"MY DISTINGUISHED FRIEND: After having been dispatched in such a highly satisfactory manner by the first chief, Mr. Venustiano Carranza, as well as by you, I want to express my sincere thanks to you; and I feel certain that the Liberal Party of Honduras and Gen. Maximo B. Rosales will see in your distinguished personality one of the strongest supporters of our cause.

"I beg of you to express to Gen. Carranza our most sincere appreciation and impress upon his mind that our political group will only act on personal orders from him in the manner which I explained in my last letter.

"I am leaving for the United States, where your Government will have in me a true partisan and defender of the cause, and I beg of you always to consider me a true friend of yours."

Peralta, on June 28 or 29, 1916, left Mexico City for Vera Cruz. On his arrival there, according to Sonora Concho on her return to New Orleans, she having awaited Peralta in Vera Cruz as a spy for Cabrera, the latter, bubbling over with enthusiasm and champagne, poured into Sonora Concho's eager ear the entire story of his negotiations with Carranza and other officials in Mexico City.

Peralta told the woman spy that Carranza had placed at the disposal of Gen. Rosales and the Central American movement $50,000 in gold, likewise arms and ammunition, boats, and other supplies for the several expeditions that were to start out of Mexico territory.

After "pumping" Peralta, Sonora Concho arrived in New Orleans a week in advance of Peralta and received attentions again from the Central American agent in my employ. She also "bubbled over" with enthusiasm and wine and relayed Peralta's story to our spy.

Consequently the United States Government, as covered in my report on this episode, received confirmation of plans which I had submitted long before concerning the proposed Central American movements as plotted by Carranza's own officials under his personal supervision.

Señora Concho's story to our agent was repeated again under peculiar circumstances. To be sure that our agent had obtained a correct narration, we devised that he should pick a quarrel with the woman, leave her, and give way to another spy, this time a Villista revolutionist. Not only did he pay ardent attentions to her, but he went so far as to marry Señora Concho. He did this much to our surprise, as we knew he had one wife already in Mexico.

Through this new husband of Señora Concho, who is now in Habana, we confirmed the woman's statements as told the Central American agent. I learned much other important news during the one week of their stormy honeymoon, and then the woman ran her husband out of the country. She then came to New York and met here a former husband from whom she was divorced, and who, up to this time, had been an active friend and supporter of Gen. Rosales and Peralta.

From her he learned of Peralta's flirtation with his wife in Vera Cruz, and she repeated to him the entire story regarding the plans and combination proposed by Peralta, Rosales, and Carranza. From this man I procured further details confirming the entire affair. Due to his feeling against Peralta, I was also able to procure additional plans.

After Peralta, arriving at Vera Cruz, Mexico, from the Hotel Diligencias Annex, on July 3, 1916, wrote the following letter to Gen. Venustiano Carranza, Mexico City:

"MY DISTINGUISHED GENERAL: I am now about to take a steamer for my point of destination, which you know is being done in order to smooth over the international political storm which has broken out between the United States and Mexico, and this will show you more than all my promises and all that I have told you before I left Mexico City.

"I feel proud that I have been able to foretell all these matters, and I do not doubt that I shall be able to gain your complete confidence in consequence thereof, which I want to do, as your sincere friend and ardent supporter.

"I feel certain that I shall be very useful to you in Washington as well as in New York, precisely at this time, when all your true friends ought to stand by you. I shall keep you posted about everything that I am doing, so that you will be able to appreciate fully our capabilities.

"Our mutual friend, Dr. Guilermo Zalazar, is leaving for Mexico City from the seat of operations in Chiapas and Campeche with some very valuable information for you, which you no doubt will appreciate."

Peralta above refers to organization of revolutionary movements, armed, equipped, and financed by Carranza and Mexico against the Government of Guatemala, in connection with the revolutionary leaders, Dr. Toledo, Gen. Jose Castillo, and other associates. Peralta's letter concludes:

"I also have looked into this information thoroughly, in order to denounce Estrada Cabrera (President of Guatemala), at the Department of State (United States), as a protector of hoodlums who try to alter the public order. I shall also denounce him as a fakir for having spread the news about that there exists a treaty offensive and defensive between him and the United States, which is absolutely false.

"I shall be able to prove this assertion of mine absolutely by means of a certified statement, which I will send you from Washington, and which you may use wherever convenient for your political interests.

"I have nothing further to say in addition to what I have told you already and what I have written to you, but I would feel honored by your further instructions and dispositions for the week that I shall remain here.

"Believe me to be, your most sincere friend."

Peralta, before leaving Mexico City, has made arrangements with various Mexican Government officials to have the arms and ammunition for the Central American revolutionary expeditions shipped from Vera Cruz, Mexico, into Yucatan, Quintana Roe and Campeche, also that a certain number of Mexican officers and soldiers were to be supplied by the Mexican Government to participate in the various expeditions.

The following letter shows that a party connected with the Mexican Government was to inspect the arms and ammunition supplied by Mexico for Peralta. The English translation follows:

HOTEL DILITENCIA ANNEX,
VERA CRUZ, MEXICO, *July 5, 1916.*

Mr. ROBERTO DE LA ROSA,
Mexico, D. F.

MY DEAR FRIEND: Kindly do me the favor to go at receipt of this letter to all the persons that you have ready for the expeditions [referring to the revolutionary movements in Central America] which we have talked about and tell them to get ready without any further delay.

I also ask you to inspect the rifles and ammunition carefully and in person so that no ulterior difficulties may arise later on. Please also attend to what I have to say at the foot of this letter and let me know of everything that you have done so that I may take the matter up with our distinguished friend (Gen. Rosales) whom you know already, in conformity with what you think will be convenient.

I shall remain here six days longer and trust that in the meanwhile I shall hear from you with favorable reply, as the time slips away and the matter is pressing.

I am, your friend,

PEDRO GRAVE DE PERALTA.

Particular attention is called to the following letter, in which is is shown that Peralta's visit to Mexico and his conferences with Carranza at the National Palace and with other of Carranza's leading officials had been as successful as the Mexican generals at New Orleans and at Belize, British Honduras, had assured Peralta they would be. The English translation of this missive is as follows:

VERA CRUZ, MEX., *July 5, 1916.*

Sr. Gen. CARLOS VIDAL.
Quintana Roo, Confidential.

MY DISTINGUISHED SIR AND FRIEND: Aside from the valuable matters submitted by you to Consul Carlos Felix Diaz, for the purpose which you under-

stand I now have the greatest honor or communicating to you and that my mission to the National Palace of Mexico has been fully successful and that I shall sail shortly to your territory with a group of patriots and also will bring you a letter from the minister of war (Gen. A. Obregon).

You must know that myself as well as our distinguished chief, Gen. Maximo B. Rosales, the head of the Liberal Party of Honduras, wants to express to you our most sincere thanks for your important work in favor of our cause. I would appreciate it very much if you would wire our friend, Carlos Felix Diaz, in code, and let him know of our political triumph in Mexico, so that he may, in an indirect manner, instill fresh hopes in the hearts of our friends who are now in the British Colony.

Believe me to be your sincere friend,

PEDRO GRAVE DE PERALTA.

In Peralta's several conferences with Gen. A. Obregon, minister of war and marine, at Mexico City, according to Peralta's claims later, Obregon suggested the advisability of including in the hospital corps of the several expeditions various Mexican army doctors and attendants to form a nucleus of the corps.

The following letters refer to the above matter:

VERA CRUZ, MEXICO, *July 5, 1916.*

Dr. MANUEL DE LA ROSA PUEBLA.

MY DISTINGUISHED FRIEND: We have been waiting for you here for five days, and seeing that you could not get here, even after we had wired you to that effect, I then decided to start the work together with our distinguished friend, Dr. Guzman, in order to take advantage of the little time that is left us.

You know beforehand, as we have agreed, which position corresponds to you, and we don't have to talk about this matter any further. I shall remain here some six or eight days more, and by that time I suppose that you will be here with us. Please write to your brother Roberta and tell him to answer my letter as soon as possible, since it is of the highest importance for our affairs. I am, your friend,

PEDRO GRAVE DE PERALTA.

Before the above letter reached Dr. Rosa he arrived in Vera Cruz. Peralta, on July 6, wrote him the following, written on stationery bearing "Private correspondence of the director of the military hospital, Vera Cruz:

"MY ESTEEMED AND DISTINGUISHED SIR: As the legal representative of Gen. Maximo B. Rosales, the chief of the Liberal Party in Honduras in this city, I fully authorize you to arrange for the establishment of the Red Cross service [referring to hospital arrangements for the military movements] in a thorough manner for the object which is known to you, employing only Mexican doctors under the terms of the inclosed sheet.

"I beg to state to you beforehand that any arrangements which you may make will the sanctioned by the provisional governor of the Republic of Honduras, headed by Maximo B. Rosales, whose legal representative I am. As I have said before, it will be necessary that you shall take charge of the entire outfit in the manner in which we have agreed upon already."

The "inclosed sheet" referred to, headed "Terms," is translated to read:

"Chief of the hospital service: Colonel, cash per month, $200 silver of Honduras.

"Five doctors: Lieutenant Colonels, cash per month, $150 silver of Honduras, with guaranty of a raise.

"Employment guaranteed for the provisional and constitutional period. The interested parties should previously state who, in case of death, should receive one-half of their salary during the aforesaid time.

"Obligations: To place themselves unconditionally at the service and under the immediate orders of the chief of same.

"If at any time before this revolution has been brought to an end these men should abandon their posts, then all obligations will cease and this contract becomes null and void.

"PEDRO GRAVE DE PERALTA."

The above-mentioned Mexican doctors were to be placed on leave of absence from the Mexican Army, but were to receive, nevertheless, their regular pay in that service from the Mexican minister of war and marine in addition to the contract terms quoted above.

From Vera Cruz, on July 6, 1916, on the private correspondence letterhead of the director of the military hospital, Peralta wrote Gen. Alvaro Obregon, National Palace, Mexico City:

"MY DISTINGUISHED GENERAL: I SHALL NEVER GET THROUGH THANKING YOU FOR ALL THE KINDNESS WHICH YOU HAVE SHOWN ME, AND I SHALL NEVER BE ABLE TO FORGET YOU. THE LIBERAL PARTY OF MY COUNTRY, AS WELL AS I, HAVE RECOGNIZED YOU THE GREAT MAN WHO HAS GIVEN HIS STRONGEST SUPPORT FOR THE ESTABLISHMENT OF THE LIBERAL RULE IN CENTRAL AMERICA, IN ACCORDANCE WITH THE HIGH IDEALS OF THE CONSTITUTIONALISTS, WHICH YOU SO SPLENDIDLY REPRESENTED IN YOUR PERSON AND THAT OF GEN. CARRANZA.

"I AM NOW QUIETLY ARRANGING THE VARIOUS EXPEDITIONS IN THIS COUNTRY (MEXICO) WHICH WILL WORK IN CONNECTION WITH THOSE WHICH I SHALL TAKE OUT OF THE UNITED STATES AND THE BRITISH COLONY, BELIZE; AND I BADLY NEED, AS YOU POINTED OUT BEFORE TO ME, THE ORGANIZATION OF A RED CROSS STAFF WITH ALL MEXICAN DOCTORS. IN CONSEQUENCE I BEG OF YOU TO GRANT ME THE FAVOR OF RELEASING DR. MANUEL DE LA ROSA FROM THE PROGRESSO IN MY FAVOR.

"DR. DE LA ROSA WILL HAND YOU THIS LETTER IN PERSON AND I DO NOT DOUBT YOUR GENEROSITY WILL NOT DEPRIVE MY MEN OF THE SERVICES OF THIS VALUABLE MAN. BELIEVE ME TO BE YOUR SINCERE FRIEND.

"PEDRO GRAVE DE PERALTA."

The following correspondence from Peralta shows that he had also been appointed by Carranza as the latter's legal and confidential spy in the United States. In addition to Peralta's continued violations of the Federal neutrality laws of the United States he now, by becoming spy of Carranza, likewise violated another Federal law, which Barnes's Federal Code. 1919–20 (p. 1667, No. 7059), defines as follows:

"Whoever, other than a diplomatic or consular officer or attaché, shall act in the United States as an agent of a foreign government without prior notification to the Secretary of State shall be fined not more than $5,000, or imprisoned not more than five years, or both. The words 'foreign government' as used in this act and in sections 156, 157, 161, 170, 171, 172, 173, and 220 of the act of March 4, 1909, entitled 'An act to codify, revise, and amend the penal laws of the United States,' shall be deemed to include any government faction or body of insurgents within a country with which the United States is at peace, which government faction or body of insurgents may or may not have been recognized by the United States as a government."

The English translation of the letter follows:

VERA CRUZ, MEXICO, *July 11, 1916.*

Dr. JORGE A. GUZMAN, *City.*

MY DISTINGUISHED FRIEND: I have the honor of communicating to you for your guidance that you have been appointed my private secretary to accompany me on all my political missions on behalf of the government of Gen. Maximo B. Rosales as a revolutionary, provisional, and constitutional government, and also on diplomatic and other missions which the first chief (Carranza) will designate for me, whose legal representative I am at the present time in the United States and in Washington.

I shall not fail to mention that as a reward for your good services you shall be awarded whatever I think advisable, with an elevated position that is corresponding to your capabilities, for his Government in the Republic of Honduras.

I am, your sincere friend,

PEDRO GRAVE DE PERALTA.

Peralta also, on June 13, 1916, sent a letter to Gen. Alvaro Obregon, National Palace, Mexico City, and labeled it "confidential":

"MY DEAR GENERAL: I HAVE SENT YOU A LETTER WITH DR. MANUEL DE LA ROSA, BUT I DO NOT KNOW WHETHER YOU HAVE RECEIVED SAME, BUT I AM VERY ANXIOUS THAT YOU SHOULD READ IT. IN CONSEQUENCE OF THE INTERNATIONAL DIFFICULTIES I FIND IT HARD TO GET A STEAMER TO RETURN TO THE

PLACE FROM WHERE I CAME, BUT I CAN NOW TAKE A STEAMER ON THE 16TH OR 17TH INSTANT.

"I SUPPOSE YOU ARE WELL POSTED ABOUT MY MOVEMENTS HERE, WHICH ARE PROGRESSING NICELY AT PRESENT FOR THE BENEFIT OF OUR COMMON POLITICAL INTERESTS. THE YOUNG BEARER OF THIS LETTER IS A PERSON OF MY UTMOST CONFIDENCE. HE WILL TELL YOU ALL ABOUT OUR AFFAIRS AND I ASK YOU TO HONOR ME KINDLY WITH YOUR ATTENTION BY GRANTING ME THE WISHES WHICH HE WILL EXPRESS TO YOU, AS I AM SURE BY SO DOING YOU WILL PROTECT THE INTERESTS OF OUR CAUSE, WHICH ARE ALSO THOSE OF YOUR OWN.

"Thanking you again for your favors extended me, I remain,

"Your sincere friend,

"PEDRO GRAVE DE PERALTA,
"*No. 3426 Canal Street, New Orleans, La.*"

Peralta, when in Vera Cruz, overlooked no opportunities for deals that meant financial profit to himself or to Rosales. The following agreement indicates that Rosales and Peralta knew within 24 hours after the former became revolutionary President of Honduras that the looting of that country would begin. The agreement was by and between an American in Mexico, W. P. Gavin, Rosales, and Peralta, and is translated herewith:

VERA CRUZ, MEXICO, *July 15, 1916.*

I, the undersigned, hereby as a representative of Gen. Maximo B. Rosales in the United States of North America and in the Republic of Mexico, grant to W. P. Gavin, an American citizen and a resident of Vera Cruz, Mexico, a special concession for the construction of the national railroad which starts from Puerto Cortez and La Pimiento, according to the plans rendered in the minister of Formento, in order to make it interoceanic, provided Mr. W. P. Gavin include in his negotiation Gen. Maximo B. Rosales and the undersigned, taking into consideration that the whole part will be divided in three shares, of which Mr. Gavin, Gen. Rosales, and Sr. Peralta will own a third each, but with the understanding also that Mr. W. P. Gavin will be the head of the whole enterprise and who will look after the financial affairs to proceed in this matter, being understood, therefore, and beforehand that whatever Mr. W. P. Gavin does in our benefit will be entirely accepted by us.

This contract should be in effect 24 hours immediately after Gen. Maximo B. Rosales has been in possession of the executive power in any condition of the Republic of Honduras. It is further understood that the said W. P. Gavin, with the above two mentioned, will control all exportation of products, live stock, etc., of the Republic of Honduras, also the importation of necessary articles for the welfare of the Republic.

PEDRO GRAVE DE PERALTA,
Representative of Gen. M. B. Rosales.
W. B. GAVIN.

Fully six months prior to the date of the agreement with Gavin, Peralta and Rosales, to keep me enthusiastic as to their cause, had promised to make me, within "a year or two after Rosales became President of Honduras," a multi-millionaire; likewise, that Peralta, Rosales, and myself would control the entire business affairs, governmental and otherwise, of Honduras for our own mutual profit.

This included absolutely the same proposition entered into between Gavin and Peralta. After Rosales won out in Honduras he was to issue $50,000,000 worth of Honduran gold bonds, which, according to his plans, were to be unloaded on American and European bankers at a considerable discount through a selling commission, which was myself, and which would receive as payment for selling the bonds $5,000,000 in gold. Of this commission Peralta and Rosales were to receive one-third each.

The balance of the money to be derived from bonds was to be spent by the Rosales Government in so-called public improvements in Honduras, such as railroads, highways, etc. The contracts for such work were to go exclusively to a concern to be organized for that specific purpose by myself; and Rosales and Peralta, irrespective of how excessive the bids for such work might have been, were to see that this concern received the contracts. Furthermore, they were to be secret partners in the organization. Rosales, Peralta, and myself, in one way or another, so they estimated, would have procured a

very large part of the money derived from the sale of the bonds, and which was to be split in equal parts among the three of us.

Notwithstanding the glamor of so much "easy money" coming my way, my reports to the Department of Justice Bureau of Investigation continued with regularity, and fully exposed from day to day the schemes of Rosales, Peralta, and their associates. In the end the United States was enabled to break up completely all plots in which these grafters were involved.

Before Rosales, Peralta, et al. finally succumbed to their activities, they had entered into similar arrangements to loot Honduras with three other parties, using the same bait that they held forth for Gavin and myself. My knowledge of Mexicans and Central Americans before this had taught me that these "monkey promises" were worth naught, even had I entered into their schemes in fact and they had won out.

The English translation of an original, signed document, formulated at Vera Cruz, on July 13, 1916, refers to arms, ammunition, and men from Mexico as part of one of the proposed armed expeditions against the Central American governments. It follows:

RECEIPTS FOR $500.

I have received from Mr. Pedro de Peralta, as the representative of Maximo Rosales, the sum of $500 (five hundred pesos) Mexican money, for my services and for the shipping of arms from Mexico to Vera Cruz, as per contract signed under this date.

R. DE LA ROSA.

VERA CRUZ, *July 13, 1916.*

The contract, translated, reads:

CONTRACT.

I do solemnly contract with Mr. Pedro Grave de Peralta as the legal representative of Gen. Maximo B. Rosales, chief of the active Liberal Party of Honduras, to get up 100 men, more or less, and 4 officers, giving them only 30 carbines, 30.30, with 100 cartridges each, and 20 Mausers with 100 cartridges each, for the expedition that is proposed to start for Honduras, of which I shall be the leader under orders from Gen. Rosales. In the meantime there shall be deposited for me $1,500 (1,500 pesos) silver before I leave.

R. DE LA ROSA.

Witness:
TEO. G. SEFA,
J. A. GUZMAN.

Carranza, according to Peralta's statements, in addition to the $50,000 cash which he received from the Mexican Government through the Banco National de Mexico, the Mexican Government arranged to send a fleet of five small boats to Quintana Roo to be used by the Central American revolutionists.

At a later date there were shipped from Vera Cruz to Quintana Roo the arms, ammunition, and other war equipment which was to be supplied by the Mexican Government to Gen. Rosales and his revolutionary allies. This consisted of naval cannon, several pieces of field artillery, shells for same, and between 2,500 and 3,000 rifles, and a large supply of bombs. Likewise in excess of 1,000,000 cartridges for these rifles were included. All of these were sent to Col. Carlos Vidal, Mexican military commander in Quintana Roo. The war equipment consisted also of a wireless outfit and a large quantity of hospital supplies, clothing, shoes, etc.

An opportunity was afforded me at a later date to verify positively the fact that Carranza had supplied arms and ammunition to the revolutionists of Central America. The later reports showed that the supplies were a hundred times over the amount that could have been used by Carranza's military forces in the territory at Quintana Roo.

During June, July, and August, 1917, the Felixista Mexican revolutionary leaders, through one of their principal supporters, at that time in Guatemala, learned of this large consignment of war material in Quintana Roo and submitted a plan to the Felixista headquarters junta at New York City for its approval. This scheme was for the Felixistas to outfit an expedition from Livingston, Guatemala, and via boat to attack and overpower the Carranza garrison in Quintana Roo and capture for their own movement this war outfit.

Before Peralta left Vera Cruz in 1916 he sent the following cablegram to Gen. Maximo B. Rosales, at 116 South Hagan Avenue, New Orleans, La.:

JULY 20, 1916.

RAMON LARA (Gen. Rosales code name):

Send me immediately Perez (code name for Ramon Diaz) with money for the plantation, placing first money as formerly requested.

Peralta, before leaving Vera Cruz, had sent Gen. Maximo B. Rosales a written report and had instructed him to send Ramon Diaz and Ladislas Santos, both parties Hondurans, immediately to Vera Cruz to act there as confidential agents of Rosales and Peralta. The following is part of the code devised by Peralta and Rosales for use of their confidential agents in Vera Cruz:

Code word.	Decode.
Terminado	We can not get a boat for the voyage.
Alberque	I am sending you a boat for the voyage.
Saludole	The war equipment has left.
Recuerdos	Get your men ready.
Recado	I am getting my men ready.
Mandene	I have my men ready.
Felisidades	The north coast of Honduras is watched by American boats, be careful.
Canado	The Governor of Honduras has the ports prepared
Tarde	The commander of the port interposes difficulties.
Dies	I have 100 men ready.
Viente	I have 200 men ready.
Trienta	I have 300 men ready.
Bien	They are waiting for us on the coast of Honduras.
Siento	I have bad news from the coast.
Dineero	I am leaving with the expedition.
Metioro	I am leaving for the execution of the arranged plans.
Aceptado	I am ready and only waiting for the war equipment.
Mezolado	Where do you want to land?
Novadade	We are ready and shall leave soon.
Mision	Invasion prepared.
Cumplida	We have good leaders and good men.
Titulos	We are organized at Payo Obispo.
Wesculiana	We lose out.
Cartas	We have Omoa (a town in Honduras).
Mercaderlas	We are marching on San Pedro.
Salimostien	We received money from the boss.
Malas Finacas	We have a great deal of difficulty.
Chivastoco	We left for the attack.
Cudiado	All hands are ready.
Salco	Rise over there and attack Tela.

In the following code table, the figures behind initials indicate the date of an invasion, the month to be prearranged:

"A, 7; B, 8; C, 9; D, 10; E, 11; F, 12; G, 13; H, 14; I, 15; J, 16; K, 17; L, 18; LL, 19; M, 20; N, 21; N, 22; O, 23; P, 24; Q, 25; R, 26; S, 27; T, 28; U, 29; V, 30; W, 31; X, 1; Y, 2, and Z, 3."

Another one of Gen. Rosales's code names was "Mike Smith." One of Peralta's code names was "Otto Hawkins," and my name in their code was "Andrew."

The following is a translated copy of cablegram sent by Peralta to his wife from Vera Cruz, Mexico, July 6, 1916:

ADELA A. DE PERALTA,
No. 3426 Canal Street.

You are doing right. Punish me with your silence in exchange for my orgies. Without steamer, without anything, I shall leave airplanes.

PEDRO.

Peralta sailed from Vera Cruz on July 16, 1916, by steamer *Dade*. He arrived in Galveston, Tex., on July 20. He then received the following Western Union telegram from his wife:

NEW ORLEANS, *July 19, 1916.*

PEDRO GRAVE DE PERALTA,
Steamship Dade, Quarantine, Galveston.

I am sick. When will you arrive there? General asks me urgently for credit. We salute you.

ADELA.

The reference to the general means Rosales, who was asking Mrs. Peralta for information concerning funds received by Peralta from Mexican Government officials.

Peralta sent the following message in reply:

STEAMSHIP "DADE,"
Via Galveston, Tex., July 20, 1916.

ADELA PERALTA,
No. 3426, New Orleans.

Why are you sick, little one? Will be home Monday. Tell Rosales.

PEDRO.

On his way to New Orleans from Galveston, Peralta sent his wife this telegram:

HOUSTON, TEX., *July 22.*

ADELA GRAVE DE PERALTA,
No. 3426 Canal Street, New Orleans.

I shall take coffee with you to-morrow. I embrace all of you, and kiss for me my little ones.

PEDRO.

Peralta arrived in New Orleans over the Southern Pacific Railroad from Houston on the morning of July 23. Before leaving Vera Cruz he had sent me word that he was returning to the United States via Habana and New York City, and that he would not be back in New Orleans until after September 1. Various telegrams passing between his wife and himself as mentioned hereinbefore and which reached me from a spy I had planted near Mrs. Peralta and who had the confidence of Mrs. Peralta, however, posted us thoroughly as to Peralta's exact movements and he was very much astonished to see me when I called at his home on the afternoon of July 23.

At this time Rosales and Peralta, as shown hereinbefore, considered it advisable to keep entirely confidential their plans and negotiations with the Mexican Government. Peralta's explanation to me on the afternoon of my call, regarding his Mexican visit, and with his usual veracity, was:

"After I left New Orleans I went to New York. A day or two after I arrived there I received a cable that my brother in Habana was dangerously ill. I went there immediately. After I had been there a week I learned of an excellent business opportunity in Mexico. So I went there."

Peralta at that moment had no idea that I was thoroughly familiar with all details regarding the real purpose of his visit to Mexico and of his compromises with the Mexican Government. Nor did he understand until several weeks later that I had verified all this through the Guatemalan spy, Mrs. Concho, who Estrada Cabrera had foisted on him in Vera Cruz.

Giving Peralta enough rope to entangle himself, I, at this time and for several weeks thereafter, "played" with him while he remained in ignorance of my information concerning him and his secret deals with Mexico.

On July 23, 1916, from New Orleans, Peralta telegraphed Gen. Rosales at San Francisco, translated as follows:

MAXIMO B. ROSALES,
No. 1528 Sutter Street, San Francisco:

I just arrived and bring letters. I bring something very important. We salute you sincerely.

PEDRO.

The "letters" referred to above were missives from President Carranza, Gen. A. Obregon, Candido Augilar, and other Mexican officials assuring Rosales

of their complete belief in his ability to launch and carry out Carranza's plans for the overthrow of various Central American Governments.

The "something" referred to by Peralta as "very important" was the money which he had received from the Mexican Government for the Rosales movement. Peralta, as we learned later, also on July 23, 1916, wrote Rosales a full report of his negotiations with the Mexican Government. He also told Rosales it was most important that he come to New Orleans immediately.

On July 24, 1916, Peralta telegraphed as follows:

MAXIMO B. ROSALES,
1528 Sutter Street, San Francisco:

I send you certificate, Government credit, with documents that you asked Adela for. I shall write you.

PEDRO.

On July 28, 1916, No. 1830, Western Union, Rosales sent following wire to Peralta at New Orleans:

It will be difficult for me to leave with family two weeks earlier. I am waiting for the referred documents.

M. B. ROSALES.

Gen. Rosales left San Francisco with his wife and two children on August 14, 1916, arriving in New Orleans over the Southern Pacific Railroad at 6.55 o'clock p. m., August 20. Peralta and myself met him at the depot and took him in a motor car to Peralta's house at No. 3426 Canal Street, where he resided with his family for three or four weeks, later moving to a furnished house a block away, No. —— Hagan Avenue.

Rosales, upon his arrival in New Orleans, showed Peralta correspondence he had had with other parties concerning their proposed revolutionary movements as exchanged with his supporters while Peralta was in Mexico. These letters included the following from Ramon Cardon, one of Rosales's principal and confidential lieutenants in Honduras, and dated May 14, 1916, from La Ceiba:

ESTEEMED GENERAL: The trip of my friend, M. Mejia, of this city, affords me the great opportunity to write you. It is perhaps a matter of importance, but above all, I am sincere.

After your personal well-being, which I fervently desire, my General, I come as a loyal friend of yours to lay the following before you:

Since your absence from the country, your true friends and the writer, who have knowledge of the great saviour project, which would be initiated under your command, our attitude from that time was desperate and active, to the point that it became general and overflowed with sympathies, not on the part of the people only, but also by men of real importance all over this zone.

Therefore, since you put foot on North American soil, we have awaited you one time or another, in order that the country—the country villified and sacrificed—might be redeemed and vindicated. Unfortunately, so passed the time, and that spontaneous and ardent will of the Honduran people has not yet become realized, but, nevertheless, it is not exhausted; our active energies are with you without vacillation, without lies, and without egotism.

General, despite the scant reserve on the part of some of your agents in such a very delicate matter as the one in question, despite some misfortunes, your mere presence in whatsoever place on this coast might have been and would be at the same time, cause for great rejoicing among your friends, and even the masses, without organization, would cooperate in the assured triumph of our cause.

The Honduran people acclaim you. The people want men of integrity like you. They discard at each step this unworthy pack of clowns and usurers of the State.

General, to be indifferent before the misfortunes of the country, to be indifferent before the petitions of the people also, in these moments of agony, is to be ungrateful. And of this the minions, the despots of to-day, are capable. Meritorious men like you and those of great antecedents sacrifice everything for the country and for the race. It is sufficient to remember, General, that dissatisfaction has become general in the country, to the extent that the same chiefs who yesterday worked with the present Government are to-day its worst enemies.

General, in order to carry out our serious mission, we need men of responsibility and influence, and you should remember among your devoted and active

partisans Gen. Teofilo Rosales, Col. Roman Diaz, Col. Lucas Acosta, Branlio Valladeres, Frederico Becerra, and other in this city.

Gen. Luis Isanla de Trujillo, who a short time ago disappeared and is believed to be in Guatemala or Belize, Col. Manuel Matute and his brothers, who used to reside in Colorado, to-day they are in St. Pedro Lula, and Tela T. Rosales is his devoted partisan—of that we have proofs. If before this he was with Chico Mejra or with Bertrand, since last year, they have had a complete falling out.

Instead of being favored he has been annoyed to the point that in September last they wanted to restrict him to Tegueigalpa. With him it is possible to have a direct understanding, because he is a man of prestige. Depinto, in the islands of Bahia, Frujillo, and Toro and his alliance with us will be of the greatest importance. He remains ready and awaits your orders.

With the good communication which you could establish on this road, everything would be arranged with full surety of success. You must know also and believe that the country in general is going into bankruptcy, in matter of finance as well as in everything else; that the chiefs of the governmental departments, as well as of the Government itself, are the true exploiters and nothing remains for the people; not even the right to the fight for life, since all the business is monopolized by them.

At present there is nothing new in La Ceiba; the brothers of the President, with his assistance, sprung something that is very rare among us, demanding of the city 20 blocks, bought by private individuals from their (brothers') families, on the ground of defective titles. Houses have been built on these lots and they are a part of the city.

Why do they thus injure the public, and why should they lose their land and their improvements? All this and other things cause great dissatisfaction to reign.

General, you must remember that on account of the happenings during the last elections, the outrages to certain persons and to the people in that they were treated as prisoners, and even now at this time I have two friends in trouble, who suffer confinement with all its filthiness. It would be a long task to tell you to-day the series of happenings which pass, but there will come a time to do it.

Permit me to tell you that a great many of your friends have disappeared from the country. No news from Tela—many went away. Lately the intelligence of the death of the brave Col. Soriano in Belize has been received with great sorrow—a person with a great future.

For this reason those who accompanied you lie still in Belize, distracted and in great difficulties. They went to Gen. F. Rosales, asking him if he was ready to cooperate in this matter. While, without notice, he remained firm and serene when the time came, having respect for his oath.

My General, in one word, I, as an unconditional partisan, assure you that everything here is ready; more men than necessary, all in excellent spirit, which is indispensable. It is no more the money, but the materials of operation and your orders combined.

The Government officers assure that a strict vigilance is kept for you and your agents, and that to-day orders for your arrest, upon stepping ashore in Honduras, have been issued. A short time ago Janire R. Farcios de Fega visited us and returned there on Wednesday of last week, and he told us that he was expecting that soon something would materialize, and that you would come, and that he, together with the rest of friends, would remain ready.

My General, with these lines I conclude my letter, and, if it is convenient to you, answer, or if you wish to communicate with Diaz and Rosales, send the letters with bearer, with direction to Ramon Cardon, Rec. a Dona Aua de Mejia. By this means there is full security and confidence.

With kindest regards, I am, your friend,

——— ———.

Rosales also showed Peralta a copy of a letter written by him on May 15, 1916, from San Francisco to Manuel Lobo, at that time one of his partisans in New York City, the translation of which follows:

My Dear Friend: I have just received your highly esteemed letter of the 10th instant, your silence having worried me for more than two weeks. I have been receiving correspondence from the friends of Honduras, who are in despair about the situation of the country, for there is an alarming division among the Government officers themselves, there being no confidence in anything.

There are difficulties which Bertrand has on every hand, the very bad economic situation, and no one wishes to give him a cent, the banks which let him have money and the Rossner firm having closed their accounts, and they have no money to pay the employees.

They even have sold the steamer *Barahona* at New Orleans for $7,000, and of this they paid $4,000, which they owed for repairs, and it was under seizure because they had nothing to pay with. The boundary commission with Guatemala escaped (barely missed firing shots at each other) and suspended their relations.

Relations are strained with the Guatemalan Government. With Salvador they are bad also, owing to boundary affairs, a question having been raised recently.

Mariano Vasquez, with the representative of this Government at a banquet at Tegucigalpa, received a terrible insult, and for this reason the representative returned to Salvador and the relations are strained. With Nacaragua also they have solved the boundary question, and the matter has reached such a stage that an escort, commanded by Bertrand, with a commander appointed for La Mesquitia, was shot at by the Nicaraguans, and thus the matter remained.

It would take too long to enumerate to you the events; the coast is in a lamentable state; there is no sale for fruits; the railroad of the Government is almost suspended and has no work; only twice a week does a train run. The superintendent resigned twice, and they did not wish to accept the resignation. Luis Bergman (and) the greater part of the employees are discharged.

Everybody is crying war, and the change of the Government, and they think of this only. Many people are leaving. At Belize there is already a large colony awaiting the moment, and for this and for other reasons it is of exceeding (importance) to lay the bases.

The clipping you sent me about the affairs at Guatemala; the press of this place also has published something about the matter; I think there is something; but all these complications do not tend to favor our work, for which reason we must not lose time.

Immediately after Rosales arrived in New Orleans, the Rosales junta in that city became one of the most active revolutionary headquarters that ever has operated in the United States. The homes of Rosales and Peralta, only a block separating them, were filled constantly with revolutionary leaders and sympathizers with their proposed movements in Nicaragua, Guatemala, and Honduras.

Enjoying their confidence in every detail, I was in nightly conference, from early evening until morning hours, with the ringleaders of the plot and all their aids. In this manner the United States was enabled through me to keep thoroughly posted as to all their plans.

They at this time perfected their spy and courier system by which they sent and received through their "grapevine" messengers complete information from their allies in Central America, Mexico, and British Honduras who were to cooperate in these movements.

Rosales and Peralta then adopted a time-honored plan among revolutionists whereby they endeavored to seduce officers of Central American Governments. These officers, dazzled by promises of enormous loot, were to desert their Governments at a given time and join the ranks of Rosales and Peralta.

Rosales and Peralta, personally and through their friends and supporters in Honduras, made many such propositions to army officers in Honduras and Guatemala. One of the leading Honduran Army commanders was Gen. Antonio Mendes Monteroso, at that time military governor and commander at La Ceiba.

This general was one of the most celebrated military leaders and revolutionists in Central America. He was not, however, at this moment particularly enthusiastic regarding Rosales. The latter, therefore, decided to prevail on him through the Government of Mexico to participate in the Central American plans.

Monteroso was born on September 2, 1869, at Guatemala City. When 16 he received a commission an an officer in the Guatemalan Army. Due to his political aspirations some 17 years ago he affiliated himself with the Guatemala Revolutionary Party and was one of the leaders of a revolutionary movement out of Nicaragua and Honduras against Estrada Cabrera, President of Guatemala.

A few years later Monteroso was said to have been a participant in another revolutionary movement against Guatemala. Both movements were defeated, and Monteroso changed his base of operations to Nicaragua and rose to the

rank of general in the army of that country. His principal military work in Nicaragua was as general and second in command of troops under Gen. Emiliano Chamoro, who in 1910 succeeded in forcing Zalya, the military dictator, out of Nicaragua, and who as a political exile died recently in New York City.

Monteroso then organized and led the troops which in 1911 started a revolution from the Nicaraguan border against President Davilla of Honduras. This resulted in placing in power as President of Honduras Manuel Bonilla. From then on Gen. Monteroso was extremely active in Honduran military and political affairs. He served as military governor and commander at Tegucigalpa, the capital of Honduras, and also as governor and military commander at various prominent garrisons in Honduras, such as La Ceiba and Puerto Cortez.

The Mexican Government, Peralta and Rosales, in combination with various Guatemalan and Nicaraguan revolutionary leaders, decided that in so much as Monteroso had participated in movements against Guatemala and in other Central American countries, he therefore would add a great deal of strength to Carranza's plans to procure control of Central America. Gen. Monteroso was approached openly with a proposition to participate in Carranza's plans, being sounded out by one of Carranza's personal representatives. The following signed statement by Gen. Monteroso confirms this claim:

"During the year 1916, President V. Carranza of Mexico, through a confidential representative, made me the proposition mentioned hereinafter. At that time I was military governor and commandant for the Government of Honduras at La Ceiba.

"The confidential agent of President V. Carranza of Mexico was Senor Gustave Solano, who at the time this proposition was made to me was at New Orleans, La. Knowing that I was acquainted with Alfredo Quinones, a native of Salvador, Gustave Solano, who is now private secretary of Espinosa Mirelles, the governor of the Mexican State of Coahuila, therefore authorized Alfred Quinones to propose to me in writing, which he did, that I would receive a special commission from President Carranza as the official, directing head of a revolutionary movement which President Carranza wanted me to start in Honduras and operate out of that country against the Government of Guatemala.

"Gustave Solano, by his credentials and otherwise, fully proved to Alfredo Quinones his complete authority to act for President Carranza in this matter, and Alfredo Quinones in turn proved to my entire satisfaction regarding the complete authority of Gustave Solano and himself to act in this matter.

"I was assured by these representatives of President Carranza that the Government of Mexico would finance this revolutionary movement to any extent, no matter how high the expenses might run, and that the entire revolutionary movement would be completely outfitted with all necessary arms, ammunition, artillery, machine guns, machetes, and all other war supplies, equipment, and any financial payment for my services I might designate.

"Furthermore that President Carranza would supply me with two or more steamships which would be used in the revolutionary movement against the Guatemala coast, was agreed. This proposed revolutionary movement, so I was informed by Gustave Solano, through Alfredo Quinones, would include a large number of Mexican Army officers and soldiers.

"I was also informed at that time by these representatives of President Carranza that this revolutionary movement was part of the complete plans of President V. Carranza, of Mexico, to overthrow, by a revolutionary movement on the part of Mexico, Estrada Cabrera, President of Guatemala, and was to be the opening movement on the part of Mexico to become the domineering power in all of the Central American countries.

"I also at that time understood from these parties that the financial backing and total expenses of this proposed revolutionary movement against Guatemala, as offered to me through these parties, who were the confidential agents of President Carranza, was to be paid with money furnished for this purpose to President V. Carranza of Mexico by H. Von Eckhardt, the German Ambassador to Mexico City.

"So that I would be able to secure the full plans of Mexico regarding this proposition, therefore, for a considerable time, I conducted negotiations regarding these matters with Gustave Solano through Alfredo Quinones, and after I had secured complete information regarding same, I then emphatically told these parties to inform President Carranza and everybody else implicated in this proposition that under no circumstances would I be a party to any such proposition, first on account of the fact that I was a native of Guatemala, and

always had been and would be the loyal supporter of my native country, and never, under any circumstances would I cooperate with Mexican forces against Guatemala, and in the second place, insomuch as I was a strong admirer and personal friend of President Cabrera of Guatemala, that for no amount of money or promise of future political reward or power, such as was promised me to handle this revolutionary matter, would I ever be connected with any revolutionary plans against him. Furthermore, even if I were against Mr. Cabrera, I would never have anything to do with a proposition that was or would be financed or supported by Germany or any German interest.

"On account of the rumors which seem to be well established regarding the fact that the Government of Mexico is now said to be financing and cooperating with a revolutionary movement against the Government of Guatemala, which is to be started in the near future out of the Mexican States of Chiapas and Tabasco, I have further reasons.

"Believing now is the time to inform fully President Estrada Cabrera regarding these matters, therefore I have made this written statement as to the facts mentioned herein and same has been signed by me at New Orleans, La., on this 8th day of September, 1919.

"(Signed) ANT. M. MONTEROSO."

Carranza, Rosales, and Peralta, in making the above-mentioned proposition through Carranza's personal representative to Monteroso, made one of the most serious mistakes regarding their Central American plans. For, unknown to them, Monteroso had made his peace with Estrada Cabrera, of Guatemala, and at that moment was a strong ally of the latter.

Through Monteroso the Governments of Honduras and Guatemala, in addition to information they had already regarding Mexico's intrigues and that of Peralta and Rosales, procured many additional facts bearing on these schemes.

The United States Government at this time was informed in my reports regarding the presence of Gustave Solano in New Orleans and his activities in connection with the Rosales junta. I also knew of Carranza's plans to seduce away from their Governments the principal officers in the Honduran and Guatemalan Armies. But at that time it was deemed inadvisable to flush the game and secure possession of documentary evidence involving these parties.

On or about August 16, 1919, via Vaccaro Bros. steamship *Ceiba*, Gen. Monteroso arrived in New Orleans to engage medical attention for old wounds, received by him in 20 years of revolutionary action. While there he resided at the residence of Miss Clotilde Martinez, No. 1230 Joseph Street.

Through mutual friends I met Gen. Monterosa, and after becoming friendly with him brought up the subject of Carranza's plans during 1916 and 1917 to overthrow Central American Governments. I told him that I was thoroughly familiar with Carranza's offers to him to participate in this plot.

Gen. Monteroso very frankly admitted the entire matter and related to me the facts mentioned in his statement. I then told him I wanted to bring this matter to the attention of a strong friend connected with the United States Government, and asked him if he would reduce his verbal statement to writing and sign same. He agreed to do this.

So here could be no doubt regarding Gen. Monteroso's statement, I had one of his closest personal and political supporters in New Orleans, Rafael H. Valle, certify to the statement, and Valle also signed same, as the reproduced copy shows. Valle is now secretary at Washington of what is known as the Border Dispute Commission of Honduras.

Peralta and Rosales, in connection with their junta work at New Orleans, began to arrange speedily the various armed expeditions, one of which was to leave New Orleans, another from near Belize, British Honduras, and a third from Payo Obispo, in the Mexican Territory of Quintana Roo. At this time their plans were switched, whereby, with arms, ammunition, boats, and other supplies of war, purchased in the United States with Mexican and German money, they would attack the Honduran ports of Puerto Cortez, Puerto Barrios, and La Ceiba. And while they were carrying on operations and bombarding from water, their friends in the various towns and circumjacent to them were to uprise and attack by land.

After these three ports were in possession of the Rosales revolutionists their friends and supporters in many other towns throughout the entire country were to rise against the Government. They stated that it would then be a question of only three or four weeks before the capital would be in their possession and that Rosales would then be revolutionary acting president of Honduras.

The Honduran Congress would be immediately convened, and Rosales, backed by his revolutionary army, would be in a position to domineer the actions of the legislative body and Congress would immediately proclaim Rosales the legal active president pending an election. The election, due to Rosales's military power, would, of course, as they said, automatically place him to succeed himself. Their plans, as soon as Rosales became revolutionary president, contemplated additional arms, ammunition, supplies, and other sinews purchased in the United States with Mexican and German money supplied Rosales, and which he could have had shipped from the United States if he had been in charge of Honduras.

Additional quantities of arms, ammunition, and boats, the latter fitted out with rapid-fire guns, were to be supplied in large consignments from Mexico. They were to be concentrated in the Honduran ports on the Atlantic Ocean and at Amapala on the Pacific. Rosales, then in Honduras, proposed to raise, arm, and equip an army of 25,000 men and, at a given time, this army from Honduras was to invade, from Honduras, Guatemala and Nicaragua.

The boats supplied by Mexico were then to attack the Guatemalan ports of Puerto Barrios and Livingston on the Atlantic, and San Jose on the Pacific; likewise the Nicaraguan ports of Bluefields on the Atlantic, and Leon and Managua on the Pacific.

While Guatemala was being assailed on the Atlantic and Pacific coasts by boats supplied by Mexico and under control of Rosales and his Central American leaders, and invaded by from ten to fifteen thousand Honduran troops, officered for the great part by Mexicans, Carranza was to attack Guatemala from the south with an army of between six and ten thousand Mexican troops, which were to operate out of the Mexican State of Chiapas.

The Guatemalan revolutionary junta in Mexico was at this time arming and equipping a revolutionary group in that part of Guatemala which is known as the Peten, under the command of Dr. Eusebio Toledo Lopez, whose seconds in command were Gen. Carter and Prado Romana.

Among the most active of the Guatemalan revolutionary junta in Mexico then was Gen. Jose Leon Castillo, who had been provided with funds by Villavicentio, Mexican consul general at New Orleans, and who had been sent by Villavicentio to Mexico.

Gen. Juan Ignacio Toledo, Gen. Luis F. Obregon, GVen. Jose G. Salazar, Gen. Isidoro Valdez, Dr. Jose Llerena, Max Tejeda Jose Prado Romana, Dr. Jorge Guzeman, the party Peralta appointed as his private secretary when in Mexico City, and who is well remembered in New Orleans as the person who wrote a book at the request of Villavicentio which was the most extreme attack on the United States and on President Wilson ever written or prepared, and Dr. Felipe Obregon, who were among the principal members of the Guatemalan revolutionary group which planned and perfected the movement out of Chiapas and which was to be carried through by the troops of Mexico.

Dr. Felipe Obregon was the active head of the Guatemalan junta in Mexico, and his first assistant was Lic Francisco E. Toledo. Their headquarters were at No. 3 de Guerrero, No. 64 Bis, Mexico D. F.

Dr. Guzeman, included in the above list, it will be recalled, was appointed private secretary to Peralta when the latter made his visit to Mexico to confer with Carranza and others concerning the Central American movement. Dr. Guzeman also attained notoriety in New Orleans as the author of a book, written at the request of Villavicentio, and which was regarded as the most extreme attack on the United States, and on President Wilson, ever written or prepared by a Latin American. I contrived to gain proof sheets of this book and submitted them to the Department of Justice, on the receipt of which the State Department warned Villavicentio to refrain from circulating the work.

At the time Mexico, through Rosales, Peralta, and their associates, planned to invade and overrun Guatemala, from Honduras, with an army of 10,000 men, Rosales, with Nicaragua revolutionists, was to invade Nicaragua. Simultaneous with this invasion, the Nicaraguan ports on the Atlantic and Pacific were to be attacked and out of Costa Rico an expedition under the personal command of Dr. Julian Irias was to invade Nicaragua inland.

These revolutionary plans, involving Central America, were scheduled to take definite shape and the three proposed expeditions were to begin to function during the latter part of September, 1916. The Honduran Government, however, about this time, officially, through their minister at Washington, complained to the State Department regarding the revolutionary activities of Rosales, Peralta, and their associates. It was claimed that the State Department assured the Government of Honduras that if any of these revolutionary

expeditions landed in Honduras that United States marines would be landed at once and would block completely the efforts of the revolutionists.

Rosales and Peralta, so they claimed, were told by their legal advisor in Washington that even if they were successful in landing their expeditions in Honduras, and before they had time to secure control of that country, their plans would be interferred with by the landing of American marines. They also averred at this time that other advisors, including prominent business men in New York City, and elsewhere in the United States, and who were not familiar with Rosales's Mexican connections, informed them that it would be best that they hold up their movement, pending the outcome of the presidential election in the United States in November of that year.

Rosales and Peralta, believing that the Republican Party would be victorious, and that if they did the probabilities were that a Republican President would immediately formulate a strong Mexican policy, resulting in the downfall of Carranza, and if this indeed did happen and it was shown that Rosales had become revolutionary President of Honduras, through the efforts of Carranza, and that in turn Rosales, for Carranza, whether successful or not, had endeavored to overthrow the legal Governments of Nicaragua and Guatemala, the Republican President, on his inauguration, would bring about the downfall of Rosales, together with that of Carranza.

They therefore decided to postpone all their revolutionary plans until after the presidential election in the United States.

As customary with such revolutionists they then began "playing both ends against the middle" and posed as political exiles, holding that they had been persecuted and evicted from their native country, and set up claims that Bertrand had been elected illegally as President of Honduras. The new plan included spreading of propoganda against the Presidents of Honduras, Nicaragua, and Guatemala.

The propaganda included efforts on their part to prepare an alibi which would give them reason to explain at a later date to the United States Government the necessity for the Rosales revolutionary movement in Honduras. This embraced the following letter from Rosales to the United States Department of State:

WASHINGTON, D. C., *December 26, 1916.*

Hon. ROBERT LANSING,
Secretary of State.

MY DEAR MR. SECRETARY: As a representative of a majority of the citizens of Honduras, I desire to call your attention to the following statement of facts and conditions as they now exist in Honduras.

As you have no doubt been informed, Dr. Francisco Bertrand has recently been elected President of Honduras and takes office February 1, and it is this alleged election that I desire to call to your attention. The majority of the citizens of Honduras are adverse to his taking office for the reasons hereinafter stated.

The election is illegal under the constitution, which specifically provided in article 104:

"A citizen who has held the presidency can not be reelected nor elected vice president for the term immediately following, neither can his blood relatives four times removed or two times removed by marriage be elected president or vice president."

This exclusion could not be expressed in more positive terms. It not only refers to a citizen who has held the presidency but includes any blood relatives or relatives by marriage as specifically expressed. Article 105 of the constitution states:

"No citizen who may have held the office of president of the country within the last six months of his constitutional term of office, nor any relative referred to in the previous article, shall be eligible for reelection to this office."

This provision is likewise forcibly expressed.

Article 106 of the constitution states:

"In case of the permanent absence of the President of the Republic, the executive power shall fall upon the vice president, and in case of the absence of the vice president the office shall go to the designates in the order of their appointments."

It is by virtue of article 106 that Mr. Bertrand is seeking the color of right for his election.

Six months prior to the election he took what might be termed a furlough from office, but did not, in fact, relinquish the office of president, remaining the entire time in the executive mansion and availing himself of all the privileges

of this high office, even as to the guard of honor, thereby seeking to evade, as far as possible, the purpose and meaning of this section.

During this entire period he carried on a very extensive and vigorous campaign for reelection, going so far as to suppress any and all newspapers which dared disavow his right to reelection, positively forbidding free speech, and incarcerating many of the leading citizens of Honduras who dared express themselves in any way adversely to his desires. Officers of the army were dismissed and no one, whether civil or military, was allowed to do anything that would in any way affect his plans.

This dictatorship has brought about a dreadful feeling of unrest in all classes. The people of Honduras are proud and jealous of their constitution, it having been attained after a series of revolutions that cost thousands of lives and millions of dollars, and they do not feel that at this time it should be in this manner trampled under foot. They therefore are appealing to you to use your good offices to bring about a peaceful solution of this problem that threatens to deluge them again in civil war and wreck what is now a peace-loving and prosperous country.

This is not a political matter nor simply one of party, but a nation-wide movement for the protection of their rights, and I am inclosing herewith opinions as to the unconstitutionality of this election from men whose friendship toward the United States is unchallenged. They are as follows:

Dr. Jose Maria Ochoa, Velasquez, ex-minister of RR. EE; Dr. Jesu Bendana, ex-subsecretary of RR. EE; Dr. Frederico Ucles, ex-magistrate of the Supreme Court of Justice; Dr. Felipe Calix, ex-magistrate of the Supreme Court of Justice; Dr. Jesus M. Alvarado, ex-magistrate of the Supreme Court of Justice; Dr. Salvador Aguirre, ex-magistrate of the Supreme Court of Justice; Lic Guillermo Rivera, ex-magistrate of the first court; Lic. J. Jesus Alvarado, ex-attorney general of the first court; Lic. Jose Maria Sandoval, ex-judge of the civil and professor of administrative justice; Lic. Federico Canalee, ex-subsecretary of the ministry of justice and judge; Lic. Cristobal Canales, ex-administrator of taxes; Dr. Isadero Martinez S., ex-deputy of the National Congress; Dr. Pauline Valladares, ex-deputy of the National Congress; Dr. Teodoro Boquin, ex-judge; Dr. Prudencio Martinez and Dr. Pedro Amaya.

The citizens of Honduras most naturally look to the United States for the protection of their rights. President Wilson has many times expressed publically his desire to maintain peace in these Central and South American Republics, and he quite recently in a public address stated that the United States would recognize only legally constituted governments, and we have been inspired by his attitude to present this matter in the hope that the United States will take some action to prevent this very apparent injustice and direct violation of our constitution.

I think that from a perusal of the above you can not help but be of the opinion that if a President should be able to take a furlough for six months preceding an election that the tenure of office could be continued indefinitely to the utter disregard of the constitution, and defeating not only the letter but the intent of this provision, which is sufficiently plain to show that it was the desire of the framers thereof to prevent a man succeeding himself in this high office.

I shall be most happy at any time that you may find it convenient to call on you and go into this matter in detail and furnish you with overwhelming proofs of the merit of our claim.

I am represented in Washington by John Doyle Carmody, Esq., attorney and counselor at law, who will in my behalf receive any communication that you desire to transmit.

I am, sir, with consideration of the highest respect,

Your obedient servant, M. B. ROSALES.

At this time the Guatemalan section of the Rosales junta from New Orleans and from Mexico City began circulating large quantities in the United States of Guatemalan revolutionary propaganda, of which the following, both in English and Spanish, is typical:

"HORRIBLE SITUATION IN GUATEMALA—VICTIMS OF ITS PRESIDENT.

"The rumors reaching us from every corner of Central America, in a manner clearly denoting a lamentable protestation, assure us of the fact that the mandatory of the unfortunate Republic of Guatemala, Manuel Estrada Cabrera,

is hastily making ready to effect his fourth reelection to the magistracy of that country, and, laboring under such impressions, the reader can easily imagine the pseudopantomime or dumb show which awaits a helpless people, who, indeed, deserve better days, by forcing to the ballot box disguised, destitute Indians and armed soldiers of the nation and the gentle citizens, who will no doubt go to the polls 'voluntarily,' under the pressure of the lash and the threatening point of the bayonet.

"By the time the coup d'état begins to take the form of reality, we shall have our pens in line, ready to strike at this fallacious election, and in the meantime we shall take pleasure in giving full account in the extensive English language of the ignominious and celebrated personage who actually occupies our minds, so that here in the United States proper the people may arrive at their own conclusion, no matter how remote, of the caliber and instinct of the ruler of Guatemala.

"As the reader turns over these pages he shall read of the 'victims of Estrada Cabrera,' accusing vehemently the horrible situation of Guatemala and the painful via crucis the country has been going through for a period of 17 years of sempiternal terrorism.

"It is a well-known fact that Estrada Cabrera has extinguished unscrupulously and entirely ruined our foreign credit. He has in the same way emptied the public treasury by transferring the cash to places of his own selection; he has brought the standard of the nation to so low an exchange as 60 to 1, and has converted our institutions of learning into regular centers of corruption and espionage.

"He has granted to foreigners the mines of the country under all sorts of concessions, regardless of the intrinsic rights of third persons. However, he has, in turn, presented us with his generous instinct in the persons of the widows and orphans, who weep sadly for the surreptitious disappearance of their beloved ones, and, as a culmination of his heroic achievements, he has erected the numerous necropoli for the interment of his defenseless victims.

"It is also a plain truth that he has brought his hegomony and state of terror to bear upon the neighboring Republics of Central America, trampling upon their last remaining vestiges of independence and liberty. He has to-day an army composed of his degenerated followers, who know no pay day, it being a matter of regret to notice how foreign vistors are shocked on seeing them shoeless, hungry, and ragged, exchanging their swords for nourishment, and at the same time hiding with shame their worn-out uniforms.

"He has substituted the legislative and the judicial bodies with herds of eunochs, who enjoy themselves in depriving their fellow-beings of their honest belongings, disguised, for the purpose, under the dignified purple of the Goddess of Themis; and the fact shall not escape us that instead of making use of the invulnerable sons of the land for honorable purposes and the aggrandisement of the country, Cabrera employs the unworthy service of degenerated foreigners in order to obtain his ends, and it is a salient truth, that by means of servile promises made to the Department of State at Washington in former administrations (for, it shall be known that Mr. Wilson—the altruist master—has never and will never utilize the corrupted element of Cabrera) he succeeded in shaking his bloody hand with that of Mr. Knox, thus silencing, in effusive pact, the disorder of things and state of terror, in which for a period of 17 years of agony he has kept the Republic of Guatemala a fruitful accomplishment which justifies the flatterers-by-trade in calling him the 'sublimer exalted ruler,' when not classifying him as the direct descendant of Charles V.

"It is likewise an incontrovertible fact, the truthfulness of which jumps to the eye, that the execrable candidate in question leaves behind neither industries, monuments, public roads, navy or wealth, but in turn he leaves us a Guatemala wrapped in a regrettable sudarium.

"In order that the reader may not think we are laboring under a passionate inspiration in expressing these opinions, we refer him to any of the publications inserted below, which have been seeing the public light in various languages and throughout the civilized world, and from the columns of which they have commented, with impartiality, the countless errors and aberrations of his administration, and very particularly the crimes thus far perpetrated on the persons of subjects who dared express opinions contrary to those of the 'Benemerito' of Guatemala, or else who refused to accede to his will when the same would have compromised their dignity and probity.

"The consummated facts herein referred to have been, as already stated, thoroughly ventilated, reproduced, and rudely censored by the press in gen-

eral, and it is on this account the thousand-and-one publications we have now in our possession, and which we will make use of when the day of judgment for Cabrera before the civilized nations shall appear in the eye of universal history.

"These publications have been mostly written in French and Spanish and are hardly known in English, for which reason we have concluded to issue this pamphlet in this language, so that the generous and noble people of the United States of America, where the cradle of democracy swings full blast, where liberty rings over hill and dale to the remotest corner of the land, where justice and human life is so much respected and venerated; here, where the germ of despotism finds only sterile ground for development, and where the culprit is abhorred and duly punished—may know who is the tyrant of Guatemala, who still pretends to reelect himself for six years longer to the presidency of that country.

"This crime horrified everybody, but could not be averted, notwithstanding all the efforts made to save him by the strong and powerful German colony in Coban. The notorious Juan Barrios M., together with Julio Godoy, Samuel de Leon, and Juan Rafael Zu Niga, were Cabrera's appointed executioners. In order to make himself more favorably known to the chief executioner, the latter of the trio of murderers kicked the dead man in the face, calling him all the bad names that only a man of his breed could know.

"Several persons witnessed this, among them Mr. Jose Maria Meza, of Nicaragua, who is living in his country now, after having been a prisoner for a long time in Guatemala. His crime was that he witnessed this murder, and that was enough for Cabrera to put him in prison. A friend of his, Mr. William Ibs, the foreign representative of the St. Charles Hotel, in New Orleans, who was at the time of the imprisonment and the murder of Mr. Sta. Cruz, employed in one of the large German firms at Coban, also testifies to the truth of what we have said about this foul murder of Sta. Cruz. The notorious Juan Barrios M. was made minister of foreign affairs as a reward for his part in this crime.

"Ex-Congressman Jose Maria Urbizo, shot near El Chato, where he was sent by Cabrera with a military escort under Capt. Dionisio Gutierrez, who made Urbizo walk 12 miles barefooted over a rocky road, helping him along with the bayonet and butt, until they arrived at the spot selected for the execution, where the half-dead, blood-covered victim was finally shot to death.

"Then the soldiers tied the hands and feet of the corpse over a post and threw it into a near-by ravine to serve as a meal for the jackals and turkey buzzards. Miguel Cuadra, of Nicaragua, just happened to pass near the spot at the time of the execution, and, attracted by the rifle shots, he witnessed the whole grewsome performance.

"The mayor of El Chato, who heard of this murder, and who thought it the outcome of a drunken brawl, reported the matter to Cabrera; but the mandatory told the astonished mayor:

"'If you don't dismiss the matter quickly from your mind, you will go over the same road that Urbizo did.'

"The crime of this unfortunate young man had consisted of some complimentary verses about Jose Leon Castillo.

"Gen. Jose Maria Reyna Barrios, murdered by Oscar Zollinger at the suggestion of Cabrera, as the worldly press has denounced.

"Dr. Manuel Enrique Araujo, President of El Salvador, killed by means of machetes in the Park Bolivar, in the city of San Salvador. The murderers confessed and were shot by the Government of Salvador.

"Gen. Manuel Lisandro Barillas, ex-President of Guatemala, and selected for this purpose by two well-known military men, Gen. Jose Maria Lima and Col. Onofre Bone. After having confessed all they were told to do by Cabrera, the Mexican Government had these two fellows shot.

"One hundred boy students of the Military School of Guatemala, who were slaughtered on the Plaza de Armas of Guatemala City for the only reason that during a diplomatic reception one of the boys fired a shot at Cabrera, whom he unfortunately did not kill.

"Under the pretext of this one shot, that he called a conspiracy, Cabrera had them and a lot of his political prisoners shot, whom he suspected to be in the plot with Manuel Mandrinan, who placed the bomb in the 7 Avenida Sur, and which exploded right under Cabrera's coach, but unfortunately did not kill him.

"The iron box that was a part of this bomb was made for Mandrinan in the shop of Tinetti Bros., two Italians, who did not even ask him what he wanted his box for. Nevertheless, they were imprisoned, and it took the Italian Government 14 months to get them out of Cabrera's jail. The names of the people shot in prison during this carnage of Cabrera's are:

"Engineer Eduardo Rubio Pilona, candidate for the Presidency of Guatemala; Dr. and Gral. Mateo; F. Morales; Dr. Francisco Ruiz; Mr. Juan Viteri; Col. Manuel P. Cordova; and Fulgencio Cortez; and the Italian Signor Vinelli.

"In the city of Antigua there were executed: Enrique Acena, Col. Sarvelio Solorzano, Pedro Cofino, Rafael Vides, Ramon Palencia, and others whose names we ignore.

"During those days four of the sons of the best families of the country were suspected as accomplices in the bomb plot, and under persecution of a lot of policemen they fled into a house in the Callejon de Judios. Here they were surrounded immediately by 500 soldiers and, after having received their toll, they shot each other to death in order not to fall into the hands of Cabrera, where unspeakable tortures awaited them, as they knew only too well.

"A few days before this murder Mr. Manuel Lopez Cojulun, president of the Workmen's Club, was flogged to death by the captain of police, Ramon Bonilla, who some years before had murdered Gen. Martin Barrundia. Cabrera, by a special arrangement, listened to the killing of Mr. Cojullun over the telephone without losing a single detail of this terrible murder; for Cabrera had given his murderer most explicit orders to open Cojullun's mouth and to administer poison to him.

"When Cojullun objected to this, Cabrera's beast took his heavy police club and started to beat the man literally to death. First he broke all the man's teeth, then his arms, legs, and ribs, until the unfortunate man was nothing but a groaning mass of bloody flesh and broken bones, and—the President of Guatemala, Manuel Cabrera, the benemerito of the country—listened to this and enjoyed, as the pervert that he is.

"Gen. Plutarco Bowen, kidnaped in Tapachula, Mexico, by Hippolito Lamber, a Frenchman, and some other of Cabrera' bailiffs, and brought on Guatemalan soil, where he was shot in the city of San Marcos after the second amnesty had been declared. When about to be executed Bowen made a few brief remarks, ending like this:

"'I am going to my grave now because I hate a tyrant; and if on the other side of the grave there are also tyrants I shall fight them again as I have done here on earth.'

"Gen. Calizto Mendizabal was murdered by Cabrera himself. After he had been offered a glass of Cabrera's famous 'cocktail' he died from the effects of the poison contained in his drink.

"Mr. Rafael Prado Romano and his brother, Ldo Transito Rojas, shot in Jutiapa, together with his 15-year-old boy. This murder of a father and of his innocent boy was an awful sad thing. The father is said to have pleaded earnestly and long with Cabrera's murderers to content themselves with taking his life, but to spare that of an innocent child, who could not possibly have known anything about politics. He pleaded in vain, and he might as well have addressed stone figures as to expect any mercy from any of Cabrera's hirelings.

"When at last this horrible fact dawned on the unfortunate father, he embraced his boy, imploring him to die a brave lad, and, calling down the ire of God upon his murderers, the father and son fell dead under the hail of bullets fired at them by Cabrera's murderers. Cabrera was told this sad story, and he is said to have gloated over it for weeks in brutish satisfaction. And this man is to-day a friend of Mr. Knox and the famous Mr. Sulzer, of New York.

"Ldo Mariano Castillo, Luis Antonio Giron, Gen. Eugenio Monterosso, Col. Transito Retana, murdered on the frontier of Salvador; Francisco Carrascosa, shot at El Plantanar by Gen. Larrave, who showed his sorrow for having been ordered to shoot this brave young lad, who defied the tyrant until his death, by cursing the tyranny for this wherever he went.

"Antonio Lopez, who was poisoned by orders of Cabrera in Tapachula, Mexico.

"Bruno Maldonado, who was taken from the prison and given instructions by Cabrera to murder ex-President Barillas; but Maldonado warned Barillas of this plot and gave him a chance to flee. He then returned to Cabrera with

the story that Barillas had escaped him. Cabrera had him immediately flogged to death, as he has done with many others that did not follow his instructions to the letter.

"Dr. Hermelino Quezada, a Mexican, shot in Coatepeque; Heraclio R. Trejo, shot in San Marcos; Victor Fenjier, shot in El Rodeo; Adrian Victoria, shot in Techulutan; Alberto Lallande, Gaudencia Morales, murdered in El Rancho de San Augustin; Doroteo Reyes, murdered in San Pablo; Guadeloupe Chacon, murdered in San Marcos; Martin Munoz, shot in Ayutla; Guillermo Garcia, shot in El Cucho; Luis Felipe Arias, a famous musician, murdered by an Italian agent of Cabrera.

"In Mazatenango, Cabrera had the commanding officer, and with him seven men, shot for rebellion and sedition; Neftali Palomeque, a Mexican, shot by Cabrera's order because he protected Guatemalan refugees on Mexican soil; Manuel Diaz, for having distributed some pamphlets during the presidential elections favoring J. Leon Castillo.

"Bernardo Lemus, from Salvador; Presbitero Beltran, shot in the church of San Francisco by a certain Mendoza inspector of police, who later on confessed this crime during an operation and while under the influence of choloroform; Jaime Lopez, from Salvador, shot in San Marcos; Ernesto Huerta, shot in Sta Rosa by Col. Silverio Herrarte; five Mexicans and one Colombian with the name of Vallarino, shot in the port of San Jose by the captain of the port, Salvador Cabrera, who had the bodies cast into the sea, with the exception of Vallarino, whom they did not see on account of the dark night, and who was still alive and was able to hide under the wharf.

"Villarino made this crime public and died in the penitentiary; Primencio Aguirre, shot in El Chaguite de Agua Blanca by Capt. Cleofas Paredew; Luis Espino, shot in the Sta Catarina by Capt. Benjamin Martinez; Lieut. Carlos Garcia, shot in Jutiapa; Adolfo Garcia, shot in the Sta Catarina by Capt. Mercedes Aldana; Col. Tiburcio Resinos, killed by orders of the captain of Jutiapa, through a criminal with the name of Saturnio Orellana, in Salvador; Saturnino was pardoned for nine murders that he had committed and also made a sergeant on the police force of Jutiapa.

"Celso Martinez and his brother Francisco, shot near Lake Ayarza after having received about 1,500 lashes each for several weeks; Aquilino Sandoval, shot by Pauline Quintana through orders of Gen. Resonos, of Jutiapa; Jesus Argueta, shot by orders of Gen. David Barrientos in Jalapa; Francisco Guzman Montenegro, shot by Col. Ramon Ludero, commander in Monjas; Fernando Chinchilla, shot by Ezequiel Morales in Calderas de Agua Blanca through orders of the commander of Jutiapa.

"Alberto Cantoral, who was given up by the Government of Salvador and then murdered in Jutiapa by Capt. Marcial Leiva; Felipe Telly, shot at the frontier of Salvador when he was handed over to Cabrera's soldiers; 18 men shot at Momotenango; Dr. Joaquin Yela, a very important man, killed in the penitentiary; and, lately, Ldo D. Manuel Paz starved to death.

"POISONED.

"Gen. Calizto Mendizabal, Felipe Cruz, poisoned on his plantation by two men sent from the city of Guatemala; Gen. Luis Garcial Leon, Dr. Jose Montoya, Dr. Antonio Lopez, Col. Roque Morales, Wenceslao Chacon, Juan Espino, and Antonio Espino, poisoned on the same day by Gen. Doroteo Rosinos in the jail at Jutiapa, and then reported by him as having died suddenly; Francisco Cabrera, the President's own brother; Landetino Gonzales, and others.

"PERSECUTED AND MURDERED ABROAD.

"Gen. Pedro Aguilar, Col. Mateo Paz Pinto, Capt. Jacinto J. Castro, Eugenio Gonzalez, Flavio Sandoval, Mrs. Elena de Cuellar, Mrs. Soledad Valladares, and Col. Manuel F. Rivera. All these are Cabrera's victims in Salvador.

"Capt. Julian Belteton, Gen. Jose Najera, Col. Jose Maria Navas, Lieut. Julio Molta, Felix Lainfiesta, Capt. Jesus Villeda. All these were Cabrera's victims in Honduras.

"Lds. Emilio de Leon, Laureano Urrutia, J. Maria Urrutia y Guzman, victims of Cabrera in Mexico; Ldo Miguel Vaeladares de la Vega, in Nicaragua.

"Lds. J. F. Gonzales, Juan F. Ponciano, Mardoqueo Jerez, Socorro Lopez, Capt. J. Cifuentes. All these were Cabrera's victims in Nicaragua.

"Jose B. Samoyoa, in New York.

"Dr. Jorge Veles, in the Argentine Republic. Dr. Patrocinio B. Mendia, in Comitan, Mexico.

"Manuel Cabrera, President of Guatemala, has always a good supply of murderers on hand that he uses in those special occasions, when it becomes necessary in his opinion to do away with somebody dangerous to himself, and in Guatemala these gentry are popularly known as the private executioners of the 'Benemerito de la Patria.'"

Cabrera, becoming alarmed at the activities of the Mexican-Rosales-Peralta plots in connection with the Guatemalan group, immediately began extending active cooperation to the Felixista Mexican revolutionary party. The Felixista party at once established a junta in Guatemala City, and from Guatemalan territory launched their operations against the Mexican State of Chiapas. During the latter part of 1916, and from January on in 1917, President Cabrera, of Guatemala, through the Felixistas, who had secured control meanwhile of nearly all of Chiapas, in this way protected himself from a prospective invasion of Guatemala by Carranza's troops from Chiapas.

From that time to this the Felixistas and various other revolutionary factions and bandits in Chipias have kept Carranza so busy in that State that he has had no time to think of Guatemala.

The full details of President Cabrera's participation in Mexican revolutionary affairs of the Felixistas will be stated and proven by documents in a subsequent narration.

During 1916 and until the latter part of 1917 Mexico had no consular or diplomatic representative in Guatemala. It is claimed that Mexico, in 1917, sent a minister to Guatemala, who died shortly after his arrival. It is also claimed by Mexicans friendly to Carranza that from the latter part of 1917 until quite recently every diplomatic representative that Carranza sent to Guatemala either has died or had continued sickness.

Among Carranza's diplomatic corps they refer to a post in Guatemala at the present time as though Carranza had "become soured on them," for when one of them is sent to Guatemala it is regarded openly as "a death sentence."

The activities of Rosales, Peralta, and their Central American associates at their headquarters junta in New Orleans continued actively along the lines as set forth in the above narration. They were marking time, waiting the outcome of the American presidential election.

Peralta's enemies within his own party, who secretly hoped for and worked for his downfall, due to his arbitrary and lordly manner of conducting affairs, and envious of his influence with Rosales, brought charges before Rosales "sub-rosa" that Peralta had appropriated at least $15,000 of the $50,000 he raised from Carranza on his trip to Mexico City.

Rosales, however, was afraid to break with Peralta, regardless whether or not the reports were true. Peralta explained, it is said, that the $15,000 in question was distributed by him in Mexico among minor parties, who were paid to support the Rosales plans.

Whatever did remain of the original $50,000 advanced by Carranza, it is a fact that Peralta and Rosales proceeded to expend the balance with a prodigality that occasioned comment. Peralta "blossomed forth" with numerous diamonds, stones of size and luster.

Carranza, through Villa Vicentio, consul at New Orleans, pressed Rosales and Peralta constantly to begin immediately on their proposed armed invasions. To assuage Carranza they replied that they were waiting the outcome of the American election, and they added that they "needed time" to bring pressure to bear on Senators and Members of the Congress to forestall the carrying out of the rumored plan of landing American marines in Honduras.

During the early part of November, 1916, Peralta and Rosales decided it was advisable for the former to proceed to New York City, Washington, and other cities to endeavor to secure influences, which, in turn, would be utilized with Congressmen, Senators, and other Government officials, so that when the Rosales expedition invaded Honduras the United States either would delay in sending the marines or would not send them at all.

Peralta on this trip was to complete also final arrangements with Dr. Julian Irias, who was making his headquarters at Washington and New York City, for the active participation of Dr. Irias and his supporters in the expedition out of Nicaragua and Costa Rico against the Honduran troops. At the same time Rosales and his three expeditions from New Orleans, Payo Obispo, and Belize would move against Honduras from the sea.

On November 6, Peralta, accompanied by his wife and by Mrs. Rosales, who, Rosales later told me, while he was under the influence of liquor:

"You know Pedro is a very shrewd hombre, and his mission is a most vitally serious one. It was wise to have Mrs. Rosales along to keep an eye on him."

Before leaving New Orleans, Rosales gave Peralta several letters to be presented to parties who Rosales and Peralta said were friends of theirs. Among these letters was the following:

NEW ORLEANS, LA., *November 5, 1916.*

Hon. SAM S. WRIGHT,
Cedar Rapids, Iowa.

MY DEAR SIR AND FRIEND: My special representative in the United States, Mr. Pedro Grave de Peralta, is going to Cedar Rapids; he is well known to you, and he has always spoken about you in the highest terms as a progressive man of whom our country could expect much in the case that we could get you interested in that rich part of our country. It would be agreeable to me if you should enter into an arrangement with Mr. Grave de Peralta, and you may be assured that any agreement signed by him will have my entire sanction, and he has my power of attorney to that effect.

Believe me, your friend and servant.

M. B. ROSALES.

Knowing in advance of Peralta's proposed trip and purposes of same, which were duly reported to the Department of Justice, I was requested to make arrangements to meet Peralta in New York City on his arrival there, so that the department would be informed of his further activities as they were unfolded.

I left Rosales "in safe hands," with one of my assistants, in whom the general had complete confidence. Before leaving him he informed me fully regarding matters Peralta was scheduled to attend to on this trip and handed me the following letter to give to Peralta:

"MY DEAR FRIEND: I have received your letter of the 8th from Birmingham. I am glad to see that you arrived there all right. I have noted what you have to say about Mr. Baird, and I hope that you will be able to get something from him.

"He has not written to me up to now, and I want you to keep on after him. Mr. Jones does not leave until to-night, but he is going to Washington first. It would be well for you to talk the most important matter with Dardano and Labo, but in a very reserved manner.

"Mr. Jones said that the day that you took the train a negro spy was put there as a detective over you, and you have to be on your lookout for that. The triumph of the Republican Party has become a fact, as I have told you, and it would be well for you to come to an understanding with these people.

"I wish that you would go and see Mr. Irias and give him, in my name, my best regards; tell him that I am very sorry for that which has happened in Nicaragua, and that there seems to be no other remedy but the machete.

"It will be well for you to speak in my name, in order to find out whether or not something could be done from that side and that he then would give his instructions to his men to come to an understanding with Jose Antonio Sanchez, who lives in Juaniquilapa, near Someto; tell him that we are fighting and our cause is his cause.

"Do not be worried about your family. They are well and I see them often. Take good care of yourself. Do not worry so much about Adelita. I am glad to hear that Concha's cold is getting better and I am writing her."

The "negro spy" referred to in the above letter was an imaginary one and was mentioned to Peralta to show him that I was working, as he thought, in his behalf.

On November 12, 1916, from New Orleans, Rosales wrote Peralta as follows:

"MY DEAR FRIEND: Yesterday I received your telegram about the affair of Dr. Dardano, and I am very glad to hear about him. I hope all the rest will go as well as this matter.

"Mr. Andrew (code name for Jones) left here Saturday the 10th instant for Washington and he told me that he would be there about the 14th. I inclose a letter for Dr. Irias. Give it to him personally and talk to him about this matter and then, if he is willing, let him give his instructions to his friends to that effect.

"Be careful to tell him not to mention anything to King, as the latter has denounced us in Honduras, as I have heard, in order to stay well. Well then, Wilson won out. Maybe that is well, as the old saying goes 'Nothing succeeds but success.'

"We have to play good politics and have to be careful."

I left New Orleans on November 10, 1916, accompanied by Guillermo Rosas, formerly private secretary of Gen. Felix Diaz, the Mexican revolutionary leader, and who at that time was secretary of the Felixista revolutionary group at New Orleans. For a long time prior to this, so that the Department of Justice could be thoroughly informed, I had been an active participant in the affairs of the Felixistas. As many important developments were being brought to a head through these Mexican revolutionists, I "staid on the nest" with this man, not only to find out about his own party's revolutionary affairs, but to gain additional information which he would receive from party leaders in New York.

Rosales, convinced that I wielded untold influence among newspapers and national legislators, he looked to me to help him no little on my trip to New York City and Washington. Shortly before we parted, he placed his hand on my shoulder and exclaimed:

"Now, comrade, show us that you are a fighting man. Remember, you and Peralta are to promise any and everything to those friends whose influence we have to have, no matter what they want.

"Promise them everything under the ground and in the sky. Promise to deliver the devil, if you have to do so. But go ahead. Tell Peralta that I am here like Christ, waiting for my sentence."

On arriving in Washington, I left Rosas, who had a mania for flirtations, sitting in "Peacock Alley" of the Hotel Willard while I arranged a series of conferences with several of the Honduran and Nicaraguan revolutionary leaders then in Washington.

I left Washington a day later and met Peralta in New York City at the Hotel Astor, where he, with his customary habit of exaggeration, impressed on me the alleged fact that he had secured positive assurances that when the revolutionary movement was started no American marines would be landed in Honduras. I felt that this was false and later nailed the lie.

During the remainder of November and through December I was with Peralta constantly in New York and at Washington. In this way the Department of Justice gained timely information as to additional plans as developed and matured by the revolutionists.

In Washington Peralta presented Rosales' letter to Dr. Julian Irias. Rosales refers to in his letter of November 12, 1916, to Peralta. Irias was most enthusiastic in regard to all Rosales' plans and wrote the following from Washington on November 29, 1916, to the latter:

MY DISTINGUISHED FRIEND: If everything is ready, I am. Before the movement is started you must be able to put war equipment at a certain point on the frontier. This point has to be defined clearly, so that our friends may know where to go to arm themselves and that they furthermore may study which places they should attack or menace.

"I have been assured (by Peralta) that you can place on said frontier four Colt machine guns with 25,000 bullets each, and then 1,500 rifles with 150 bullets for each one. If this is so, it would be a fine basis.

"I beg to call your attention to the fact that the steamer which carries this equipment should bring along two good gasoline launches, so that the goods can be delivered speedily at a minor port, because, as you will understand, it would be rather a difficult and risky undertaking otherwise.

"It will be necessary that you should let me know exactly the date, the place, and the person who will deliver the goods on the frontier to the chiefs that I send.

"You will understand readily that it would not do to assemble too many people near the frontier before the movement really starts, because that would show the thing too openly and would be dangerous. But they will be under orders, so that they can assemble as quickly as possible.

"It would also be very convenient to know with which one of your intelligent and confidential chiefs on the frontier our people shall understand themselves, at the same time it would be well to clear up the point whether one of your chiefs shall be governor of the zone or one of our own men. It seems to me better that he should be a man from Honduras, as this would give more

standing to the movement, under the condition, of course, that he should not have any run in with our men.

"The movements on the coast and from the frontier should be simultaneous in order to have the greatest effect.

"In order to issue commands, I will have to be in Central America; but I can not do that before the middle of January. It would be a good thing to call on Costa Rica secretly in order to give instructions to some chiefs, and since you know the distances, and in order not to commit any foolishness, the people should leave quietly, and that way they could not be near the frontier until the middle of February, and that would be proceeding rapidly and disposing of elements necessary for the mobilization.

"I calculate that we need about $25,000 gold for this movement, counting on taking the entire 1,500 rifles, and since the American gold is now standard in Nicaragua we will have to give the soldiers at least from $12 to $15 for this trip to the frontier, and there are some chiefs whom we will have to give $250 and more.

"A letter from you, in which you bind yourself to lend me all kinds of assistance—that is, economical, the frontier, and the elements to upset the Government of my country in case that you should win—would be enough for me in exchange for my help.

"If you accept the plan, and in order not to lose any time, it would be well that you should right now put some funds at my disposal, so that I could write from here to some chiefs in Costa Rica, whom I am going to meet, and whom I could give sufficient funds to sail for said Republic.

"J. IRIAS."

Irias, due to his former negotiations with Rosales and Peralta, was ready to participate in their revolutionary movement against Central American countries during August or September of that year. Peralta claimed that on or about the time he was getting ready to leave Mexico that Irias had secured considerable cash from Carranza.

It will be noticed in Irias's correspondence with Rosales that he set forth that it would be impossible for him to have his part of the expeditions ready until the middle of February, 1917. To this Peralta, for Rosales, agreed. This in turn was concurred with by Carranza and his officials.

At a later date and in Washington Irias showed Peralta and myself the following letter from Mexico:

MEXICO CITY, *November 26, 1916.*

Mr. JULIAN IRIAS, *Washington.*

MY DEAR FRIEND: I received your letter yesterday, which had been delayed somewhat in Vera Cruz on account of a strike of the workmen on the Mexican Railroad. I knew that you were in New York by the New York Herald, which carries one interview with you and another one with Mr. Stikel, about the presidential elections in Nicaragua.

I have addressed several letters to you in Costa Rica, some directly and some through Mr. Dieguez, not knowing whether you were in that Republic or not. I wrote these letters for the very special purpose of telling you how convenient it would be for you to come to this capital so that you might put yourself in contact with Mr. Venustiano Carranza, in charge of the executive power of the Republic, who sympathizes very much with the National Liberty Party of Central America and especially with that of Nicaragua, that victim of the Yankees which is making all efforts to conserve her independence.

Understand me well, that Mexican revolution which drove out the Dictator Diaz and, later on, the horrible tyranny of Huerta, is not only Mexican but a revolution of continental consequences, considering the influence it will have among all the peoples who are now under the rules of tyrants that are more or less assisted by the Yankees.

In order to solidify the destinies of our race on the continent and to establish the legitimate influence of Mexico among the sister nations, it would be well to create legations in the main Latin American Republics, and especially those of Central America, whose destinies are so closely interwoven in the past as well as in the future with those of Mexico.

Since you are the famous leader not only of the National Liberal Party of Nicaragua but also of the National Party of Central America, as the cause of the National Liberal Party of Nicaragua is identified with the cause of the independence of Central America, therefore it is indispensable that you should come to this Republic for the already indicated purpose.

If Samuel Sediles was very well received here and could do something for the Liberal Party, merely being an ordinary intelligent member of same, it is very reasonable to assume that the leader should be well received who has made his name famous even outside of Central America, through the high esteem that he enjoys in his country, for the kind feelings that he inspires in all Central America, by his energy and his dignified and proud attitude before the Yankee power, and the accusations that were made against him to undermine his political and personal honor.

I do not doubt that Mr. Carranza will understand you, as he himself has shown himself so energetic in the defense of Mexican honor in the North American question.

I write often for El Democrata, one of the best papers of this capital, and sometimes in El Pueblo. In these, as well as in El Universal, I have reproduced important news from Nicaragua before and after the elections. The Universal brought your interview with the New York Herald, the Pueblo that of Stikell, and in El Democrata there appeared, besides some other news, one of my stories about the suit brought by El Salvador in the court of Cartago against the canal treaty.

I am waiting for the papers that you told me I would receive in order to start a series of stories about Nicaragua and your own personality. It would be well for you, before you come here, to give me your opinion about the Mexican revolution, about Mr. Carranza, and his minister of foreign relations, Gen. Candido Aguilar, who have so brilliantly maintained the rights of Mexico in the North American question.

It would be very well also, if you have the time to get them, to have some evidence of the sympathies with which the Governments of Salvador, Honduras, and Costa Rica look upon your political work for the cause of the independence and honor of the peoples of Central America. Such testaments from the Presidents of these Republics would be invaluable for you here.

I shall publish your opinion of Mr. Carranza, Gen. Aguilar, and the Mexican revolution in the papers of this capital before you get here.

Sediles went to Costa Rica about a month ago, and it is absolutely necessary that you should be here before his return. I hope that you will do so in your own interest. I can not tell you any more now.

My address is: Segunda Calle de Balleras, 16.

Clementina wrote me awhile ago, telling me that you had called on her and that you had told her all about you trip in Nicaragua just before the election. She was highly pleased by the visit of such an old and true friend.

With best regards from Delfina and my boys, I remain, waiting for you,

Your friend,

R. CONTRERAS.

Irias had for many years prior to our meeting been a disturbing factor in Nicaraguan politics. In an interview between him and me several months before this he had confided that he had been elected leader of the National Liberty Party of Nicaragua. He added that he had been named as the presidential candidate for this faction at the polls for the October elections of 1916.

However, according to Irias, he realized he never would be permitted to gain the office, explaining that the voices of 75 per cent of the Nicaraguan voters would be in favor of him, but alleging that the United States had "cooked the results." When I asked him to enlighten me as to the "cooking," he said:

"Secretary of State Bryan has entered into an arrangement with Chormoro, our minister to Washington, whereby if the latter manages to put through the treaty with America on canal rights across Nicaragua, the United States will see that Chormoro is installed in office as President of Nicaragua."

He added Mr. Bryan had assured Chormoro that United States marines would control the election in Chormoro's favor. He then said that his revolutionary movement in connection with Rosales should be pushed along and put in full swing by election day, and in that event the small number of American marines in Nicaragua would be "wiped out."

Personally, I can not vouch for the authenticity of Irias's statement and I only set down what he claimed to be a fact. His statement, however, regarding the "wiping out" of the marines, when I reported it to the Department of Justice, resulted in the United States sending a large number of marines to Nicaragua.

Irias at this time showed me a signed proclamation issued by the National Liberal Party of Nicaragua, a translation of which follows:

"The great convention of the National Liberal Party of Nicaragua, in conformity with the Part C of article 10 of the statutes of the party, decrees:

"First and only. The citizen Dr. Julian Irias is the popularly elected candidate of the National Liberal Party of Nicaragua for the President of the Republic during the elections which will take place on the first and second days of October of this present year.

"To be communicated to the executive council for publication and recommendation.

"Given in the Hall of Meetings, Leon, 22d of July, 1916.

"Leonardo Arguello, D. P., Gonzalo Ocon, L. Ramirez M., A. Yablada, J. Sanson, Arturo Nunez, Gustavo F. Moguera, J. Molino Larios, Federico Sacasal, Tomas Pereira, Palo Ruiz Morales, Bernarbe Portocarrero, R. Sevilla, A. Medrano, P. A. Blandon, Igno Chavez, H. Espinoza, H. Portocarrero, A. Zuniga M., M. B. Sebrate, Abraham Mary, Jose W. Mayorga, B. Sotomay, Gustavo Abaunza, Erasmo Calderon, J. Y. Lanzal, Franco Paniagua Pradounza, M. Perez Alonzo, F. Sornamba, H. A. Castellon, first secretary."

In several other interviews between Irias, Peralta, and myself in Washington, and in other interviews between Irias and myself at the McAlpin Hotel, New York City, he told me he would sail early in January, 1917, for Costa Rica, where he would begin preparations for his part in the revoluationary movements. However, Irias, after learning of the amounts of money secured by Rosales and Peralta from Carranza, instead of sailing from New York to Costa Rica, sailed from New York to Vera Cruz on or about January 10, 1917.

Irias proceeded to Mexico City, where he completed arrangements with Carranza, Gen. A. Obregon, and others to be reimbursed personally for his participation in Carranza's Central American revolutionary plans. This trip of Irias to Mexico was a great surprise to Rosales and it likewise resulted in delaying the contemplated revolutionary expedition of Rosales against Honduras.

It was evident that Irias felt that he should be put in a position to "handle" some of Carranza's money after he became aware that Peralta and Rosales had so much of the first chief's lucre to spend lavishly.

WHEN IN MEXICO CITY, GEN. A. OBREGON, THEN MEXICAN MINISTER OF WAR AND MARINE, AUTOGRAPHED A PHOTOGRAPH OF HIMSELF TO IRIAS.

Irias remained in Mexico until early in March and on March 13 sailed from Vera Cruz for New Orleans. He arrived there on March 17 and went to the Monteleon Hotel.

With all hotels under our surveillance by special informants, we learned of Irias's arrival immediately. He was astonished when I called at his apartment and wanted to know how I learned of his arrival. He had in his room three handbags and a steamer trunk, from which at a later date we procured the contents and handed them to the Department of Justice.

After leaving Irias I notified the superintendent of the New Orleans division of the Department of Justice as to the revolutionist's presence in New Orleans. From then on I was daily in close touch with Irias, and the Government was enabled to be informed fully regarding his movements.

On the night of March 24 the superintendent of the New Orleans division of the department informed me he had received instructions from Washington to secure, if possible, photographed copies of all papers and documents in Irias's possession.

Arrangements were made whereby I was to take Dr. Irias, his secretary, and one of his associates out for lunch and for an automobile ride—as long a ride as possible—keeping them away from their apartment for at least four hours, which would enable agents of the department to open his trunks, photograph documents, and replace them without fear of interruption.

In my report to the Department of Justice, dated March 27, 1917, I stated:

"Respectfully recommend that Dr. Irias should be arrested by your department, provided he can be successfully put and kept in jail or deported until the present critical situation in the United States is passed.

"It would be, however, more satisfactory, I believe, to have the case handled by the immigration authorities, for, insomuch as Dr. Irias has conspired in the United States, not only against Nicaragua, but likewise against Honduras and

Guatemala, therefore, under the law, as I understand it, he should be deported for this.

"My recommendation in regard to his deportation or arrest is made for the following reasons:

"In my several extended conversations with Irias, he practically has told me in plain English, as fully covered in many of my previous reports, that he has been promised liberal support from the Carranza Government in regard to his political aspirations in Nicaragua and likewise to date has received cash advances from Carranza.

"This was brought out by him in answer to several pointed questions from me in regard to making Irias believe that in the end his proposed political affairs would never be successful; furthermore that Carranza under no circumstances would have anything to do with him as far as financially backing him.

"He then stated his arrangements with the Carranza Government, not only from the standpoint of their moral support, but also financial support was in every way far beyond his expectations and greater than he ever had anticipated receiving.

"I then laughingly told him that I had heard many rumors of him likewise having sought and then received financial support from the German Government through the minister from Germany in Mexico City. I then also told him what a damned shame and sin it was for a great country like the United States to be played with by England and that all of our Government officers, from the President down, including Senators and Congressmen, were a 'bunch of nuts,' and in other words damned forever to him my own country and all of its present policies and went the limit as far as endeavoring to convince him of the fact that I was willing to be a traitor to the United States.

"I also fully agreed with him that the United States had helped to steal the presidency of Nicaragua from him. I also assured him of the fact that I was strictly for Germany. I then told him that it had been reported from Mexico that he had been a daily visitor to Von Eckhardt, the German minister in Mexico City, likewise had frequently been seen dining and riding with the German ambassador.

"In answer to this remark on my part, Irias, feeling sure that I was one of his strong friends and ardent supporters and could be trusted fully, stated that the German minister in Mexico City was his personal friend and supporter. I then asked him if this meant that he was not only being supported by Carranza, but also with German money behind his proposed political future. His answer was that the 'future is always broad.' He added that his 'past had been full of many disappointments,' but that his efforts for the last six months had resulted in success for him far beyond his expectations.

"Dr. Irias, as you know, is probably as ardent a hater of America and all Americans as anyone who has ever come to this country. There is no doubt from information developed so far by me and which your department has secured from other sources but that he is under financial obligations to Carranza and Germany, through the German minister to Mexico."

At 10.30 o'clock p. m., March 27, 1917, I called at Irias's room at the Monteleon Hotel. At this time I found him with one of his assistants packing a small trunk and a box. I told him it looked as though he were getting ready to move. He said not, and added that he was preparing some "things" to send his family at Costa Rica. It appeared that he intended to slip out of New Orleans on a steamer the next morning with some of his papers and documents which the department was very anxious to procure.

He then said that the box and trunk were to be shipped the next morning via a United Fruit Co. steamer. I volunteered to see that the trunk and box would be taken to the ship early in the morning and suggested it might be advisable for him, on account of his political connections, to stay away from the dock. I said I would also save him the trouble and expense of moving the packages to the steamer.

He greatly appreciated my "suggestion." I immediately advised the New Orleans office of the department. On the morning of March 28 I arranged with a porter of another hotel to call at the Monteleon Hotel in a taxicab for Dr. Irias's baggage. The porter had instructions to "stall" around after he got the baggage to "shake off" possible shadowers.

The porter was then to take the baggage to his hotel, from which it was to be sent to the Department of Justice office. Much to my surprise, at 9.40 a. m. this porter telephoned me that he had not only had the baggage outside his hotel, but also Dr. Irias and his secretary were with the baggage in the taxicab.

He said Irias had insisted on accompanying the baggage to the United Fruit Co. dock. This more than ever convinced me that the contents of the baggage must be important.

I instructed the porter to take Irias and the baggage to the steamship dock, but spend as long a time as possible in arriving there. I got in touch with the superintendent of the New Orleans division of the department and suggested that he arrange with one of the officials of the steamship company to see that the baggage was put on board the steamer and that just before she sailed it be covered with a tarpaulin and carried off the vessel.

Mr. Beckham, of the New Orleans office of the department, proceeded to the dock, and, working in cooperation with the port captain, handled this matter satisfactorily. The baggage was removed from the steamer just before she sailed and was then carried to the New Orleans office of the department, where it was "frisked" and found to contain absolutely nothing of importance. It was filled with clothing, etc., which Irias really wished to send his family.

The Department of Justice forwarded the trunk and box on the following steamer for Costa Rico.

From March 25 to March 29, 1917, I called daily in the mornings on Irias, endeavoring to persuade him to accompany me on a motor journey and take luncheon with me. On two of these occasions he said he would be glad to go, and put on his hat, but instructed his secretary to stay in the room until he returned.

Watching the automobile outside the hotel were several agents of the Department of Justice, waiting to see me drive away with Irias and his secretary, in which event I was scheduled to keep Irias and his assistant away from the hotel for not less than four hours. Irias's instructions to his secretary to "remain" defeated this plan until the morning of March 29.

On that morning, after arguing for an hour and a half, I succeeded in taking Irias and his secretary for a ride and for lunch, with the proviso that I would have them back by 2 o'clock. It was noon before we were safely out of the hotel and on our way.

I had told the chauffeur of my car not only to drive slowly, but on the way out to a resort 10 miles from the city to arrive there by a circuitous route, and also to experience an "accident."

This resulted in consuming an hour and a half. I had previously arranged with a friend of mine, who was to serve our lunch at the resort, to drag the meal for at least another two hours. During luncheon Irias and his secretary imbibed many mixed drinks and several pints of wine. He "opened up," revealing additional revolutionary plans and reiterating others.

Irias expressed a desire to return to the city shortly after 3 o'clock. Department of Justice officials had impressed on me the necessity of detaining Irias until 4 o'clock. To kill additional time, I had arranged for a yacht to be moored on the lake and within full view of the restaurant, in the hope that I might induce Irias and his secretary to board the vessel

As we left the dining room I pointed out the yacht nonchalantly and advised Irias to "look her over," saying that she resembled a boat that Rosales expected to use in his expedition. Irias, apparently thinking it would delay him but a few minutes, assented, and we went aboard. I suggested that we take a 5 or 10 minute "spin" to show "what she could do."

My previous arrangements included an understanding with the captain of the boat whereby we would run at least 10 miles out and consume at least an hour's time, even if it were necessary to "break" the engines.

Irias, who was fond of boats and boating, enjoyed his "spin" until sleep overtook him as he sat on deck and basked in the warm sunshine. The sunshine, food, wine, and air also affected Irias's secretary. By the time the pair of "sleeping beauties" awakened we were so far out that we did not make the moorings again until after 4 o'clock.

The chauffeur of the automobile had been instructed to delay his return to the city. At 4.30 p. m., about halfway in, we stopped at a road house, which offered me an opportunity for telephoning the department office to learn how affairs were progressing. Department agents informed me that when they had entered Irias's room they were unable to open his trunk and other baggage without breaking the locks on his luggage.

Also, it was said that his baggage contained such an unusually large quantity of important papers that it was utterly impossible in such a limited time to photograph them and return same and have the locks repaired. The officials had decided, they told me, on account of the compromising nature of Irias's documents, to arrest him. But to keep me "covered" from suspicion on the

part of the revolutionists, it was suggested that I "warn" Irias that the secret service agents had searched his room, secured his documents, and were waiting to arrest him on sight, and that I would anchor him in the meanwhile in a "safe place" and at a later hour in the day he would be taken into custody by the Federal authorities.

I hurried out of the road house, assuming a worried and highly alarmed air, and told Gen. Irias I had telephoned my office on a business matter and had been informed by one of my men that he had seen a corps of secret-service men at Irias's hotel, and that they had searched his room, seized his papers, and were coming to the city to locate him.

I thought the general would suffer a stroke of apoplexy. He became immediately sober and began to wring his hands and moan hoarsely. The secretary seemed nauseated, and from the appearance of things I thought a hospital would be the most appropriate place for these men.

I encouraged the general's spirits by saying, "Don't worry, my general; I'm your comrade, not only in sunshine but in storm. Leave it all to me."

I told him I would drive around town with him to prevent his falling into the hands of "those damned secret-service men" and added that we would procure an attorney to fight the case. I advised him to let me hide him until he could get out of New Orleans or could make up his mind what course to pursue.

I took Gen. Irias to a hotel, planted him in a room where an assistant of mine, in offices across the street and employing field glasses, could keep tab on him. The room also was watched from the hallway. However, the general was so impressed with the desire to hide that he wouldn't have left his room had an earthquake shook the structure.

With the general anchored safely, I met representatives of the Department of Justice and was instructed to be back in Irias's new room at 8.30 o'clock that night. I was told that between 8.45 and 9.30 p. m. secret-service operatives would knock on the door, and on admittance they would enter a bitter row with me about the attempted arrest of Irias.

I returned to the apartment at the appointed hour and told him the best thing to do would be for him to leave the city by motor car that night on the Galveston Road. We were to make the attempt at midnight and pick up a train early in the morning. With a sick smile the general said:

"Ah, my good amigo comrado," patting me on the back. "I am in your hands. Do what you like, for I am in a strange land, full of enemies."

At about 9.20 p. m. a resounding knock was delivered on the locked door, which door Irias had tested carefully to see it was locked. This was followed by typical police knocks, and I yelled:

"Who is there?"

The answer, coming in a gruff tone, was:

"Open that door and do it quick, or it will be broken in."

I retorted:

"I will not until you tell me who you are."

The answer came:

"It is the secret service."

At that, Irias, as it appeared to me, would never be able to finish the dash he began toward the bathroom. His secretary took one forlorn look at the bathroom door, through which Irias did manage to stagger, and chose a clothes closet as his temporary refuge.

Meanwhile there came several more knocks. I opened the door. Two Department of Justice agents, accompanied by a pair of city detectives, both friends of mine, pushed into the room. They closed and locked the door. The prearranged dispute was launched in loud tones, and I was asked:

"What in h—l are you doing here? Where is Irias and his revolutionary associates?"

I denied I knew where they were and said the last I had seen of them was at the resort where we had had luncheon. This brought on fits of anger on all sides. Irias and his aid heard all the rumpus and must have thought there was about to be bloodshed. Finally one of the city detectives advised that I be "rapped on the bean" and the room be "frisked." At this a very audible groan floated out from the depths of the clothes closet. I stepped in front of the clothes closet and began wrestling with one of the detectives to "keep him from opening the door." However, he won out and reached in, pulling out the limp form of the secretary.

An assault was made on the bathroom door, which had been locked by Irias. The general apparently had decided to remain in there indefinitely. I then called out:

"The game is up, my general. Open the door and come out."

He did so. While in the bathroom he had removed his coat, vest, collar, and tie. As he came out he had his hand on his stomach and was gasping:

"Oh, Mr. Jon-as, I am so ver' seek. What do these men want here? Tell them to get out my room."

He was told to "put on his clothes and come along." The general, who understood English perfectly, said:

"I am seek, so ver' seek. No comprehendo."

However, the general took three long drinks of whisky and was calmed enough to be ushered, together with the secretary and myself to the jail. As the lockup loomed in view, the general announced that he was hungry. I insisted that he be taken to a restaurant. This was done. Irias was placed in a cell at midnight and held for the Federal authorities.

I assured Gen. Irias in jail that I would arrange bond and procure an attorney. The general, however, not waiting for me to make any arrangements of this character, early the next morning got in touch with an attorney friend of his, who immediately saw the United States district attorney. The latter, after conference with the superintendent of the New Orleans offices of the department, so I was told, agreed to release Irias in custody, provided he would leave the United States. Within a few days thereafter Irias departed from these shores.

Several months prior to this episode there had been a discussion of the case between myself and officials of the Department of Justice in Washington and New Orleans as to the most feasible manner of securing an opportunity of photographing all papers and documents in possession of Rosales and Peralta and returning them so that their plans would remain unchanged and to leave them unaware of the photographing of the papers.

The plan agreed upon was that whenever the opportunity was afforded I was to hurry out to the houses of Peralta and Rosales at some midnight hour, telling them I had been "tipped off" that the secret service planned to search their homes for revolutionary papers. I was to say that these papers, if found in their possession, would send them to prison, and which, as we thought, would result in their becoming frightened and passing their documents to me for safekeeping and in that way would enable the department to photograph them.

On the night of March 30, 1917, after having wound up the Irias case, I was advised that the "psychological moment" had arrived for lifting the papers. Anticipating that they might not turn over the papers, but instead might sneak the papers out of their houses, we "covered" the houses to insure success in case my first plan failed.

The wisdom of this latter precaution was made obvious. Accompanied by two operatives, I drove to Peralta's house, No. 3426 Canal Street, arriving there at 2.30 o'clock on the morning of March 31. When he came downstairs, I informed him Irias had been arrested and all documents in Irias's room had been seized. I also told him that up to the time of Irias's arrest the latter had been shadowed continually and had been seen with Rosales and Peralta. I added there was no doubt but that Federal authorities early that morning would come to Rosales's and Peralta's houses to take documents.

I suggested that Peralta bundle up everything of a compromising nature and entrust the package to me for safekeeping. He said this was a splendid idea, but declared he had no papers, with the probable exception of a dozen letters that, after all, "amounted to nothing." I told him to get them ready so that I could take them after I returned from Rosales's house, explaining that I was on my way to warn the latter.

Proceeding to Rosales's residence, I awakened him at 3 a. m. He said he would have one of his men, Roman Diaz, carry such compromising matter as he might have to the home of Diaz's sweetheart on St. Louis Street. He added that the papers in his possession "were very limited," but that Peralta had tremendous quantities of the more important ones, and as far as he, Rosales, was concerned, he would immediately burn those he had.

To avoid overplaying my hand, I merely warned him not to destroy his documents, holding forth that such a move would imperil the cause in which we were "interested" and said I would return to Peralta's house for a con-

ference. I told Peralta that Rosales said the latter had "all the important papers." His answer was:

"Rosales is either a liar or is crazily scared."

I spent 20 minutes with Peralta and said good-night, then, returning to Rosales's house. When I arrived there the entire place was full of smoke, with the odor of burning paper rising. He told me he had four grates and the kitchen stove consuming the compromising papers. I said it was "a fine move" and warmly congratulated him for so doing. Incidentally, I could have throttled him for having thought of such a plan.

I suggested to Rosales that he pack the rest of his papers and send them out to be hidden at the homes of some of his aids. I left him at 3.30 a. m., feeling certain that either of the two men would have their bodyguards carry out their most valuable papers. Meanwhile I had the two operatives "planted," one near the door of each home.

About 3.45 a. m., from where I was stationed, in back of some palm trees a block away from Peralta's house and where I had full view of same, I noticed one of Peralta's men come rushing out, lugging a very bulky handbag. One of the operatives permitted this fellow to move half a block and then stepped out and placed him under arrest, accusing him of being a dangerous and suspicious character. The other operative joined his partner, and I then drove up in my car. The Belize Negro of Peralta's instantly recognized me and said:

"Boss, please tell these detectives that I am all right."

I asked him what he was doing out at that hour in the morning, lugging a big grip. He replied that he was on his way to the market to get provisions for Peralta. I protested vigorously about the operatives holding the man, and I called the Negro aside, telling him I would try to bribe one of the detectives to release him. Then I called the officer aside and told him to take the man to police headquarters and hold him subject to the orders of the New Orleans division of the Department of Justice, and then to bring me the grip. It was then about 4 o'clock in the morning.

As I started back toward town, it occurred to me it would be wise to stop again at Peralta's and tell him I had seen one of his men arrested. His house was illuminated and I was admitted by Peralta. Peralta, on being informed of the arrest, became all but insane with fear and anger.

Thrown over my right arm was a raincoat, in the pocket of which was a heavy caliber automatic pistol. I was armed also with a smaller caliber automatic, attached to my belt on the left-hand side. Intuitively I placed my hand on the larger automatic in the raincoat pocket as I stepped in.

He threw his right hand to his hip. He drew his pistol half way. With his face distorted he said:

"I might as well be dead as have that grip which my Negro had fall in the possession of the authorities."

He added:

"By God, Jones, this is all your fault!"

Thinking he intended to take a shot at me, and then to commit suicide, I warned him, never taking my gaze from his eyes:

"Don't draw that gun, for you'll never have time to use it. I have you covered through the pocket of my coat."

To this day I don't understand why, when he attempted to "throw his gun," I did not pump several bullets through his stomach. However, I was able to stand still and to keep cool and convinced him, apparently, that by bribing the detectives or in some other way I could regain possession of the grip. I had left the chauffeur in the car when I entered the house, but much to my surprise he told me that he had crept in the yard and was watching Peralta through a window opening into the hall, and that it was a mystery to him, when Peralta "dove for his gun," why I had not shot the revolutionist.

After cooling down Peralta, I backed out the front door and to be honest about it was glad to have been able to escape from the situation without killing him.

At 5 o'clock that morning the operatives turned the grip full of papers over to me. Within the next hour they were in possession of the Department of Justice officials at New Orleans.

In our casual examination it was found there were hundreds of letters, documents, etc., by and between officers of the Mexican Government in Mexico, some of their officials in the United States and many other compromising matters. These letters and documents fully corroborated all my reports regarding the

plans of Carranza and his officials in connection with Rosales, Peralta, and others in Carranza's Central American revolutionary plots.

The Department of Justice also had confirmed the reports through other sources of information than myself. The New Orleans division officers decided that these papers were of such paramount importance that they be submitted immediately to the Washington headquarters. The papers left New Orleans that morning for the National Capital.

At 9 o'clock a. m., Peralta telephoned me to learn if I had been successful in regaining the grip. I said I had, and added that I had "slipped the detectives a piece of money" and the grip was so full of compromising papers and the Federal authorities appeared to be so hot on the trail that I was afraid that they would be found in my possession and I would be arrested and imprisoned. To play safe, I declared that I had expressed the grip to a relative of mine in Washington for safekeeping.

Several months before this, a party who I thought was a very close friend and who also was friendly with Rosales and Peralta, had been hypnotized by the revolutionists into the belief that untold wealth awaited him if he cooperated with them and they came into power in Honduras. This person had for some time a covert idea that I might be "tipping off" the authorities to Rosales and Peralta.

For some time before I succeeded in flushing the papers of out possession of Rosales and Peralta and into the hands of the authorities, as I learned later, Peralta and Rosales, with never a sign to me, were becoming suspicious, regarding my solicitude in their behalf. This was the result of my friend's treachery to me. For that reason Peralta and Rosales did not turn the papers over to me on the morning I tried to get them.

I also learned subsequently that the treachery of my friend resulted in plans by Rosales and Peralta to have me "bumped off" quietly. I did not know of these facts until two and a half months after the above scenes.

To make my bluff stick in regard to my having warned Peralta and Rozales regarding the raids by Federal agents, the Department of Justice carried out, on the morning of March 31, with Federal search warrants and several operatives, a "blind" search.

That evening at 5 o'clock, at Peralta's request, I went to his house. I had been received prior to this time always in his parlor. His negro cook informed me that Mr. Peralta was upstairs and took me up to one of the bedrooms, where I found Paralta, Rosales and two of their gunmen. This looked odd, so I shook hands with all of them, meantime keeping my back away from any of the quartette. I took a chair and backed it in a corner, where I could watch each man.

I again assured Peralta and Rosales that their papers were safe and that I had telegraphed to have them returned to New Orleans, as Peralta had requested over the telephone that morning. The Rosales-Peralta papers were returned to me on April 9, 1917, and I was instructed to surrender them to their owners, which I did.

Rosales and Peralta, shortly after this date began consummating their final plans and arrangements to start their several revoultionary expeditions against Honduras. The United States, having secured all necessary documentary proof and evidence sufficient to convict all parties involved and with every card in governmental hands, waited quietly for the launching of the movement.

These revolutionists expected by the middle of May to have each of the several expeditions in motion. Delays, however, changed some of their plans and they finally set the date of the expedition which was to leave New Orleans for the first week in August.

Prior to this time they had received a letter regarding one of the boats to be used in the expedition.

This letter from Belize, British Honduras, on December 8, 1916, M. A. Perdomo wrote to Peralta in New Orleans:

"I have investigated whether the boat of Fogarait can go to Payo Obispo, but I am told that she draws too much water to get there, but you can send the big boat easily to Xcalax and wait there for the lighters from Payo Obispo, and that way you do not have to go into the colony at all, as it is very easy to communicate from Xcalax to Payo Obispo.

"In case that you should get to a port in Honduras and that you should need an agent there, I would suggest Mr. Aurelio Lainfiesta, who is a reliable man of good habits and is also employed by us. I shall see to it that he will attend to all your business in the proper manner.

"Without any further news for to-day, I beg to remain,

"M. A. PERDOMO."

During all my connections with these revolutionists, they repeatedly had become indebted to me for various sums of money lent for their expenses and for the purchase of arms, ammunition, and other supplies. All of these items were covered fully by contracts or by memoranda of agreement with them and which were photographed by the Department of Justice as soon as they passed into my hands.

At one time these parties were "in on me" to the extent of more than $7,000, and in the end my net loss in cash was in excess of $2,000.

The following are typical of some of their agreements, which, as soon as made, were photographed and copies of same sent to the chief at Washington and to the State Department:

UNITED STATES OF AMERICA,
STATE OF LOUISIANA,
Parish of Orleans.

The following agreement, made and entered into this 19th day of October, in the year 1916, by and between Gen. Maximo B. Rosales, his associates, assistants, and heirs and assigns, a citizen of the Republic on Honduras, Central America, and temporarily residing in the city of New Orleans, State of Louisiana, party of the first part, and Chas. E. Jones, his heirs, and assigns, residing in the city of New Orleans, State of Louisiana, party of the second part, witnesseth:

For and in consideration of services rendered to the party of the first part by the party of the second part, and for the further consideration hereinafter stipulated in this contract, the party of the first part agrees hereby, for a period of one year from date hereof, to purchase from the party of the second part, any and all arms, ammunition, and equipment of every kind and description whatsoever, which said party of the first part may purchase in his individual capacity or in any official capacity; that said party of the first part likewise agrees hereby to purchase from said party of the second part any and all gunboats, steam vessels, sailing and auxiliary vessels, whether armed or not, of any and all kinds of description, exclusively through said party of the second part, and whether the party of the first part purchases said property in an individual or an official capacity, or for himself, or for any political party or government with which the said party of the first part may be connected.

Said party of the first part further agrees hereby to purchase all commissary supplies, uniforms, and equipment of every nature and kind necessary and proper to equip soldiers, sailors, and all other persons that may be or come under his direction and contract.

It is further hereby agreed that it is the intent and purpose of this contract not only to obligate said party of the first part to make all of said purchases through said party of the second part, but also to obligate all of the aides, assistants, and officers of said party of the first part, or who may becomes aides, assistants, and officers of said party of the first part, to make all such purchases by and through said party of the second part.

It is further hereby agreed that it is the intent of this agreement that said party of the second part shall be the agent of said party of the first part in the making of all purchases as hereinabove set forth and contemplated, whether said purchases are made by said party of the first part directly or through his associates, officers, or assistants, and whether said purchases are made by him as an individual, or political leader, or as an official of any government.

Witness our hands, in duplicate, in the city of New Orleans, on the date first above written.

M. B. ROSALES.
CHARLES E. JONES.

Gen. M. B. ROSALES,
No. 116 South Hagan Avenue, New Orleans, La.

DEAR GENERAL: As per conversation with you to-day, it is herewith understood by and between Señor Pedro Grade de Peralta, yourself, and myself that when the boat for your expedition against Spanish Honduras is ready to leave the port of New Orleans that I will advance or cause to be advanced by other parties the price of $2,500 worth of food and commissary supplies, such as corn, rice, meat, and other eatables selected by you as per written list that you are to furnish me with. Also, at that time, $250 worth of boots and shoes as per list you are to furnish me with.

You, in consideration of this, are to give me your note, payable within 30 days from date of said note, for the sum of $2,750.

I also agree to advance or cause to be advanced by other parties to you, in cash, the sum of $5,000, same to be placed at your disposal six days before your expedition sails from the port of New Orleans. You, at the time this $5,000 is placed at your disposal, are to give me your note payable within 30 days from the date of said note.

It is also understood that the said Pedro Grave de Peralta is to indorse said notes.

This agreement, covering the matters mentioned heretofore, is on this 13th day of January, 1917, by and between all of the parties signing same, entered into in the city of New Orleans, parish of Orleans, State of Louisiana, and in the United States of America.

Witnesseth:

ROMAN DIAZ.
LAVISLOS SANCHOS.
M. B. ROSALES.
CHARLES E. JONES.
PEDRO GRAVE DE PERALTA.

About the first week in August, 1917, officials of the Department of Justice and the State Department at Washington decided, so I was informed later, it would be dangerous to take further chances with the possibility of Rosales, Peralta, and their associates slipping out of New Orleans with their armed expedition. Orders, I was told, were issued to the superintendent of the New Orleans Division to close in immediately on all the revolutionists, arrest them, and indict them for violation of the neutrality laws.

On August 5, 1917, Gen. Maximo B. Rosales, who had moved in the meantime to Mandeville, La., was arrested there by department agents. Roman Diaz and Ladisalo Santos and others were taken into custody by the authorities.

Peralta was brought in to the Department of Justice, and, as I was told later, broke down completely and agreed to make a complete confession regarding their entire plans and plots. He was to become a witness for the Government, and, as sometimes occurs, it was probable that he would have received immunity in exchange for his becoming a traitor to his associates and their cause.

I could not have been used as a witness, for it would have blocked my future activities among other revolutionary groups. Peralta at this time made a signed statement, which is on file in the Department of Justice records. These revolutionists had violated every known neutrality law. The Government had sufficient documentary proof to convict all of them, but irrespective of this fact, the United States district attorney at New Orleans, I was informed, recommended to the Attorney General that these men be permitted to elect the privilege of suffering deportation or standing trial for their offenses in the Federal courts. Quite naturally, they elected to be deported.

When Roman Diaz was arrested at New Orleans by Federal authorities, the following diary was found in his possession:

"July 3, 1917. We left New Orleans from Mandeville (a small town 20 miles from New Orleans).

"July 7. Gen. Carranza has given us the necessary help and special orders.

"July 9. I am informed from La Ceiba (a town in Honduras) that partners are ready and that we must fix the date.

"July 17. A letter from Santos advised me that the deal has been closed in Mexico.

"July 19. Lara and Santos call me by cable from Vera Cruz.

"July 20. They tell me to leave in a hurry.

"July 30. We left Mandeville together with the General and Tonche (this refers to Gen. Rosales and his wife) and we had coffee on the boat.

"July 31. They have surrendered their house and I took out my passage. They left New Orleans on August 1, at 6 p. m., and I left them at the boat, which they boarded at 8 p. m. (Referring to Rosales giving up his house at New Orleans and proceeding to Mandeville. The passage mentioned refers to Diaz purchase of ticket to Vera Cruz.)

"August 1. Gen. Rosales, $1,200.

"August 2. For funds for the campaign."

Included in Diaz diary was a list of expenses which he and Santos had incurred in Vera Cruz for the purchase of revolvers, cartridges, clothing, and

provisions, the charter of a boat, and the advance payment to 100 Mexicans who were to participate in a part of the expedition. The total expenditures for this purpose is set down as $10,180. The diary also included a list of rifles, cartridges, dynamite, powder, canon, lead, bomb throwers, machine guns, carbines for cavalry, two mountain guns, and other equipment.

Following is a sworn statement made by Roman Diaz when he was arrested, the English translation reading:

"My name is Roman Diaz Maldonano, and I am not more than 34 to 36 years old. I am living with my family in Yuscaran and Tegucigalpa. Four of my brothers are mlitary men; one of them, Pedro Diaz M., is now in Government service; the other three are farming now and have no longer any military connections.

"I am not doing anything now, and am living on $500 which I brought with me. I fled from my home in July last year on account of the persecution of the present Government. Membreno was then President ad interim after the death of Bonilla and before the presidency of Bertrand.

"They followed me up to the north coast of Honduras by orders of Membreno and I was put in prison for one month. From there I was freed by the Vacasr brothers. With me they made prisoners of Doroteo Hernandez Hafael and Diaz Plata, Samuel Woya, Miguel Anjel Cruz, Jose Antonio Gomez.

"I was military commander of Marcala under Davila in 1911 and Gov. Davila's administration. I was also in three companies with troops of the Government. I also was first aid de camp of the President, Gen. Trerencho Sierra, and Manuel Bonilla.

"I left La Cerbia on the 26th of July, fleeing through the mountains and the plantations, pursued by the soldiers of Monterossa, and after four months I was able to cross into Guatemala.

"I sailed from Puerto Barrios about the 21st or 22d of November and I arrived in New Orleans November 28, 1916. I have been here ever since without any employment and only living off the money which I brought along. I have stopped at several places here, but I was forced to change my abode frequently after having been informed that I was followed by spies of the consul of Honduras. Chavez and I were afraid of them.

"I received about four drafts, the money coming from my family and sent to me through Mrs. Condra Fortin Rosales, and which she handed to me, to be collected from the Whitney Bank. Sometimes money for me was placed to the account of Mrs. Condra Fortin Rosales in Tegucigalpa, and from there the draft was sent to her.

"Sometimes she gave me the money, and then again the draft, which I cashed at the Whitney Bank with an introduction from Gen. Maximo B. Rosales, her husband. At the same time my wife addressed her letters to me here under Pedro Perez, informing me of the amounts deposited.

"The only friend that I have here is Gen. Maximo B. Rosales; all the others are in the employ of the consul, and for that reason are my enemies.

"Maximo B. Rosales handed me $1,200 on August 1, charging me to deliver it to his friends in Vera Cruz, to be employed in his companies, and I was told to hand it directly to Ladislao Santos, the confidential agent of Rosales. This money is the same that was taken from me by the agents of the Deparment of Justice of the United States when they examined me here in the office. I recognize Gen. Maximo B. Rosales as the chief of the Liberal Party in Honduras, as he is known all over Central America. In this deal I was employed as a messenger and an agent of Gen. Rosales."

The following is a statement of one of the accounts, showing disbursements by Peralta to his chief, Gen. Maximo B. Rosales, that was secured from Rosales at the time of his arrest:

Miscellaneous	$102.95
As per receipt of Dec. 2	2,160.00
As per receipt of Dec. 14	400.00
Given to Mrs. Peralta	50.00
On Jan. 19, 1916, miscellaneous	300.00
Trip to Belize and money handed some of our partisans	400.00
Total	3,412.95

Four hundred and fifty dollars loaned to Mr. F. R. Villavicentio, Mexican consul at New Orleans at 4 per cent per month.

The statement of Ladislao Santos, one of Gen. Maximo B. Rosales's messengers and agents in Mexico, which was made by him when he was arrested by United States authorities at New Orleans on August 5, 1917, follows:

"Gen. Maximo. B. Rosales's messenger left in the latter part of June, 1917, for Mexico, via Laredo, and reported to Rosales from Mexico City in a letter dated June 28, 1917.

"In this letter he claims to have destroyed his letters and cable codes during an attack of the Villa followers on his train, but adds that everything looks very favorable for their plans in Mexico. He states that he has met J. Miguel Enriquez, another envoy of Rosales, who assures him also that all goes well in Mexico for them.

"This Enriquez is favorably mentioned in a letter from Gen. J. Catro, subsecretary of war and marine to Gen. Isidro Valdeza, one of the principal leaders of the Guatemalan revolutionists in Mexico, and who was in actual warfare against Estrada Cabrera in 1916.

"Enriquez also reports to Rosales in a letter dated July in Mexico City that Estrada Cabrera is giving aid to the Felix Diaz movement and that Gen. Lee Christmas went to Mexico for that purpose. He says further that the Honduran minister, Wintia, is expected in Mexico City, but adds that he is harmless.

"IN A LETTER DATED MEXICO CITY, JULY 30, 1917, LADISLAO SANTOS, ROSALES'S MESSENGER, CLAIMS THAT HE NEEDS MONEY FOR A VOYAGE TO YUCATAN TO SEE GEN. ALVARADO, THE GOVERNOR OF YUCATAN, ABOUT SOME PROMISED WAR EQUIPMENTS. HE ALSO CLAIMS TO HAVE BEEN INTRODUCED TO GEN. TREVINO AND GEN. OBREGON AND PRESIDENT CARRANZA, AND WHO HAD TOLD HIM TO ASSURE ROSALES OF 200 RIFLES ADDITIONAL. HE THEN REFERRED TO SOME MEXICAN SENATOR AND STATES THAT THIS SENATOR IS HIGHLY INTERESTED IN THEIR UNDERTAKING, AS IT WOULD BE A POLITICAL STROKE THAT WOULD UNSEAT ESTRADA CABRERA. HE ASKED ROSALES TO WRITE TO HIM TO THE HOTEL RITO, ROOM 404, MEXICO CITY. IN THIS LETTER HE BEGS ROSALES TO DISPATCH ROMAN DIAZ TO VERA CRUZ.

"In a letter dated Mexico City, July 24, 1917, Ladislao Santos tells Gen. Rosales that he and Lara have everything ready, cloaking his enterprise in a deal for a plantation, and that they are only waiting for the arrival of Roman Diaz to cut the fruit. He asks Rosales to send the money in gold.

"In a letter dated July 1, 1917, Payo, Territory of Quintana Roo, Mexico, Col. R. Loriano, the representative of Gen. Rosales in that part of the country, tells him that the governor, Carlos Vidal, as well as his assistant, Col. de la Rosa, have been called to the front in Tabasco to fight the rebels and are unable to do anything for him now.

"He advises them to get in touch with the secretary of war in Mexico City through the agents for orders to the successors of these two men, and says that he has a party in the port of Xialac, with the name of Narasco Rivera, who is willing to act as a receiving agent for all the goods shipped there from Vera Cruz.

"According to the reports from other agents of Rosales, their men are still waiting to join his expedition, and they are now strung along in the ports of British Honduras and Mexico, such as Payo Obispo, Corazal, Beliee, Punta Gorda, Stann Creek, etc."

A few days after the arrest of Rosales, Roman Diaz, Ladislo Santos, and other of their associates, they sailed from New Orleans for Mexico. Shortly after that Peralta disappeared from the city, headed presumably for Habana, Cuba.

In this way ended Carranza's plot to expand his dictatorship into all Central America by revolutionary intrigues. Through the activities of the Department of Justice, the greatest and most successful secret service organization in the world, Carranza's plans in connection with Von Eckhardt, the German ambassador, to make all Central America pro-German were defeated, saving the United States and her Allies from facing in Central America a pro-German sentiment and activities there similar to those she had to contend with in Mexico.

Confidential report by Cresse to Department of Justice re Juan Guevara, of Eagle Pass, Tex., smuggling ammunition from San Antonio, Tex., into Piedras Negras, Mexico:

NEW ORLEANS, LA., *September 25, 1918.*

Through ——— ———, one of my informants on the border, who has the confidence of Juan Guevara, of Eagle Pass, Tex., who is in the jitney business at Eagle Pass, learn that Guevara for the last several months has been very active in running ammunition out of the United States to Gen. Peraldi, the Mexican military commander at Piedras Negras, Mexico.

Under date of September 11, 1918, ——— wrote me that Guevera carried 10,000 rounds of 30–30 cartridges out of San Antonio, Tex., during the week starting September 2, 1918. These cartridges were carried by Guevera in his automobile from San Antonio, Tex., to Eagle Pass, and that when he arrived in Eagle Pass with them they were then slipped over the river to Gen. Peraldi.

——— tells me that Guevara makes the trip by automobile to San Antonio and return to Eagle Pass on an average of about once a week.

——— states that inasmuch as he is in the confidence of Guevera, that he can arrange to leave San Antonio, Tex., with Guevera in his automobile when he has it loaded with ammunition, and in this way Guevara can be caught with the goods.

Would respectfully recommend that ——— be allowed to handle this matter, for I feel confident of the fact that he can in this way catch Guevara running the ammunition.

When I arrive at San Antonio, Tex., will discuss this matter with Mr. Brenniman, superintendent of your San Antonio division, and if my plans regarding Guevara meet with his approval, then in that event will arrange to handle this matter as suggested with ———.

The ex-Mexican consul at Eagle Pass, Tex., Teodora Frezieres, who has been mentioned in my previous reports as being implicated in smuggling arms out of the United States, has recently been transferred to San Antonio, Tex., and Seguin, who was consul at San Antonio, Tex., has taken charge of the Mexican consulate at Eagle Pass, Tex.

Seguin likewise has been mentioned in several of my previous reports has been actively engaged in smuggling ammunition out of the United States into Mexico.

Juan Guevara is on very close and intimate terms with Consuls Frezieres and Seguin, and both Consul Frezieres and Seguin are the principals behind Guevara.

Confidential report by Cresse to Department of Justice re Juan Guevara, of Eagle Pass, Tex., smuggling ammunition from San Antonio, Tex., into Piedras Negras, Mexico.

NEW ORLEANS, LA., *November 13, 1918.*

Under date of November 10 ——— wrote me that Juan Guevara, who has been smuggling arms and ammunition from San Antonio, Tex., to Eagle Pass, Tex., and from there into Piedras Negres, Mexico, for the Mexican Government, recently died from influenza.

——— also tells me, however, that undoubtedly some of Guevara's associates will continue to smuggle arms and ammunition by automobile out of San Antonio, Tex., in cooperation with Mexican Consul Seguin, of San Antonio, who is operating with Mexican Consul Teodora Frezieres, of Eagle Pass, Tex.

Bibb also recently wrote me that Gen. Peraldi, the military commander in the Piedras Negres district, was offering large inducements for arms and ammunition. I therefore on November 12 wrote ——— as follows:

"Looking over your reports for the past month I notice in your letter of October 2, on page 5 of that letter, you state Gen. Peraldi is offering very strong inducements for 30–30 rifles, carbines, and 30–30 cartridges.

You will remember you wrote me on or about the 1st of October in regard to that fellow Juan Guevara, who has been running arms and ammunition for Seguin, the Carranza consul at San Antonio, in connection with Frezieres, the Carranza consul at Eagle Pass, and if Gen. Peraldi, as you say, in your letter, is offering any inducement for arms and ammunition, hope you will be able to make arrangements through some other party or parties whereby we can sell

Peraldi or any of the Carranza crowd all of the arms and ammunition they want. I can secure any quantity and in this way we will be able to involve all of those mixed up in the transaction and in the end cause the arrest of the entire crowd. Keep this very confidential, handle it carefully and I believe something may come of it."

As mentioned in my letter to ———, provided he can handle the matter with Gen. Peraldi for Teodora Frezieres, Mexican consul at Eagle Pass, or Consul Seguin at San Antonio, I will be able to have friends of mine arrange to sell them the ammunition, ——— states they are in the market for.

If you have any suggestions or instructions to give me regarding this proposed plan, in that event will be glad to receive same.

Refer you to my report of September 25, 1918, entitled "Re Juan Guevara, of Eagle Passs, Tex., smuggling ammunition from San Antonio, Tex., into Piedras Negres, Mexico." This report will give you full information regarding how this ammunition previously has been handled. Also refer you to my previous report dated September 24, 1918, entitled "Re alleged participation of Mexican Government in smuggling narcotics out of Mexico into United States and ammunition from the United States into Mexico via Mexican mail coaches and in Mexican mail bags," will give you full information as to how the Carranza Government is getting arms and ammunition out of the United States into Mexico.

(Cresse is code name for Jones.)

STATEMENT BY CHARLES E. JONES REGARDING JUDGE CHARLES A. DOUGLAS, WHICH IS REFERRED TO ON PAGE 5804 OF MR. JONES'S TESTIMONY.

In so much as I have explained to the committee regarding the loyalty of Adam Leckie to the United States and his continued efforts to assist the United States Government regarding Mexican affairs, therefore I believe, in justice to Judge Charles A. Douglas, that I should also inform the committee of the fact that as long as I have known Judge Douglas I have never seen or heard him say or plan ot do anything for the Mexicans that could in any way be construed as being harmful or detrimental to the interests of the United States. On the contrary, know that if Bonillas, Carranza, Luis Cabrera, and other Mexican Government officials had followed the advice of Judge Douglas that conditions in Mexico for the last several years would have been far better than they were.

Repeatedly Judge Douglas, as Carranza's legal adviser in the United States, was able to render service of the greatest value to the United States Government. I believe the committee should also be informed at this time of a statement made to me by A. Bruce Bilaski, at that time Chief of the Bureau of Investigation, United States Department of Justice, regarding Judge Douglas. This was in 1916 or 1917 . I asked Mr. Bielaski if Douglas could be depended on as far as the United States was concerned in Mexican affairs. Mr. Bielaski said that whenever any emergency arises regarding Mexican matters that Douglas invariably would gladly cooperate with the Department of Justice, and, if necessary, or desired, they could secure from Judge Douglas at all times any information or documents he might have regarding Mexico or Mexicans, provided it would be to the interests of the United States Government for him to furnish same. Furthermore, Mr. Bielaski stated that Douglas, first of all, was an American.

Having known Judge Douglas for several years I consider that his loyalty, as far as Mexican affairs is concerned, was always of the same type as that of Adam Leckie.

Confidential report by Cresse to Department of Justice re Jerome S. Hess, of New York, calling at Mexican embassy, 1413 I Street NW., Washington, D. C.

NEW ORLEANS, LA., *July 6, 1918.*

On July 1, at about 4.45 p. m., Mexican Ambassador Bonillas, Godchaux, and myself were in the front parlor on the right-hand side of the hall, and the door bell rang and a maid went to the door. I heard a man ask for Bonillas, and the maid told him that the ambassador was busy. The man, however, insisted that he was a close personal friend of the ambassador and told the maid that

he was Mr. Hess and to take his card to the ambassador. The maid therefore brought the card into the parlor, and the ambassador sent word to Hess to call later. Godchaux palmed the card off the card tray in the hallway as we went out.

The original card with the name Jerome S. Hess, in his handwriting on the back of his card, is herewith attached to this report.

Hess is a member of the firm of Hardin & Hess, 50 Pine Street, New York.

(Cresse is code name for Jones.)

Confidential report by Cresse to Department of Justice re attaché of French Embassy at Washington calling at Mexican Embassy at Washington.

NEW ORLEANS, LA., *July 8, 1918.*

During my recent trip to Washington, several times called at the Mexican Embassy as per my previous reports.

On the afternoon of June 28, at about 2.45 p. m., when I entered the embassy was shown by the butler to the parlor on the right-hand side of the hall, and at that time heard conversation between a man and a woman in the parlor on the left-hand side of the hall.

After the butler left me I took a look into the parlor where the man and woman were, and saw that the man was dressed in a uniform of a French Army officer, and that the young lady he was talking to was Miss Bonillas, one of the daughters of the Mexican ambassador.

A few moments thereafter they came out of the parlor and as they came through the door of the parlor the French Army officer had his arm around the waist of the young lady.

They left the embassy and entered an automobile which was driven by the French Army officer. The Maryland license of this automobile was No. 80237.

At about 4 p. m. that afternoon by telephone reported this matter to Mr. Pike, of your Washington office.

(Cresse is code name for Jones.)

Confidential report by Cresse to Department of Justice re various visitors to the Mexican Embassy at Washington, D. C.

NEW ORLEANS, LA., *July 8, 1918.*

Among the parties in Washington who visit the Mexican Embassay is a Madame Brull.

Also Lieut. Joseph J. Coppola, of the Italian military mission.

Confidential report by Cresse to Department of Justice re party by name of Heinemann who appeared to be a German, calling at Mexican Embassy, Washington, D. C.

NEW ORLEANS, LA., *July 8, 1918.*

On the afternoon of June 28, at about 2.45 p. m., as Godchaux and myself reached the Mexican Embassy, we saw a party just going up the steps to the front door, and as he rang the bell he pulled a cardcase out of his pocket and took a card from same. I read the name Heinemann on the card in his hand, but could not get the initials, as his thumb was over same.

When the maid opened the door he asked if a certain party was there to meet him (could not catch the party's name). The maid told him no, but to come back between 4.30 and 5 p. m. and the party would be there. Heinemann then left and walked away from the embassy.

He has the facial characteristics of a German. He wore nose eyeglasses, had blue eyes, blonde hair, ruddy complexion, clean shaven, weight about 145 pounds, 5 feet 8½ inches in height, wore a gray suit, tan shoes, Panama hat, and carried a cane.

At about 4 p. m. that afternoon by telephone reported this matter to Mr. Pike of your Washington office, and suggested that one of your operatives pick up Heinemann when he returned to the embassy at 4.30 p. m. and tail him to his hotel, office, or residence, and in that way learn who he was.

(Cresse code name for Jones.)

Confidential report by Cresse to Department of Justice re interviews with Ignacia Bonillas, Mexican ambassador to the United States at Washington, D. C., and ideas and plans suggested as result of these interviews which may help to offset Germany's strength in Mexico.

NEW ORLEANS, LA., *July 19, 1918.*

Per instructions received from Mr. Pike and yourself, I had several interviews with Bonillas, the Mexican ambassador, each of these lasting from one to four and a half hours.

As fully covered in my previous reports and personal interviews with the chief and Mr. Pitse in regard to the Mexican Government having employed me to handle their secret-service work in the United States, I therefore, was in a position to talk very frankly to the ambassador regarding the feeling in the United States toward Mexico caused by their pro-German policy.

I told the ambassador I had learned while in New York on this trip, likewise while having lunch with several prominent Congressmen and Senators, also from many prominent newspaper men in Washington, that are personal friends of mine, that it seemed to be a consensus of opinion from all of the parties mentioned that Mexico had and was asking and expecting of the United States many political and diplomatic courtesies between Governments at peace with each other, and that in turn Mexico, so all of the parties seem to think, wanted everything from the United States and in turn did not appear to be willing to even meet the United States halfway.

I then told the ambassador that I could not understand how his Government expected the United States to arrest and prosecute the many Mexican revolutionary leaders and their supporters in the United States, clogging up the courts with such prosecutions, spending many hundreds of thousands of dollars in apprehending these Mexican revolutionary leaders, thereby eliminating all of the enemies in the United States of Mexico, and in turn after having done all of that for the Government of Mexico, then to see each hour and day the Government of Mexico allow thousands of Germans and other enemies of this country in Mexico to carry on activities of every kind that were just as dangerous, harmful, and detrimental to the interests of the United States as the Mexican revolutionary parties in the United States were to his Government.

Also told the Mexican ambassador that he certainly must realize, and if he did not, then a little investigation on his part would convince him of the fact that my statement was correct, which was that the press of the United States were bitterly opposed to President Carranza, and the present Mexican Government, and this opposition on the part of the press of America, was due entirely to the stand Mexico had taken in regard to openly being a friend and supporter of Germany on this continent; likewise on account of Mexico allowing Germans in that country to openly do everything in their power that had been and would be in the future harmful to the United States.

I also explained to the ambassador that as far as I was able to learn from certain friends of mine in the newspaper business in Washington, likewise from conversation with several Congressmen and Senators who were intimate friends of mine, that they feel the United States would be an absolute fool to ever do anything for Mexico, unless Mexico in turn showed a disposition to cooperate along equitable lines with the United States.

I then told the ambassador I had learned from personal observation on my last trip up and down the Mexican border and throughout other parts of the country that many of the city, county, and State officials, and the same applied to prominent business and professional men, but that had the utmost hatred for the Mexican Government, this being due entirely to the apparent pro-German and anti-American sentiment in Mexico.

I likewise at that time said to the ambassador that no one more than he fully understood that the United States as a Government was the most moral, honest, and honorable Government in the world, which he admitted, likewise the best friend Mexico had to-day in the world. He said he hoped so, and I also told him, irrespective of the fact that it was apparently common knowledge in the United States, whether correctly so or not, that Mexico was called pro-German and anti-American in every way, nevertheless, knowing my country and its Government officials as I did by reputation, that whenever any of the Mexican revolutionary leaders committed any overt acts against Mexico in the United States the authorities would immediately prosecute them, and this had been amply proven in the past by such prosecutions.

At my last interview with the ambassador in the presence of Godchaux, on the afternoon of July 1, 1918, which lasted from 3 p. m. to 6.15 p. m., I put as many hot and direct shots into the ambassador's hide along these lines as I possibly could, and in turn, if it is possible to be convinced of the honor and integrity of any Mexican, and it is a debatable question if such a one ever existed, nevertheless, Bonillas apparently fully realizes that it will pay Mexico in every way not to have a break with the United States.

I asked Bonillas the point-blank question as to why Mexico had not and would not declare war on Germany and he said that the relations between the Mexican people and those of Germany had always been friendly; therefore, in so much as Germany had given Mexico no provocation of any kind, he felt sure the reason President Carranza and the Mexican Congress and Senate had not declared war on Germany was due to the fact to do so would be dishonorable, inhuman, and absolutely immoral.

I then said to the ambassador for the sake of argument whether the present position of President Carranza is correct or not, nevertheless, President Carranza is a Mexican, and the future of Mexico at this moment to a very great extent is in his hands, and whether right or wrong in your opinion, Mr. Ambassador, do you not think that if Mexico was to declare war at the present time on Germany it would give Mexico countless opportunities to again put Mexico in her right position among the nations of the world, likewise give her the opportunity to secure financial assistance from the Allies and to effect new treaties with all of the Allies, likewise when all of the claims against Mexico were eventually presented for settlement which now existed, if an ally of the Allies could make a good settlement regarding such claims it would give to Mexico many things along thse lines and other ways too numerous to mention. The ambassador said undoubtedly my supposition as outlined would mean a great deal to Mexico, but unfortunately President Carranza was in the minority, and that irrespective of his individual influence in Mexico as its present leader he had to contend with many of his senators, congressmen, Government officials, and army officers who may not feel as he did.

I then said, "Mr. Ambassador, I am talking to you at the present moment as the paid representative of the Mexican Government, and it is my duty as such to give you facts as I understand them; therefore my statement, of course, under those circumstances could not be considered offensive," and he said, certainly not, and I then told him it seemed to be pretty well understood in the United States that President Carranza had been bought by the German Ambassador to Mexico City, and that President Carranza likewise was cooperating with the Government of Germany, acting under suggestions received from the German Ambassador to Mexico City.

The ambassador's face at this remark hardened up, turned rather pale, and he looked like he did not appreciate the statement I had made. He however took it very nicely and then said, "Yes, it is unfortunate and a great pity that such remarks have been made, but, nevertheless, I tell you on my honor that President Carranza has never taken one single cent from the Government of Germany, directly or indirectly, nor from any person or persons that are in any way directly or indirectly connected with any of the interest of Germany that may try to influence him as far as the Government of Germany is concerned."

I then said to him, "Mr. Ambassador, is it true that the majority of the army officers of the Mexican Government are in the pay of the German Ambassador to Mexico City or of other interests that are friendly to Germany?" I also said that I had heard many times that many of the Mexican army officers were on the pay roll of the German Ambassador to Mexico.

The ambassador said unfortunately probably part of my information along those lines were correct, and undoubtedly some of the Mexican army officers had taken money from Germany, but he felt sure he could honestly say, that those Mexican army officers as a whole were in the minority, and as far as the majority of the Mexican army offcers are concerned, my statement is incorrect. The ambassador also said that treachery on the part of one's own country's army officers undoubtedly existed in all governments, and then said some of your own United States Army officers have or may be taking money from German interests.

I then said to the ambassador, if as a fact some of your Mexican army officers are in the pay of Germany, and President Carranza decided to declare war on Germany, what effect would it have as far as those army officers in the pay of Germany being able to attempt to overthrow President Carranza, and I also

said, Suppose that a large part of the Mexican army officers are in the pay of Germany, how then, in that event, if President Carranza thought that Mexico should declare war on Germany, could he safely do so. The ambassador said that if such a condition really existed it would be dangerous for President Carranza to attempt to declare war on Germany, for if the majority of his army officers were in the pay of Germany, it would result in the present Mexican Government being overthrown by the army, provided Carranza attempted to declare war on Germany.

I then said to the Ambassador I understand there also were some prominent newspapers in the United States who have repeatedly stated President Carranza has been doing everything he possibly could and that he will continue to do so, that is in every way as he sees and understands it harmful and detrimental to the interests of the United States, Carranza doing this simply with an idea of eventually forcing the United States to make him a financial proposition, likewise give him other favorable treaty concessions, so that if the United States were to do this Carranza would have accomplished financially and politically a great deal for his country, and in turn for these favors he would declare war on Germany and lose nothing by so doing. The Ambassador said, yes, he had also heard the same rumors, but they were not so.

Summing up my several conversations with Bonillas during the last week, which he believes were given me by him to enable me to get published in the newspapers of the United States, which he, of course, wants and expects to be very favorable to Mexico, and convinced of the fact that he is in every way strictly a Mexican, and he will at all times go to any extreme to endeavor to hypnotise or double-cross the State Department whenever he can secure an opportunity to do so.

However, Mexican as he is, which means individual selfishness, likewise always endeavoring to look out first for his own interests therefore, fully understanding the situation between his country and the United States as he does, that he to stay in his present position, and the same applies to his future politically and financially in Mexico, am inclined to believe there is an opportunity through my talking to him in the most direct manner possible for the State Department, and saying to him many things that the State Department could not personally say to him, and in the end probably be able to constantly throw a scare into him regarding the necessity of making certain recommendations to President Carranza, which may be fruitful in the way of results which might be advantageous to the United States.

I came to Bonillas very highly recommended by Andres Garcia, of El Paso, in whom he has a great deal of confidence, likewise from the consul general at New Orleans and from Adam Leckie who, as you know, is a very close personal friend of his. On June 28 he wrote Leckie regarding me as follows:

EMBAJADA DE MEXICO,
Washington.

WASHINGTON, D. C.,
28 de Junio de 1918.

Sr. ADAM LECKIE,
Edificio del Banco de Londres,
Mexico, D. F.

MUY ESTIMADO Y FINO AMIGO: Con fecha 25 de junio recibi su carta de 20 de Mayo, que me entrego el Sr. Charles E. Jones, y tendre satisfaccion en obsequiar la recomendacion de Ud.

Me repito su atto. y afmo S. S.,

Y. BONILLAS.

TRANSLATION.

Under date of June 25 I received your letter of May 20, which was handed to me by Mr. Charles E. Jones, and I will take pleasure to favorably consider your recommendation.

Your attentive and affectionate sure servant.

NOTE.—The above copy of Bonillas's letter was sent to me by Leckie.

I told Bonillas that I believe he should from time to time give out newspaper interviews that define the position of Mexico, and that I would have same published in all of the daily papers throughout the United States, and which eventually may lead Bonillas into making some positive declaration which may

force Carranza into a more definite position regarding his present attitude toward the United States in regard to the European War.

In my report of December 24, 1917, under the heading of "Confidential report re Mexico from information secured from A. E. L. Leckie" I at that time sent forward to your department information in regard to the majority of the Mexican Army officers being in the pay of the German Government. That part of my report in part was as follows:

Learned from Leckie there is absolutely no truth in the many reports which have been circulated in the United States to the effect that Pablo Gonzales and Carranza are about to have a break. Leckie stated Gonzales of course had many different arguments with Carranza, but all of them were friendly and that the spirit of cooperation and friendship between Carranza and Gonzales, as he understood it, was as strong as ever.

"Leckie also said Gonzalez was extremely active in regard to having Carranza declare war on Germany, and no matter how this situation eventually ended, he believed Gonzalez would always be against Germany.

"Leckie said Gonzalez had repeatedly urged Carranza not to interfere with Gen. M. Paleaz, in the Tuxpam oil fields, on account of the fact that it might result in the United States and her allies taking charge of all the Mexican oil fields. Gonzalez told Leckie to talk to Carranza about these matters and urge him to leave Paleaz alone at this time.

"Leckie then stated he had several interviews with Carranza in regard to the fact that Carranza had everything to gain and nothing to lose by declaring war on Germany, and also to under no circumstances at this time attempt to interfere with Gen. Paleaz in the Tuxpam oil fields, and his principal argument with Carranza was that if he attempted to attack Gen. Paleaz and run him out of the oil fields it would probably result in Gen. Paleaz or some of the Carranza troops setting fire to the oil fields or destroying property there, which, as Leckie understood, it would result in England asking the United States to take charge of the oil fields, due to the fact that England proposes to have the oil from there irrespective of consequences.

"Leckie told me there was absolutely no doubt in his mind but that Carranza, and practically all of his officials, had become convinced of the fact that they should declare war on Germany, and were about ready to do so at the time the Germans began their recent Italian drive, and he believed if this move on the part of Germany in Italy had not been made that by now Carranza would have declared war on Germany.

"Leckie then said that after much quiet investigation on his part, and after many talks with Gonzales and others, both for and against the United States, there was no doubt in his mind but that the entire Mexican Army crowd has been bought up absolutely by German interests in Mexico, and that these German interests are paying from time to time the prominent Mexican Army officers large additional sums of money.

"Leckie, however, is inclined to believe Carranza has and will continue to hold out for some time before he will even admit that he is considering any plan which will result in Mexico breaking with Germany. Carranza hopes in the end to in this way secure assurances of financial assistance from the United States."

I at that time discussed with Leckie as to whether Carranza was in the pay of the German Government or not, and he stated he felt sure of the fact Carranza was not in the pay of Germany. If this is correct German money in Mexico is running short.

You will remember in many of my reports for 1916 and 1917, regarding the Rosales Honduranian and other Central American revolutionary movements, I at that time was able to secure possession of the majority of the papers of Rosales, Peralta, and their associates, which were sent forward to your department to be photographed. In these papers were included letters from Carranza, C. Aguillar, Minister of Foreign Affairs, Gen. Obregon, Gen. Greene, Gen. Hill, and from many other prominent Mexican Government officials, which prove they were implicated financially, politically, and otherwise in endeavoring through Rosales and Peralta of the Honduranian revolutionary party, Gen. Castillo, Dr. Guzman, and others of the Guatemalan revolutionary parties, Dr. Julian Irias of the Nicaraguan revolutionary party, Dr. Daradona of the San Salvadoran revolutionary party, which proved that Carranza and his officials expected and hoped to be able through each of these revolutionary leaders in Central America to overthrow all of the present existing Central American Governments and place in each of those country a revolutionary leader as president who would have been made president of each of those countries largely due to the financial and political support of Carranza and his officials.

As I see the Mexican situation to-day, am convinced of the fact that the money spent by Carranza through Gen. Maximo B. Rosales, Dr. Julian Irias, Dr. Daradona, Gen. Castillo, and others in endeavoring to overthrow the Central American Governments, as mentioned hereinbefore, was German money that passed through Carranza's hands for the purpose of establishing governments in Central America that would, if they had been successful in their revolutionary efforts at that time, have given Germany the opportunity to-day in each of those countries that she (Germany) now has in Mexico.

Your department being in possession of photographic copies of all of these original letters, likewise enables me to have the opportunity to show to Bonillas that the Mexican Government would be playing with the most dangerous fire if they in any way cooperated to any further extent with Germany, for in doing so if a break is thereby caused between Mexico and the United States, at that time it will be proven that Carranza had hoped and attempted to overthrow all of the present Central American Governments. The proof, no matter how positive it is, will in the end, I believe, not carry much weight in even making the people of Latin America have a friendly feeling for the United States. The only value of these documents, letters, etc., at the present time, would be to use as a club on Bonillas and Carranza.

Carranza personally will not believe to any great extent, and pays but very little attention to the individual opinions or reports from his various Government officials. For instance, if Ambassador Bonillas reported to Carranza that the feeling in the United States was very antagonistic toward Mexico, on account of pro-German activities in Mexico, Carranza would be inclined to consider this was simply a personal belief of Bonillas.

However, as stated to Mr. Pike and yourself, believe that I will be able not only to have Bonillas send in reports to Carranza, but likewise can impress upon his various consuls and his friends and supporters throughout the United States that Mexico is playing with fire, in regard to their present pro-German attitude, and in my conversations with each of these various Mexican consuls that are scattered over the United States, I feel sure that I can convince them of the fact that it is their duty to advise President Carranza of the feeling toward his Government in the United States.

As each and every one of the Mexican consuls in the United States are always anxious to send any information to Carranza, so that in this way he can convince Carranza of the fact they are on the job, and as each of these consuls after I have a straight talk with them will probably consider they have something important to report to Carranza and as I hope will report to him the talk that your department or the State Department will want me to hand to the consuls, likewise that he, the consul, can hardly understand how Mexico can expect the United States to eliminate all of the Mexican revolutionary leaders and their supporters in the United States, when in turn Mexico is allowing German activities of every kind, to the detriment of the United States, to exist in Mexico.

My supposition is that each consul in his eagerness as he will think, to send something new and fresh in the way of information to Carranza, will send this information to Carranza as if it had been secured from observation. If my plan can be successfully carried out believe Carranza, in this way will receive from 25 or 30 of his consuls likewise from his friends and supporters in the United States reports along these lines that will convince him of the fact that his present policy is a grave mistake. These reports reaching Carranza from such widely distributed points, and from a large number of his consuls, are bound to make an impression on him for he then will realize that it is not the mere idea or opinion of one man.

The thought may occur to you that these consuls will quote me as their source of information when making their reports to Carranza regarding this matter. This is hardly under any circumstances liable to happen due to the fact that these Mexican consuls never give credit to any one for information furnished and to make an impression upon Carranza, will endeavor to make him believe they have worked very hard to secure their opinions along these lines.

Another phase of this matter is that I will likewise throw a very stiff scare into all of these various Mexican consuls regarding the great danger to the Mexican Government existing at the present time caused by the reorganization of the Mexican revolutionary movement in the United States which I can prove to them is amply financed and in a position to be a most dangerous factor in eliminating Carranza and all of his followers in Mexico. This will likewise

be instantly reported to Carranza as the individual opinion of each of his consuls.

I also when I see Leckie during the latter part of this month or early in August at San Antonio, per my previous reports, will talk to him very straight in regard to the danger of the revolutionary movement against Mexico, and of the sentiment against Mexico in this country in regard to their pro-German attitude, and as Leckie and all of his associates in the United States and Mexico are financially very heavily interested in their various Mexican investments, it will result in Leckie likewise working on Carranza and hs prominent officials, also through his Mexican law partners of Mexico City and with Douglas, and I feel sure that between Leckie, Douglas and their associates in Mexico that Carranza through them will receive some very strong facts that may cause him to wake up.

As stated in my report of July 12, 1918, under the heading of "Information pertaining to the present Mexican situation which I expect to obtain from Adam Leckie of Mexico City and Washington, D. C." I in that report forwarded the following information in part:

"Leckie is, as mentioned in many of my previous reports, on very intimate terms with President Carranza of Mexico and Secretary C. Aguillar, Mexican minister of foreign affairs. He, therefore, is in a position to be thoroughly posted as to the true conditions in Mexico regarding the German situation in that country, likewise should be fully aware of the real Mexican sentiment regarding the United States at this time.

"Leckie is the junior member of the Mexican law firm of Gonzalez, Roa, Carbajal & Leckie, with offices at Edificio del Banco de Londres, Mexico 18, Mexico City. Gonzales Roa, of Leckie's firm, is general counsel for the National Railways System in Mexico, also chief associate counsel for the United Railways of Yucatan, also the Reguladora del Henequen of Yucatan. Likewise the department of agriculture, the Mexican Monetary Commission, also the commission of legislation, also director and professor of the University of Mexico, general attorney in Mexico for the Wells Fargo Express Co. and many other corporations.

"Carbajal was the Carranza minister to Costa Rica and Nicaragua, likewise minister plenipotentiary to Russia, later to the United Kingdom. After he returned to Mexico he occupied the position of under secretary of state and at the present time is the legal adviser for the Mexican finance department.

"Leckie, therefore, on account of his partnership arrangement with these two Mexicans who I understand are very close personal friends of Caranza, likewise act as his personal legal and political advisers, has given to Leckie an opportunity to secure probably more correct information pertaining to the true situation in Mexico than almost any other American."

Leckie, therefore, through his own influence, and that of his Mexican law partners, can talk to Carranza and his officials in such a way that it should be productive of results with them. The services so far rendered along these lines by Leckie to the United States have been of great help and value to our Government.

Another part of this proposed plan is for me to request each agent of your department in every town that has a Mexican Consul to carefully select three or four of the most reliable American business and professional men of known loyalty in that town and who have never had any connection with the various Mexican factions. These men could be, for instance, a prominent preacher, banker, doctor, lawyer, or of any business provided he met our requirements as to his general reputation and loyalty to the United States.

After your local agent picked these men and they had been checked up to the limit, your agent and myself would see each man we had selected and explain to him that the Mexican situation was rather critical and that we wanted him in some manner to begin to cultivate the Mexican Consul in his town, apparently cultivating him for personal or business reasons, likewise inviting the Consul to his home and club for social affairs, and in many other ways putting the Consul under personal and social obligations to him. In a few weeks the friendship between these business men and the Consul should have developed to the extent that the business men could then begin to drift into conversations with the Consul regarding the Mexican situation. After that the Americans could begin to lay their plans to press into the Consul's brain that the United States is, after all, Mexico's best friend and that Mexico with such American propaganda talk to the Mexican Consuls and other friends

and supporters of the present Mexican Government in the United States, being scientifically showered on these Mexicans and in such a manner as to not overplay the proposition, felt sure that all of this in the end would reach Carranza and his officials from his consuls, and as direct information and opinions of his consuls.

This plan is along the lines of my own propaganda work direct to the Mexican Consuls, as outlined in detail on pages 7 and 8 of this report.

Believe if I am given the opportunity to try this plan out in connection with the plan regarding my talk to the Mexican consuls and friends and supporters in this country as mentioned hereinbefore, that I am capable of handling same, so that it may produce some results which may be of value to the United States.

By constantly keeping in close personal contact with each of the American business men and professional men selected for this propaganda work I can keep them hustling to produce results, or each of your local agents can do so on direct instructions from your department.

It is almost impossible to put in a report details of such propaganda work, but it can, I feel sure, be very easily and successfully worked out in person.

The same class of propaganda work can be successfully carried out by trusted Americans in Mexico.

I personally stated several times to Mr. Pike that as I understand the Mexican, Central American, and South American situation, that Germany if she can force this country to have a break with Mexico is thereby deliberately forcing the United States to play into her (Germany's) hand.

My interpretation of this supposition is that if we have a break with Mexico, and declare war on her, or were forced to send troops in to pacify that country, insomuch as all of the citizenship of South America, Central America, and Mexico total approximately 95,000,000 people, all of whom are of Spanish or Latin blood, and therefore clannish to the core, and that if Germany therefore can force the United States to intervene in Mexico or Germany would try to convince them to pick a row with us, Germany in doing so plays one of her most successful trump cards, for after the present European war is ended our trouble with Mexico, if we have it, will enable Germany's financial and commercial interest to have more than a fair chance to secure a foothold commercially in South America, Central America, and Mexico, using as an opportunity to do so that the United States declared war on Mexico, which, according to the Mexican and Latin American race, would, as Germany would try to convince them, was a direct insult to the Spanish-speaking people of Central America, South America, and Mexico.

We, in this way, as I see and understand it, would give Germany an opportunity to secure a foothold after the war that under no circumstances should Germany be allowed to have in Latin America and Mexico.

My supposition can be offset by the statement that if the United States was in a position to present to the people of Mexico, Central America, and South America absolute proof of Mexico's cooperation with Germany and that such proof in turn would kill Germany's opportunity to extend her commerce after the war in the countries mentioned.

Proof or no proof, as I see and understand it, knowing the Latin Americans as I do, it would be of very little weight with them.

I am firmly convinced of the fact that it is my duty to recommend as strong as I possibly can that in one way or the other whether playing the cards above or under the table that the present Mexican situation be won by diplomacy.

If, as a matter of fact, my supposition is correct and that is I am absolutely convinced of the fact that Germany to-day owns and controls the policy of the present Mexican Government, she certainly won it diplomatically or financially, and if such is the case the United States should likewise diplomatically or financially try to undo Germany's gain there and secure possession of Mexico along the same lines that Germany did.

IF AFTER ALL FINANCIAL, DIPLOMATIC, AND PROPAGANDA EFFORTS CAN NOT WIN MEXICO OVER TO THE UNITED STATES, THEN IN THAT EVENT EVEN IF THE UNITED STATES HURTS HERSELF COMMERCIALLY IN LATIN AMERICA FOR THE NEXT FIFTY YEARS, THE UNITED STATES SHOULD IRRESPECTIVE OF HER PROSPECTIVE LOSS COMMERCIALLY IN CENTRAL AND SOUTH AMERICA AT ONCE INTERVENE IN MEXICO AND HOLD ITS CONTROL ON MEXICO FOR SEVERAL YEARS AFTER THE EUROPEAN WAR ENDS, SO THAT IN THIS WAY GERMANY WOULD HAVE ABSOLUTELY NO OPPORTUNITY TO DO ANY BUSINESS IN MEXICO.

It is a very hard matter to cover in detail all points pertaining to the various suggestions mentioned in this report, but feel sure that my past record with your department in regard to producing results in Central American and Mexican affairs entitles me to have the opportunity to endeavor to work these plans out and which may be productive of results.

The information I am furnishing to the Mexican Government at the present time, per my previous reports, in regard to the activities of the various Mexican revolutionary groups in the United States has been so arranged that it will thoroughly convince Carranza of the fact that at the present time the reorganized revolutionary movement of his Mexican political enemies and their associates in the United States, which is a combination of every faction opposed to Carranza, and who have joined the new combination, is so well organized, equipped, and financed that when it begins to successfully operate that the chances are more than even they will have an excellent opportunity to overthrow the present Mexican Government.

I expect in this way to be able to probably open up the way to force Bonillas to make some proposition to the State Department which in turn might give them the opportunity to force a trade on Bonillas.

My present plans in regard to carrying out the proposed propositions mentioned hereinbefore, likewise the plans in my report of July 19, under the heading of "Plan proposed by me in regard to capturing German military spies in Mexican and Texas towns along the border," is to leave New Orleans during the first week of August with Godchaux and A. T. Howell, and this trip will take me to Houston, Galveston, San Antonio, Brownsville, El Paso, Laredo, Corpus Christi, Del Rio, Eagle Pass, and a few other border towns in Texas; Phoenix, Tucson, Nogales, and other towns in Arizona; several border towns in New Mexico, Los Angeles, Calif., and a few other points where Mexican consuls are located. Believe that I will, as opportunities under circumstances which may develop as this trip progresses, be able to continue to have sent through various consuls of the Mexican Government, likewise through their strong friends and supporters of Mexico in the United States, a volume of information which will never be traced back to me, and which, in the end, will give Carranza many things to think over and which may be productive of beneficial results to the United States.

I feel sure all of this information reaching Carranza from his various consuls, his friends, and supporters regarding the activities of his revolutionary enemies in the United States, likewise the other propaganda work mentioned hereinbefore, will probably frighten him into at least cooperating with the United States in regard to elimination of some of the activities of the Germans in Mexico.

As my last trip to Mexico and along the border in April and May, 1918, was productive of considerable results regarding Mexican and other matters, part of which I secured from Mexican officials, believe that this trip will likewise be productive. If my proposed trip meets with your approval will greatly appreciate having you advise me immediately regarding whatever instructions you may desire to give me.

If the time ever comes, and the chances are more than 50 per cent that it may happen, whereby Germany's hand in Mexico, by force, should be forever crushed by the United States and at the same time the people of Mexico, as a whole, be taught to respect the lives and property of Americans in Mexico, then in that event, knowing Mexico as I do, I ask that I will be remembered and assigned to the intelligence force in the first expedition that lands in Mexico.

(Cresse code name for Jones.)

Confidential report by Cresse to Department of Justice re break alleged to have occurred between Carranza and Gen. Obregon.

NEW ORLEANS, LA., *September 26, 1918.*

Understand within the last four or five weeks Carranza and Obregon have not been on friendly terms and that they are now on the verge of an absolute open break, which, if it has not already occurred, will become a reality now almost any moment.

The feeling between Carranza and Obregon for the last year, while apparently in the open was extremely friendly, nevertheless, Obregon, who has always felt that he was the logical candidate for the presidency of Mexico in

the next Mexican presidential elections, which are to be held in September 20, 1920, has realized, so his friends and supporters claim, that during the last year Carranza has been doing everything he possible could to secretly tear down and destroy the presidential aspirations of Obregon.

Understand that the reasons for the open break which is now said to exist between Carranza and Obregon, were caused by Carranza giving amnesty to Pedro Ojeda, who is an old federal general and who is known from one end of Mexico to the other to be one of the bitterest personal and political enemies of Gen. Obregon.

At the time Carranza extended his amnesty to Gen. Ojeda, Obregon at that time is said to have written Carranza and likewise made the statement to his friends and supporters that Carranza had forgotten the fact when he (Carranza) came to the State of Sonora after he had been defeated in the State of Coahuila, he was without food, clothes, and even without shoes, and at that time he (Carranza) asked the people of Sonora to help him. Obregon has also told Carranza and his friends that whatever Carranza was or had been, he (Obregon) and his friends and supporters had really made Carranza.

Obregon is also said to have told Carranza that he was fully aware of Carranza's work and plans in regard to double-crossing him in the next presidential elections.

It is also said that Carranza now fully realizes his mistake in openly offending Obregon at this time, and to offset this mistake has offered, as President of Mexico, amnesty to all of the old federals and has asked and urged them to return to Mexico.

Among the old federal revolutionary sympathizers in the United States, and this also applies to the friends and sympathizers of Gen. Obregon, it is believed by them that this is a plan of Carranza to rally around for himself as much support as he can secure from the old federal revolutionists, and if he can accomplish this, then, in that event, it may offset to a great extent his split with Obregon.

Under date of July 16, 1918, I forwarded report entitled "Presidential candidates in the next presidential elections and serious Mexican situation which may arise from same at that time." Respectfully refer you to this report as mentioned for full details in regard to the plans and allegiances that Obregon has and is making to offset the work of Carranza in regard to defeating Obregon in the next presidential elections.

If the present break between Carranza and Obregon grows, it will result within the next few months in Obregon undoubtedly starting a revolutionary movement against Carranza.

As mentioned in my report of July 16, regarding the next Mexican presidential elections, Obregon already is on friendly and intimate terms with Esteban Cantu, governor of Lower California, who has, so it is said, promised his support to Obregon.

(Cresse code name for Jones.)

Confidential report by Cresse to Department of Justice re plan proposed by me in regard to capturing German consuls and German military spies in Mexican and Texas towns along the border.

NEW ORLEANS, LA., *July 19, 1918.*

As mentioned to Mr. Pike and yourself (Chief Bielaski), during my last trip to Washington in June, 1918, I believe my proposed plan in regard to eliminating some of the most active German consuls and German military spies in various Mexican towns across from United States territory is feasible and contains more than a fair chance of being successfully carried out.

As stated to you in person, many of the Mexican towns along the border, such as Matamoros, Nuevo Laredo, Piedras Negras, Juarez, and many other towns of the same class, and farther down in Mexico have, since the United States entered the war, given the German consuls in those towns, assisted by German military and naval officers, the opportunity to secure from the towns in the United States across the border a great deal of information which they undoubtedly have considered valuable, and which likewise may have been harmful to the interests of the United States.

A concrete example of the activities of the Germans along these lines is that of the German consul at Nuevo Laredo, Mexico, who has been assisted in his work there for Germany by a Capt. Hinsch and a certain Herman Ruckheim, as mentioned in my previous reports.

The following plan in regard to eliminating the above-mentioned parties can be, I believe, successfully carried out by me, with the assistance of Godchaux and one or two other parties.

On account of my present friendly, official, and personal connection with the Mexican Government, I can secure for myself and for those it might be necessary to have assist me, credentials from the Mexican Government which will enable me to come and go into Mexico without interference from their officials.

Believe it is possible for Godchaux and myself, likewise others I may use to personally work our way into the confidence of several of the German consuls along the border, likewise some of their military spies on the Mexican side of the river, and hope to be able to a certain extent by feeding them from time to time a line of fake military or naval information, same to be furnished by the Bureau of Army Intelligence or your department and which would be of no harm to the United States, and of no value to them. Believe that in this way, due to their desire to secure information, that I can at least gain sufficient of their confidence to have them at a certain time meet me a few miles out of the particular Mexican town that is their headquarters, ostensibly meeting me at such place to secure from me at that time a lot of important military maps, etc., and if such a meeting is carried out on the Mexican side of the river, then spies in that event would simply knock out or kidnap the German consul or military spy, shove him over the river onto United States territory, and they would then be turned over to our Army officers.

The thought may occur to you that the prisoner would put up a yell that he had been kidnaped from Mexican territory; however, if he did, in that event it would be his own fault, for when he woke up he would be on United States territory.

Another part of the plan is to run in Godchaux and other ringers on these German consuls and military spies, letting these ringers for several weeks feed them a line of phony information, until they had secured their confidence, and then at a later date make arrangements to meet the Germans three or four miles out of towns on the American side of the river, and if such a meeting can be arranged, as I believe it can be, then in that event the Germans could be caught on United States territory, or if for some reason the German or Germans would not leave the Mexican town it is quite possible that they could be drugged, or knocked on the head in their office or on an automobile ride and then taken over the river into the United States.

Furthermore, am satisfied of the fact that a great deal of the information that is reaching German consuls and German military spies in Mexico and on the border is going to them from Mexicans and others who are operating on the United States side of the river.

The chances are even that I also may be able to likewise open up leads which may enable me to learn of the identity of these spies for Germany on the American side of the river.

Another part of this proposed plan is that Andres Garcia, Chief of the Mexican Secret Service, and Inspector General of Mexican Consulates, who is as cold as a piece of ice, and who considers human life of no value if it stands in the way of producing results for his department, he, therefore, will go to an extreme to make a showing with President Carranza.

Believe I can propose to Garcia, who has a certain amount of confidence in me, and is likewise convinced that I can be of value to his government, that it would be an excellent idea to surrender to me several of the most notorious German spies along the border, and in turn at the time these Germans are turned over to me, that I will likewise deliver to him several of the revolutionary leaders on the border that Mexico is very anxious to get.

As far as the Government of Mexico is concerned, do not believe they would enter into an arrangement of this kind, but feel sure of the fact that Garcia in his desire to make a showing to the Mexican Government will enter into plan with me, whereby if I can deliver to him a few of these prominent Mexican revolutionists, that he likewise at the same time, will turn over to me several of the most prominent German spies in Mexico. Of course as far as Garcia would ever know, the United States would in no way have any connection with such a plan. I would simply tell Garcia here, you want to do something for your country and I do also for mine, let's arrange a trade of this kind, you kidnap a few of these Germans for me and I likewise will kidnap a few of the Mexican revolutionary leaders you want.

I am putting this proposal plan in the form of a report, as per your request. The only assistance I will need is to have the subrosa cooperation from your

agents along the border, who in turn in a quiet way at the proper time can, if necessary, secure the assistance of the Army Intelligence Bureau.

As stated to you in person if at any time this proposed plan resulted in my becoming involved in Mexico or anything personally happening to me, nothing would ever be known about it as far as our Government is concerned. Furthermore, handling the matter as suggested, as far as the United States is concerned, they officially would have nothing to do with the matter, therefore, in no way would they be involved in same, provided in some way I might blunder.

I have handled for your department practically all of the matters pertaining to the Honduranan, Nicaraguan, San Salvadoran and Guatemalan Central American revolutionary movements for the last three years, likewise a very large percentage of all of the inside information pertaining to the activities of the Felicista Mexican revolutionary matter, and a great deal of the information furnished to your department regarding the Villista and other Mexican revolutionary matters were obtained through me, likewise many others matters, and to date I have so far successfully handled these matters with but few mistakes, therefore feel sure that my past record in regard to producing results entitles me to have the opportunity to at least attempt to eliminate to a certain extent the activities of the German consuls and German military spies along the border.

It is almost impossible to convey complete plans or ideas in a report regarding a matter of this kind, for as a rule such plans have to be worked out as the matter develops, and as per conditions pertaining to the local situation where the case is handled.

It is also possible as this proposed plan develops in the future that it may open up the opportunity to eliminate in one way or the other many of the German spies in the interior of Mexico that you stated you were very anxious to get possession of.

I feel absolutely sure of the fact that I can secure some results along these lines and will greatly appreciate having you give me the opportunity to try to do so.

(Cresse code name for Jones.)

Confidential report by Cresse to Department of Justice re request for information from chief as to name of Germans in Mexico.

NEW ORLEANS, LA., *July 31, 1918.*

While discussing with you in Washington the German situation in Mexico, and details of my plans in regard to capturing several of the German military spies along the Mexican border, you mentioned the fact that there were several Germans in the interior of Mexico that your department were very anxious to get possession of.

If my suggestions meet with your approval in that event, will greatly appreciate having you send me the names and addresses of the Germans in the interior of Mexico that your department is interested in, for it may be possible that I might be able to secure the elimination of these Germans that your department is interested in.

Will greatly appreciate having you definitely advise me through your New Orleans office at the earliest possible date regarding this matter, so I can go ahead with my plans regarding this proposition.

(Cresse code name for Jones.)

Confidential report by Cresse to Department of Justice re American Army officer stationed at El Paso, Tex., visiting the German consul three times in one week at Juarez, Mexico.

NEW ORLEANS, LA., *May 13, 1918.*

On the morning of April 19 secured information from Andrew Garcia, Carranza consul at El Paso, Tex., that an Ameican Army officer whose name understood was either Lieutenant or Captain Hughler (am not certain that this name is correct), had during the last six or seven days crossed the International bridge at El Paso and called on each of his trips on the German consul at Juarez, Mexico. I could not press Garcia too strongly for details regarding the visits of this American Army officer to the German consul at Juarez.

Just before going to your local office at El Paso to report this matter to Mr. Jones your special agent at El Paso, learned that Col. Willard, United States Army intelligence officer at El Paso, had likewise secured a lead or information regarding the United States Army officer who had called on the German consul at Juarez. Gave all of the information I had to Mr. Jones, and asked him if Col. Willard had likewise reported the matter to him. Mr. Jones told me he had not.

Being on friendly terms with Garcia, telephoned him from Jones's office, and asked if Col. Willard had seen him in regard to this Army officer, and Garcia told me he had.

The first that your El Paso office heard of this matter was from me, and which shows complete lack of cooperation and assistance that should be extended by Col. Willard and his office to your representative at El Paso. Also understand this is not the first instance regarding lack of cooperation from Col. Willard's office to your El Paso office.

TESTIMONY OF MR. N. T. JONES.

(The witness was duly sworn by the chairman.)

The CHAIRMAN. You may state your name.

Mr. JONES. N. T. Jones.

The CHAIRMAN. Mr. Jones, you are a brother of the witness who has been testifying, Charles E. Jones?

Mr. JONES. Yes, sir.

The CHAIRMAN. In the work that he has been doing, as he has testified, have you generally accompanied him and assisted him in such work?

Mr. JONES. Yes, sir.

The CHAIRMAN. You are familiar then with the work which he and you have been doing and to which he has testified?

Mr. JONES. Yes, sir.

The CHAIRMAN. Have you heard his statements here?

Mr. JONES. Yes, sir.

The CHAIRMAN. And are they, of your knowledge, true?

Mr. JONES. Yes, sir.

The CHAIRMAN. Is there anything in addition to what he has stated which you care to state for the record?

Mr. JONES. No, sir. He has covered the ground very fully, and I can swear to the truth and correctness of all the statements he has made from my own personal knowledge.

The CHAIRMAN. You were present with him at these conversations which he has testified to with the Mexican ambassador, Bonillas, in this city?

Mr. JONES. Yes, sir; also at all conversations with De Negri, Seguin, and all other conferences with Mexican officials that he has testified to.

The CHAIRMAN. How does it happen that you gentlemen have been present together at these conferences?

Mr. JONES. Well, we were both very much interested in the whole matter, and we have always made it a habit to have a witness in securing any information from any of these Mexicans, either one of ourselves or some other outside witness.

The CHAIRMAN. Was there possibly a thought that the Jones family might last longer if you traveled together?

Mr. JONES. Yes, sir; there have been some threats made, and we thought it would probably be better if we traveled in pairs.

The CHAIRMAN. I believe that is all, Mr. Jones. I thank you very much.

The committee will adjourn until to-morrow afternoon at half past 2.

(Whereupon, at 1.15 p. m., the committee adjourned until Wednesday, May 19, 1920, at 2.30 o'clock p. m.)

UNITED STATES DEPARTMENT OF JUSTICE,
BUREAU OF INVESTIGATION,
OFFICE OF DIVISION SUPERINTENDENT,
NEW YORK CITY, *December 21, 1918.*

N. T. JONES, Esq.,
Special Agent of the Department of Justice,
New York, N. Y.

DEAR SIR: December 31 will mark the closing of my service in the department and the end of a happy year I have spent in the association with you in the New York district. I wish to thank you personally for the efficient, earnest, and loyal help you have given to the department, the New York division, and to me during this period. Your part in helping to win the World War has been no small one. and to you more than to me is due credit for the excellent results this office has attained.

I wish you a Merry, Merry Christmas and the best of success for the New Year.

Yours, sincerely,

CHAS. DEWOODY,
Division Superintendent.

DEPARTMENT OF STATE, *Washington.*

Hon. ALBERT B. FALL,
Chairman Subcommittee to Investigate Mexican Affairs,
Committee on Foreign Relations, United States Senate.

SIR: I have the honor to acknowledge the receipt of your letter of September 6, 1919, reading as follows:

"The Subcommittee of the Senate Foreign Relations Committee investigating Mexican affairs hopes to begin hearings at once. There will be called certain witnesses whose testimony will be along the lines of the business and petroleum interests in Mexico.

"With this end in view, if it is not inconsistent with the best interests of the Government, the committee desires that you furnish it with information in regard to all protests to the Mexican Government or to any Mexican official, as to any law or proposed law, or decree, affecting American rights in Mexico, and especially affecting petroleum. Also, the committee will be grateful if your department can furnish in addition to the copies of the protests, copies of the replies of the Mexican Government or of any Mexican official thereto."

In reply I have the honor to inclose herewith, copies of 37 documents on the subject of Mexican decrees affecting the rights of American oil interests in Mexico. Additional papers on other subjects relating to Mexican affairs will be sent to you as soon as the copies have been made.

I have the honor to be, sir,
Your obedient servant,

WILLIAM PHILLIPS,
Acting Secretary of State.

Inclosures: Correspondence between Secretary of State and American diplomatic and consular officers in Mexico. (37 documents, Nos. 1 to 37).

VERA CRUZ, MEXICO, *June 28, 1914.*

DEPARTMENT OF STATE,
Washington.

Wireless from Tampico: "June 27, 8 p. m. Local authorities have been ordered to strictly enforce decree for collection of oil-production tax in Mexican gold or in United States currency at rate of two for one. Most companies have paid, but some have not as they regard it unjust to arbitrarily enforce rate of exchange of two for one when prevailing rate is about three for one. Orders have been received not to allow ships to be dispatched if production tax is not paid and same rules probably will be applied in cases of bar dues. Companies do not complain of amount of production tax which is rate provided by law under Madero administration instead of 75-cent rate by decree of Gen. Huerta. They feel that it is unjust for authorities not to accept constitutionalists currency or at least accept New York exchange at prevailing rate. Total of bar dues and production tax under present administration is 70 cents Mexican or 35 cents American currency. Under preceding administration was $1.25 or about 42 cents American currency, but present procedure of fixing exchange rate is regarded as arbitrary and illegal and companies believe instead of ships being detained on account of nonpayment such charges pending decision of legality of same that some method should be adopted which will permit shipments to continue and at same time protect interests of both Government and shippers. Miller."

CANADA.

DEPARTMENT OF STATE,
Washington, June 29, 1914.

AMERICAN CONSUL,
Brownsville, Tex.

Forward to: Geo. C. Carothers, Monterey.

Call on Consul General Hanna and ask to be shown departments June 26, 5 p. m., regarding La Barra taxes.

Represent to Gen. Carranza in the strongest possible manner the injustice of these demands in refusing to accept Constitutionalists currency or at least accept New York exchange at prevailing rates.

Companies believe instead of ships being detained on account of nonpayment such charges pending decision, that some plan should be adopted which will permit shipments to continue, and at same time protect Government and shippers.

BRYAN.

MONTEREY, MEXICO, *July 5, 1914.*

SECRETARY OF STATE,
Washington:

Very favorable answers have been received from the secretary of hacienda relative to my representatives made to Gen. Carranza in behalf of the Huasteca Oil Co., the matter of exchange, kind of money to be accepted, clearance of oil ships, and American oil interests. I have telegraphed Consul Miller at Tampico.

CONSUL GENERAL HANNA.

VERA CRUZ, MEXICO, *July 9, 1914.*

DEPARTMENT OF STATE,
Washington, D. C.:

Wireless from Tampico: "July 8, 8 p. m. Department's July 6, 7 p. m. Local authorities have not yet received order to accept New York exchange at prevailing rate. Same order should be sent Tuxpam authorities, as production tax in Panuco Topila fields must be paid in Tuxpam July 15. As banks are not open will probably be difficult to determine prevailing rate of exchange. While this rule, if enforced, will not end all discrimination in favor of Tuxpam as against Tampico, it will reduce the amount of that discrimination as much as the difference between the prevailing rate of exchange and the arbitrary rate of two for one. There will be no further complaint if this ruling is fairly put into effect. Miller."

CANADA.

DEPARTMENT OF STATE,
Washington, July 10, 1914.

AMERICAN CONSUL GENERAL,
Monterey, Mexico:

Yours July 5, 8 a. m. On July 4 Canova telegraphed from Saltillo that secretary of Hacienda had directed port authorities at Tampico to accept New York exchange at prevailing gold rate and to facilitate movement of shipping.

Consul at Tampico telegraphs July 8 that local port authorities had not received orders said to have been issued by secretary of Hacienda. He says the orders should also be issued to Tuxpam authorities, as production tax in Panuco-Topila fields must be paid in Tuxpam July 15. As banks are not open will probably be difficult to determine prevailing rate of exchange.

Point out to Gen. Carranza the injustice of authorities declining to accept constitutionalist currency, in view of decree No. 21, dated February 28, 1914, and signed by Venustiano Carranza, making it obligatory upon officials as well as the public to accept constitutionalist currency. Department understands this decree has never been repealed. Earnestly endeavor to arrange with Carranza for the acceptance of this currency in payment of la barra and other taxes. If banks at Tampico were open New York exchange could be conveniently arranged. As they are closed, it is practically impossible.

BRYAN.

SALTILLO, MEXICO, *July 11, 1914.*

SECRETARY OF STATE,
Washington:

Yours July 10, 7 p. m., referred to [Hanna?] Villarreal, being in Monterey. Office here assures me orders were sent to accept New York exchange at prevailing gold rates, and it has telegraphed Villarreal substance of your message.

CANOVA.

VERA CRUZ, MEXICO, *July 17, 1914.*

DEPARTMENT OF STATE,
Washington:

Wireless from Tampico: "July 17, 10 a. m. Department's July 16, 10 a. m. Authorities absolutely refuse to accept any rate except two for one, which they claim is prevailing rate for Mexican gold. Absolutely no concessions have been made in response to action of Department State in matter. Miller."

CANADA.

MONTEREY, MEXICO, *July 18, 1914.*

SECRETARY OF STATE,
Washington:

Following is transmitted for Vice Consul Silliman: "July 18, 8 p. m. Yours July 15, 9 p. m. Consul Miller is still at his post. After conference with secretary of finance this afternoon and with reference to Consul General Hanna's of July 16, 3 p. m., matter of payment of export duties at Tampico appears to reduce to this: The basis of charge is the Mexican gold peso. Constitutionalists claim that it is only fair that products sold for gold should pay their taxes in gold; further they claim that they are justified in limiting the extent to which their money shall be used as legal tender if Mexican gold is not available New York exchange which is thought to be easily obtainable in Tampico will be accepted as a convenience. Those who need it must make their own arrangements for it. If they buy it with Constitutionalist or other money they must pay what the sellers demand. Silliman."

CONSUL GENERAL HANNA.

DEPARTMENT OF STATE,
Washington, January 19, 1916.

Consul JOHN R. SILLIMAN,
Queretaro, Mexico:

Department reliably informed de facto authorities contemplate issuing a decree providing for the nationalization of petroleum, which, if we are correctly informed, would affect most seriously the interests of numerous American citizens and other foreigners who have heretofore engaged in the business of producing and selling petroleum in Mexico. Point out to Gen. Carranza in unequivocal terms the dangerous situation which might result from the issuance of any decree of a confiscatory character. Request that definitive action be delayed until department shall have had opportunity to examine proposed decree, and mail copy thereof to department.

LANSING.

QUERETARO, *January 21, 1916.*

SECRETARY OF STATE,
Washington:

Department's January 19, 4 p. m., information concerning nationalization of petroleum.

The secretary in charge of the department informed me this afternoon the Government is not contemplating such a decree. On the contrary, he showed me a contract just signed with an American firm for the construction of about 60 kilometers of oil pipe line in the Tuxpam district.

SILLIMAN.

QUERETARO, MEXICO, *January 26, 1916.*

SECRETARY OF STATE,
Washington:

Department's January 19, 4 p. m., and department's January 22.

Nationalization of petroleum.

In accordance with department's wishes, subject was taken up personally with Gen. Carranza. He informed me this morning: "The Government is not contemplating the issuance of a decree nationalizing the petroleum industry." This confirms statement to me by Subsecretary Rouaix.

SILLIMAN.

JANUARY 22, 1917.

CHARLES PARKER, Esq.,
Representing American Interests,
Queretaro, Mexico:

The department's attention has been called to certain proposed provisions relating to rights of foreigners in Mexico, which provisions, it appears, the convention in session at Queretaro has decided to incorporate into the Mexican Constitution.

The first paragraph of article 27, relating to the expropriation of private property, appears to confer on the Executive the power to determine, without any legislative authority and without any judicial recourse being afforded to property owners to pro-

tect their rights, the necessity or utility of property, the condemnation of which, to him, may seem advisable. The vesting of such extensive powers in the Executive appears objectionable. It would seem desirable that at least the question as to whether property is taken for a public purpose should always be subject to judicial review.

The seventh paragraph of the same article provides that civil and commercial companies may not own and operate for themselves properties of an area greater than that absolutely necessary for the accomplishment of the purposes of their creation, and that the executive shall in every case determine the appropriate area. The objection to a provision so capable of capricious application appears evident. The precise conditions under which the power vested in the executive may be exercised are not defined. No safeguards are afforded against unwise or arbitrary executive acts. The fact that purchases would seemingly in all cases be subject to executive sanction would alone appear to show the impossibility of any proper practicable application of such a provision. While it is hardly to be supposed that it is intended to give this provision retroactive effect, should this be done such action would apparently result in confiscation of property rights vested under existing laws and treaty stipulations, since no provision is made for compensation for property taken and since property would evidently not under such conditions be taken in the proper exercise of the right of expropriation.

Article 28, providing that there shall be no exemption from taxation would apparently, if improperly given a retroactive effect, impair the obligation of contracts of many foreign corporations now operating under agreements, concluded either with the Mexican Federal Government or with the Mexican States, which provide for certain exemptions from taxation for periods that have not yet expired.

By the first and second paragraphs of article 33, it is provided that the executive may expel from the country forthwith and without judicial process any foreigners whose presence he may deem inadvisable, and that there shall be no appeal from his decree. These provisions apparently confer authority on the executive to expel foreigners without regard for the general practice of nations, which confines the exercise of the power of expulsion to cases in which just cause for the exercise of this harsh measure are clearly shown. The express power of the executive to expel, for reasons satisfactory to himself, aliens who have been permitted to enter Mexico, would seemingly place all aliens in that country in a position of insecurity and would appear to be at variance with the apparently growing tendency of nations to restrict the exercise of this right with a view to affording safeguards against the expulsion of aliens in an arbitrary manner inconsistent with the proper protection of their just rights and with a view to the observance of the rules of international comity.

The third paragraph of article 33 provides that foreigners may not acquire real estate unless they shall declare their intention to waive their citizenship and the protection of their governments in all matters appertaining to the property. The Government of the United States has, in the past, made clear, as doubtless have other nations, that it can not concede the right of Mexico to limit, by its municipal law, this Government's right of intervention to protect the rights of its citizens residing or sojourning in that country, nor concede that waivers such as those referred to in this provision can annul the relations of citizens to their own government and extinguish the obligation of this Government to protect its citizens in Mexico. In so far as the proposed provision would hamper the transfer to another foreigner of foreign-owned lands, it would apparently in a sense be confiscatory of rights enjoyed by the foreign owner from the time of his acquisition of the property.

[Paraphrase.]

You are instructed to bring the foregoing immediately to the attention of Gen. Carranza, and state that the provisions above mentioned seem to indicate a proposed policy toward foreigners which is fraught with possible grave consequences affecting the commercial and political relations of Mexico with other nations. Further, that the American Government can not acquiesce in any direct confiscation of foreign-owned properties in Mexico or indirect confiscation. You will bring to the attention of Gen. Carranza the department's earnest desire that he give these matters his careful consideration with a view to avoiding the possibility of the disturbance of hitherto pleasant relations existing between the two governments, and with a view to avoiding future serious difficulties under the proposed constitution with any government organized under it.

LANSING.

POLITICAL CONSTITUTION OF THE UNITED STATES OF MEXICO, SIGNED JANUARY 31, 1917, AND PROMULGATED FEBRUARY 5, 1917.

[Translated for the Mexican Review by H. N. Branch.]

TITLE I, CHAPTER I.—THE RIGHTS OF MAN.

ARTICLE 1. Every person in the United States of Mexico shall enjoy all rights prescribed by this constitution; these rights shall neither be abridged nor suspended except in such cases and under such conditions as herein provided.

ART. 2. Slavery is forbidden in the United States of Mexico. Slaves who set foot upon the national territory shall by this very act recover their freedom and enjoy the protection of the law.

ART. 3. Instruction is free; that given in public institutions of learning shall be nonsectarian. Primary instruction, whether higher or lower, given in private institutions shall likewise be nonsectarian.

No religious corporation nor minister of any religious creed shall be permitted to establish or direct schools of primary instruction.

Private primary schools may be established only subject to official supervision.

Primary instruction in public institutions shall be free.

ART. 4. No person shall be prevented from engaging in any profession, industrial, or commercial pursuit or occupation which he may deem fit, provided it be lawful. The exercise of this liberty may only be forbidden by judicial order when the rights of third persons are infringed, or by executive order, issued under the conditions prescribed by law, when the rights of society are affected. No one shall be deprived of the fruit of his labor except by judicial decree.

Each State shall determine by law what professions shall require licenses, the requisites to be complied with in obtaining the same, and the authorities empowered to issue them.

ART. 5. No one shall be compelled to render personal services without just compensation and without his full consent, excepting labor imposed as a punishment by judicial decree, which shall conform to the provisions of subdivisions I and II of article 123.

Only the following public services shall be obligatory, subject to the conditions set forth in the respective laws: Military service, jury service, service in municipal and other public elective office, whether this election be direct or indirect, and service in connection with elections which shall be obligatory and without compensation.

The State shall not permit any contract, covenant, or agreement to be carried out having for its object the abridgment, loss, or irrevocable sacrifice of the liberty of man, whether by reason of labor, education, or religious vows. The law, therefore, does not recognize the establishment of monastic orders, of whatever denomination, or for whatever purpose contemplated.

Nor shall any person legally agree to his own proscription or exile, or to the temporary or permanent renunciation of the exercise of any profession or industrial or commercial pursuit.

A contract for labor shall only be binding to render the services agreed upon for the time fixed by law and shall not exceed one year to the prejudice of the party rendering the service; nor shall it in any case whatsoever embrace the waiver, loss, or abridgement of any political or civil right.

In the event of a breach of such contract on the part of the party pledging himself to render the service, the said party shall only be liable civilly for damages arising from such breach, and in no event shall coercion against his person be employed.

ART. 6. The expression of ideas shall not be the subject of any judicial or executive investigation, unless it offend good morals, impair the rights of third parties, incite to crime, or cause a breach of the peace.

ART. 7. Freedom of writing and publishing writings on any subject is inviolable. No law or authority shall have the right to establish censorship, require bond from authors or printers, or restrict the liberty of the press, which shall be limited only by the respect due to private life, morals, and public peace. Under no circumstances shall a printing press be sequestrated as the corpus delicti.

The organic laws shall prescribe whatever provisions may be necessary to prevent the imprisonment, under pretext of a denunciation of offenses of the press, of the vendors, newsboys, distributors, workmen, and other employees of the establishment publishing the writing denounced, unless their responsibility be previously established.

ART. 8. Public officials and employees shall respect the exercise of the right of petition, provided it be in writing and in a peaceful and respectful manner; but this right may be exercised in political matters solely by citizens.

To every petition there shall be given an answer in writing by the official to whom it may be addressed, and said official shall be bound to inform the petitioner of the decision taken within a brief period.

ART. 9. The right peaceably to assemble or to come together for any lawful purpose shall not be abridged; but only citizens shall be permitted to do so in order to take part in the political affairs of the country. No armed assembly shall have the right to deliberate.

No meeting or assembly shall be deemed unlawful, nor may it be dissolved, which shall have for its purpose the petitioning of any authority or the presentation of any protest against any act, provided no insults are proffered against the said authority, nor violence resorted to, nor threats used to intimidate or to compel the said authority to render a favorable decision.

ART. 10. The inhabitants of the United Statea of Mexico are entitled to have arms of any kind in their possession for their protection and legitimate defense, excepting such as are expressly prohibited by law and such as the nation may reserve for the exclusive use of the army, navy, and national guard; but they shall not bear such arms within inhabited places except subject to the police regulations thereof.

ART. 11. Every man has the right to enter and leave the Republic, to travel through its territory and change his residence without necessity of a letter of security, passport, safe conduct, or any other similar requirement. The exercise of this right shall be subordinated to the powers of the judiciary, in the event of civil or criminal responsibility, and to those of the executive insofar as relates to the limitation imposed by law in regard to emigration, immigration, and the public health of the country, or in regard to undesirable foreigners resident in the country.

ART. 12. No titles of nobility, prerogatives, or hereditary honors shall be granted in the United States of Mexico, nor shall any effect be given to those granted by other countries.

ART. 13. No one shall be tried according to special laws or by special tribunals. No person or corporation shall have privileges or enjoy emoluments which are not in compensation for public services and established by law. Military jurisdiction shall be recognized for the trial of criminal cases having direct connection with military discipline; but the military tribunals shall in no case and for no reason extend their jurisdiction over persons not belonging to the army. Whenever a civilian shall be implicated in any military crime or offense, the cause shall be heard by the corresponding civil authorities.

ART. 14. No law shall be given retroactive effect to the injury of any person whatsoever.

No person shall be deprived of life, liberty, property, possessions, or rights without due process of law instituted before a duly created court, in which the essential elements of procedure are observed and in accordance with previously existing laws.

In criminal cases no penalty shall be imposed by mere analogy or even by a priori evidence, but the penalty shall be decreed by a law in every respect applicable to the crime in question.

In civil suits the final judgment shall be according to the letter or the judicial interpretation of the law; in the absence of the latter the general legal principles shall govern.

ART. 15. No treaty shall be made for the extradition of political offenders, or of offenders of the common class, who have been slaves in the country where the offense was committed. Nor shall any agreement or treaty be entered into which abridges or modifies the guarantees and rights which this Constitution grants to the individual and to the citizen.

ART. 16. No one shall be molested in his person, family, domicile, papers or possessions except by virtue of an order in writing of the competent authority setting forth the legal ground and justification for the action taken. No order of arrest or detention shall be issued against any person other than by competent judicial authority, nor unless preceded by a charge, accusation or complaint for a specific offense punishable by imprisonment, supported by an affidavit of a credible party or by such other evidence as shall make the guilt of the accused probable; in cases in flagrante delicto any person may arrest the offender and his accomplices, placing them without delay at the disposition of the nearest authorities. Only in urgent cases instituted by the public attorney without previous complaint or indictment and when there is no judicial authority available may the administrative authorities, on their strictest accountability, order the detention of the accused, placing him at the disposition of the judicial authorities. Every search warrant, which may only be issued by the judicial authority and which must be in writing shall specify the place to be searched, the person or persons to be arrested and the objects sought to which the proceeding shall be strictly limited; at the conclusion of which a detailed written statement shall be

drawn up in the presence of two witnesses proposed by the occupant of the place to be searched or in his absence or refusal by the official making the search.

Administrative officials may enter private houses solely for the purpose of determining that the sanitary and police regulations have been complied with; they may likewise demand the exhibition of books and documents necessary to prove that the fiscal regulations have been obeyed, subject to the respective laws and to the formalities prescribed for cases of search.

ART. 17. No one shall be imprisoned for debts of a purely civil character. No one shall take the law into his own hands, nor resort to violence in the enforcement of his rights. The courts shall be open for the administration of justice at such times and under such conditions as the law may establish; their services shall be gratuitous and all judicial costs are accordingly prohibited.

ART. 18. Detention shall be inflicted only for offenses meriting corporal punishment. The place of detention shall be different and completely separated from that set apart for the serving of sentences.

The Federal and State Governments shall organize in their respective territories the penal system—penal colonies or prisons—on the basis of labor as a means of regeneration.

ART. 19. No detention shall exceed three days except for reasons specified by the formal order of commitment, which shall set forth the offense charged, the substance thereof, the time, place, and circumstances of its commission, and the facts disclosed in the preliminary examination. The said facts must always be sufficient to establish the corpus delicti and the probable guilt of the accused. All authorities ordering any detention or consenting thereto, as well as all agents, subordinates, wardens, or jailers, executing the same, shall be liable for any breach of this provision.

The trial shall take place only for the offense or offenses set forth in the formal order of commitment. If it shall develop in the course of trial that another offense different from that charged has been committed, a separate accusation must be brought. This, however, shall not prevent the joinder of both causes of action, if deemed advisable.

Any maltreatment during apprehension or confinement; any molestation inflicted without legal justification; any exaction or contribution levied in prison are abuses which the law shall correct and the authorities punish.

ART. 20. In every criminal trial the accused shall enjoy the following guaranties:

I. He shall be set at liberty on demand and upon giving a bond up to 10,000 pesos, according to his status and the gravity of the offense charged: *Provided, however*, That the said offense shall not be punishable with more than five years' imprisonment; he shall be set at liberty without any further requisite than the placing of the stipulated sum at the disposal of the proper authorities or the giving of an adequate mortgage bond or personal security.

II. He may not be forced to be a witness against himself; wherefore denial of access or other means looking toward this end is hereby strictly prohibited.

III. He shall be publicly notified within 48 hours after being turned over to the judicial authorities of the name of his accuser and of the nature of and cause for the accusation, so that he may be familiar with the offense with which he is charged, may reply thereto, and make his preliminary statement.

IV. He shall be confronted with the witnesses against him, who shall testify in his presence if they are to be found in the place where the trial is being held, so that he may cross-examine them in his defense.

V. All witnesses which he shall offer shall be heard in his defense, as well as all evidence received, for which he shall be given such time as the law may prescribe; he shall, furthermore, be assisted in securing the presence of any person or persons whose testimony he may desire, provided they are to be found at the place of trial.

VI. He shall be entitled to a public trial by a judge or jury of citizens who can read and write and are also citizens of the place and district where the offense shall have been committed, provided the penalty for such offense be greater than one year's imprisonment. The accused shall always be entitled to trial by jury for all offenses committed by means of the press against the public peace or against the safety, domestic or foreign, of the Republic.

VII. He shall be furnished with all information of record needed for his defense.

VIII. He shall be tried within four months if charged with an offense the maximum penalty for which does not exceed two years' imprisonment, and within one year if the maximum penalty be greater.

IX. He shall be heard in his own defense, either personally or by counsel, or by both, as he may desire. In case he shall have no one to defend him, a list of official counsel shall be submitted to him in order that he may choose one or more to act in his defense. If the accused shall not desire to name any counsel for his defense, after having been called upon to do so at the time of his preliminary examination,

the court shall appoint counsel to defend him. The accused may name his counsel immediately on arrest and shall be entitled to have him present at every stage of the trial, but he will be bound to make him appear as often as required by the court.

X. In no event may imprisonment or detention be extended through failure to pay counsel fees or through any other pecuniary charge, by virtue of any civil liability or other similar cause. Nor shall detention be extended beyond the time set by law as the maximum for the offense charged.

The period of detention shall be reckoned as a part of the final sentence.

ART. 21. The imposition of all penalties is an exclusive attribute of the judiciary. The prosecution of offenses belongs to the public prosecutor and to the judicial police. who shall be under the immediate command and authority of the public prosecutor. The punishment of violations of municipal and police regulations belongs to the administrative authorities, and shall consist only of a fine or of imprisonment not exceeding 36 hours. Should the offender fail to pay the fine this shall be substituted by the corresponding period of arrest, which shall in no case exceed 15 days.

Should the offender be a workman or unskilled laborer, he shall not be punished with a fine greater than the amount of his week's wages or salary.

ART. 22. Punishments by mutilation and infamy, by branding, flogging, beating with sticks, torture of any kind, excessive fines, confiscation of property, and any other unusual and excessive penalties, are prohibited.

Attachment proceedings of the whole or part of the property of any person made under judicial authority to cover any civil liability arising out of the commission of any offense, or by reason of the imposition of any tax or fine, shall not be deemed a confiscation of property.

Capital punishment is likewise forbidden for all political offenses; in the case of offenses other than political it shall only be imposed for high treason committed during a foreign war, parricide, murder, with malice aforethought, arson, abduction, highway robbery, piracy, and grave military offenses.

ART. 23. No criminal case shall have more than three instances. No one, whether acquitted or condemned, shall be tried twice for the same offense. Verdicts of "not proven" are abolished.

ART. 24. Every man is free to embrace the religion of his choice and to practice such ceremony, devotions, or observances of the respective creed, either in places of public worship or at home, provided they do not constitute an offense punishable by law.

Every religious act of public worship shall be performed strictly within the places of public worship, which shall be at all times under governmental supervision.

ART. 25. Correspondence sent through the mails is inviolable and shall be free from search. The violation of this provision shall be punishable by law.

ART. 26. No member of the army shall in time of peace be quartered in private dwellings without the consent of the owner; nor shall any other exaction be demanded. In time of war the military may demand lodging, equipment, provisions, and other assistance, in the manner provided by the corresponding martial law.

ART. 27. The ownership of lands and waters within the limits of the national territory is vested originally in the nation, which has had and has the right to transmit title thereof to private persons, thereby constituting private property.

Private property shall not be expropriated except for cause of public utility[1] and by means of indemnification.

The nation shall have at all times the right to impose on private property such limitations as the public interest may demand as well as the right to regulate the development of natural resources, which are susceptible of appropriation, in order to conserve them and equitably to distribute the public wealth. For this purpose necessary measures shall be taken to divide large landed estates; to develop small landed holdings; to establish new centers of rural population with such lands and waters as may be indispensable to them; to encourage agriculture and to prevent the destruction of natural resources and to protect property from damage detrimental to society. Settlements, hamlets situated on private property, and communes which lack lands or water or do not possess them in sufficient quantities for their needs shall have the right to be provided with them from the adjoining properties, always having due regard for small landed holdings. Wherefore, all grants of lands made up to the present time under the decree of January 6, 1915, are confirmed. Private property acquired for the said purposes shall be considered as taken for public use. In the nation is vested direct ownership of all minerals or substances which in veins,

[1] While the term "public utility" may be somewhat misleading, it is felt that that of "public use" may be even more so. The same expression ("por causa de utilidad publica") is to be found in the 1857 constitution, and has always been interpreted by the courts of Mexico in the sense of public interest, as in the case of land expropriated for the surface work of a mine, etc. H. N. B.

masses, or beds constitute deposits whose nature is different from the components of the land, such as minerals from which metals and metaloids used for industrial purposes are extracted; beds of precious stones, rock salt, and salt lakes formed directly by marine waters, products derived from the decomposition of rocks, when their exploitation requires underground work; phosphates which may be used for fertilizers; solid mineral fuels; petroleum and all hydrocarbons—solid, liquid, or gaseous.

In the nation is likewise vested the onwership of the waters of territorial seas to the extent and in the terms fixed by the law of nations; those of lakes and inlets of bays; those of interior lakes of natural formation which are directly connected with flowing waters; those of principal rivers or tributaries from the points at which their courses become permanently identifiable to their mouths, whether they flow to the sea or cross two or more States; those of intermittent streams which traverse two or more States in their main body; the waters of rivers, streams, or ravines, when they bound the national territory or that of the States; waters extracted from mines; and the beds and banks of the lakes and streams hereinbefore mentioned, to the extent fixed by law. Any other stream of water not comprised within the foregoing enumeration shall be considered as an integral part of the private property through which it flows; but the development of the waters when they pass from one landed property to another shall be considered of public utility and shall be subject to the provisions prescribed by the States.

In the cases to which the two foregoing paragraphs refer, the ownership of the nation is inalienable and may not be lost by prescription; concessions shall be granted by the Federal Government to provide parties or civil or commercial corporations organized under the laws of Mexico, only on condition that said resources be regularly developed, and on the further condition that the legal provisions be observed.

Legal capacity to acquire ownership of lands and waters of the nation shall be governed by the following provisions:

I. Only Mexicans by birth or naturalization and Mexican companies have the right to acquire ownership in lands, waters, and their appurtenances, or to obtain concessions to develop mines, waters, or mineral fuels in the Republic of Mexico. The nation may grant the same right to foreigners, provided they agree before the department of foreign affairs to be considered Mexicans in respect to such property, and accordingly not to invoke the protection of their Governments in respect to the same, under penalty, in case of breach, of forfeiture to the nation of property so acquired. Within a zone of 100 kilometers from the frontiers, and of 50 kilometers from the seacoast no foreigner shall, under any conditions acquire direct ownership of lands and waters.

II. The religious associations known as churches, irrespective of creed, shall in no case have legal capacity to acquire, hold, or administer real property or loans made on such real property; all such real property or loans as may be at present held by the said religious associations either on their own behalf or through third parties shall vest in the nation, and anyone shall have the right to denounce property so held. Presumptive proof shall be sufficient to declare the denunciation well founded. Places of public worship are the property of the nation, as represented by the Federal Government, which shall determine which of them may continue to be devoted to their present purposes. Episcopal residences, rectories, seminaries, orphan asylums or collegiate establishments of religious associations, convents or any other buildings built or designed for the administration, propaganda, or teaching the tenets of any religious sect shall forthwith vest, as of full right, directly in the nation, to be used exclusively for the public services of the Federation or of the States, within their respective jurisdictions. All places of public worship which shall later be erected shall be the property of the nation.

III. Public and private charitable institutions for the sick and needy, for scientific research, or for the diffusion of knowledge, mutual aid societies, or organizations formed for any other purpose shall in no case acquire, hold, and administer loans made on real property, unless the mortgage terms do not exceed 10 years. In no case shall institutions of this character be under the patronage, direction, administration, charge, or supervision of religious corporations or institutions, nor of ministers of any religious sect or of their dependents, even though either the former or the latter shall not be in service.

IV. Commercial stock companies may not acquire, hold, or administer rural properties. Companies of this nature which may be organized to develop any manufacturing, mining, petroleum, or other industry, excepting only agricultural industries, may acquire, hold, or administer lands only in an area absolutely necessary for their establishments or adequate to serve the purposes indicated, which the executive of the union or of the State in each case shall determine.

V. The banks duly organized under the laws governing institutions of credit may make mortgage loans on rural and urban property in accordance with the provisions

of the said laws, but they may not own or administer more real property than that absolutely necessary for their direct purposes; and they may furthermore hold temporarily for the brief term fixed by law such real property as may be judicially adjudicated to them in execution proceedings.

VI. Properties held in common by coowners, hamlets situated on private property, pueblos, tribal congregations and other settlements which, as a matter of fact or law, conserve their communal character, shall have legal capacity to enjoy in common the waters, woods and lands belonging to them, or which may have been or shall be restored to them according to the law of January 6, 1915, until such time as the manner of making the division exclusively of the lands shall be determined by law.

VII. Excepting the corporations to which Clauses III, IV, V and VI hereof refer no other civil corporation may hold or administer on its own behalf real estate or mortgage loans derived therefrom, with the single exception of buildings designed directly and immediately for the purposes of the institution. The States, the Federal district and the Territories as well as the municipalities throughout the Republic shall enjoy full legal capacity to acquire and hold all real estate necessary for public services.

The Federal and State laws shall determine within their respective jurisdictions those cases in which the occupation of private property is to be considered of public utility; and in accordance with the said laws the administrative authorities shall make the corresponding declaration. The amount fixed as compensation for the expropriated property shall be based on the sum at which the said property shall be valued for fiscal purposes in the catastral or revenue offices, whether this value be that manifested by the owner or merely impliedly accepted by reason of the payment of his taxes on such a basis, to which basis there shall be added 10 per cent. The increased value which the property in question may have acquired through improvements made subsequent to the date of the fixing of the fiscal value shall be the only matter subject to expert opinion and to judicial determination. The same procedure shall be observed in respect to objects whose value is not recorded in the revenue offices.

All proceedings, dispositions, decisions and all operations of demarcation, concession, composition, judgment, compromise, alienation, or auction which may have deprived properties held in common by coowners, hamelts situated on private property, settlements, congregations, tribes and other settlement organizations still existing since the law of June 25, 1856, of the whole or a part of their lands, woods and waters, are declared null and void; all dispositions, resolutions and operations which may subsequently take place and produce the same effects shall likewise be null and void. Consequently all lands, forests and waters of which the above-mentioned settlements may have been deprived shall be restored to them according to the decree of January 6, 1915, which shall remain in force as a constitutional law. In case the adjudication of lands, by way of restitution be not legal in the terms of the said decree which adjudication should have been requested by any of the above entities, those lands shall nevertheless be given to them by way of grant, and they shall in no event fail to receive such as they may need. Only such lands, title to which may have been acquired in the divisions made by virtue of the said law of June 25, 1856, or such as may be held in undisputed ownership for more than ten years are excepted from the provision of nullity, provided their area does not exceed fifty hectares. Any excess over this area shall be returned to the commune and the owner shall be indemnified. All laws of restitution enacted by virtue of this provision shall be immediately carried into effect by the administrative authorities. Only members of the commune shall have the right to the lands destined to be divided and the rights to these lands shall be inalienable so long as they remain undivided; the same provision shall govern the right of ownership after the division has been made. The exercise of the rights pertaining to the nation by virtue of this article shall be made by judicial process; but as a part of this process and by order of the proper tribunals, which order shall be issued within the maximum period of one month, the administrative authorities shall proceed without delay to the occupation, administration, auction, or sale of the lands and waters in question, together with all their appurtenances, and in no case may the acts of the said authorities be set aside until final sentence is handed down.

During the next constitutional term the Congress and the State legislatures shall enact laws within their respective jurisdictions for the purpose of carrying out the division of large landed estates subject to the following conditions:

(*a*) In each State and Territory there shall be fixed the maximum area of land which any one individual or legally organized corporation may own.

(*b*) The excess of the area fixed shall be subdivided by the owner within the period set by the laws of the respective locality; and these subdivisions shall be offered for sale on such conditions as the respective governments shall approve, in accordance with the said laws.

(*c*) If the owner shall refuse to make the subdivision, this shall be carried out by the local government by means of expropriation proceedings.

(*d*) The value of the subdivisions shall be paid in annual amounts sufficient to amortize the principal and interest within a period of not less than 20 years, during which the person acquiring them may not alienate them. The rate of interest shall not exceed 5 per cent per annum.

(*e*) The owner shall be bound to receive special bonds to guarantee the payment of the property expropriated. With this end in view the Congress shall issue a law authorizing the States to issue bonds to meet their agrarian obligations.

(*f*) The local laws will govern the extent of family estate, determining what property will constitute the same on the basis of its inalienability; it shall not be subject to attachment nor to any charge.

All contracts and concessions made by former governments from and after the year 1876 which shall have resulted in the monopoly of lands, waters, and natural resources of the nation by a single individual or corporation, are declared subject to revision, and the executive is authorized to declare those null and void which seriously prejudice the public interest.

ART. 28. There shall be no private nor govermental monopolies of any kind whatsoever in the United States of Mexico; nor exemption from taxation; nor any prohibition even under cover of protection to industry, excepting only those relating to the coinage of money, to the postal, telegraphic, and radiotelegraphic services, to the issuance of bills by a single banking institution to be controlled by the Federal Government, and to the privileges which for a limited period the law may concede to authors and artists for the reproduction of their work; and lastly to those granted inventors or improvers of inventions for the exclusive use of their inventions.

The law will accordingly severely punish and the authorities diligently prosecute any accumulating or cornering by one or more persons of necessaries for the purpose of bringing about a rise in price; any act or measure which shall stifle or endeavor to stifle free competition in any production, industry, trade, or public service; any agreement or combination of any kind entered into by producers, manufacturers, merchants, common carriers, or other public or quasi-public service, to stifle competition and to compel the consumer to pay exorbitant prices; and in general whatever constitutes an unfair and exclusive advantage in favor of one or more specified person or persons to the detriment of the public in general or of any special class of society.

Associations of labor organized to protect their own interests shall not be deemed a monopoly. Nor shall cooperative associations or unions of producers be deemed monopolies when, in defense of their own interests or of the general public, they sell directly in foreign markets national or industrial products which are the principal source of wealth of the region in which they are produced, provided they be not necessaries, and provided further that such association be under the supervision or protection of the Federal Government or of that of the States, and provided further that authorization be in each case obtained from the respective legislative bodies. These legislative bodies may, either on their own initiative or on the recommendation of the executive, revoke, whenever the public interest shall so demand, the authorization granted for the establishment of the associations in question.

ART. 29. In cases of invasion, grave disturbance of the public peace, or any other emergency which may place society in grave danger or conflict, the President of the Republic of Mexico, and no one else, with the concurrence of the Council of Ministry, and with the approval of the Congress, or if the latter shall be in recess, of the permanent committee, shall have power to suspend throughout the whole Republic or in any portion thereof, such rights as shall be a hindrance in meeting the situation promptly and readily, but such suspension shall in no case be confined to a particular individual, but shall be made by means of a general decree and only for a limited period. If the suspension should occur while the Congress is in session, this body shall grant such powers as in its judgment the executive may need to meet the situation if the suspension occur while the Congress is in recess, the Congress shall be convoked forthwith for the granting of such powers.

CHAPTER II.—OF MEXICANS.

ART. 30. A Mexican shall be such either by birth or by naturalization.

I. Mexicans by birth are those born of Mexican parents, within or without the Republic, provided in the latter case the parents be also Mexicans by birth. Those born within the Republic of foreign parentage shall likewise be considered Mexicans by birth, who within one year after they come of age shall declare to the department of foreign affairs that they elect Mexican citizenship, and who shall furthermore prove to the said department that they have resided within the country during the last six years immediately prior to the said declaration.

II. Mexicans by naturalization are:

(*a*) The children of foreign parentage born in the country, who shall elect Mexican citizenship in the manner prescribed in the foregoing clause, and in whom the residence qualification required in the said section does not concur.

(*b*) Those persons who shall have resided in the country for five consecutive years, have an honest means of livelihood and shall have obtained their naturalization from the said department of foreign affairs.

(*c*) Those of mixed Indian and Latin descent who may have established residence in the Republic, who shall have manifested their intention to acquire Mexican citizenship.

In the cases stipulated in these sections, the law shall determine the manner of proving the requisites therein demanded.

ART. 31. It shall be the duty of every Mexican:

I. To compel the attendance at either private or public schools of their children or wards, when under 15 years of age, in order that they may receive primary instruction and military training for such periods as the law of public instruction in each State shall determine.

II. To attend on such days and at such hours as the town council shall in each case prescribe, to receive such civic instruction and military training as shall fit them to exercise their civic rights, shall make them skillful in the handling of arms and familiar with military discipline.

III. To enlist and serve in the national guard, pursuant to the respective organic law for the purpose of preserving and defending the independence, territory, honor, rights, and interests of the fatherland, as well as domestic peace and order.

IV. To contribute in the proportional and equitable manner provided by law toward the public expenses of the federation, the State and the municipality in which he resides.

ART. 32. Mexicans shall be preferred under equal circumstances to foreigners for all kinds of concessions and for all public employments, offices, or commissions, when citizenship is not indispensable. No foreigner shall serve in the army nor in the police corps nor in any other department of public safety during times of peace.

Only Mexicans by birth may belong to the national navy, or fill any office or commission therein. The same requisite shall be required for captains, pilots, masters, and chief engineers of Mexican merchant ships, as well as for two-thirds of the members of the crew.

CHAPTER III.—OF FOREIGNERS.

ART. 33. Foreigners are those who do not possess the qualifications prescribed by article 30. They shall be entitled to the rights granted by Chapter I, Title I, of the present constitution; but the executive shall have the exclusive right to expel from the Republic forthwith and without judicial process, any foreigner whose presence he may deem inexpedient.

No foreigner shall meddle in any way whatsoever in the political affairs of the country.

CHAPTER IV.—OF MEXICAN CITIZENS.

ART. 34. Mexican citizenship shall be enjoyed only by those Mexicans who have the following qualifications:

I. Are over 21 years of age, if unmarried, and over 18, if married.

II. Have an honest means of livelihood.

ART. 35. The prerogatives of citizens are:

I. To vote at popular elections.

II. To be eligible for any elective office and be qualified for any other office or commission provided they have the other qualifications required by law.

III. To assemble to discuss the political affairs of the country.

IV. To serve in the army or national guard for the defense of the Republic and its institutions as by law determined.

V. To exercise the right of petition in any matter whatever.

ART. 36. It shall be the duty of every Mexican citizen:

I. To register in the polls of the municipality, setting forth any property he may own and his professional or industrial pursuit, or occupation; and also to register in the electoral registration lists, as by law determined.

II. To enlist in the national guard.

III. To vote at popular elections in the electoral district to which he belongs.

IV. To fill the elective Federal or State offices to which he may be chosen which shall in no case be gratuitous.

V. To serve on the town council of the municipality wherein he resides and to perform all electoral and jury service.

ART. 37. Citizenship shall be lost:

I. By naturalization in a foreign country.

II. By officially serving the government of another country, or accepting its decorations, titles, or employment without previous permission of the Federal Congress, excepting literary, scientific, and humanitarian titles, which may be accepted freely.

III. By compromising themselves in any way before ministers of any religious creed or before any other person not to observe the present constitution, or the laws arising thereunder.

ART. 38. The rights or prerogatives of citizenship shall be suspended for the following reasons:

I. Through failure to comply without sufficient cause with any of the obligations imposed by Article 36. This suspension shall last for one year and shall be in addition to any other penalties prescribed by law for the same offense.

II. Through being subjected to criminal prosecution for an offense punishable with imprisonment, such suspension to be reckoned from the date of the formal order of commitment.

III. Throughout the term of imprisonment.

IV. Through vagrancy or habitual drunkenness, declared in the manner provided by law.

V. Through being a fugitive from justice, the suspension to be reckoned from the date of the order of arrest until the prescription of the criminal action.

VI. Through any final sentence which shall decree as a penalty such suspension.

The law shall determine the cases in which civic rights may be lost or suspended and the manner in which they may be regained.

TITLE II, CHAPTER I.—OF THE NATIONAL SOVEREIGNTY AND FORM OF GOVERNMENT.

ART. 39. The national sovereignty is vested essentially and originally in the people. All public power emanates from the people and is instituted for their benefit. The people have at all times the inalienable right to alter or modify their form of government.

ART. 40. It is the will of the Mexican people to constitute themselves into a democratic, federal, representative republic, consisting of States free and sovereign in all that concerns their internal affairs, but united in a federation according to the principles of this fundamental law.

ART. 41. The people exercise their sovereignty through the federal powers in the matters belonging to the Union, and through those of the States in the matters relating to the internal administration of the latter. This power shall be exercised in the manner respectively established by the constitutions, both Federal and State. The constitutions of the States shall in no case contravene the stipulations of the Federal constitution.

CHAPTER II.—OF THE INTEGRAL PARTS OF THE FEDERATION AND THE NATIONAL TERRITORY.

ART. 42. The National Territory comprises the integral parts of the Federation and the adjacent islands in both oceans. It likewise comprises the Island of Guadalupe, those of Revillagigedo, and that of "La Pasion," situated in the Pacific Ocean.

ART. 43. The integral parts of the Federation are: The States of Aguascalientes, Campeche, Coahuila, Colima, Chiapas, Chihuahua, Durango, Guanajuato, Guerrero, Hidalgo, Jalisco, Mexico, Michoacan, Morelos, Nayarit, Nuevo Leon, Oaxaca, Puebla, Queretaro, San Luis Potosi, Sinaloa, Sonora, Tabasco, Tamaulipas, Tlaxcala, Veracruz, Yucatan, Zacatecas, the Federal District, the Territory of Lower California, and the Territory of Quintana Roo.

ART. 44. The Federal District shall embrace its present territory; in the event of the removal of the Federal powers to some other place it shall be created into the State of the Valley of Mexico, with such boundaries and area as the Federal Congress shall assign to it.

ART. 45. The States and Territories of the Federation shall conserve their present boundaries and areas, provided no boundary question shall exist between them.

ART. 46. The States having pending boundary questions shall settle them as provided by this constitution.

ART. 47. The State of Nayarit shall have the territorial area and boundaries at present comprising the territory of Tepic.

ART. 48. The islands in both oceans embraced within the national territory shall depend directly on the Federal Government, excepting those over which the States have up to the present time exercised jurisdiction.

TITLE III, CHAPTER I.—OF THE DIVISION OF POWERS.

ART. 49. The supreme power of the federation is divided for its exercise into legislative, executive, and judicial.

Two or more of these powers shall never be united in one person or corporation, nor shall the executive power be vested in one individual except in the case of extraordinary powers granted to the executive, in accordance with the provisions of article 29.

CHAPTER II.—OF THE LEGISLATIVE POWER.

ART. 50. The legislative power of the United States of Mexico is vested in a general Congress, which shall consist of a House of Representatives and a Senate.

SECTION I.—OF THE ELECTION AND INSTALLATION OF THE CONGRESS.

ART. 51. The House of Representatives shall consist of representatives of the nation, all of whom shall be elected every two years by the citizens of Mexico.

ART. 52. One representative shall be chosen for each 60,000 inhabitants or for any fraction thereof exceeding 20,000, on the basis of the general census of the Federal district and of each State and Territory. Any State or Territory in which the population shall be less than that fixed by this article shall, nevertheless, elect one representative.

ART. 53. There shall be elected an alternate for each representative.

ART. 54. The election of representatives shall be direct, in accordance with the provisions of the electoral law.

ART. 55. Representatives shall have the following qualifications:

I. They shall be Mexican citizens by birth and in the enjoyment of their rights.

II. They shall be over 25 years of age on the day of election.

III. They shall be natives of the States or Territories respectively electing them, or domiciled and actually resident therein for six months immediately prior to the election. The domicile shall not be lost through absence in the discharge of any elective office.

IV. They shall not be in active service in the Federal army, not have any command in the police corps or rural constabulary in the districts where the elections respectively take place, for at least 90 days immediately prior to the election.

V. They shall not hold the office of secretary nor assistant secretary of any executive department or of justice of the supreme court, unless they shall have resigned therefrom 90 days immediately prior to the election.

No State governor, secretary of state of the several States, or State judge shall be eligible in the districts within their several jurisdictions, unless they shall have resigned from their respective offices 90 days immediately prior to the day of election.

VI. They shall not be ministers of any religious creed.

ART. 56. The Senate shall consist of two senators from each State and two from the Federal district, chosen in direct election.

Each State legislature shall certify to the election of the candidate who shall have obtained a majority of the total number of votes cast.

ART. 57. There shall be elected an alternate for each Senator.

ART. 58. Each Senator shall serve four years. The Senate shall be renewed by half every two years.

ART. 59. The qualifications necessary to be a Senator shall be the same as those necessary to be a Representative, excepting that of age, which shall be over 35 on the day of election.

ART. 60. Each House shall be the judge of the election of its members and shall decide all questions arising therefrom.

Its decisions shall be final.

ART. 61. Representatives and Senators are inviolable for opinions expressed by them in the discharge of their duties, and shall never be called to account for them.

ART. 62. Representatives and Senators shall be disqualified during the term for which they have been elected from holding any Federal or State commission or office for which any emolument is received without previous permission of the respective house; in the event of their accepting such commission or office they shall forthwith lose their representative character for such time as they shall hold such appointive office. The same provision shall apply to alternate Representatives and Senators, when in active service. The violation of this provision shall be punished by forfeiture of the office of Representative or Senator.

ART. 63. The houses shall not open their sessions nor exercise their functions without a quorum, in the Senate, of two-thirds, and in the House of Representatives of a majority of the total membership; but the members present of either house shall meet on the day appointed by law and compel the attendance of the absentees within the next 30 days, and they shall warn them that failure to comply with this provision shall be taken to be a refusal of office, and the corresponding alternates shall be summoned forthwith; the latter shall have a similar period within which to present themselves, and on their failure to do so the seats shall be declared vacant and new elections called.

Representatives or Senators who shall be absent during 10 consecutive days without proper cause or without leave of the president of the respective house, notice of which shall be duly communicated to the house, shall be understood as waiving their right to attend until the next session, and their alternates shall be summoned without delay.

If there shall be no quorum to organize either of the houses or to continue their labors once organized, the alternates shall be ordered to present themselves as soon as possible for the purpose of taking office until the expiration of the 30 days hereinbefore mentioned.

ART. 64. No Representative or Senator who shall fail to attend any daily session without proper cause or without previous permission of the respective house, shall be entitled to the compensation corresponding to the day on which he shall have been absent.

ART. 65. The Congress shall meet on the 1st day of September of each year in regular session for the consideration of the following matters:

I. To audit the accounts of the previous year, which shall be submitted to the House of Representatives not later than 10 days after the opening of the session. The audit shall not be confined to determining whether the expenditures do or do not conform with the respective items in the budget, but shall comprise an examination of the exactness of and authorization for payments made thereunder and of any liability arising from such payments.

No other secret items shall be permitted than those which the budget may consider as such; these amounts shall be paid out by the secretaries of executive departments under written orders of the President.

II. To examine, discuss, and approve the budget for the next fiscal year and to lay such taxes as may be needed to meet the expenditures.

III. To study, discuss, and vote on all bills presented and to discuss all other matters incumbent upon the Congress by virtue of this constitution.

ART. 66. The regular session of the Congress shall last the period necessary to deal with all of the matters mentioned in the foregoing article, but it may not be extended beyond the 31st day of December of the same year. Should both houses fail to agree as to adjournment prior to the above date, the matter shall be decided by the executive.

ART. 67. The Congress shall meet in extraordinary session whenever so summoned by the President, but in such event it shall consider only the matter or matters submitted to it by the President, who shall enumerate it or them in the respective call. The President shall have power to convene in extraordinary session only one of the houses when the matter to be referred to it pertains to its exclusive jurisdiction.

ART. 68. Both houses shall hold their meetings in the same place and shall not move to another without having first agreed upon the moving and the time and manner of accomplishing it, as well as upon the place of meeting, which shall be the same for both houses. If both houses agree to change their meeting place but disagree as to the time, manner, and place, the President shall settle the question by choosing one of the two proposals. Neither House may suspend its sessions for more than three days without the consent of the other.

ART. 69. The president of the Republic shall attend at the opening of the sessions of the Congress, whether regular or extraordinary, and shall submit a report in writing; this report shall in the former case relate to the general state of the Union; and in the latter it shall explain to the Congress or to the House addressed the reasons or causes which rendered the call necessary and the matters requiring immediate attention.

ART. 70. Every measure of the Congress shall be in the form of a law or decree. The laws or decrees shall be communicated to the executive after having been signed by the presidents of both houses and by one of the secretaries of each. When promulgated, the enacting clause shall read as follows:

"The Congress of the United States of Mexico decrees (text of the law or decree)."

SECTION II.—OF THE ORIGIN AND FORMATION OF THE LAWS.

ART. 71. The right to originate legislation pertains:

I. To the President of the Republic;

II. To the representatives and senators of the Congress;

III. To the State legislatures.

Bills submitted by the President of the Republic, by State legislatures, or by delegations of the States shall be at once referred to committee. Those introduced by representatives or senators shall be subject to the rules of procedure.

ART. 72. All bills, action on which shall not pertain exclusively to one of the houses, shall be discussed first by one and then by the other, according to the rules of procedure as to the form, time of presentation, and other details relative to discussions and votes.

(*a*) After a bill has been approved in the House where it originated it shall be sent to the other House for consideration. If passed by the latter, it shall be transmitted to the President who, if he has no objection thereto, shall immediately promulgate it.

(*b*) All bills not returned by the Executive within 10 working days with his observations to the House in which they originated, shall be considered approved unless during the said 10 days the Congress shall have adjourned or suspended its sessions, in which event they shall be returned on the first working day after the Congress shall have reconvened.

(*c*) Bills rejected in whole or in part by the Executive shall be returned with his observations to the House where they originated. They shall be discussed anew by this House and if confirmed by a two-thirds majority vote of the total membership shall be sent to the other House for reconsideration. If approved by it, also by the same majority vote, the bill shall become law and shall be returned to the Executive for promulgation.

The voting in both Houses shall be by yeas and nays.

(*d*) Bills totally rejected by the House not originating them shall be returned with the proper observations to the House of origin. If examined anew and approved by a majority of the members present, they shall be returned to the House rejecting them, which shall once again take them under consideration, and if approved by it, likewise by the same majority vote they shall be sent to the Executive for the purposes of clause A; but if the said House fail to approve them, they shall not be reintroduced in the same session.

(*e*) Bills rejected in part or modified or amended by the House of revision shall be discussed anew in the House of origin, but the discussion shall be confined to the portion rejected or to the amendments or additions, without the approved articles being altered in any respect. If the additions or amendments made by the House of revision be approved by a majority vote of the members present in the House of origin, the bill shall be transmitted to the Executive for the purposes of clause A; but if the amendments or additions by the House of revision be rejected by a majority vote of the House of origin they shall be returned to the former House in order that the reasons set forth by the latter may be taken into consideration. If in this second revision the said additions or amendments be rejected by a majority vote of the members present, the portion of the bill which has been approved by both Houses shall be sent to the Executive for the purposes of clause A. If the House of revision insist by a majority vote of the members present upon the additions or amendments, no action shall be taken on the whole bill until the next session, unless both Houses agree by a majority vote of the members present to the promulgation of the law without the articles objected to, which shall be left till the next session, when they shall be then discussed and voted upon.

(*f*) The same formalities as are required for the enactment of laws shall be observed for their interpretation, amendment, or repeal.

(*g*) No bill rejected in the House of origin before passing to the other House shall be reintroduced during the session of that year.

(*h*) Legislative measures may be originated in either House, excepting bills dealing with loans, taxes, or imposts, or with the raising of troops, which must have their origin in the House of Representatives.

(*i*) Whenever a bill shall be presented to one House it shall be first discussed there unless one month shall have elapsed since it was referred to committee and not reported, in which event an identical bill may be presented and discussed in the other House.

(*j*) The President shall not make any observations touching the decisions of the Congress or of either House when acting as an electoral body or as a grand jury, nor when the House of Representatives shall declare that there are grounds to impeach any high Federal authority for official offenses.

Nor shall he make any observations touching the order for a call issued by the permanent committee as provided in article 84.

SECTION III.—OF THE POWERS OF CONGRESS.

ART. 73. The Congress shall have power:

I. To admit new States or Territories into the Federal Union.

II. To grant statehood to Territories having a population of 80,000 inhabitants and the elements necessary to provide for their political existence.

III. To form new States within the boundaries of existing ones provided the following requisites are complied with:

1. That the section or sections aspiring to statehood have a population of 120,000 inhabitants at least.

2. That proof be given to the Congress that it has sufficient means to provide for its political existence.

3. That the legislatures of the States affected be heard as to the advisability or inadvisability of granting such statehood, which opinion shall be given within six months after the date of the communication addressed to them on the subject.

4. That the opinion of the Executive of the Federal Government be also heard on the subject; said opinion to be given within seven days after the date on which it was requested.

5. That the creation of the new State be voted upon favorably by two-thirds of the Representatives and Senators present in their respective Houses.

6. That the resolution of the Congress be ratified by a majority of the State legislatures, upon examination of the copy of the record of the case, provided that the legislatures of the States to which the section belongs shall have given their consent.

7. If the legislatures of the States to which the section belongs have not given their consent, the ratification referred to in the foregoing clause shall be made by two-thirds of the legislatures of the other States.

IV. To settle finally the limits of the States, terminating the differences which may arise between them relative to the demarcation of their respective territories, except when the differences be of a litigious nature.

V. To change the residence of the supreme powers of the federation.

VI. To legislate in all matters relating to the Federal District and the Territories, as hereinafter provided:

1. The Federal District and the Territories shall be divided into municipalities, each of which shall have the area and population sufficient for its own support and for its contribution toward the common expenses.

2. Each municipality shall be governed by a town council elected by direct vote of the people.

3. The Federal District and each of the Territories shall be administered by governors under the direct orders of the President of the Republic. The governor of the Federal District shall dispatch with the President, and the governor of each Territory shall dispatch with the President through the duly constituted channels. The governor of the Federal District and the governor of each Territory shall be appointed by the President and may be removed by him at will.

4. The superior judges and those of first instance of the Federal District and those of the Territories shall be named by the Congress, acting in each case as an electoral college. In the temporary or permanent absences of the said superior judges these shall be replaced by appointment of the Congress, and in recess by temporary appointments of the permanent committee. The organic law shall determine the manner of filling temporary vacancies in the case of judges and shall designate the authority before whom they shall be called to account for any dereliction, excepting the provisions of this constitution with regard to the responsibility of officials. From and after the year 1923 the superior judges and those of first instance to which this clause refers may only be removed from office for bad conduct and after impeachment, unless they shall have been promoted to the next higher grade. From and after the said date the compensation enjoyed by said officials shall not be diminished during their term of office.

5. The office of the public attorney (ministerio publico) of the Federal District and of the Territories shall be in charge of an attorney general, who shall reside in the City of Mexico and of such public attorney or attorneys as the law may determine; the said attorney general shall be under the direct orders of the President of the Republic, who shall appoint and may remove him at will.

VII. To lay the taxes necessary to meet the expenditures of the budget.

VIII. To establish the conditions upon which the executive may make loans on the credit of the nation; to approve the said loans and to recognize and order the payment of the public debt.

IX. To enact tariff laws on foreign commerce and to prevent restrictions from being imposed on interstate commerce.

X. To legislate for the entire Republic in all matters relating to mining, commerce, and credit institutions, and to establish the sole bank of issue as provided in article 28 of this constitution.

XI. To create and abolish federal offices and to fix, increase, or decrease the compensation assigned thereto.

XII. To declare war upon examination of the facts submitted by the executive.

XIII. To regulate the manner in which letters of marque may be issued; to enact laws according to which prizes on land and sea shall be adjudged valid or invalid, and to frame the admiralty law for times of peace and war.

XIV. To raise and maintain the army and navy of the union and to regulate their organization and service.

XV. To make rules for the organization and discipline of the national guard, reserving for the citizens who compose it the right of appointing their respective commanders and officers, and to the States the power of instructing it in conformity with the discipline prescribed by the said regulations.

XVI. To enact laws on citizenship, naturalization, colonization, emigration, immigration, and public health of the Republic.

1. The public health service shall depend directly upon the president of the Republic without the intervention of any executive department, and its general provisions shall be binding throughout the Republic.

2. In the event of epidemics of a grave or dangerous nature, of the invasion of diseases from abroad, the public health service shall be called upon to put into force without delay the necessary preventive measures, subject to their subsequent sanction by the president of the Republic.

3. The sanitary authorities shall have executive faculties and their determinations shall be obeyed by the administrative authorities of the country.

4. All measures which the public health service shall have put into effect in its campaign against alcoholism and the sale of substances injurious to man and to the race shall be subsequently revised by the Congress in such cases as fall within the jurisdiction of the latter.

XVII. To enact laws on general means of communication, post-roads and post-offices and to enact laws as to the use and development of the waters subject to the Federal jurisdiction.

XVIII. To establish mints, regulate the value and kinds of the national currency, fix the value of foreign moneys and adopt a general system of weights and measures.

XIX. To make rules for the occupation and sale of public lands and the prices therefor.

XX. To enact laws as to the organization of the diplomatic and consular services.

XXI. To define the crimes and offenses against the Nation and to fix the penalties therefor.

XXII. To grant amnesty for offenses subject to the jurisdiction of the federal courts.

XXIII. To make rules for its internal government and to enact the necessary provisions to compel the attendance of absent representatives and senators and to punish the acts of commission or omission of those present.

XXIV. To issue the organic law of the auditor general's office.

XXV. To sit as an electoral college and to name the justices of the supreme court, and the superior and inferior judges of the Federal District and territories.

XXVI. To accept the resignations of the justices of the supreme court and of the superior and inferior judges of the Federal District and territories, and to name substitutes in their absence and to appoint their successors.

XXVII. To establish professional schools of scientific research and fine arts, vocational, agricultural, and trade schools, museums, libraries, observatories, and other institutes of higher learning, until such time as these establishments can be supported by private funds. These powers shall not pertain exclusively to the Federal Government.

All degrees conferred by any of the above institutions shall be valid throughout the Republic.

XXVIII. To sit as an electoral college and to choose the person to assume the office of president of the Republic, either as a substitute president or as a president ad interim in the terms established by articles 84 and 85 of this constitution.

XXIX. To accept the resignation of the President of the Republic.

XXX. To audit the accounts which shall be submitted annually by the executive; this audit shall comprise not only the checking of the items disbursed under the budget but the exactness of and authorization for the expenditures in each case.

XXXI. To make all laws necessary for carrying into execution the foregoing powers and all other powers vested by this constitution in the several branches of the government.

ART. 74. The House of Representatives shall have the following exclusive powers:

I. To sit as an electoral college to exercise the powers conferred by law as to the election of the President.

II. To watch by means of a special committee appointed from among its own members over the faithful performance by the auditor general of the nation in the discharge of his duties.

III. To appoint all the higher officers and other employees of the auditor general's office.

IV. To approve the annual budget, after a discussion as to what taxes must in its judgment be laid to meet the necessary expenditures.

V. To take cognizance of all charges brought against public officials, as herein provided, for official offenses, and, should the circumstances so warrant, to impeach them before the Senate; and further to act as a grand jury to decide whether there is or is not good ground for proceeding against any official enjoying constitutional privileges, whenever accused of offenses of the common order.

VI. To exercise such other powers as may be expressly vested in it by this constitution.

ART. 75. The House of Representatives, in passing the budget, shall assign a definite compensation to every office created by law, and if for any reason such compensation shall not be assigned, the amount fixed in the preceding budget or in the law creating the office shall be presumed to be assigned.

ART. 76. The Senate shall have the following exclusive powers:

I. To approve the treaties and diplomatic conventions concluded by the Executive with foreign powers.

II. To ratify the nominations made by the President of diplomatic ministers or agents, consuls general, higher officials of the treasury, colonels and other superior officers of the army and navy as by law provided.

III. To authorize the Executive to allow the national troops to go beyond the limits of the Republic or to permit foreign troops to pass through the national territory and to consent to the presence of foreign fleets for more than one month in Mexican waters.

IV. To give its consent to the use, by the President, of the national guard beyond the limits of the respective States or Territories and to fix the amount of the force to be used

V. To declare when the constitutional powers of any State have disappeared, that the occasion has arisen to give to the said State a provisional governor, who shall call for elections to be held according to the constitution and laws of the said State. The appointment of such a governor shall be made by the Senate with the approval of two-thirds of its members present or during recess by the permanent committee by the same two-thirds majority from among three names proposed by the President. The official thus selected shall not be chosen constitutional governor in the elections to be held under the call which he shall issue. This provision shall govern whenever the State constitutions do not provide for the contingency.

VI. To sit as a grand jury to take cognizance of such official offenses of functionaries as are expressly prescribed by this constitution.

VII. To exercise such other powers as may be expressly vested in it by this constitution.

VIII. To adjust all political questions arising between the powers of a State whenever one of them shall appeal to the senate or whenever by virtue of such differences a clash of arms has arisen to interrupt the constitutional order. In this event the senate shall decide in accordance with the Federal constitution and the constitution of the State involved.

The exercise of this power and of the foregoing shall be regulated by law.

ART. 77. Each house may, without the intervention of the other:

I. Pass resolutions for matters exclusively relating to its own interior government.

II. Communicate with the other house, and with the Executive through the intermediary of committees appointed from among its members.

III. Appoint the employees in the office of the secretary and to make all rules and regulations for the said office.

IV. Issue a call for extraordinary elections to fill any vacancies which may have occurred in its membership.

SECTION IV.—OF THE PERMANENT COMMITTEE.

ART. 78. During the recesses of the Congress there shall be a permanent committee consisting of 29 members, 15 of whom shall be representatives and 14 senators, appointed by the respective houses on the eve of the day of adjournment.

ART. 79. In addition to the powers expressly vested in it by this constitution, the permanent committee shall have the following powers:

I. To give its consent to the use of the national guard as provided in article 76, clause IV.

II. To administer the oath of office should the occasion arise, to the President, to the members of the supreme court, to the superior judges of the Federal District and territories, on such occasions as the latter officials may happen to be in the City of Mexico.

III. To report on all pending matters, so that they may be considered in the ensuing session.

IV. To call extraordinary sessions in the case of official offenses or offenses of the common order committed by secretaries of executive departments or justices of the supreme court, and official offenses committed by State governors provided the case shall have been already instituted by the committee of the grand jury, in which event no other business of the Congress shall be considered, nor shall the sessions be prolonged beyond the time necessary for a decision.

CHAPTER III.—OF THE EXECUTIVE POWER.

ART. 80. The exercise of the supreme executive power of the nation is vested in a single individual who shall be called "President of the United States of Mexico."

ART. 81. The election of the President shall be direct in accordance with the provisions of the electoral law.

ART. 82. The President of the Republic shall have the following qualifications:

I. He shall be a Mexican citizen by birth, in the full enjoyment of his rights and he must be the son of Mexican parents by birth.

II. He shall be over 35 years of age at the time of election.

III. He shall have resided in the country during the entire year prior to the election.

IV. He shall not belong to any ecclesiastical order nor be a minister of any religious creed.

V. In the event of belonging to the army he shall have retired from active service 90 days immediately prior to the election.

VI. He shall not be a secretary or assistant secretary of any executive department unless he shall have resigned from office 90 days prior to the election.

VII. He shall not have taken part, directly or indirectly, in any uprising, riot or military coup.

ART. 83. The President shall enter upon the duties of his office on the first day of December, shall serve four years and shall never be reelected.

The citizen who shall replace the constitutional President in the event of his permanent disability shall not be elected President for the ensuing term.

Nor shall the person designated as Acting President during the temporary disabilities of the constitutional President be reelected President for the ensuing term.

ART. 84. In the event of the permanent disability of the President of the Republic, if this shall occur within the first two years of the respective term, the Congress, if in session, shall forthwith act as an electoral college and with the attendance of at least two-thirds of its total membership shall choose a President by secret ballot and by a majority vote; and the same Congress shall issue the call for Presidential elections and shall endeavor to have the date set for this event as far as possible coincide with the date of the next election of Representatives and Senators to Congress.

Should the disability of the President occur while Congress is in recess, the permanent committee shall forthwith designate a President ad interim who shall call Congress together in extraordinary session, in order that it may in turn issue the call for Presidential elections in the manner provided in the foregoing article.

Should the disability of the President occur in the last two years of the respective term, the Congress, if in session, shall choose the substitute to conclude the period of the Presidential term; if Congress shall not be in session the permanent committee shall choose a President ad interim and shall summon Congress in extraordinary session in order that it may act as an electoral college and proceed to the election of the substitute President.

The President ad interim may be chosen by Congress as substitute President.

The citizen designated as President ad interim for the purpose of calling elections, in the event of the disability of the President within the two first years of the respective term, shall not be chosen in the elections held to fill such vacancy and for which he was designated.

ART. 85. If the President-elect shall fail to present himself at the beginning of any constitutional term, or the election not have been held and the result made known by the 1st of December, the outgoing President shall nevertheless vacate office and the President ad interim chosen by the Congress, or in its recess by the permanent com-

mittee, shall forthwith assume the executive power. All action taken hereunder shall be governed by the provisions of the foregoing article.

In case of a temporary disability of the President, the Congress, or the permanent committee if the Congress shall not be in session, shall designate an Acting President during such disability. If a temporary disability shall become permanent the action prescribed in the preceding article shall be taken.

In the event of a leave of absence granted to the President of the Republic the person acting in his stead shall not be disqualified from being elected in the ensuing period, provided he shall not have been in office during the holding of elections.

ART. 86. The President may not resign office except for grave cause, upon which the Congress shall pass, to which body the resignation shall be tendered.

ART. 87. The President before entering upon the discharge of the duties of his office, shall make the following affirmation before the Congress, or in its recess before the permanent committee:

"I do solemnly affirm that I will defend and enforce the Constitution of the United States of Mexico and the laws arising thereunder and that I will faithfully and conscientiously perform the duties of President of the United States of Mexico, to which I have been chosen by the people, having ever in mind the welfare and prosperity of the nation; if I shall fail to do so, may the nation call me to account."

ART. 88. The President may not absent himself from the national territory without the permission of the Congress.

ART. 89. The President shall have the following powers and duties:

I. To promulgate and execute the laws enacted by the Congress, providing in the administrative sphere for their faithful observance.

II. To appoint and remove at will the secretaries of executive departments, the attorney general of the Republic, the governor of the Federal district, the governors of territories, the attorney general of the Federal district and territories; and to appoint and remove at will all other Federal employees whose appointment or removal is not otherwise provided for by law or in this constitution.

III. To appoint by and with the approval and consent of the Senate all ministers, diplomatic agents and consuls general.

IV. To appoint by and with the approval of the Senate the colonels and other superior officers of the army and navy and the superior officials of the Treasury.

V. To appoint all other officers of the army and navy as by law provided.

VI. To dispose of the permanent land and sea forces for the domestic safety and defense of the Union.

VII. To dispose of the national guard for the same purposes, as provided by Article 76, Clause IV.

VIII. To declare war in the name of the United States of Mexico, after the passage of the corresponding resolution by the Congress.

IX. To grant letters of marque, upon the terms and conditions fixed by the Congress.

X. To conduct diplomatic negotiations and to enter into treaties with foreign powers, submitting them for ratification to the Congress.

XI. To call Congress or either of the Houses in extraordinary session, whenever in his judgment it may be advisable.

XII. To afford the judiciary all the assistance necessary for the expeditious exercise of its functions.

XIII. To open all kinds of ports, establish maritime and frontier customs houses and designate their location.

XIV. To grant, according to law, pardons to criminals sentenced for offenses within the jurisdiction of the Federal tribunals, and to all persons sentenced for offenses of the common order in the Federal district and territories.

XV. To grant exclusive privileges for a limited time, and according to the respective laws, to discoverers, inventors or improvers in any branch of industry.

XVI. Whenever the Senate shall not be in session the President may temporarily make the appointments enumerated in Clauses III and IV hereof, but these appointments shall be submitted to the Senate so soon as it reconvenes.

XVII. To exercise such other rights and duties as are expressly conferred upon him by this constitution.

ART. 90. For the transaction of administrative matters of the Federal Government there shall be the number of secretaries of executive departments which the Congress may by law establish, which law shall likewise assign among the several departments the several matters with which each shall be charged.

ART. 91. No person shall be appointed secretary of an executive department who is not a Mexican citizen by birth and in the enjoyment of his rights and who has not attained the age of 30 years.

ART. 92. All rules, regulations, decrees and orders of the President shall be signed by the secretary of the executive department to which the matter pertains. They shall

not be binding without this requisite. All rules, regulations and orders of the President touching the government of the Federal district and of the administrative departments shall be transmitted directly by the President to the governor of the district and to the chief of the respective department.

ART. 93. The secretaries of executive departments shall on the opening of each regular session report to the Congress as to the state of their respective departments. Either House may summon a secretary of an executive department to inform it, whenever a bill or other matter pertaining to his department is under discussion.

CHAPTER IV—OF THE JUDICIAL POWERS.

ART. 94. The judicial power of the federation is vested in a Supreme Court and in circuit and district courts, whose number and powers shall be fixed by law. The Supreme Court of Justice shall consist of 11 members; its sittings shall be in banc and open to the public, except in the cases where public interest or morality shall otherwise require. It shall meet at such times and under such conditions as by law prescribed. No sittings of the court shall be held without the attendance of at least two-thirds of its total membership, and all decisions rendered shall be by a majority vote.

The justices of the supreme court chosen to this office in the forthcoming elections shall serve two years; those elected at the conclusion of this first term shall serve four years, and from and after the year 1923 the justices of the supreme court, the circuit and district judges may only be removed for malfeasance and after impeachment proceedings, unless the circuit and district judges be promoted to the next higher grade.

The same provision shall govern in so far as it be applicable to the terms of two and four years, respectively, to which this article refers.

ART. 95. The justices of the supreme court shall have the following qualifications:

I. They shall be Mexican citizens by birth, in the full enjoyment of their civil and political rights.

II. They shall be over 35 years of age at the time of election.

III. They shall be graduates in law, of some institution or corporation authorized by law to confer such degrees.

IV. They shall be of good repute and not have been convicted of any offense punishable with more than one year's imprisonment; but conviction of larceny, deceit, forgery, embezzlement, or any other offense seriously impairing their good name in the public mind shall disqualify them for office, whatever may have been the penalty imposed.

V. They shall have resided in the country for the last five years, except in the case of absence due to public service abroad for a period not exceeding six months.

ART. 96. The members of the supreme court of justice shall be chosen by the Congress, acting as an electoral college; the presence of at least two-thirds of the total number of representatives and senators shall be necessary for such action. The election shall be by secret ballot and by a majority vote, and shall be held as among the candidates previously proposed, one being nominated by each State legislature as provided in the respective State laws.

Should no candidate receive a majority on the first ballot, the balloting shall be repeated between the two candidates receiving the highest number of votes.

ART. 97. All circuit and district judges shall be appointed by the supreme court of justice; they shall have such qualifications as by law required shall serve four years, and shall not be removed except by impeachment proceedings or for incapacity to discharge their duties, in accordance with the law.

The supreme court of justice may remove the district judges from one district to another, or it may fix their seats in another locality as it may deem most advantageous to the public business. A similar procedure shall be observed in the case of curcuit judges.

The supreme court of justice may likewise appoint auxiliary circuit and district judges to assist in the labors of such courts as have an excessive amount of business in order that the administration of justice may be speedy; it shall also name one or more of its members or some district or circuit judge or shall designate one or more special commissioners whenever it shall deem it advisable or on the request of the President or of either house or of any State governor, solely for the purpose of inquiring into the behavior of any judge or Federal justice or into any fact or facts which amount to a violation of any individual rights or to the subversion of the popular will or any other offense punishable by Federal statute.

The circuit and district courts shall be assigned among the several justices of the supreme court, who shall visit them periodically, shall observe the conduct of their judges, listen to any complaint presented against them, and perform all such other acts

as the law may require. The supreme court shall appoint and remove at will its clerk of the court and other employees on the roster established by law. The circuit and district judges shall likewise appoint and remove at will their respective clerks and employees.

The supreme court shall choose each year one of its members to act as chief justice with the right of reelection.

Each justice of the supreme court, on assuming office, shall make an affirmation before Congress, or if this is in recess, before the permanent committee, as follows:

The presiding officer shall say, "Do you promise to perform faithfully and conscientiously the duties of justice of the supreme court with which you have been charged and to defend and enforce the constitution of the United States of Mexico and the laws arising thereunder, having ever in mind the welfare and prosperity of the nation?" To which the justice shall reply, "I do." On which the presiding officer shall answer, "If you fail to do so, may the nation call you to account."

The circuit and district judges shall make the affirmation of office before the supreme court or before such other authority as the law may determine.

ART. 98. No temporary disability of a justice of the supreme court not exceeding one month shall be filled, provided there be otherwise a quorum. In the absence of a quorum the Congress, or in its recess the permanent committee, shall name a substitute selected from among the candidates submitted by the States for the election of the justice in question and not chosen, to serve during such disability. If the disability do not exceed two months, the Congress, or during its recess the permanent committee, shall choose at will a temporary justice.

In the event of the death, resignation, or disqualification of any justice of the supreme court, a new election shall be held by the Congress to fill this vacancy, as provided in article 96.

If the Congress shall not be in session the permanent committee shall make a temporary appointment until such time as the Congress shall convene and proceed to the corresponding election.

ART. 99. The resignation of a justice of the supreme court shall only be accepted for grave cause, to be passed upon by the Congress, to whom the resignation shall be tendered. If the Congress is in recess the power to act in this matter shall pertain to the permanent committee.

ART. 100. The supreme court shall grant all leaves of absence of its members when they do not exceed one month; such as do exceed this period shall be granted by the House of Representatives, or during its recess by the permanent committee.

ART. 101. No justice of the supreme court, circuit or district judge, nor clerk of any of these courts shall under any circumstances accept any State, federal, or private commission or office, excepting honorary titles from scientific, literary, or charitable associations. The violation of this provision shall work a forfeiture of office.

ART. 102. The office of the public attorney shall be organized in accordance with the law, and the public attorneys shall be appointed and removed at will by the Executive. They shall be under the direction of an attorney general, who shall possess the same qualifications as are required for the office of justice of the supreme court.

The public attorneys shall be charged with the judicial prosecution of all federal offenses; they shall accordingly sue out all orders of arrest, assemble and offer all evidence as to the responsibility of the accused, see that the trials are conducted in due order so that the administration of justice may be speedy, pray the imposition of sentence, and in general take part in all matters required by law.

The attorney general of the Republic shall personally intervene in matters to which the Federal Government is a party, in cases affecting ministers, diplomatic agents, and consuls general, and in all controversies between two or more States of the Union, between the Federal Government and a State, or between the several powers of a State. The attorney general may either personally or through one of the public attorneys take part in all other cases in which the public attorneys are called upon to act.

The attorney general shall be the legal advisor of the Government, and both he and the public attorneys under his orders shall faithfully obey the law and shall be liable for all breaches or for any violations in which they may incur in the discharge of their duties.

ART. 103. The federal tribunals shall take cognizance of:

I. All controversies arising out of laws or acts of the authorities when the latter infringe any individual rights.

II. All controversies arising out of laws or acts of the Federal authorities which limit or encroach upon the sovereignty of the States.

III. All controversies arising out of laws or acts of the State authorities which invade the sphere of the Federal authorities.

ART. 104. The Federal tribunals shall have jurisdiction over:

I. All controversies of a civil or criminal nature arising out of the application and enforcement of the Federal laws, or out of treaties concluded with foreign powers. Whenever such controversies affect only private rights, the regular local courts of the States, the Federal district and territories shall, at the election of the plaintiff, assume jurisdiction. Appeal may be had from all judgments of first instance to the next higher tribunal of the same court in which the case was first heard. Appeal may be taken from sentences of second instance to the supreme court of justice, which appeal shall be prepared, submitted, and prosecuted in accordance with the procedure provided by law.

II. All cases pertaining to admiralty law.

III. All cases to which the Federal Government may be a party.

IV. All cases arising between two or more States or between any State and the Federal Government, as well as those arising between the courts of the Federal district and those of the Federal Government or of a State.

V. All cases arising between a State and one or more citizens of another State.

VI. All cases concerning diplomatic agents and consular officers.

ART. 105. The supreme court of justice shall have exclusive jurisdiction in all controversies arising between two or more States, between the powers of government of any State as to the constitutionality of their acts, or between one or more States and the Federal Government, and in all cases to which the Federal Government may be a party.

ART. 106. The supreme court of justice shall likewise have exclusive jurisdiction to determine all questions of jurisdiction between the Federal tribunals, between these and those of the States, or between those of one State and those of another.

ART. 107. All controversies mentioned in Article 103 shall be prosecuted by the injured party in accordance with the judicial forms and procedure which the law shall establish, subject to the following conditions:

I. The judgment shall always be so drawn as to affect exclusively private individuals, and shall confine itself to affording them protection in the special case to which the complaint refers; but it shall make no general statement as to the law or the act that may have formed the basis for the complaint.

II. In civil or penal suits, excepting those mentioned in Clause IX hereof, the writ of "amparo"[1] shall issue only against final judgments when no other ordinary recourse is available by which these judgments may be modified or amended, if the violation of the law shall have occurred in the judgment, or if, although committed during the course of the trial, objection was duly noted and protest entered against the denial of reparation, and provided further, that if committed in first instance it shall have been invoked in second instance as a violation of the law.

When the writ of "amparo" is sought against mesne judgments, in accordance with the provisions of the foregoing clause, these rules shall be observed as far as applicable.

Nothwithstanding the foregoing provision, the supreme court may in penal cases waive any defects in the petition when there has been a manifest violation of the law which has left the petitioner without recourse, or when he has been tried by a law not strictly applicable to the case, provided failure to take advantage of this violation has been merely an oversight.

III. In civil or penal suits the writ of "amparo" shall issue only if substantial portions of the rules of procedure have been violated, and provided further that the said violation shall deprive the petitioner of means of defense.

IV. In addition to the case mentioned in the foregoing paragraph, the writ of "amparo" shall issue only on a final judgment in a civil suit, provided the requirements set forth in Clause II hereof have been complied with, when the said judgment shall be contrary to the letter of the law applicable to the case or contrary to its legal interpretation, when it includes persons, actions, defenses, or things which have not been the object of the suit, or finally when all these have not been included either through omission or express refusal.

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[1] This unique feature of Mexican law combines the essential elements of the extraordinary writs of habeas corpus, certiorari, and mandamus. It is a Federal procedure designed to give immediate protection when any of the fundamental rights of man are infringed by any authority, irrespective of category, or to excuse the obedience of a law or decree which has invaded the Federal or local sphere. Its use is most extensive, embracing minors, persons absent abroad acting through a "next friend," corporation, etc. An important feature is that it merely gives protection to a specific person or entity, and never makes any general statement of law. It could, hence, never declare a law unconstitutional, though it would give immediate protection as soon as the law in question acted on any person.

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V. In penal suits the authorities responsible for the violation shall stay the execution of final judgment against which the writ of "amparo" has been sought; for this purpose the petitioner shall, within the period set by law, give notice, under oath, to the said authorities of the interposition of this recourse, accompanying it with two copies of the petition, one of which shall be delivered to the opposing party and the other filed.

VI. The execution of a final judgment in civil suits shall only be stayed when the petitioner shall give bond to cover damages occasioned thereby, unless the other party shall give a counter bond (1) to guarantee that the normal conditions and relations previously existing be restored, and (2) to pay the corresponding damages in the event of the granting of the "amparo." In such event the interposition of the recourse of "amparo" shall be communicated as provided in the foregoing clause.

VII. If a writ of "amparo" be sought against a final judgment, a certified copy of such portions of the record as the petitioner may desire shall be requested from the authority responsible for the violation; to this there shall be added such portions as the other party may desire and a clear and succinct statement by the said authority of the justification of the act protested; note shall be made of this on the record.

VIII. When a writ of "amparo" is sought against a final judgment, the petition shall be brought before the supreme court; this petition, together with a copy required by clause VII, shall be either presented to the supreme court or sent through the authority responsible for the violation or through the district court of the corresponding State. The supreme court shall render judgment without any other formality or procedure than the petition, the document presented by the other party and that of the attorney general or the public attorney he may name in his stead, and shall comprise no other legal question than that contained in the complaint.

IX. When the acts of an authority other than the judicial are involved or the acts of the judiciary exercised outside of the suit or after the termination thereof, or acts committed during the suit whose execution is of impossible reparation, or which affect persons not parties to the suit, the writ of "amparo" shall be sought before the district court within whose jurisdiction is located the place where the act protested was committed or attempted; the procedure in this case shall be confined to the report of the authority and to a hearing, the call for which shall be issued in the same order of the court as that calling for the report. This hearing shall be held at as early a date as possible, the testimony of both parties offered, arguments heard which shall not exceed one hour for each side, and finally the judgment which shall be pronounced at the same hearing. The judgment of the district court shall be final if the interested parties do not appeal to the supreme court within the period set by law and in the manner prescribed by Clause VIII.

In case of a violation of the guaranties of articles 16, 19, and 20, recourse shall be had through the appellate court of the court committing the breach or to the corresponding district court. An appeal against the decision of any of these courts may be taken to the supreme court.

If the district judge shall not reside in the same locality as the official guilty of the violation, the judge before whom the petition of "amparo" shall be submitted shall be determined by law; this judge shall be authorized to suspend temporarily the execution of the act protested in accordance with the terms established by law.

X. Any official failing to suspend the execution of the act protested, when in duty bound to do so, or when he admits an insufficient or improper bond, shall be turned over to the proper authorities; the civil and penal liability of the official shall in these cases be a joint liability with the person offering the bond and his surety.

XI. If after the granting of an "amparo," the guilty official shall persist in the act or acts against which the petition of "amparo" was filed, or shall seek to render of no effect the judgment of the Federal authority, he shall be forthwith removed from office and turned over for trial to the corresponding district court.

XII. Wardens and jailers who fail to receive a duly certified copy of the formal order of commitment within the 72 hours granted by article 19, reckoned from the time the accused is placed at the disposal of the court, shall bring this fact to the attention of the court, immediately upon expiration of this period; and if the proper order be not received within the next three hours the accused shall be set at liberty.

Any official who shall violate this provision and the article referred to in the foregoing paragraph shall be immediately turned over to the proper authorities. Any official or agent thereof who, after an arrest has been made, shall fail to place the accused at the disposition of the court within the next 24 hours shall himself be turned over to the proper authority.

If the detention be effected outside the locality in which the court is situated, there shall be added to the period mentioned in the preceding sentence the time necessary to travel from the said locality to that where the detention took place.

TITLE IV.—OF THE RESPONSIBILITIES OF OFFICIALS.

ART. 108. Senators and representatives of Congress, justices of the supreme court, secretaries of executive departments, and the attorney general of the Republic shall be liable for all common offenses committed during their term of office, as well as for all official offenses or acts of commission or omission in which they may incur in the discharge of their duties.

Governors of States and members of State legislatures shall be liable for violation of the constitution and the Federal laws.

The President of the Republic may only be impeached during his term of office for high treason and common offenses of a serious character.

ART. 109. If the offense belongs to the common order the House of Representatives, acting as a grand jury, shall determine by a majority vote of its total membership whether there is or is not any ground for proceeding against the accused.

If the finding be favorable to the accused, no further action shall be taken; but such finding shall not be a bar to the prosecution of the charge so soon as the constitutional privilege shall cease, since the finding of the House does not in any way determine the merits of the charge.

If the finding be adverse, the accused shall ipso facto be removed from office and be placed at the disposition of the ordinary courts of justice, except in the case of the President of the Republic, who may only be impeached before the Senate, as in the case of an official offense.

ART. 110. No constitutional privelege shall be extended to any high Federal functionary when tried for official offenses, misdemeanors, or omissions committed in the discharge of another public office or commission, during the time in which the privilege is enjoyed by law. This provision shall be applicable to cases of common offenses committed during the discharge of the said office or commission. In order that proceedings may be instituted when the functionary shall have returned to his original office the provisions set forth in the foregoing article shall be observed.

ART. 111. The Senate acting as a grand jury shall try all cases of impeachment; but it may not institute such proceedings without a previous accusation brought by the House of Representatives.

If the Senate should, after hearing the accused and conducting such proceedings as it may deem advisable, determine by a majority vote of two-thirds of its total membership that the accused is guilty, the latter shall be forthwith removed from office by virtue of such decision, or be disqualified from holding any other office for such time as the law may determine.

When the same offense is punishable with an additional penalty, the accused shall be placed at the disposition of the regular authorities, who shall judge and sentence him in accordance with the law.

In all cases embraced by this article and in those included by the preceding both the decisions of the grand jury and the findings of the House of Representatives shall be final.

Any person shall have the right to denounce before the House of Representatives offenses of a common order or of an official character committed by high Federal functionaries; and whenever the said House of Representatives shall determine that there exist good grounds for impeachment proceedings before the Senate, it shall name a committee from among its own members to sustain the charges brought.

The Congress shall as soon as possible enact a law as to the responsibility of all Federal officials and employees, which shall fix as official offenses all acts, of commission or omission, which may prejudice the public interest and efficient administration, even though such acts may not heretofore have been considered offenses. These officials shall be tried by a jury in the same manner as provided for trials by jury in article 20.

ART. 112. No pardon shall be granted the offender in cases of impeachment.

ART. 113. The responsibility for official breaches and offenses may only be enforced during such time as the functionary shall remain in office and for one year thereafter.

ART. 114. In civil cases no privilege nor immunity in favor of any public functionary shall be recognized.

TITLE V.—OF THE STATES OF THE FEDERATION.

ART. 115. The States shall adopt for their internal administration the popular, representative, republican form of government; they shall have as the basis of their territorial division and political and administrative organization the free municipality, in accordance with the following provisions:

I. Each municipality shall be administered by a town council chosen by direct vote of the people, and no authority shall intervene between the municipality and the State government.

II. The municipalities shall freely administer their own revenues, which shall be derived from the taxes fixed by the State legislatures, which shall at all times be sufficient to meet their needs.

III. The municipalities shall be regarded as enjoying corporate existence for all legal purposes.

The Federal Executive and the State governors shall have command over all public forces of the municipalities wherein they may permanently or temporarily reside.

Constitutional State governors shall not be reelected, nor shall their term of office exceed four years.

The prohibitions of article 83 are applicable to governors and to substitute or ad interim governors.

The number of representatives in the State legislatures shall be in proportion to the inhabitants of each State, but in no case shall the number of representatives in any State legislature be less than 15.

Each electoral district of the States shall choose a representative and an alternate to the State legislature.

Every State governor shall be a Mexican citizen by birth and a native thereof, or resident therein not less than five years immediately prior to the day of election.

ART. 116. The States shall have the power to fix among themselves by friendly agreements their respective boundaries; but these agreements shall not be carried into effect without the approval of the Congress.

ART. 117. No State shall—

I. Enter into alliances, treaties, or coalitions with another State or with foreign powers.

II. Grant letters of marque or reprisal.

III. Coin money, issue paper money, stamps or stamped paper.

IV. Levy taxes on persons or property passing through its territory.

V. Prohibit or tax, directly or indirectly, the entry into its territory or the withdrawal therefrom of any merchandise, foreign or domestic.

VI. Burden the circulation or consumption of domestic or foreign merchandise with taxes or duties to be collected by local customhouses or subject to inspection the said merchandise or require it to be accompanied by documents.

VII. Enact or maintain in force laws or fiscal regulations discriminating, by taxation or otherwise, between merchandise, foreign or domestic, on account of its origin, whether this discrimination be established with regard to similar local products or to similar products of foreign origin.

VIII. Issue bonds of the public debt payable in foreign coin or outside the Federal territory; contract loans, directly or indirectly, with any foreign government, or assume any obligation in favor of any foreign corporation or individual, requiring the issue of certificates or bonds payable to bearer or negotiable by indorsement.

The Federal Congress and the State legislatures shall forthwith enact laws against alcoholism.

ART. 118.—No State shall, without the consent of the Congress:

I. Establish tonnage dues or other port charges, or impose taxes or other duties upon imports or exports.

II. Keep at any time permanent troops or vessels of war.

Make war on its own behalf on any foreign power, except in cases of invasion or of such imminent peril as to admit of no delay. In such event the State shall give notice immediately to the President of the Republic.

ART. 119.—Every State is bound to deliver without delay to the demanding authorities the fugitives from justice from other States or from foreign nations.

In such cases the writ of the court granting the extradition shall operate as a sufficient warrant for the detention of the accused for one month in the case of extradition from one State to another and for two months in the case of international extradition.

ART. 120.—The State governors are bound to publish and enforce the Federal laws.

ART. 121.—Full faith and credit shall be given in each State of the federation to the public acts, records, and judicial proceedings of all the other States. The Congress shall by general laws prescribe the manner of proving the said acts, records, and proceedings and the effect thereof, as hereinafter provided.

I. The laws of a State shall only be binding within its own confines, and shall therefore have no extraterritorial force.

II. Movable and immovable property shall be governed by the lex sitae.

III. Judgments of a State court as to property and property rights situated in another State shall only be binding when expressly so provided by the law of the latter State.

Judgments relating to personal rights shall only be binding in another State provided the person shall have expressly, or impliedly by reason of domicile, submitted to the jurisdiction of the court rendering such judgment, and provided further that personal service shall have been secured.

IV. All acts of civil status performed in accordance with the laws of one State shall be binding in all other States.

V. All professional licenses issued by the authorities of one State in accordance with its laws shall be valid in all other States.

ART. 122.—The powers of the union are bound to protect the States against all invasion or external violence. In case of insurrection or internal disturbance they shall give them the same protection, provided the legislature of the State, or the executive thereof if the legislature is not in session, shall so request.

TITLE VI.—OF LABOR AND SOCIAL WELFARE.

ART. 123.—The Congress and the State legislatures shall make laws relative to labor, with due regard for the needs of each region of the Republic and in conformity with the following principles, and these principles and laws shall govern the labor of skilled and unskilled workmen, employees, domestic servants and artisans, and in general every contract of labor.

I. Eight hours shall be the maximum limit of a day's work.

II. The maximum limit of night work shall be seven hours. Unhealthy and dangerous occupations are forbidden to all women and to children under 16 years of age. Night work in factories is likewise forbidden to women and to children under 16 years of age, nor shall they be employed in commercial establishments after 10 o'clock at night.

III. The maximum limit of a day's work for children over 12 and under 16 years of age shall be six hours. The work of children under 12 years of age can not be made the object of a contract.

IV. Every workman shall enjoy at least one day's rest for every six days' work.

V. Women shall not perform any physical work requiring considerable physical effort during the three months immediately preceding parturition; during the month following parturition they shall necessarily enjoy a period of rest and shall receive their salaries or wages in full and retain their employment and the rights they may have acquired under their contracts. During the period of lactation they shall enjoy two extraordinary daily periods of rest of one-half hour each in order to nurse their children.

VI. The minimum wage to be received by a workman shall be that considered sufficient, according to the conditions prevailing in the respective region of the country to satisfy the normal needs of the life of the workman, his education, and his lawful pleasures, considering him as the head of a family. In all agricultural, commercial, manufacturing, or mining enterprises the workmen shall have the right to participate in the profits in the manner fixed in Clause IX of this article.

VII. The same compensation shall be paid for the same work without regard to sex or nationality.

VIII. The minimum wage shall be exempt from attachment, set-off, or discount.

IX. The determination of the minimum wage and of the rate of profit-sharing described in clause VI shall be made by special commissions to be appointed in each municipality and to be subordinated to the central board of conciliation to be established in each state.

X. All wages shall be paid in legal currency and shall not be paid in merchandise orders, counters, or any other representative token with which it is sought to substitute money.

XI. When owing to special circumstances it becomes necessary to increase the working hours there shall be paid as wages for the overtime 100 per cent more than those fixed for regular time. In no case shall the overtime exceed three hours nor continue for more than three consecutive days; and no women of whatever age nor boys under 16 years of age may engage in overtime work.

XII. In every agricultural, industrial, mining, or similar class of work employers are bound to furnish their workmen confortable and sanitary dwelling places, for which they may charge rents not exceeding one-half of 1 per cent per month of the assessed value of the properties. They shall likewise establish schools, dispensaries, and other services necessary to the community. If the factories are located within inhabited places and more than 100 persons are employed therein, the first of the above-mentioned conditions shall be complied with.

XIII. Furthermore, there shall be set aside in these labor centers, whenever their population exceeds 200 inhabitants, a space of land not less than 5,000 square meters for the establishment of public markets, and the construction of buildings designed for municipal service and places of amusement. No saloons or gambling houses shall be permitted in such labor centers.

XIV. Employers shall be liable for labor accidents and occupational diseases arising from work; therefore employers shall pay the proper indemnity, according

to whether death or merely temporary or permanent disability has ensued, in accordance with the provisions of law. This liability shall remain in force even though the employer contract for the work through an agent.

XV. Employers shall be bound to observe in the installation of their establishments all the provisions of law regarding hygiene and sanitation and to adopt adequate measures to prevent accidents due to the use of machinery, tools, and working materials, as well as to organize work in such a manner as to assure the greatest guaranties possible for the health and lives of workmen compatible with the nature of the work, under penalties which the law shall determine.

XVI. Workmen and employers shall have the right to unite for the defense of their respective interests, by forming syndicates, unions, etc.

XVII. The law shall recognize the right of workmen and employers to strike and to suspend work.

XVIII. Strikes shall be lawful when by the employment of peaceful means they shall aim to bring about a balance between the various factors of production and to harmonize the rights of capital and labor. In public services the workmen shall be obliged to give notice 10 days in advance to the board of conciliation and arbitration of the date set for the suspension of work. Strikes shall only be considered unlawful when the majority of the strikers shall resort to acts of violence against persons or property, or in case of war when the strikers belong to establishments and services dependent on the Government. Employees of military manufacturing establishments of the Federal Government shall not be included in the provisions of this clause, inasmuch as they are a dependency of the national army.

XIX. Lockouts shall only be lawful when the excess of production shall render it necessary to shut down in order to maintain prices reasonably above the cost of production, subject to the approval of the board of conciliation and arbitration.

XX. Differences or disputes between capital and labor shall be submitted for settlement to a board of conciliation and arbitration to consist of an equal number of representatives of the workmen and of the employers and of one representative of the Government.

XXI. If the employer shall refuse to submit his differences to arbitration or to accept the award rendered by the board, the labor contract shall be considered as terminated, and the employer shall be bound to indemnify the workman by the payment to him of three months' wages, in addition to the liability which he may have incurred by reason of the dispute. If the workman reject the award, the contract will be held to have terminated.

XXII. An employer who discharges a workman without proper cause or for having joined a union or syndicate or for having taken part in a lawful strike shall be bound, at the option of the workman, either to perform the contract or to indemnify him by the payment of three months' wages. He shall incur the same liability if the workman shall leave his service on account of the lack of good faith on the part of the employer or of maltreatment either as to his own person or that of his wife, parents, children, or brothers, or sisters. The employer can not evade this liability when the maltreatment is inflicted by subordinates or agents acting with his consent or knowledge.

XXIII. Claims of workmen for salaries or wages accrued during the past year and other indemnity claims shall be preferred over any other claims in cases of bankruptcy or execution proceedings.

XXIV. Debts contracted by workmen in favor of their employers or their employers' associates, subordinates, or agents, may only be charged against the workmen themselves, and in no case and for no reason collected from the members of his family. Nor shall such debts be paid by the taking of more than the entire wages of the workman for any one month.

XXV. No fee shall be charged for finding work for workmen by municipal offices, employment bureaus, or other public or private agencies.

XXVI. Every contract between a Mexican citizen and a foreign principal shall be legalized before the competent municipal authority and viséed by the consul of the nation to which the workman is undertaking to go, on the understanding that in addition to the usual clauses special and clear provisions shall be inserted for the payment by the foreign principal making the contract of the cost to the laborer of repatriation.

XXVII. The following stipulations shall be null and void and shall not bind the contracting parties, even though embodied in the contract:

(*a*) Stipulations providing for inhuman day's work on account of its notorious excessiveness, in view of the nature of the work.

(*b*) Stipulations providing for a wage rate which in the judgment of the board of conciliation and arbitration is not remunerative.

(*c*) Stipulations providing for a term of more than one week before the payment of wages.

(*d*) Stipulations providing for the assigning of places of amusement, eating places, cafés, taverns, saloons, or shops for the payment of wages, when employees of such establishments are not involved.

(*e*) Stipulations involving a direct or indirect obligation to purchase articles of consumption in specified shops or places.

(*f*) Stipulations permitting the retention of wages by way of fines.

(*g*) Stipulations constituting a waiver on the part of the workman of the indemnities to which he may become entitled by reason of labor accidents or occupational diseases, damages for nonperformance of the contract, or for discharge from work.

(*h*) All other stipulations implying the waiver of some right vested in the workman by labor laws.

XXVIII. The law shall decide what property constitutes the family estate. These goods shall be inalienable and may not be mortgaged, garnished, or attached, and may be bequeathed and inherited with simplified formalities in the succession proceedings.

XXIX. Institutions of popular insurance established for old age, sickness, life, unemployment, accident, and others of a similar character, are considered of social utility; the Federal and State Governments shall therefore encourage the organization of institutions of this character in order to instill and inculcate popular habits of thrift.

XXX. Cooperative associations for the construction of cheap and sanitary dwelling houses for workmen shall likewise be considered of social utility whenever these properties are designed to be acquired in ownership by the workmen within specified periods.

TITLE VII.—OF GENERAL PROVISIONS.

ART. 124. All powers not expressly vested in this constitution in the Federal authorities are understood to be reserved to the States.

ART. 125. No person shall hold at the same time two Federal offices or one Federal and one State elective office; if elected to two, he shall choose between them.

ART. 126. No payment shall be made which is not included in the budget or authorized by a law subsequent to the same.

ART. 127. The President of the Republic, the justices of the supreme court, representatives and senators, and other public officials of the Federation who are chosen by popular election shall receive a compensation for their services which shall be paid by the Federal treasury and determined by law. This compensation may not be waived, and any law increasing or decreasing it shall have no effect during the period for which the functionary holds office.

ART. 128. Every public official, without exception, shall, before entering on the discharge of his duties, make an affirmation to maintain this constitution and the laws arising thereunder.

ART. 129. In time of peace no military authorities shall exercise other functions than those bearing direct relation to military discipline. No fixed and permanent military posts shall be established other than in castles, forts, and arsenals depending directly upon the Federal Government, or in camps, barracks, or depots, established outside of inhabited places for the stationing of troops.

ART. 130. The Federal authorities shall have exclusive power to exercise in matters of religious worship and outward ecclesiastical forms, such intervention as by law authorized. All other officials shall act as auxiliaries to the Federal authorities.

The Congress shall not enact any law establishing or forbidding any religion whatso ever.

Marriage is a civil contract. Marriage and all other acts relating to the civil status of individuals shall appertain to the exclusive jurisdiction of the civil authorities in the manner and form by law provided, and they shall have the force and validity given them by said laws.

A simple promise to tell the truth and to comply with obligations contracted shall subject the promisor, in the event of a breach, to the penalties established therefor by law.

The law recognizing no corporate existence in the religious associations known as churches.

The ministers of religious creeds shall be considered as persons exercising a profession and shall be directly subject to the laws enacted on the subject.

The State legislatures shall have the exclusive power of determining the maximum number of ministers of religious creeds according to the needs of each locality. Only a Mexican by birth may be a minister of any religious creed in Mexico.

No ministers of religious creeds shall, either in public or private meetings, or in acts of worship or religious propaganda, criticise the fundamental laws of the country, the authorities in particular or the Government in general; they shall have no vote, nor be eligible to office, nor shall they be entitled to assemble for political purposes.

Before dedicating new temples of worship for public use, permission shall be obtained from the department of the interior (governacion); the opinion of the respective governor of the State shall be previously heard on the subject. Every place of worship shall have a person charged with its care and maintenance, who shall be legally responsible for the faithful performance of the laws on religious observances within the said place of worship, and for all the objects used for purposes of worship.

The caretaker of each place of public worship, together with ten citizens of the place, shall promptly advise the municipal authorities as to the person charged with the care of the said place of worship. The outgoing minister shall in every instance give notice of any change, for which purpose he shall be accompanied by the incoming minister and ten other citizens of the place. The municipal authorities under penalty of dismissal and fine, not exceeding 1,000 pesos for each breach, shall be responsible for the exact performance of this provision; they shall keep a register of the places of worship and other of the caretakers thereof, subject to the same penalty as above provided. The municipal authorities shall likewise give notice to the department of the interior through the intermediary of the State governor, of any permission to open to the public use a new place of worship, as well as of any change in the caretakers. Gifts of personalty may be received in the interior of places of public worship.

Under no conditions shall studies carried on in institutions devoted to the professional training of ministers of religious creeds be ratified or be granted any other dispensation of privilege which shall have for its purpose the ratification of the said studies in official institutions. Any authority violating this provision shall be punished criminally, and all such dispensation of privelege be null and void and shall invalidate wholly and entirely the professional degree toward the obtaining of which the infraction of this provision may in any way have contributed.

No periodical publication which either by reason of its program, its title, or merely by its general tendencies, is of a religious character, shall comment upon any political affairs of the nation, nor publish any information regarding the acts of the authorities of the country or of private individuals in so far as the latter have to do with public affairs.

Every kind of political association whose name shall bear any word or any indication relating to any religious belief is hereby strictly forbidden. No assemblies of any political character shall be held within places of public worship.

No minister of any religious creed may inherit either on his own behalf or by means of a trustee or otherwise, any real property occupied by any association of religious propaganda or religious or charitable purposes. Ministers of religious creeds are incapable legally of inheriting by will from ministers of the same religious sect or from any private individual to whom they are not related by blood within the fourth degree.

All real and personal property pertaining to the clergy or to religious institutions shall be governed, in so far as their acquisition by private parties is concerned, in conformity with article 27 of this constitution.

No trial by jury shall ever be granted for the infraction of any of the preceding provisions.

ART. 131. The Federal Government shall have exclusive power to levy duties on merchandise imported, exported, or passing in transit through the national Territory as well as to regulate at all times, and if necessary to forbid, for the sake of public safety or for police reasons, the circulation in the interior of the Republic of all kinds of goods, regardless of their origin; but the Federal Government shall have no power to establish or decree in the Federal district and Federal Territories the taxes and laws to which Clauses VI and VII of article 117 refer.

ART. 132. All forts, barracks, warehouses, and other real property, destined by the Federal Government for public service or common use shall be under the jurisdiction of the Federal authorities in accordance with the law which the Congress shall issue on the subject; any of these establishments which may subsequently be acquired within the territory of any State shall likewise be subject to Federal jurisdiction, provided consent thereto shall have been obtained from the respective State legislature.

ART. 133. This constitution and the laws of the United States of Mexico which shall be made in pursuance thereof and all treaties made or which shall be made under the authority of the President of the Republic, by and with the approval and consent of the Congress, shall be the supreme law of the land. And the judges in every State shall be bound by this constitution and by these laws and treaties, anything in the constitution or laws of any State to the contrary notwithstanding.

ART. 134. Bids shall be called for on all contracts which the Government may have occasion to enter into for the execution of any public works; these bids shall be submitted under seal and shall only be opened publicly.

TITLE VIII.—OF THE AMENDMENTS TO THE CONSTITUTION.

ART. 135. The present constitution may be added to or amended. No amendment or addition shall become part of the constitution until agreed to by the Congress of the Union by a two-thirds vote of the Members present and approved by a majority of the State legislatures. The Congress shall count the votes of the legislatures and make the declaration that the amendments or additions have been adopted.

TITLE IX.—OF THE INVIOLABILITY OF THE CONSTITUTION.

ART. 136. This constitution shall not lose its force and vigor even though its observance be interrupted by rebellion. In case that through any public disturbance a Government contrary to the principles which it sanctions be established, its force shall be restored so soon as the people shall regain their liberty and those who have participated in the Government emanating from the rebellion or have cooperated with it shall be tried in accordance with its provisions and with the laws arising under it.

TRANSITORY ARTICLES.

ARTICLE 1. This constitution shall be published at once and a solemn oath taken to defend and enforce it throughout the Republic; but its provisions, except those relating to the election of the supreme powers, Federal and State, shall not go into effect until the 1st day of May, 1917, at which time the constitutional congress shall be solemnly convened and the oath of office taken by the citizen chosen at the forthcoming elections to discharge the duties of President of the Republic.

The provisions of Clause V of article 82 shall not be applicable in the elections to be summoned in accordance with article 2 of the transitory articles nor shall active service in the army act as a disqualification for the office of Representative or Senator, provided the candidate shall not have active command of troops in the respective electoral district.

Nor shall the secretaries and assistant secretaries of executive departments be disqualified from election to the next Federal Congress, provided they shall definitely resign from office on the day on which the respective call is issued.

ART. 2. The person charged with the executive power of the nation shall immediately upon the publication of this constitution call for elections to fill the Federal offices; he shall see that these elections be held so that Congress may be constituted within a reasonable time, in order that it may count the cast in the presidential elections and make known the name of the person who has been elected President of the Republic, this shall be done in order that the provisions of the foregoing article may be complied with.

ART. 3. The next constitutional term shall be computed in the case of senators and representatives, from the 1st of September last, and in the case of the President of the Republic from the 1st of December, 1916.

ART. 4. Senators who in the coming election shall be classified as "even" shall serve only two years in order that the senate may be renewed by half every two years.

ART. 5. The Congress shall in the month of May next choose the justices of the supreme court in order that this tribunal may be constituted on the 1st day of June, 1917.

In these elections article 96 shall not govern in so far as the candidates proposed by the State legislatures are concerned: but those chosen shall be designated for the first term of two years prescribed by article 94.

ART. 6. The Congress shall meet in extraordinary session on the 15th day of April, 1917, to act as an electoral college, for the computing of the ballots and the determination of the election of President of the Republic, at which time it shall make known the results; it shall likewise enact the organic law of the circuit and district courts, the organic law of the tribunals of the Federal district and territories, in order that the supreme court of justice may immediately appoint the inferior and superior district and circuit judges; at the same session the Congress shall choose the superior judges and judges of first instance of the Federal district and territories, and shall also enact all laws submitted by the Executive. The circuit and district judges and the superior and inferior judges of the Federal district and territories shall take office not later than the 1st day of July, 1917, at which time such as shall have been temporarily appointed by the person now charged with the Executive power of the nation shall cease to act.

ART. 7. For this occasion only the votes for the office of senator shall be counted by the board of the first electoral district of each State or of the Federal district which shall be instituted for the counting of the votes of representatives. This board shall issue the respective credentials to the senators elect.

ART. 8. The supreme court shall decide all pending petitions of "amparo" in accordance with the laws at present in force.

ART. 9. The first chief of the constitutionalist army, charged with the executive power of the nation, is hereby authorized to issue the electoral law according to which on this occasion the elections to fill the various Federal offices shall be held.

ART. 10. All persons who shall have taken part in the Government emanating from the rebellion against the legitimate Government of the Republic, or who may have given aid to the said rebellion and later taken up arms or held any office or commission of the factions which have opposed the constitutionalist government, shall be tried in accordance with the laws at present in force, provided they shall not have been previously pardoned by the said constitutionalist government.

ART. 11. Until such time as the Congress of the Union and the State legislatures shall legislate on the agrarian and labor problems, the bases established by this constitution for the said laws shall be put into force throughout the Republic.

ART. 12. All Mexicans who shall have fought in the ranks of the constitutionalist army and their children and widows, and all other persons who shall have rendered service to the cause of the revolution, or to public instruction, shall be preferred in the acquisition of lots to which article 27 refers, and shall be entitled to such rebates as the law shall determine.

ART. 13. All debts contracted by working men on account of work up to the date of this constitution with masters, their subordinates, and agents are hereby declared wholly and entirely extinguished.

ART. 14. The departments of justice and of public instruction and fine arts are hereby abolished.

ART. 15. The citizen at present charged with the executive power is hereby authorized to issue the law of civil responsibility applicable to all promoters, accomplices and abettors of the offenses committed against the constitutional order in the month of February, 1913, and against the Constitutionalist Government.

ART. 16. The constitutional congress in the regular period of sessions, which will begin on the first day of September of the present year, shall issue all the organic laws of the constitution which may not have been already issued in the extraordinary session to which transitory article No. 6 refers; and it shall give preference to the laws relating to the rights of man and to Articles 30, 32, 33, 35, 36, 38, 107 and the latter part of article 111 of this constitution.

LUIS MANUEL ROJAS,
President.
G. AGUILAR,
First Vice President, General of Division.
SALVADOR GONZALES TORRES,
Second Vice President, General of Brigade.

DEPUTIES.

Aguascalientes: Daniel Cervantes.

Baja California: Ignacio Roel.

Coahuila: M. Aguirre Berlanga, Jose M. Rodrigues, J. E. von Versen, Manuel Cepeda M., Jose Rodriguez (alternate).

Colima: J. Ramirez Villarreal.

Chiapas: Enrique Suarez, Lisandro Lopez, Cristobal Ll. y Castillo, Daniel N. Zepeda, J. Amilcar Vidal.

Chihuahua: M. Prieto.

Distrito Federal: Gen. I. L. Pesqueira, Lauro Lopez Guerra, Gerzayn Ugarte, Amador Lozano, Felix F. Palavicini, C. Duplan, Rafael R. de los Rios, Arnulfo Silva, A. Norzagaray, Ciro B. Ceballos, Alfonso Herrera, R. Rosas y Reyes (alternate), Lic. Francisco Espinosa (alternate).

Durango: Silvestre Dorador, Lic. Rafael Espeleta, Antonio Gutierrez, Dr. Fernando Gomez Palacio, Alberto Terrones B., Jesus de la Torre.

Guanajuato: Gen. Lic. Ramon Frausto, Eng. Vicente M. Valtierra, Jose N. Macias, David Penaflor, Jose Villasenor, Santiago Manrique, Lic. Hilario Medina, M. G. Aranda, Enrique Colunga, Eng. Ignacio Lopez, Dr. J. Diaz Barriga, Nicolas Cano, Lieut. Col. Gilberto M. Navarro, Luis Fernandez M., Eng. Carlos Ramirez Llaca.

Guerrero: Fidel Jimenez, Fid. Guillen, Francisco Figueroa.

Hidalgo: Antonio Guerrero, Leopoldo Ruiz, Lic. Alberto M. Gonzales, Raf. Vega Sanchez, Alfonso Cravioto, Matias Rodriguez, Ismael Pintado Sanchez, Lic. Refugio M. Mercado, Alfonso Mayorga.

Jalisco: M. Davalos, Federico E. Ibarra, Manuel Davalos Ornelas, Francisco Martin del Campo, B. Moreno, G. Bolados N., Juan de Dios Robledo, Ramon Castaneda y Castaneda, Jorge Villasenor, Gen. Amado Aguirre, Jose I. Solorzano, Francisco Labastida Izquierdo, J. Ramos, Praslow, Lieut. Col. Jose Manzano, J. Aguirre Berlanga, Brigadier Esteban B. Calderon, P. Machorro y Narvaez and Coronel Sebastian Allende J.

Mexico: Aldegundo Villasenor F. Moreno, E. O'Farril, Guillermo Ordarica, Jose Romero, A. Aguilar, Juan Manuel Giffard, Manuel A. Hernandez, E. A. Enriquez, Donato Bravo Izquierdo, Ruben Marti.

Michoacan: J. Ruiz, Alberto Peralta, Cayetano Andrade, Uriel Aviles, G. R. Cervera, O. Lopez Couto, S. Alcazar R., M. Martinez Solorzano, Martin Castrejon, Lic. Alberto Alvarado, Jose Alvarez, Rafael Marquez, J. Silva Herrera, Amadeo Betancourt, Francisco Mujica, Jesus Romero Flores.

Morelos: Antonio Garza Zambrano, Jose L. Gomez and Alvaro L. Alcazar.

Nuevo Leon: Manuel Amaya, Niceforo Zambrano, Luis Hizaliturri, Col. Ramon Gamez, Reynaldo Garza, Plutarco Gonzalez.

Oaxaca: Juan Sanchez, Leopoldo Payan, Lic. Manuel Cabrera, Col. Jose F. Gomez and Luis Espinosa.

Puebla: Dr. Salvador R. Guzman, Lic. Rafael P. Canete, M. Rosales, Gabriel Rojano, Lic. D. Pastrana J., Froylan C. Manjarrez, Lieut. Col. Antonio de la Barrera, Mayor Jose Rivera, Col. Epigmenio A. Martinez, Pastor Rouaix, Col. of Engineers Luis T. Navarro, Lieut. Col. Federico Dinorin, Gen. Gabino Bandera Malo, Col. Porfirio del Castillo, Col. Dr. Gilberto de la Fuente, Alfonso Cabrera, J. Verastegui.

Queretaro: Juan N. Frias and E. Perusquia.

San Luis Potosi: S. M. Santos, Dr. Arturo Mendez, Rafael Martinez Mendoza, Rafael Nieto, Dionisio Zavala, G. A. Tello, Rafael Curiel, Cosme Davila (alternate).

Sinaloa: Pedro R. Zavala, A. Magallon, C. M. Ezquerro, C. Aviles, Emiliano C. Garcia.

Sonora: L. G. Monzon, Ramon Ross

Tabasco: Lic. Rafael Martinez de Escobar, Santiago Ocompo C., and C. Sanchez Magallanes.

Tamaulipas: Pedro A. Chapa, Zef. Fajardo, Emiliano Prospero Nafarrate, F. de Leija.

Tepic: Lieut. Col. C. Liman, Maj. Marcelino Cedano, Juan Espinosa Pavara.

Tlaxcala: Antonio Hidalgo, Ascencion Tepal, and Modesto Gonzalez Galindo.

Vera Cruz: Saul Rodiles, Enrique Meza, Benito Ramirez G., A. G. Garcia, E. Cespedes, Josafat F. Marquez, Alfredo Solares, Alberto Roman, Silvestre Aguilar, Angel S. Juarico, H. Jara, Victorio E. Gongora, M. Torres, C. L. Gracidas (alternate), J. de D. Palma, G. Casados, F. A. Pereyra.

Yucatan: Enrique Recio, Miguel Alonzo Romero, Hector Victoria A.

Zacatecas: Adolfo Villasenor, Julian Adame, Jairo R. Dyer, Samuel Castanon, A. L. Arteaga, Antonio Cervantes, Col. J. Aguirre Escobar.

Secretary: F. Lizardi, deputy from Guanajuato.

Secretary: E. Meade Fierro, deputy from Coahuila.

Secretary: Jose M. Truchuelo, deputy from Queretaro.

Secretary: Antonio Ancona A., deputy from Yucatan.

Subsecretary: Dr. J. Lopez Lira, deputy from Guanajuato.

Subsecretary: Juan de Dios Borquez, deputy from Sonora.

Subsecretary: Flavio A. Bojorquez, deputy from Sonora.

Queretaro de Arteaga, January 31, 1917.

[Telegram.]

MEXICO CITY, *February 20, 1917.*

SECRETARY OF STATE,
Washington:

Minister for foreign affairs stated that he has no knowledge of any decree affecting rights of foreigners to real estate or mines to which such foreigners already have clear title, but that there are in existence decrees requiring the waiver of nationality in so far as concerns titles now under negotiation or to be acquired in the future. He has promised to send to the embassy copies of such decrees.

He further said that the legislation emanating from the new constitution, with respect to property rights, would, in his opinion, in no wise prejudice present property rights and at the same time called attention to article of the new constitution which provides that no laws may be made retroactive.

FLETCHER.

MEXICO, *July 9, 1917.*

The SECRETARY OF STATE,
Washington.

SIR: With reference to the department's telegram No. 267, June 16, 3 p. m., relative to the refusal on the part of officials of the Mexican Government to grant permits to oil companies to drill wells acquired under leases of dates subsequent to February 5, 1917, I have the honor to inclose herewith copies and translations of my note verbale of June 22 to the minister of industry and commerce on the subject, and of his reply of June 28. I have the honor to be, sir,

Your obedient servant,

GEORGE T. SUMMERLIN,
Chargé d'Affaires.

[Translation.]

The ambassador of the United States of America presents his compliments to his excellency, the secretary of industry and commerce, and has the honor to state that he has received a telegram from the Department of State of the United States in which he is informed that according to information which has been received, the officials of the Mexican Government decline to grant permission to petroleum companies to sink wells acquired under leases entered into since the 5th of February of the present year, on which date the new constitution was promulgated. It is said that various American companies acquired rights for the sinking of wells during the period between the 5th of February and the 1st of May based on statements of the Mexican Government that the new constitution would not go into effect prior to the 1st of May.

In view of the above, the ambassador, under instructions from his government, requests his excellency, the secretary of industry and commerce, to kindly inform him in the premises, for which he anticipates his thanks.

Mr. Fletcher avails himself of this opportunity to renew to his excellency, Mr. Alberto J. Pani, the assurances of his high and distinguished consideration.

MEXICO, *June 22, 1917.*

[Translation.]

MINISTER OF INDUSTRY AND COMMERCE,
Mexico, June 28, 1917.

Mr. AMBASSADOR: I have the honor to reply to your excellency's esteemed letter of the 22d instant, in which you are pleased to inform me that the Department of State of the United States of America, which has been informed that the officials of our Government decline to grant permission to companies to sink wells acquired under leases entered into since the 5th of February of this year, wishes to know the legal status of the said petroleum companies.

It is true that on the 24th instant the department of petroleum of this ministry issued to petroleum agencies, a telegraphic order prohibiting, until further notice, the issuance of permits for the sinking of petroleum wells, on lands leased on dates subsequent to the 5th of February, on which date the new Federal Constitution was promulgated. According to the text of article 27 in relation to the first of the transitory articles of our fundamental law, the direct control of petroleum and of all hydrocarbons corresponds to the nation as from the 1st of May. Leases, or contracts of whatever nature relating to the exploitation of these mineral products, entered into on dates prior to the promulgation of the constitution are presumed to have been made in good faith; but not those which were made subsequent to that date, because the subsoil from which the products are to be secured, and which is the basis of such contracts, does not belong, according to the said law, to the owner of the surface lands, by virtue of the nationalization imposed by the text referred to.

The prohibition declared is, therefore, but a part of the measures taken covering the constitutional text for the purpose of making the same effective.

I renew to your excellency the assurances of my consideration and personal esteem.

A. J. PANI.

Telegram received.]

MEXICO, *August 2, 1917.*

SECRETARY OF STATE,
Washington, D. C.

Confidential. In interview with President this morning I informed him that American oil and mining interests were concerned with regard to the attitude of the Mexican Government with reference to the so-called nationalization of these industries. In reply he assured me that they need not be; that it was not the intention of the Mexican Government to take over properties now in exploitation and distinctly stated that there would be no confiscation of these properties.

FLETCHER.

Cable message from the Department of State to the American embassy at Mexico City. No. 716. Paraphrase.]

JANUARY 23, 1918.

Department of State has information that as a result of views of attorney general and attorneys retained by different Mexican secretaries of State alien corporations can not exploit, in any manner, under article 27 of the constitution, the natural resources of the country and that American companies have lately been denied permission to sink oil wells on lands owned by them, regardless of the fact that such permission was invariably granted them previously.

See proper authorities and insist that no such action as that be taken pending the discussion and enactment of new legislation on the subject inasmuch as this action will entail serious consequences to the oil companies and precipitate a crisis in their affairs. You will also call attention to President Carranza's assurance, made to ambassador on August 2, 1917, and reported in embassy's telegram 3511 August 2, 7 p. m., to the effect that the Mexican Government did not intend to absorb the American oil and mining interests under development and that none of these would be confiscated. Remind authorities that present attitude of administrative officials seems to violate the spirit of those assurances and cable at once result of your protest.

POLK, *Acting.*

[Cable message from American embassy at Mexico City to the Department of State. No. 725. Paraphrase.]

JANUARY 27, 1918.

Your No. 716, January 23, 7 p. m., discussed with Pani, who answers in a memorandum of the 26th that alien corporations have not been prevented from sinking oil wells; that the views of the attorney general and lawyers consulted regarding article 27 does not prevent foreign capital from being invested in the oil business but demands that foreign capital shall submit to the new laws by waiving its nationality and organizing as Mexican corporations; that this does not mean meddling in the affairs of said companies, nor imply confiscation of their properties; that the position assumed by the present Government in its relations with foreign interests has accorded with the assurances given to Ambassador Fletcher by President Carranza, on August 2 last. Moreover that since the new constitution was enacted, the Government has adopted a friendly attitude toward American interests by giving them a chance to adjust their affairs to the conditions which the new law creates, and that any specific complaint which may arise wherein an American company may feel that its interests are endangered will be given careful attention when brought to the attention of this department.

SUMMERLIN.

[Cable message from the Department of State to the American embassy at Mexico City. No. 948. Paraphrase.]

APRIL 4, 1918.

Sr. Rouaix appears to assert that he placed the draft of article 27 of the Mexican constitution before the Constitutional Assembly, and he undertakes to interpret authoritatively the expression "dominio directo" which appears in that article as having application to all subsoil deposits, including petroleum. Those words, according to the statement of Sr. Rouaix, mean that the nation possesses all ownership in deposits of this character, both "private" and "absolute and original," and he adds that the constitution having been promulgated conflicting laws were at once repealed

thereby, including naturally those which grant to the owner of the surface the right to deposits under the surface. The fact that Sr. Rouaix is connected with the Mexican Government, and the further fact that the nature of his interpretation is authoritative, seemed clearly to point out the correctness of the view set forth in the telegram of the Department of State dated March 19, noon, No. 895, that the petroleum decree, as promulgated, constitutes an attempt of an arbitrary character to separate rights as to surface and subsurface property, thus taking from owners, without due process of law, their property and with disregard to the provision of the constitution that "private" property shall not be expropriated except by reason of public utility and by means of indemnification.

You will communicate the foregoing to the Mexican Government in a note supplementing the representations you have made in virtue of the instructions given in department's No. 895, and you will make the further statement that if, as would seem to be the case, Sr. Rouaix is the spokesman of the Government of Mexico, this Government, acting on behalf of American citizens who have expended large sums of money in securing petroleum lands in Mexico, and who placed their reliance, as they were justified in doing, on the Mexican laws granting ownership of deposits under the surface to the owners of the surface, protests emphatically and solemnly against the petroleum decree, declaring it to be an act of despoilation and confiscation, and in the premises reserves all rights.

No. 815.

EMBASSY OF THE UNITED STATES OF AMERICA,
Mexico, March 1, 1918.

The honorable the SECRETARY OF STATE,
Washington.

SIR: Continuing my No. 812 of February 27, 1918, inclosing the unofficial text of the presidential decree fixing taxes on petroleum lands, and confirming my telegram No. 820 of March 1, 7 p. m., I have the honor to inclose herewith copy of the official text of said decree as published in the Diario Oficial under date of February 27, accompanied by an English translation.

* * * * * * *

I have the honor to be, sir,
Your obedient servant,

HENRY P. FLETCHER.

[Enclosure No. 1. Despatch No. 815.]

Venustiano Carranza, constitutional President of the United States of Mexico to the inhabitants, know ye that, using the extraordinary powers in the ministry of finance vested in me by Congress, I have issued the following decree:

ARTICLE 1. A tax is established on oil lands and on oil contracts executed prior to 1st May, 1917, having for their object the leasing of lands for the exploitation of carbides of hydrogen or permission to do so under an onerous title.

ART. 2. The annual rentals stipulated in the contracts cited in article 1 shall be taxed in the following proportion:

(*a*) Those of 5 pesos per annum per hectare or less, with 10 per cent of their value.

(*b*) Those of more than 5 pesos and less than 10 per hectare and per annum, with 10 per cent the first 5 pesos and with 20 per cent the rest.

(*c*) Rents greater than 10 pesos per annum per hectare, with 10 per cent the first 5 pesos, with 20 per cent the next 5 pesos, and with 50 per cent anything exceeding the first 10 pesos.

ART. 3. All royalties stipulated in oil contracts are charged with 50 per cent of their value, in cash or in kind, as may be determined by the ministry of finance.

ART. 4. Properties worked by surface landowners are charged with an annual rental of 5 pesos per hectare and besides with a royalty of 5 per cent of the products, in cash or in kind, as may in each case be determined by the minister of finance.

ART. 5. The ministry of finance shall advise taxpayers during the last fortnight of each bimonthly period if they are to pay in cash or in kind the royalty corresponding to the bimonthly production ending in that fortnight.

ART. 6. The taxes fixed in article 2 shall be paid at the local stamp offices in the jurisdiction the lands belong to and should such lands belong to various jurisdictions at the office appointed by the finance ministry, after consulting the taxpayer. This payment shall be made in advance in the first fortnight of each bimonthly period.

ART. 7. The royalties payable in cash shall be deposited at the office cited in the preceding article on the same dates set therein at the end of each two months.

ART. 8. Payments of amounts mentioned in articles 2, 3, and 4 shall be made, using special stamps marked "Oil revenues."

ART. 9. Payers of taxes established in this law must present within the first fortnight of each bimonthly period a statement according to the authorized form of the general stamp office, giving rentals, production, and other necessary data for assessing taxes. These statements shall be made before the stamp offices referred to in article 6.

ART. 10. Transfer of contracts chargeable under this law shall be notified to the same offices mentioned in article 6 within 30 days after execution. Besides this obligation the contracting parties must immediately notify the general stamp office through the notaries before whom such transactions are effected.

ART. 11. All amounts corresponding to royalties or their fractions payable in kind shall be delivered at any of the storage stations belonging to the operator, as desired by the ministry of finance, which shall designate the place of delivery simultaneously with this form of payment.

ART. 12. When the royalties or fractions are payable in cash they shall be estimated taking the fiscal values of the products at ports of shipment as fixed by the bimonthly tariffs of the ministry of finance and deducting the cost of transportation by pipe line, according to the distance of the field of production from the port of shipment and the average public tariff authorized by the ministry of industry, commerce, and work for pipe lines in the district under consideration. The tax department of the ministry of finance must duly advise the local stamp offices as to the aforementioned values, so that such offices may judge the returns.

ART. 13. For oil lands not actually paying rent 5 pesos per annum per hectare shall be paid and for those at present not paying royalty 5 per cent of the products. Payments mentioned in this article shall be made under the same conditions which this law provides for other taxpayers.

ART. 14. Landowners who desire to work for their own account subsoil petroleum deposits and have not made any oil contract, as well as the last cessionaries of the right of exploitation in contracts mentioned in article 1 of this law, shall make a statement within three months from the promulgation hereof, with certified copies of their contracts of purchase, lease or of any other description, to the ministry of industry, commerce, and work, which shall revise such statements and reject those concerning baseless information. During this term all oil properties will be considered vacant which have not been registered in the form prescribed in this article, their denouncement and exploitation being governed by the regulations to be issued which shall determine those liable for the payment of taxes.

ART. 15. Contracts referred to in this law must be embodied in public deeds and those executed in private ones shall only be valid when the importance of the business does not require the formality of a public deed and which by other means of unquestionable evidence are shown to have been really executed on the dates indicated with clauses therein contained.

ART. 16. The royalties established in this law, fractions of the royalty fixed in article 3, the tax on rentals fixed in article 2, and the other rentals established in this same law shall be paid at the local stamp offices by the operators or the last cessionaries to the right of exploitation who when making payments to intermediaries or owners shall deduct the proportional part of the taxes corresponding to the latter so that the rentals and Federal royalties be distributed in the same proportion as the rentals and royalties now established on oil lands in the various existing contracts for oil exploitation.

ART. 17. Taxes not paid in the terms fixed by this law shall be subject to a fine of 10 per cent for each month of delayed payment.

ART. 18. The proceeds of this tax shall be distributed as follows: Sixty per cent to the Federal Government; 20 per cent to the State governments; 20 per cent to the respective municipalities, taking into account the situation of the lands. When they are in two or more municipalities or two or more States the finance ministry shall distribute the tax, taking into consideration the area in each jurisdiction, situation of the wells and their output, and other circumstances.

ART. 19. Transgressions of the precepts of this law shall be punished by fines varying from 50 to 1,000 pesos, according to the seriousness of the case, which will go to the courts should there be fraud to prosecute.

ART. 20. This law will become effective when promulgated.

MEXICO, February 19, 1918.

[From American Embassy at Mexico City to Mexican Foreign Office.]

APRIL 2, 1918.

EXCELLENCY: The decree of the 19th of February, 1918, which was published in the Diario Oficial on the 27th of February, last, establishing a tax on oil lands and on oil contracts executed prior to the 1st of May, 1917, etc., has been brought to the attention of my Government, and I am under instructions to state to your excellency that my Government has given most careful consideration to the effect which this decree, if carried into operation, will have upon American interests and property rights in Mexico.

The said decree provides for the imposition of certain taxes on the surface of oil lands, as well as on the rents, royalties, and production derived from the exploitation thereof. It is noted also that among the provisions for the collection of such taxes is one requiring that payment in kind shall be delivered to the Mexican Government at the storage stations of the operators. Articles IV, XIII, and XIV of the said decree seem to indicate an intention to separate the ownership of the surface from that of the mineral deposits of the subsurface, and to allow the owners of the surface a mere preference in so far as concerns the right to work the subsoil deposits upon compliance with certain conditions which are specified. While the United States Government is not disposed to request for its citizens exemption from the payment of their ordinary and just share of the burdens of taxation so long as the tax is uniform and not discriminatory in its operation, and can fairly be considered a tax and not a confiscation or unfair imposition, and while the United States Government is not inclined to interpose in behalf of its citizens in case of expropriation of private property for sound reasons of public welfare, and upon just compensation and by legal proceedings before tribunals, allowing fair and equal opportunity to be heard and giving due consideration to American rights, nevertheless, the United States can not acquiesce in any procedure ostensibly or nominally in the form of taxation or the exercise of eminent domain, but really resulting in confiscation of private property and arbitrary deprivation of vested rights.

Your excellency will understand that this is not an assertion of any new principle of international law, but merely a reiteration of these recognized principles which my Government is convinced form the basis of international respect and good neighborhood. The seizure or spoilation of property at the mere will of the sovereign and without due legal process fairly and equitably administered, has always been regarded as a denial of justice and as affording internationally a basis of interposition.

My Government is not in a position to state definitely that the operation of the aforementioned decree will, in effect, amount to confiscation of American interests. Nevertheless, it is deemed important that the Government of the United States should state at this time the real apprehension which it entertains as to the possible effect of this decree upon the vested rights of American citizens in oil properties in Mexico. The amount of taxes to be levied by this decree are in themselves a very great burden on the oil industry, and if they are not confiscatory in effect—and as to this my Government reserves opinion—they at least indicate a trend in that direction. It is represented to the State Department that the taxation borne by the oil fields of Mexico very greatly exceeds that imposed on the industry anywhere else in the world. Moreover, it would be possible under the terms of the decree, in view of the fact that the Mexico Government has not storage facilities for the taxes or royalties required to be paid in kind, by storing the same in the tanks of the operators, to monopolize such storage facilities to the point of the practical confiscation thereof until emptied by order of the Mexican Government or by the forced sale of the stored petroleum to the operators at extravagant rates.

It is, however, to the principle involved in the apparent attempt at separation of surface and subsurface rights under this decree, that my Government desires to direct special attention. It would appear that the decree in question is an effort to put into effect as to petroleum lands, Paragraph IV of Article 27 of the constitution of May 1, 1917, by severing at one stroke the ownership of the petroleum deposits from the ownership of the surface, notwithstanding that the constitution provided that "private property shall not be expropriated except by reason of public utility and by means of indemnification." So far as my Government is aware, no provision has been made by your excellency's Government for just compensation for such arbitrary divestment of rights nor for the establishment of any tribunal invested with the functions of determining justly and fairly what indemnification is due to American interests. Moreover, there appears not the slightest indication that the separation of mineral rights from surface rights is a matter of public utility upon which the right of expropriation depends, according to the terms of the constitution itself. In the ab-

sence of the establishment of any procedure looking to the prevention of spoilation of American citizens and in the absence of any assurance, were such procedure established, that it would not uphold in defiance of international law and justice the arbitrary confiscations of Mexican authorities, it becomes the function of the Government of the United States most earnestly and respectfully to call the attention of the Mexican Government to the necessity which may arise to impel it to protect the property of its citizens in Mexico divested or injuriously affected by the decree above cited.

The investments of American citizens in the oil properties in Mexico have been made in reliance upon the good faith and justice of the Mexican Government and Mexican laws, and my Government can not believe that the enlightened Government of a neighboring Republic at peace and at a stage in its progress when the development of its resources so greatly depends on its maintaining good faith with investors and operators, whom it has virtually invited to spend their wealth and energy within its borders, will disregard its clear and just obligations towards them.

Acting under instructions, I have the honor to request your excellency to be good enough to lay before His Excellency the President of Mexico, this formal and solemn protest of the Government of the United States against the violation or infringement of legitimately acquired American private property rights involved in the enforcement of the said decree.

Accept, excellency, the renewed assurance of my highest consideration.

HENRY P. FLETCHER.

[Paraphrase.]

DEPARTMENT OF STATE,
Washington, D. C., August 12, 1918.

Rush.
AMERICAN EMBASSY,
Mexico City.

1357. As immediate action is necessary, you are instructed to seek an interview with President Carranza for the purpose of submitting the following request for extension.:

"The American Government has been advised of the results of the conferences that have been taking place between representatives of the Mexican Government and representatives of certain American citizens and corporations whose rights and properties are affected by the following decrees. The decree of February 19, 1918, that of May 18, 1918, published the 21st of May, the decree of July 8, 1918, published the 13th of July, and certain fiscal orders which have reference to the disposition of oil lands and oil contracts and the taxation thereof. It is also advised that two new decrees have been issued by your excellency: That of July 31, 1918, published August 5, which purports to modify or repeal the decrees of February 19, 1918, and May 18, 1918; and the second, date of which is unknown, published on August 10, which purports to modify or repeal the decree of July 8, 1918. The American Government has not had an opportunity to examine the provisions or consider the effect of the last two decrees that are mentioned, for it appears they have only been published within the last two weeks.

"As I have not received an answer to my note of April the 2d, I am instructed to draw your excellency's attention to that note and to point out again the concern with which my Government entertains as to the possible effect of these various decrees upon the vested rights in Mexico of American citizens in oil properties. And to further direct your excellency's attention to the necessity which may arise, in order to protect the property of its citizens in Mexico, divested or injuriously affected by the said decrees, to impel the United States to protect the property of its citizens.

"It is understood by my Government that the date upon which these decrees will go into effect is August 15, 1918, and I am therefore instructed to request your excellency to postpone that date and suspend all operation of said decrees in order that the American Government may examine carefully and consider their provisions, purpose, and results as affecting rights and properties of American citizens."

Telegraph results.

LANSING.

Paraphrase, telegram.

MEXICO, *August 13, 1918.*

SECRETARY OF STATE, *Washington.*

Rush. 1382, August 13, 1918.

I presented in writing the request contained in your telegram 1357, August 12, to the President at an interview this afternoon. In reply he stated that it was impossible to postpone operation of the petroleum decrees further. In the fundamental question involved, i. e., the conflicting rights of the Government and private individuals to the subsoil products, he explained that the decrees were fiscal legislation merely, to pass laws that would give effect to article 27 of the constitution and to legislate as to the above question was the province of Congress. He stated that if the difficulty could not be settled except by war or intervention he was sorry, but was prepared to confront this alternative. Apparently he did not like the reference in the last communication and in my note of April 2 to the possibility of the United States Government having to protect the property of its citizens. In reply I stated that I believed and hoped that matters would not come to such a pass. He agreed and stated that the interested parties should appeal to the courts and that if and after legal remedies should fail there still remained the diplomatic channel.

In the event the American citizens concerned should feel that their legally acquired rights should not have received due recognition in the Mexican courts resort might further be had to arbitration or other peaceful means to decide the question at issue and referred to existing treaties between our two countries, and I informed him that I thought it would have a reassuring effect if I could inform the department of the above. The President replied that he would be willing to exhaust every peaceful means of settlement before resorting to force. He stated that the Mexican Government could not admit any interference in respect to the present matter, as it was purely fiscal, and he so informed the British Government. He did not deny that the decrees reached article 27 in their basic relation and apparently was anxious to stress the point that they were purely fiscal legislation.

He believed that companies should file their manifestations under protest if they so wished and without prejudice, he stated.

I again expressed my confidence that the question could and would be settled peaceably and satisfactorily, and he replied in the same spirit.

FLETCHER.

EMBASSY OF THE UNITED STATES OF AMERICA,

No. 1312. *Mexico, August 14, 1918.*

The SECRETARY OF STATE, *Washington.*

SIR: Continuing my dispatch No. 1283 of August 7, 1918, on the subject of the petroleum decrees recently issued by the Mexican Government, and confirming my recent telegrams, I have the honor to report the developments of the situation in the past weeks, as follows:

On August 13 the foreign office made public its reply to the note of the British Government dated April 30. The substance of this reply was telegraphed immediately to the department and the text and translation will be found in my dispatch No. 1306 of August 14.

Your telegram No. 1237 of August 12, 3 p. m., instructing me to seek an immediate interview with President Carranza and request a further postponement of the operation of the recent petroleum decrees, reached me yesterday morning.

I put this request in writing—copy inclosed—of which I also made a translation and arranged for an interview with President Carranza at 6 o'clock yesterday afternoon. The interview lasted half an hour and the principal points and results thereof were immediately telegraphed to the department.

On opening the conversation, I explained to the president, that while the attorneys representing the various American citizens interested in the oil industry in Mexico had reported the result of their conferences with the representatives of the Mexican Government, to their principals and more recently to the Department of State, nevertheless, my Government had not had sufficient time to study the various decrees and to determine the effect which they would have upon American interests and property rights in Mexico, and that I had been instructed to present to him a request for postponement of the operation of the said decrees and handed to him the note above referred to in translation. The president read it carefully and replied that as a result of the conferences held between Messrs. Garfield and Rhoades and Messrs. Pani and Nieto, the Mexican Government had made a number of modifications in the petroleum

decrees favorable to the companies concerned; that the decrees were merely fiscal; that it was the province of the Congress, which would meet on the 1st of September, to pass the laws which would put article 27 into effect, and that he believed such legislation—which would originate with him or with some member of Congress—would be one of the first subjects to be taken up by the legislature; that he had gone as far as he could in the matter, and could not further postpone the operation of the petroleum decrees.

He referred with evident displeasure to the part of the request which mentioned the necessity which may arise to impel the United States to protect the property of its citizens in Mexico and said that this was merely fiscal legislation, and, as he had pointed out in his reply to the British Government, Mexico in the exercise of its sovereign rights could not admit interference of foreign Governments in the matter, and said that if this meant war or intervention he was prepared to confront this alternative, however regrettable. I replied that I saw no immediate danger of matters coming to such a pass and referred to the peaceful means which, in my opinion, should and would be exhausted before this alternative need be met. He agreed in this and said that the parties interested should appeal to the courts, and that if and after the ordinary legal remedies should have been exhausted they still should feel aggrieved, there remained always the diplomatic channel through which to attempt settlement. Following that line of thought, I told him that I believed it would have a reassuring effect if I could say this to the department, and that every legal and peaceful means would be exhausted to reach a settlement of the judicial question involved, and I referred to the existing treaties between Mexico and the United States in this connection. The President replied that he was not a partisan of force, and stated his willingness to adopt peaceful means of settlement.

Throughout the conversation the President stressed the point that the decrees in question constitute merely fiscal legislation, and that he had not attempted in the decrees to put into practice and effect the provisions of the constitution relating to subsoil ownership, and that the congress only had this power and would decide the conflict with reference to subsoil ownership as between the nation and private individuals. I made it clear, however, that in my opinion the decrees were based on Article XXVII of the constitution, and that individual owners feared that compliance with the provisions of the said decrees might prejudice their legitimately acquired rights. He then spoke of the filing of manifestations and stated that in his opinion they should be filed; that they could be filed under protest if the companies so desired and without prejudice to their rights.

In conclusion I referred to the delicacy of the situation and to the very short time which would elapse before the decrees were put into effect, and expressed the hope that no precipitate action would be taken by the Mexican Government which would interfere with the peaceful, orderly, and judicial settlement of the matter in dispute, and my personal hope and belief that with patience and good will on both sides a satisfactory settlement would be reached. The President replied in the same spirit. The interview was extremely cordial throughout. The only way in which the President showed the slightest annoyance was in connection with what he considered a threat of the United States Government to protect its citizens in Mexico.

This morning there was published in all the local papers a new petroleum decree dated the 12th, providing that petroleum lands now under exploitation or acquired after survey would not be open to denouncement after the 15th instant, even though not manifested as prescribed by the petroleum decrees, and that such nonmanifested lands would pay an annual rental of 5 pesos per hectare and a royalty of 5 per cent on production.

I am informed that this new decree was prepared last night in the palace and antedated. I telegraphed this morning a transalation of this last decree in full—in view of the fact that there remain only two days in which manifestatiions may be filed—to have the complete text.

Up to the present very few of the companies and individuals interested have filed the manifestations called for by the decree.

I might add that in the course of my interview with the President yesterday, he said that he was preparing a reply to my note of April 2, more or less along the lines of his reply to the British Government.

I have the honor to be, sir,

Your obedient servant,

HENRY P. FLETCHER.

[Inclosure No. 1, dispatch No. 1337.]

E. GARZA, PEREZ SUBSECRETARY, BY REASON OF ILLNESS OF THE SECRETARY OF STATE FOR FOREIGN AFFAIRS, TO HENRY P. FLETCHER, AMERICAN AMBASSADOR, MEXICO CITY.

[Translation.]

2772. MEXICO, *August 17, 1918.*

By direction and under instructions from the President of the Republic, I have the honor to reply to note No. 290 which your excellency addressed to the Government of the Republic under date of April 2, this year, with regard to the decree of February 19 which established taxes on petroleum lands and petroleum contracts as well as to that addressed to the said high official on the 13th of August, last. In the first note your excellency presents through me to the President of the Republic a formal and solemn protest of the Government of the United States against the violation of private property rights legitimately acquired by American citizens, which it is considered the application of the decree mentioned will bring with it.

I must not conceal from your excellency the fact that it has been a matter of surprise for the Mexican Government to receive a diplomatic representation with reference to an act proceeding from the legitimate exercise of its sovereignty, such as the issuance of a decree, and that the said representation contained the proposition of affording undue protection to foreign citizens and interests, and which, if made good, would have the effect of placing them in a better and more privileged situation than Mexicans themselves.

Your excellency will understand that neither the one nor the other can be consented to by a government or a people conscious of its dignity and high duty of preserving unblemished the national sovereignty.

Of the principal questions covered by your excellency's note referred to one relates to the tax created by the decree on oil lands and contracts and another to the system of real property contained in article 27 of the political constitution of the Republic.

Now, in as much as the right of decreeing taxes is an attribute of internal sovereignty and the organization of property in the country is an attribute of territorial sovereignty, neither of the two questions can be made the basis of diplomatic representation, and less still of a formal and solemn protest such as that which your excellency makes in the name of and under instructions from your Government, as both of these things imply a real diplomatic intervention in the internal affairs of Mexico. The Mexican Government has not recognized and will not recognize that any country has the right to interfere in any form in its internal affairs nor even of protesting against acts exclusively within the exercise of its sovereignty.

The tax has been established by a general law which affects Mexicans and foreigners and is applicable in any section of the country where a petroleum deposit may exist or may be discovered. Nevertheless, your excellency announces that the Government of the United States might be obliged to protect the interests of its citizens from the application of said law; and while the character of this protection is not stated, it undoubtedly tends to place foreigners in Mexico in a privileged position, which your excellency will understand is contrary to every rule of right and wounds the dignity of the Mexican people.

The protection of national and foreign interests within the country is a duty and at the same time a faculty of the Mexican Government exclusively. By announcing protection by your excellency's Government, if necessity arises, the idea is clearly revealed of obtaining undue preference in favor of American interests and citizens, this fact being made more evident still when it is considered that Mexican companies and proprietors have made no move to escape the tax and that their recourse in case they believe it to be excessive, is to appeal to the courts of the Republic demanding protection and amparo, and this is the only means which foreigners also should adopt.

The Mexican Government can not consent to any measure whatsoever which the American Government may purpose to put into practice to place its citizens in a more favored situation than that of Mexicans in their own country, and in so doing is sure of the unanimous support of public opinion and of the nation in indorsing respect for its sovereignty.

The criterion of the Mexican Government in this matter is not an innovation in international law, but the simple application of the principle of the equality of nations, frequently forgotten by strong governments in their relations with weak countries. It is furthermore a principle which the President desires to see implanted and respected in the diplomatic, mercantile, and all other relations which may be established between countries, and which he himself has proclaimed on repeated occasions, in the following terms:

"No individual should aspire to a better situation than that of the citizens of the country to which he goes; legislation should be general and abstain from distinctions on account of nationality. Neither the power of nations nor their diplomacy should serve for the protection of particular interests or to exert pressure upon the governments of weak peoples with the end of obtaining modifications of laws which are disagreeable to the subjects of a powerful country."

In fiscal matters, this amounts to a declaration of perfect equality of nationals and foreigners in the collection of taxes decreed by the public power of a country.

The protection which Your Excellency states the Government of the United States may find itself in the necessity of extending to its nationals and which is ratified in the note of August 13, constitutes a threat which is in contrast with the pacific ideals of His Excellency President Wilson and does not concord with the reiterated manifestations of friendship and respect which he has proclaimed in regard to Mexico.

Whatever may be the intention of the American Government in this respect, the Mexican Government believes it necessary to state that it will not accept the interference of any foreign power in the arrangement of its internal affairs and that it will not admit any proceeding which under the pretext of protection to foreign interests wounds the national decorum or impairs the exercise of its sovereignty.

The issuance of the decree of February 19 is an act which of itself can not form the basis of diplomatic representations. If your excellency's Government does so it is because it believes the said decree deprives American citizens of acquired rights and the seizure or spoliation of these rights by the mere will of the sovereign without due process of law has always been held as a denial of justice and sufficient cause for diplomatic representations.

Your excellency states that this seizure or spoliation arises from the separation which our law makes between the surface and subsoil rights, which amounts to a denial of justice.

A denial of justice consists in that a judge refuses to impart justice when it is asked of him, or that any authority does not, either from negligence or a voluntary negative, pronounce its decision. In general language a denial of justice is every negative to accord to a person that which is his due.

The Mexican Government has no knowledge up to the present that either American citizens or anyone else who believe themselves prejudiced by the decree, have resorted to ordinary legal methods or to the appropriate authorities, for relief against the petroleum tax, since the discussions to which your excellency's second note refers were of a private character.

The petroleum tax embraces all the requisites which science assigns to every impost, but if it be considered that its application is unjust or the amount excessive, our laws assure the means of defense and our tribunals are prompt to decide as to the application of said laws. There is an individual guaranty established in article 22 of our political constitution which prohibits the confiscation of property, and this is equally afforded by article 17 of the same fundamental code, which provides that the courts shall be open for the administration of justice at such times and under such conditions as the law may determine. Nevertheless, the American interests which your excellency represents and defends have not resorted to the established legal remedies in order that the proper authority should decide with regard to the injuries and confiscations which they believe themselves to have suffered; and yet your excellency bases the diplomatic representation made in the name of your Government on a "denial of justice," which really has not taken place.

The seizure or spoliation of property by the mere will of the sovereign is exactly one of the things which our constitution prohibits and condemns in article 14. If such cases of spoliation or confiscation should be proven and our tribunals should deny judgment, or having pronounced judgment favorable to the complainant, the Mexican Government should refuse to respect the judgment, then there would be a denial of justice and reason for diplomatic representations. In the case which gave rise to your excellency's note, the courts have not yet intervened, and the expression "denial of justice," which is used as a basis for the representation, must have been taken in a sense distinct from that commonly assigned to it in international law.

The American doctrine in this respect is conclusive. It defines and considers the tax as a necessary attribute of sovereignty and teaches that as long as the impost is uniform in its execution and can be considered as an impost and not as a confiscation or arbitrary imposition, no representation may be made to a foreign government in aid of the foreigners who may be affected, inasmuch as the only safeguard against the abuse of the power of levying taxes is found in the structure of the Government itself, and reclamations or complaints on account of an excessive tax are properly questions within the competency of the local tribunals.

As a matter of fact, the tribunals alone are capable of passing judgment upon the equality of distribution of the tax and the other requisites, and it is not just that the very foreigners who are affected should judge and decide such questions. Otherwise it would be sufficient, in order to escape from a legitimately decreed impost, to allege the pretext that it is confiscatory. Furthermore, it is customary in all countries that diplomatic action should be the last to be exercised and that only after ordinary means have been exhausted.

Your excellency affirms that investments of American citizens have been effected under the guaranty of the good faith of the Mexican Government, which virtually has invited them to make such investments; and that it can not believe that now this Government will disregard its obligations, now that the country finds itself at peace and at a stage of progress.

Your excellency has interpreted faithfully in this part of your note the disposition of the Mexican Government with respect to foreign investments; since its conduct and intentions have been and will be in the future, the conciliation of foreign interests with the progress of the Republic and its legitimate rights, by means of a perfect equality before the law of Mexicans and foreigners.

Assuredly American interests are worthy of every protection and the Mexican Government recognizes that they may contribute to the industrial development of the Republic, particularly in the petroleum industry, and in precisely this spirit has the decree of February 19 been issued (aside from the fundamental question which consists in putting into practice the dominion of the Nation over the subsoil) because, respecting the existing situation, it impedes and prevents speculations in petroleum lands prejudicial to the operators and to the interests of the country.

With reference to the request which, on instructions from your Government, your excellency makes in the second note, to the effect that the petroleum decrees referred to be not made effective on August 15, the matter need not be specially considered, inasmuch as the time for making and the form of manifestations provided for by the said decree had been modified previously to its presentation.

The Mexican Government desires to live in peace and friendship with all nations and in good harmony with your excellency's Government. In order to accomplish this, it will endeavor to respect the dignity and the interests of foreigners and has no idea of passing legislation designed to molest a friendly country or its citizens. These may, with all confidence, continue to rely upon the laws and institutions of the Republic.

The Mexican Government hopes it has dissipated with these explanations, all ground for misunderstanding between two friendly peoples and all apprehension or fear on account of American interests invested in Mexico; and relying upon the profound knowledge which your excellency personally has of existing conditions, is certain your excellency will make plain to the Department of State the true object of the fiscal dispositions which brought forth your note, and the Mexican Government's reason for maintaining the perfect equality of nationals and foreigners before the law.

I renew to your excellency the assurances of my highest consideration.

By reason of illness of the secretary, the subsecretary:

E. GARZA PEREZ.

No. 799. DECEMBER 13, 1918.

The Hon. HENRY P. FLETCHER,
American Ambassador, Mexico City.

SIR: The department acknowledges the receipt of your No. 1337, of August 21, 1918, with which you inclosed copy of a translation of note No. 2772, of August 17, 1918, from the foreign office, replying to your embassy's note of April 12, 1918, protesting against the so-called petroleum decree of February 19, 1918.

You state that amparo proceedings have been instituted in the courts of Mexico against the recent petroleum decrees; that you have been informed by a representative of the American oil companies that the proceedings are progressing satisfactorily, and that there is hope of obtaining what would amount to a preliminary injunction in our procedure, and that the issuance of the decree of August 12, 1918, has relieved the situation and removed the danger of arbitrary action against the companies by the Mexican Government.

You further stated that a new Congress would convene on the 1st of September, and that it would not be surprising if an entirely new petroleum law were proposed by the Government almost immediately: that should the decision of the courts uphold the contention of the Mexican and foreign companies and citizens as against the Government, the troublesome question of enforcing retroactively article 27 of the constitution would be removed and the way would be open for the Mexican Government to proceed along more moderate and more just lines with the so-called nationalization of petroleum producing lands.

You added that at any rate an acute crisis in the petroleum matter had been avoided and that the indications were that this difficulty, which seriously threatened the good relations between Mexico and the United States, would be adjusted by peaceful and legal methods.

The department is pleased to learn of the improvement in the situation, which seems to render unnecessary at the present time further representations in the way of protest to the Mexican Government.

However, the department deems it advisable at this time to take notice of certain statements contained in the note of the foreign office copied with your dispatch, both because silence on the part of this Government with respect to some of these statements might lead the Mexican Government to suppose, contrary to the fact, that this Government was disposed to acquiesce therein, and also since it seems entirely possible that the Mexican Government is still bent upon putting into effect by Executive decree, or by legislation, the confiscatory features with respect to oil-bearing lands, of article 27 of the constitution and the petroleum decree of February 19, 1918.

Therefore, you will please take suitable occasion to reply to the Mexican note of August 17, 1918, substantially as follows:

The Government of the United States has noted with pleasure that, as anticipated by it, the Mexican Government has the intention to conciliate foreign interests and that it regards American interests as worthy of every protection, recognizing that they contribute to the industrial development of the Republic of Mexico, particularly in the petroleum industry. The Government of the United States heartily reciprocates the expressed desire of the Mexican Government that the two nations live in peace, friendship, and good relation, and welcomes the statements that the Mexican Government will respect the dignity and the interest of foreigners and has no idea of enacting legislation designed to molest a friendly country or its citizens.

With these views animating the Mexican Government and their hearty reciprocation by the Government of the United States, it would seem that there should be no difficulty in adjusting in an amicable fashion any matters of difference between the two Governments.

The Government of the United States is not unappreciative of the disposition of the Mexican Government to translate on its part these friendly sentiments into action by the issuance of the decree of August 12, 1918, which tends to remove the danger, theretofore feared by the United States, of arbitrary proceedings against foreign oil interest, and the Government of the United States is encouraged by this action to believe that the entire petroleum question, as it affects American interests, will at a not distant date reach an adjustment equitable to all parties concerned.

While the present situation with respect to the matters which have been in difference between the Mexican Government and the petroleum interests, as the Government of the United States understands the matter, is in an orderly process of developing itself, with a strong possibility that the outcome will be a satisfactory adjustment between the interested parties, the Government of the United States considers that it would be appropriate for it to state briefly at this time, with the object of clarifying the situation and of avoiding all possibility of misunderstanding, its views with regard to certain allusions and statements contained in the note of the Mexican foreign office, No. 2772, of August 17, 1918.

The Government of the United States regrets to observe the critical attitude which the Mexican Government has assumed toward the efforts made by this Government through diplomacy to protect its citizens in Mexico from what appeared to it to be imminent spoliation of their vested rights in Mexico, and can not but believe that this attitude is based on a partial understanding of the causes and grounds leading this Government to express its views in its note to the Mexican Government of April 2, 1918. In justice to itself, the United States feels that it is entitled to point out that its diplomatic interposition in this case was consequent upon and flowed directly from the policies and actions of the Mexican Government itself, notwithstanding the unremitting efforts of the United States to explain informally the dire effects of these measures upon American interests in the petroleum fields. Moreover, the representations which the Government of the United States had made with respect to the Mexican petroleum decree of February 19, 1918, were not in any way inspired, as the Mexican Government appears to suppose, by the desire to obtain undue protection to American citizens and American interests, but solely to obtain for them that protection to which they seem to be entitled under the generally accepted rules and principles of international law.

The purpose of the Government of the United States was to call the attention of the Government of Mexico, with such earnestness as the critical situation of American interests seemed to demand, to what seemed to the Government of the United States an unwarranted course of action, against which ordinary legal proceedings might fail to provide a sufficient and timely remedy, with the confident belief that upon consideration of the views of this Government, the Mexican Government would appreciate

the condition in which such American citizens would be placed by the action apparently contemplated against them and that the Mexican Government would, therefore, take such prompt steps as would relieve the condition and render unnecessary any further controversy over the matter. The Mexican Government's mistaken views of the attitude of the Government of the United States in these respects is believed to have been brought about by the conception which the Mexican Government asserts it has of the duties and obligations of a State to foreigners in its country. The Mexican Government appears to be of the opinion that so long as a State does not discriminate against foreigners and in favor of its own citizens, it is entitled to mete out to foreigners such treatment as it may desire; that foreigners must submit to their treatment, and that their Governments have no right of interposition to protect them against it, should it be unduly onerous and unjust, until local remedies have been exhausted in vain.

Applying this view to the petroleum situation the Mexican Government seems to contend that the decree regulating ownership of mineral deposits is a matter of internal and territorial sovereignty applicable to Mexican citizens and foreigners alike and therefore that there is afforded no rightful basis for interposition by the Governments of interested foreigners, even though the result of the decree should be, as was apparently its purpose, to deprive such foreigners of property rights which they had legitimately acquired under the laws of Mexico.

The Government of the United States believes that this contention of the Mexican Government and the basis upon which it seems to rest find no sound foundation in the principles of the law and practice of nations which in the past have been generally accepted by the Governments of the world, and that it could not, therefore, be fairly called upon to recognize or acquiesce in them in opposition to the usage of nations. The Government of the United States is firmly of the opinion that the great weight of international law and practice supports the view that every nation has certain minimum duties to perform with regard to the treatment of foreigners, irrespective of its duties to its own citizens, and that in default of such performance, it is the right of the foreign Government concerned to enter protest. Not the least of such duties, as the Government of the United States believes, is to refrain from measures resulting in confiscation of the vested property rights of foreigners, acquired in good faith and in accordance with the laws of the country in which the property is situated. While the Mexican Government may see fit to confiscate vested property rights of its own citizens, such action is in equity no justification for the confiscation of such rights of American citizens and does not estop the Government of the United States from protesting on behalf of its citizens against confiscation of their property.

To resist unjust encroachment upon their rights by the governmental agencies of their country, Mexican citizens are armed with a weapon which they may presumably use in addition to judicial remedies. I refer to the orderly processes by which the free people of a democracy may assert their will in respect of governmental policies. But Americans in Mexico have no such recourse. Aside from judicial remedies, they are limited to an appeal for the protection of their Governments. If they are to be denied that right of appeal they are clearly placed in a position of disadvantage as compared with citizens in Mexico who have both political and legal remedies at their command to right their wrongs. If the right of protection of this Government is to be denied, then one of the means of obtaining that parity of treatment to which the Mexican Government admits Americans are entitled is plainly destroyed.

The United States is ready to admit that legal remedies should as a rule be tried by its citizens to obtain reparation for or relief from wrongful actions against their property, and it is understood that the American interests affected by the petroleum decree are resorting to such remedies, but the United States can not admit that diplomatic representations is always premature if made on behalf of its citizens before they have exhausted their legal remedies in the courts of Mexico.

If it were necessary to substantiate this proposition, many instances of diplomatic action, before or during legal proceedings, might be cited from the practice of nations, in case of irreparable damage or highly arbitrary action, particularly where it is in the power of the Government to prevent or suspend either. The promulgation of the before-mentioned provision of article 27 of the Mexican Constitution, followed by the issuance of the so-called petroleum decrees indicated a settled purpose of the Mexican Government to put into execution this provision of the Constitution, without opportunity for full and fair consideration, and without regard to the legitimately acquired rights of American citizens. Such action might have been irreparable in its results, and certainly would have been arbitrary, and within the power of the

Mexican Government to prevent or modify as subsequent events have shown. In the circumstances, friendly representations, without prejudice to the prosecution of legal remedies and in the interest of avoiding misunderstanding, can hardly be said to be out of place. On the contrary, the Government of the United States believes that happy results are often the outcome of diplomatic interposition, which therefore serves the best of ends, in the way of averting possible difficulties of a serious nature. Moreover, the argument of the Mexican Government as to the necessity of a resort to its courts by foreigners affected by the decree in question, prior to diplomatic interposition, would have more weight did the decree relate alone to matters of taxation, which is far from being the case, although a casual reading of the note under acknowledgment might lead to that conclusion.

As a matter of fact, the immensely important feature of the decree is the attempt made therein to carry out the provisions of article 27 of the constitution for the confiscation of the petroleum-bearing subsoil, and this was thoroughly brought out by the embassy's note of April 2, 1918, in which it was said, with reference to the taxation feature of the decree, that the Government of the United States reserved opinion on the question as to whether such taxation was confiscatory in effect. Furthermore, in mitigation of what this Government regards as the plainly confiscatory feature of the decree, the note under acknowledgement makes reference to the guaranty established by article 22 of the constitution. This Government is at a loss to understand this reference to article 22 as it would not seem to modify the effect of the decree in question, since the confiscation forbidden by that article of the constitution appears to relate to punishment for criminal offenses. This can not, therefore, be regarded as modifying the provision of the Mexican Constitution clearly applicable to this case, namely the following clause of article 27:

"Private property shall not be expropriated except for reasons of public utility and by means of indemnification."

Indeed, this provision seems to contemplate the establishment of judicial procedure for the expropriation of private property.

Therefore, the Government of the United States finds itself quite unable to accept the point of view of the Mexican Government, in respect to parity of treatment of Americans and Mexicans, and to diplomatic interposition in behalf of the former.

This communication should not be concluded without reference to the statement in the note under acknowledgment as to the inconsistency which the Mexican Government indicates that it finds between the action of the Government of the United States in respect to the petroleum controversy, and the utterances and ideals of the President of the United States. Regarding this it may be said that it is believed that the Mexican Government will confess itself unable to find any statement of President Wilson, which by expression or implication, pronounces against the exercise of the right of diplomatic interposition, upon suitable occasion therefore. The President has drawn a sharp contrast between the policy of armed intervention and that of diplomatic interposition. He has, on numerous occasions, stated in effect that he would not countenance armed intervention in the affairs of another State for the purpose of gratifying selfish interests, and the composite statement as presented by the Mexican minister of foreign affairs clearly comprehends such a situation. But the President has never stated that he would forego the right of diplomatic interposition in behalf of American citizens, a distinctly friendly method of supporting legitimate national interests in order to avoid injustice. On the contrary, the President had declared for diplomatic interposition no where better than in the following quotation from his address of January 29, 1916:

"America has not only to assert her right to her own life within her own borders; she has also to assert her right to equal and just treatment of her citizens wherever they go."

The Government of the United States asks no more than "equal and just treatment" for its citizens, and therefore cherishes the sincere hope that the Mexican tribunals whose prerogative it may be to pass upon the legal questions involved in the so-called petroleum decree will in the proceedings which it is understood have been initiated and which may hereafter be commenced protect the legitimately acquired rights of American citizens. Thus the controversy may happily be ended. However, should this hope unfortunately be disappointed, the Government of the United States must reserve to itself the consideration of the question of interesting itself further on behalf of American citizens concerned in this important and serious matter.

I am, sir,

Your most obedient servant,

FRANK L. POLK.

[Paraphrase—Telegram.]

MARCH 18, 1919.

AMERICAN EMBASSY, *Mexico:*

1921. Your dispatch 1842, February 25.

The department instructs the ambassador to protest against attempt apparently contemplated by circular February 18 to collect royalties from American petroleum interests and refers generally to objections previously urged by the American Government against Mexican petroleum decrees.

POLK, *Acting.*

DEPARTMENT OF STATE,
Washington, April 16, 1919.

AMERICAN EMBASSY, *Mexico City:*

Inform foreign office substantially as follows:

The attention of the Government of the United States has been called to the fact that certain oil properties in Mexico leased by American companies under Mexican law have recently been denounced by third persons; that American lessees have protested to the department of industry, commerce, and labor against such denouncements and petitioned that no titles or concessions covering the properties in question should issue in consequence thereof; and that in at least one case said department has required the leasing company to submit evidence of payment of rental and royalties to the Mexican Government and to couch its protest in the terms stipulated by the decree of August 8, 1919.

It seems quite clear that in these requirements an attempt is being made by the Mexican Government to coerce American companies into the performance of acts, the results of which would be to admit in advance of the final settlement of the questions at issue the correctness of the contention of the Mexican Government in the matter of ownership of oil deposits, against which the Government of the United States has made solemn protest as threatening confiscation of rights legally acquired by American citizens.

Therefore, the Government of the United States is constrained to renew the protest previously made against this measure of threatened confiscation and to utter a present protest against the attempted coercion of American interests into an admission of the lawfulness of the means which the Mexican Government has adopted in an attempt to put its confiscatory plan into effect.

You will add that it would be regarded by the Government of the United States as very unfortunate were the Mexican Government, pending a final solution of its difficulties with the petroleum interests, to complicate the situation by the issuance to third persons of titles to or rights in lands legally held by American citizens.

POLK, *Acting.*

[Paraphrase.]

DEPARTMENT OF STATE,
Washington, April 16, 1919.

AMERICAN EMBASSY, *Mexico City:*

1969. The ambassador is instructed to renew the protest of the Government of the United States previously made against the measure of threatened confiscation and to further protest against the attempted coercion of American interests into an admission of the lawfulness of the means which the Mexican Government has adopted in an attempt to put into effect its confiscatory plan.

The ambassador is further instructed to add that a complication of the situation by the issuance to third persons of titles to or rights in lands legally held by American citizens, would be regarded by the American Government as very unfortunate.

Specific reference is made to the fact that certain oil properties in Mexico leased by American companies under Mexican law have recently been denounced by third persons; that protest has been made by the American lessees to the department of industry, commerce, and labor against such denouncements and petitioned that no titles or concessions covering the properties in question should issue in consequence thereof; and that in one case the leasing company has been required by said department to submit to the Mexican Government evidence of payment of rental and royalties and to couch its protest in the terms stipulated by the decree of August 8, 1918.

The department is of the opinion that in these requirements an attempt is being made to coerce American companies by the Mexican Government into the performance of acts, the results of which would be to admit in advance of the final settlement

of the questions at issue the correctness of the contention of the Mexican Government in the matter of ownership of oil deposits, against which the American Government has made solemn protest as threatening confiscation of rights legally acquired by American citizens.

POLK, *Acting.*

MEXICO CITY, *June 2, 1919.*

SECRETARY OF STATE, *Washington, D. C.:*

3006. Important. June 2, 3 p. m.

Under date of May 29 and received to-day. Foreign office has replied as follows to embassy notes of March 20 and April 21 based on department's telegrams 1921, March 18, 6 p. m., and 1969, April 16, 5 p. m., protesting against the department of hacienda circular issued February 19 last:

"The Government of Mexico sincerely deplores the fact that the American companies have ill-advisedly failed to comply with the laws which the former issued on the exploitation of petroleum, since they could have done so under protest and with the reservations that they might have considered compatible with their interests, and could have appeared before the proper authorities, requesting a (?) study of the question so that it might be decided in justice and according to law.

"Consequently, if the situation of the petroleum companies is complicated by the denouncements made by third persons, the companies mentioned are doubtless the only ones blamable, since it must be evident to your clear judgment that the protests of a foreign nation can not suspend the effects of the laws issued by the Government of another nation."

SUMMERLIN.

MEXICO CITY, *June 3, 1919.*

No. 2063.

The SECRETARY OF STATE, *Washington.*

SIR: With reference to the department's telegrams No. 1921 of March 18, 6 p. m., and No. 1969 of April 16, 5 p. m., instructing the embassy to protest against the circular issued by the department of hacienda on February 19, 1919, in regard to the proposed collection of royalties from petroleum companies and against the possibility that denounced concessions might be granted to third persons, I have the honor to forward herewith copy and translation of a note received from the foreign office dated May 29, 1919, the substance of which was sent the department in the embassy's telegram No. 3006, June 2, 3 p. m.

I have the honor to be, sir,
Your obedient servant,

GEORGE T. SUMMERLIN,
Chargé d'Affaires.

[Inclosure No. 1, dispatch No. 2063.]

ERNESTO GARZA PEREZ ACTING SECRETARY OF STATE FOR FOREIGN AFFAIRS, TO GEORGE T. SUMMERLIN, CHARGE D'AFFAIRES, MEXICO.

[Translation.]

1691. MEXICO, *May 29, 1919.*

MR. CHARGE D'AFFAIRES: I have the honor to acknowledge receipt of your notes dated March 20 and April 21 of the current year which you were good enough to send this department; in accordance with instructions from your Government, protesting against the circular issued by the department of hacienda on the 19th of February, last, in connection with the collection of royalties from the petroleum companies and against the possibility that concessions might be granted to third persons who have denounced petroleum properties rented by American companies.

The Government of Mexico sincerely deplores the fact that the American companies have ill advisedly failed to comply with the laws which the former issued on the exploitation of petroleum, since they could have done so under protest and with the reservations that they might have considered compatible with their interests, and could have appeared before the proper authorities, requesting a detailed study of the question so that it might be decided in justice and according to law.

Consequently, if the situation of the petroleum companies is complicated by the denouncements made by third persons, the companies mentioned are doubtless the only ones to blame, since it must be evident to your clear judgment that the protests of a foreign nation can not suspend the effects of the laws issued by the Government of another nation.

I renew to you the assurances of my highest consideration.

E. GARZA PEREZ.

DEPARTMENT OF STATE,
Washington, June 16, 1919.

AMERICAN EMBASSY, *Mexico City:*
Your 3006, June 2, 3 p. m.

Reply to note of foreign office substantially as follows:

"As the Government of the United States is informed and believes the only Mexican legislation on the subject of petroleum deposits with which American companies have failed to comply is the recent legislation covered by decree of February 19, 1918, and subsequent decrees on the same subject, compliance with which would constitute an admission of the correctness of the contention of the Mexican Government in the matter of ownership of oil deposits, against which the Government of the United States has made solemn protest which it now renews, as threatening confiscation of rights legally acquired by American citizens.

"When it asserted that the American companies in question could have complied with such legislation under protest and with the reservations that they might have considered compatible with their interests, the foreign office apparently failed to take into account the language used by the Government of Mexico in its reply, understood by the Government of the United States to bear date of August 25, 1918, to the contention of the petroleum companies and interested individuals in the case of the amparos demanded against the recent decrees of the Mexican Government.

"Therein, as a further ground for the contention of the Mexican Government that amparo was not in order, that Government referred to the quote constitutional doctrines unquote to the effect that when an individual has agreed to be governed as regards his property by a certain statute, he may not later raise the objection that said statute violates the constitutional precepts. In this connection the reply of the executive branch of the Mexican Government sets forth that some manifestations had been presented quote under protest unquote, but that quote such protest has no legal effect except in the cases precisely specified in the laws."

In view of the foregoing the Government of the United States can not admit that American companies are in any wise blamable for the complication of their situation by reason of denouncements made by third persons, and must reiterate its previous statement that it would regard it as very unfortunate were the Mexican Government, pending a final solution of its difficulties with the petroleum interests, to issue to their persons titles to, or rights in, lands legally held by American citizens.

PHILLIPS, *Acting.*

CABLE MESSAGE FROM THE DEPARTMENT OF STATE TO THE AMERICAN EMBASSY AT MEXICO CITY.

No. 2052. JUNE 18, 1919.

[Paraphrase.]

Answering your No. 3025, June 16, 6 p. m.

You will please make prompt protest, on behalf of American citizens whose interests are involved, against orders of President Carranza to cease drilling for oil except in cases where permits have been granted. Protest should be based on the fact that said permits could have been procured only through complying with recent legislation in consonance with presidential decree of February 19, 1918, and later decrees regarding same subject, and that acquiesence in same would have been equivalent to an admission that the Mexican Government had in issuing them acted within its rights in regard to ownership of oil deposits, against which assumption the Government of the United States has entered a vigorous protest as threatening to confiscate rights which its citizens have legally acquired.

You will simultaneously make reservation of rights for damages in behalf of American citizens whose interests are jeopardized by said decrees.

POLK, *Acting.*

No. 2241. MEXICO, *August 6, 1919.*

The SECRETARY OF STATE, *Washington.*

SIR: I have the honor to confirm this embassy's telegram, No. 3097, of August 5, 12 noon, and to inclose, herewith, copy and translation of the official circular No. 9 of the petroleum division of the department of industry, commerce, and labor, dated August 1, 1919, which was forwarded to this embassy by the department of foreign relations, August 5, 1919.

I have the honor to be, sir,
Your obedient servant,

GEORGE T. SUMMERLIN,
Chargé d'Affaires.

[Inclosure No. 1, dispatch No. 2241

TRANSLATION OF OFFICIAL CIRCULAR NO. 9, ISSUED BY THE PETROLEUM DIVISION OF THE DEPARTMENT OF INDUSTRY, COMMERCE, AND LABOR, AUGUST 1, 1919, FORWARDED TO EMBASSY BY DEPARTMENT OF FOREIGN RELATIONS.

A seal which reads: "Department of industry, commerce, and labor. Petroleum Division. Circular No. 9."

Taking into consideration that various companies and individuals interested in the petroleum industry have not understood the liberal spirit which animated the Federal executive when he issued the decrees regarding taxes on oil lands and on oil contracts, nor have they understood the advantage which was intended for them by the presentation of the manifestations required by the decree of July 31, 1918, order whose object was the protection of rights acquired prior to May 1, 1917, and consequently did not present said manifestations:

That as a consequence of the failure to present the manifestations required the interested parties were deprived, by article 4 of the decree of August 12, 1918, of the right to execute new work in connection with the exploration and exploitation of oil on their owned or leased properties;

That for the same reason they can not fulfill their commercial promises previously contracted according to persistent declarations which they have made to the department of industry, commerce, and labor; and

That the inclination of the Federal Government always has been to encourage the development of the national petroleum industry:

The President of the Republic has seen fit to order that:

The owners of lands or the concessionaries of the right of exploitation who did not present the manifestations required by the decree of July 31, 1918, on taxes on oil lands and oil contracts, shall be able in the future to undertake oil exploration and exploitation work on the condition that on requesting the corresponding permission from the Federal Executive they obligate themselves to respect the precepts of the organic petroleum law which the Congress of the Union may enact.

The permits granted by this department in fulfillment of the above ruling shall have a provisional character and shall be revalidated in accordance with the organic law on petroleum when it may be passed.

In order to obtain the referred-to permits for exploration and exploitation, the petitioners shall present to this department of industry, commerce, and labor the documents which prove the possession of the lands where the referred-to permits are to be used.

Which is made known to the interested parties for proper action. Constitution and reforms. Mexico, August 1, 1919. The subsecretary in charge of the office.

LEÓN SALINAS.

This is a true copy of the original.

A. G. MORENA.

PARAPHRASE OF TELEGRAM, DATED OCTOBER 1, 1919, FROM THE ACTING SECRETARY OF STATE TO THE AMERICAN EMBASSY AT MEXICO CITY.

You will inform the foreign office substantially as follows:

The United States Government has learned that various corporations owned entirely or in large part by citizens of the United States hold oil leases executed before May 1, 1917, on privately owned lands in the State of Vera Cruz, by which the companies have the right to explore and exploit the subsoil deposits; that in some instances these lease contracts definitely required under penalty of forfeiture the drilling of wells within fixed and limited periods; that the companies in order to meet their contractual obligations and to enjoy their property rights have applied in the appropriate manner to the Mexican department of industry, commerce, and labor for permits to drill wells; that such permits have been denied in some instances and granted conditionally in other instances; that denials have been based on sole ground that companies have not manifested their properties as required by Mexican decree of July 31, 1918, and have not conformed to decrees of August 8 and 12, 1918, and that permits granted have been conditioned upon obligation of companies to conform to provisions of a petroleum law to be enacted in the future; that the companies have been notified that under the provisions of the Mexican circular of January 17, 1915, as reaffirmed March 20, 1919, the Government will take over all wells drilled without permits, and that on certain properties so held under leases the Mexican authorities have accepted denouncements by third persons in spite of companies' protests, which have been overruled because companies have not complied with provisions of decrees of August 8 and 12, 1918.

This would seem to be but another aspect of the situation affecting petroleum deposits in Mexico, which has been discussed in previous representations from the Government of the United States, and this opportunity is taken to reaffirm the position of this Government with regard to the matter as set forth in such representations.

In this relation, and with specific reference to the action of the Mexican Government as set forth in the foregoing, it may be observed that compliance with or acquiescence in the above-mentioned decrees of 1918 by the companies affected would seem clearly to imply a surrender on their part of rights and titles lawfully acquired and legitimately held under Mexican law. Moreover, the companies in question can not reasonably be expected to agree in advance to conform to the provisions of a law to be enacted in the future, concerning the terms of which they have no assurance that their rights will be respected.

In this view of the matter the Government of the United States, owing as it does to its citizens the duty of protecting them in foreign lands, both in their persons and their property rights, must strongly protest against the action of the Mexican Government as outlined above and characterize it as threatening confiscation and a denial of justice.

The Mexican Government is therefore strongly urged not to permit the circulars of January 7, 1915, and March 20, 1919, to be enforced in the cases to which reference has been made and to see to it that the interested companies suffer no loss or inconvenience on account of the denouncements upon their properties which appear to have been accepted as aforesaid, but to restore the companies to all the rights to which they are entitled under the leases held by them and the applicable laws of Mexico at the time when such lease contracts were made.

In communicating the foregoing the Government of the United States takes occasion to express the confident hope that pending the general settlement of the petroleum question by specific legislation of the Mexican Congress the administrative authorities of Mexico will respect the vested rights of American citizens and evince that respect by withdrawing its insistence that interested American citizens comply with the provisions of the decrees mentioned.

DEPARTMENT OF STATE,
Washington, November 14, 1919.

The Hon. ALBERT B. FALL,
Chairman Senate Subcommittee Investigating Mexican Affairs,
Committee on Foreign Relations, United States Senate.

SIR: With further reference to my letter of October 25, I have the honor to transmit herewith additional copies of protests made by the Government of the United States to the Government of Mexico against certain decrees and proposed legislation held to be inimical to the interests of American citizens.

Documents 38 to 42, inclusive, relate to the proposed waiver of the rights of foreigners to appeal to their governments for protection and redress.

Documents 44 to 58, inclusive, relate to the so-called Agrarian law recently enacted by the Legislature of the State of Sonora.

I have the honor to be, sir,
Your obedient servant,

ROBERT LANSING.

[Telegram, plain.]

MEXICO CITY, MEXICO, *August 10, 1916.*

SECRETARY OF STATE, *Washington, D. C.:*

Order to notaries provides that in formation new corporations and particularly those for exploration, exploitation of oil lands, charter shall contain clause providing that foreign stockholders renounce their national rights as to company affairs, this meaning they waive all right to protection interest through their national representatives. Informed that this has been tried before, but failed and is not considered to have legal effect. Nevertheless it is undoubtedly dangerous and presumably contrary to treaty rights. Have filed general protest.

RODGERS.

[Paraphrase. Telegram.]

DEPARTMENT OF STATE,
Washington, D. C., August 16, 1916.

RODGERS,
Special representative American Government, Mexico City:

295. The department refers to your telegram No. 278, and instructs you to advise the proper authorities that decree providing that new corporations are obliged to state in their articles of incorporation the clause of renunciation by foreign stockholders of their national rights as to company affairs will not be regarded by the American Government as annulling the relations existing between itself and its citizens who may own stock in such corporations or as extinguishing its obligations to protect them in case of denial of justice.

LANSING.

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652. EMBASSY OF THE UNITED STATES OF AMERICA,
Mexico, January 9, 1917.

The SECRETARY OF STATE,
Washington, D. C.

SIR: I have the honor to refer to my telegram of January 8 relating to the publication of a further decree relating to the renouncing of citizenship rights by foreigners acquiring certain real properties in the Republic of Mexico, and transmit herewith a copy of said decree, together with a translation of same in duplicate. I also transmit a translated copy of the previous decree upon this same subject, as requested by the department.

I have the honor to be, sir,
Your obedient servant,

WALTER C. THURSTON,
In Charge of American Interests.

[Translation.]

CIRCULAR OF DECREE REQUIRING FOREIGNERS TO RENOUNCE THEIR NATIONAL PROTECTION WHEN ACQUIRING RIGHTS TO REAL PROPERTY IN THE REPUBLIC OF MEXICO.

On the 15th of August of this year, this office, by direction of the first chief of the constitutionalist army, in charge of the executive power of the nation, issued a circular setting forth the obligatory disposition relating to the requisitions which must be met by foreigners who attempt to acquire, within national territory, uncultivated or national land, waters of Federal jurisdiction, mining claims, or permission for the exploration or exploitation of natural riches, such as forest products, petroleum, fisheries, etc., warning them that they must previously present, through written document and before the department for foreign affairs, a formal, express, and final declaration that, in their capacity of proprietors or concessionaries, and for all effects and purposes relating to the properties they desire to obtain, they consider themselves as Mexicans, renouncing their rights as foreigners, and that of applying for protection or presenting complaints to their respective Governments.

In the third clause of that circular it was declared that all denouncements then filed before this office, or its adminstrative agencies upon any of the classes of properties above referred to should be suspended until the interested person should present the certificate mentioned, with the understanding that these denouncements should be placed in the files and considered forfeited unless the certificate were presented before the expiration of four months.

The citizen, first chief of the constitutionalist army, taking into consideration the fact that many foreigners, due to causes beyond their control have not been able to present said certificate, and he being desirous of preventing harm to those who have acquired in good faith legitimate rights, has seen fit to dispose that the period referred to in said third clause shall be extended four months longer, and will expire April 15, 1917.

December 15, 1916.

EDUARDO HAY,
Subsecretary (Fomento).

[Translation.]

DECREE REQUIRING FOREIGNERS TO RENOUNCE THEIR NATIONAL PROTECTION WHEN ACQUIRING RIGHTS TO CERTAIN REAL PROPERTY IN THE REPUBLIC OF MEXICO.

A seal reading: "Ministry of state and office of fomento, colonization, and industry, Mexico, office of the private secretary, No. 81."

The first chief of the constitutionalist army in charge of the executive power, considering that as a consequence of our fundamental laws whereby foreigners must enjoy in Mexico the same privileges as the Mexicans, it is natural and legitimate that they should have the same obligations, with a view that the liberality of our democratic institutions should not be understood nor carried to the extreme that foreigners, as owners of property in Mexico, be in better juridical conditions then Mexicans, as it has unfortunately happened and which would occur if they, besides the enjoyment of the rights, actions, and resources offered by the Mexican laws in regard to property and its juridical relations, could formulate claims before their respective Governments; the same first magistrate of the Republic, in view of the extraordinary faculties in him vested, has seen fit to direct the establishment of the following dispositions, obligatory in all the Republic:

First. Foreigners pretending to acquire real estate or national lands, mining claims, waters of Federal jurisdiction, or permit for the exploration of exploitation of the natural riches, as forestal products, oil, fisheries, etc., in the Republic of Mexico, shall present beforehand in writing, before the ministry for foreign affairs, a formal express declaration that in their capacity as proprietors or concessionaries and for all the effects and relations of the property which they desire to acquire, they consider themselves Mexicans, waiving their rights as foreigners and privileges of appeal for protection or claim to their respective Governments.

Foreign corporations can not acquire rights on any of the properties specified in this circular, unless they nationalize and submit to the Mexican laws making the aforementioned declaration.

Second. It is an indispensable requirement for the ministry of fomento, colonization, and industry in order to admit any denouncement or application made by a foreigner on any of the matters referred to in the previous article, even for a simple permit for exploration, that he should present to it with the first communication a certificate issued by the ministry for foreign affairs, bearing the declaration mentioned in the previous disposition.

Without this requirement the application must be refused emphatically, and all proceedings made before the presentation of this certificate will be null and void.

There shall appear in all property titles, as well as in the permits on the properties aforementioned, which should be granted by the ministry of fomento to foreigners, as well as in the contracts or deeds authorized by public notaries, the full text of the certificate prescribed in the first disposition, besides the reproduction of the text thereof as a special clause. Failure to insert the certificate or that clause will cause the annulment of the title, permit, contract, or respective deed.

Third. In all matters already moved by foreigners which may be before the ministry of fomento or its administrative agencies with relation to any of the properties referred to in this disposition, the proceedings will be suspended and shall not be renewed until the presentation by the interested parties of the certificate in question. If within the period of four months beginning from the date of these dispositions the certificate is not presented by the interested parties they shall be regarded as desisting from their purpose and their applications will be filed, the interested parties not having a right of appeal against this resolution.

The present dispositions are obligatory in all the Republic of Mexico and shall be published in El Diario Oficial, for its knowledge and due compliance, and shall be in force on the day of its issuance.

Constitution and reforms, Mexico, August 15, 1916.

The subsecretary in charge of the office of the ministry of fomento, colonization, and industry

PASTOR ROUAIX.

Telegram, plain.]

DEPARTMENT OF STATE,
Washington, D. C., January 19, 1917.

WALTER THURSTON, Esq.,
Representing American Interests, Mexico City

Advise appropriate authorities that Government of the United States can not regard provisions of decrees of August 15 and December 15, 1916, as annuling the relations existing between it and its citizens who may acquire properties in Mexico or as affecting its rights and obligations to protect them against denials of justice with respect to such properties.

LANSING.

[Paraphrase. Telegram.]

DEPARTMENT OF STATE,
Washington, D. C., January 31, 1919.

AMERICAN EMBASSY, *Mexico City:*

1842. The department refers to the representations made through Thurston to the Mexican Government pursuant to the department's telegram of January 19, 1917.

You are instructed to advise the foreign office that the American Government maintains the position relative to the provisions in the Mexican constitution and laws of Mexico in which foreigners are required to waive their rights as nationals with respect to property purchased by them in Mexico, that such provisions annul the relations existing between this Government and its citizens who may acquire property in Mexico, and it further maintains the position that such provisions above referred to affect its rights and obligations to protect them against the denials of justice with respect to such properties.

POLK, *Acting.*

No. 263.

AMERICAN CONSULATE,
Nogales, Mexico, December 5, 1918.

Subject: Proposed agrarian and labor laws for the State of Sonora.

The SECRETARY OF STATE,
Washington, D. C.

SIR: I inclose herewith a rough translation of the law as it has been presented to the State congress. As will be seen by the department, the translation inclosed is evidently intended to divide up the large tracts of uncultivated land of the State of Sonora.

There is also being considered at the present time a labor law which is possibly more drastic than the agrarian law submitted herewith. However, representatives of the three large American mining companies have just returned from Hermosillo, where they went to discuss the proposed labor law, and they report that the law is not drastic, as the casual reading of the first draft will indicate, and they seem rather satisfied with the promises made to them on this subject. They are also of the opinion that the law will not pass in this session of the legislature.

I have the honor to be, sir,
Your obedient servant,

E. M. LAWTON, *American Consul.*

AGRARIAN LAW OF THE STATE OF SONORA, MEXICO.

PRELIMINARY TITLE.—GENERAL BASIS.

ARTICLE 1. The division of the agrarian property has been declared a public utility.

ART. 2. The water for the supply of the towns and for the irrigation of the lands has been declared a public utility, and therefore, the Government, by previous study, will propose to the central Government the nullification of concessions of water authorized previously to the present law, if said concessions are in detriment of the towns, or if the waters can give better service to a greater number of agriculturists.

ART. 3. The formation of small property, having for a basis the portion that constitudes the primordial part of the patrimony of the family, is the essential object of the present law.

ART. 4. The State will begin to bestow a portion of land to each head of the family, with preference to farmers, this adjudication being ad perpetuam and inalienable.

ART. 5. Persons who have served in the revolutionary army during the constitutionalist revolution will have a preference in the portions mentioned in the above articles; also those who have served in the Yaqui campaign and in the public schools with success.

ART. 6. Lots to be apportioned will be taken from national lands, from the property of the State and also from the large estates by means of expropriation proceedings by public utility and in the form expressed in this law.

ART. 7. Every person that resides or comes to reside in the State of Sonora, under 18 years of age, has a right to possess, if he wishes to cultivate it personally, a lot of land. which by means of his own labor he can obtain sufficient in order to sustain his family, maintaining thereby his economical independence in working for his well-being and that of the nation.

Foreigners adjudicated will be subject to national laws, so far as the present case is concerned, and will, therefore, not be able to allege any right as aliens.

ART. 8. The developments of agriculture and also of stock industry is declared a public utility, as these constitute the most solid foundation of national prosperity.

LAND OFFICES.

ART. 9. In compliance with the Federal law of January 6, 1915, and to the end that the precepts of the present law may be realized, there will be established in the State:

(I) The local land commission, that will reside in the capital of the State and that will be formed of five members named by the governor, who will constitute a body formed by a president, a secretary, and three voters, selected by the laws from the members of the commission.

(II) The executive committee will be composed of three persons; president, secretary, and a voter, selected by the law from the members of the said committee and said bodies will be commissioned by the governor of the State. Said bodies will be commissioned by the executive of the State with audience before the corresponding town councils, which will serve in each municipality.

ART. 10. The local land commission will organize its own form of government and that of the executive committee and these will serve with the authority given in said laws of January 6, 1915, and of the present law.

ART. 11. The members of the local land commission and the employees commissioned by the governor of the State at the suggestion of the said commission and the executive committee will receive the salaries fixed by the budget of the State.

ART. 12. The executive committee will work without any intermediary whatever with the local land commission.

ART. 13. As all the employees of the local land commission must be Mexicans by birth, the following can not form part of the said body:

(I) Judicial and political authorities.

(II) Military officers in active service.

(III) Large land owners.

(IV) Persons owning more than 25 hectares of farm lands and more than 1,000 hectares of ranch land.

(V) Individuals who served the Diaz administration or the enemies of the constitutionalist government, or even though they have not served their Governments maybe known of antirevolutionary sympathy.

TITLE SECOND.—CLASSIFICATION, DIVISION, AND ADJUDICATION OF LANDS.

CHAPTER I.—CLASSIFICATION.

ART. 14. For the effect of this law, the lands in the State will be classified in the following manner:

(I) Agriculture lands—

(a) Irrigated.

(b) Not irrigated.

(II) Ranch lands.

CHAPTER II.—DIVISION OF LARGE ESTATES.

ART. 15. The greatest extension of land that will be possible for one person or corporation to own in Sonora is as follows:

(I) Irrigated farm lands—

(a) Within communal lands, 50 hectares.

(b) Outside of communal lands, 100 hectares, excepting from the last maximum limit of lands included in the previous case by the following article:

(II) Nonirrgigated farm lands—
(*a*) Within communal lands, 500 hectares.
(*b*) Outside of communal lands, 300 hectares.
(III) Ranch lands, 10,000 hectares.

ART. 16. When the owner of the irrigated land, whose extension exceeds 100 hectares, but within the limits fixed for lands of this class, is able to, by his intelligent efforts and steadiness, make it permanently irrigated lands, and if it is comprised in the classification which is noted in the exception of fraction 1 of article 14 and for that reason, within the limits of the preceding article, the proprietor will be able to have the transformation realized in his property and will continue possessing it complete as it is, for his intelligence and work.

ART. 17. Within communal lands it will not be possible to hold rustic property whose extension exceeds 50 hectares.

ART. 18. The owners whose farm property exceeds the limit fixed in article 15 will proceed to their immediate division in the following form:

(I) Irrigated farm lands will be divided in lots from 5 to 50 hectares when they are within the communal lands and from 5 to 100 hectares when outside of communal lands, five hectares being the smallest parcel adjudicated.

(II) Nonirrigated farm lands will be divided from 5 to 50 hectares if they are within communal lands and from 5 to 300 hectares if they are outside of same.

(III) Ranch lands will be divided in proportions of 1,000 to 10,000 hectares.

ART. 19. If the owners refuse or neglect to divide their lands, the State will proceed in conformity to section C of fraction VII of article 27 of the general constitution of the Republic and in conformity with the proceedings indicated by this law.

ART. 20. When a property is to be divided, either by the owner or by the State, having a homestead, the proprietor may reserve, if he so desires, a lot of 100 hectares within which his homestead may remain, providing said lot is not within communal lands, in which case he can only reserve a lot of 50 hectares.

ART. 21. Ranch lands, which by reason of legal process may pass to the possession of the State, will be divided by the State in lots of 2,500 hectares, which will be assigned to those who may solicit same, in the form and terms provided by law.

CHAPTER 111.—ADJUDICATION.

ART. 22. Immediately after the publication of this law, parties interested in the acquisition of lands shall make application therefor to the governor of the State, and may acquire a lot of ground for farming and another for cattle raising if they so desire.

ART. 23. In their application they will state:

(I). The number of hectares they desire to acquire.

(II). The class of land that they wish to work, either for farming (irrigated or not irrigated), or for cattle raising.

(III). The place where the lot or lots requested are to be found, stating the name of the farm (and that of its proprietor) in which he is going to reside.

(IV). The nationality and the civil state of the solicitant and the number of members in his family that he has under his charge, if he has any one depending upon him, stating the sex and age of the members who form it.

(V). The services that he may have loaned in the constitutionalist revolution, in the campaign against the Yaquis or in the public schools if the has so acted.

(VI). The elements which he may have for the development of the lot or lots desired.

ART. 24. The governor of the State will pass this request to the local land commission who will carry a register of it to the end that they may proceed by order of priority to the adjudication of the lots solicited, when the division thereof may be made.

ART. 25. The lots adjudicated will be paid by the beneficiaries in twenty annual payments, the first payment being made two years after he has begun to exploit the land acquired, without prejudice that the solicitant may pay the total value of his lot before, if he can and desires to do so.

ART. 26. The owners whose lands have been designated for division and adjudication will receive as interest of the capital which the property represents, 5 per cent annually, which will be paid by the beneficiary jointly with the annual payment which he also is to pay.

ART. 27. When a beneficiary ceases to cultivate his lands for two consecutive years the State will reoccupy the same and assign it to the first solicitant and the first beneciary will lose all the improvements which he may have made on the property, including that which he may have paid for it.

Obligations of the Landowners and the Beneficiaries.

CHAPTER 1 OF THE THIRD TITLE—OBLIGATIONS OF THE LANDHOLDERS.

Art. 28. Within the month that this law is published the owners must comply with that which is provided in the eighteenth article of the same, giving notice to the governor of the State that they desire to divide their property, to the end that he may call together the persons that may desire to establish themselves, acquiring lots on the property that they are going to divide.

Art. 29. Having complied with the requirements of the preceding article, the governor of the State, by means of the local land commission will arrange the form in which the division shall be made, indicating the number of lots in which the property will be divided and also the size of the said lots.

Art. 30. The value of the property for its payment to the owner will be that which he may have manifested to the officers of tax and hacienda with an addition of 30 per cent ad valorem, the amount of the improvements introduced previously to the manifestation, and the expenses which have originated from the operation of the division.

Art. 31. When a large proprietor refuses to divide his property the governor of the State will order that the local land commission may make the division.

Art. 32. In the case of the preceeding article the owner will receive as payment for his property the fiscal value thereof plus 10 per cent on said valuation.

CHAPTER 11.—OF THE BENEFICIARIES.

Art. 33. The persons who may acquire lots of ground by this law will have the following obligations:

(I) On farm lands—

(*a*) To have entirely in cultivation within the second year after having possession of the lot or lots assigned to them remaining subject, those who do not comply with this requisite, to the provisions of Article 27 of this law.

(*b*) To procure agriculture developments, either by introducing all the possible improvements on their lands, studying in union with other farmers the best methods of cultivation which will tend to increase their products.

(II) On cattle-raising lands—

(*a*) To have at least 10 head of stock.

(*b*) To prevent immoderate destruction of the forests and to procure reforestation.

(III) To pay punctually the annual payments or installments on their farms and the interest which is related to such obligations.

Art. 34. The value of the lots for payment by the beneficiary will be that fixed by article 30 and article 32 plus the cost of division in both cases.

Art. 35. A special account will give the form in which owners of lands, which are to be divided by virtue of this account, will collect the value of their property, as also the manner in which beneficiaries will pay for the lots they may acquire.

Title Four.

CHAPTER 1.—GENERAL PROVISIONS.

Art. 36. Lots adjudicated in conformity with this law will pass to the beneficiary free from all incumbrances, excepting the rights of creditors of the divided property, to exercise the shares that are conferred upon them by the law relating thereto.

Art. 37. During the time that the price of the lots has not been paid completely, it can not be sold, mortgaged, or incumbered in any way, and any contract celebrated to such end is hereby declared void.

Art. 38. It is also prohibited to speculate with the said provisional titles, and any operation whatever which has this object in view is declared void.

Art. 39. The lots that by whatever reason remain vacant may be listed in conformity to the rules which the executive may issue for the case; meantime, the said lots are assigned in fee simple.

Art. 40. Immediately after a lot is assigned the beneficiary will have it registered in the tax office of his municipality and in the public register of property for the use of statistics and taxes.

Art. 41. Assignments will be made by personal selection, or by lot when the same lot is solicited by two or more persons.

Art. 42. When the adjudication of lots of any property there are lots belonging to foreigners, their lots, as far as possible, will be alternated with those of the Mexican citizens.

ART. 43. For the effectiveness of article 4, parcels of land which adjudicated under this law may only be transmitted by inheritance, being sufficient for this act, if by reason of lack of formality, otherwise, required by civil laws, the presentation of the certificate of the civil register which establishes the decendency of the legatee.

ART. 44. Special law will be passed immediately by the Congress of the State to return the property which constitutes the partimony of the family as to the precepts that guarantee their protection and safeguard.

TRANSITORIES.

First. This law will commence to take effect from the day of its publication.

Second. The publication of this law will be made by solemn proclamation November 20 of the present year.

[Paraphrase, telegram.]

DEPARTMENT OF STATE,
Washington, D. C., December 24, 1918.

AMERICAN EMBASSY, *Mexico City:*

1745. You are instructed to address the Mexican Government in substantially the following tenor relative to the agrarian law of the State of Sonora, published November 20, which has been brought to the attention of this Government:

No provision is made for payment of compensation to the owner by the State of Sonora for lands to be taken by State and assigned to private interests, and will, therefore, point out that the proposed law is confiscatory in character. It clearly violates the following provisions of article 27 of the Mexican Constitution: "Private property shall not be expropriated except for cause of public utility and by means of indemnification." The confiscatory character is not obviated by provisions that persons to whom lands are transferred by State shall make annual payments to owners, beginning two years after transfer, no penalty being provided for nonpayment and the credit of the State is not pledged to assure payment.

It is further violative of the fourteenth article of the constitution: "No person shall be deprived of life, liberty, property, possessions, or rights without due process of law instituted before a duly created court, in which the essential elements of procedure are observed," when it provides for taking of property by purely arbitrary administrative action without due process of law or judicial determination.

You will further direct the attention of the Mexican Government to the fact that such safeguards as are provided for property owners by said provisions of article 14 correspond to provisions under which property is taken for public use in the United States and it is believed that this principle is followed generally throughout the world as in accordance with the general idea of justice and equity. In this principle the owner has the right to demand that an impartial tribunal shall pass upon question of compensation and that he be given an opportunity for a hearing.

Article 27 also provides for judicial determination of value of improvements on lands expropriated while in the proposed law no such provision appears.

You are therefore instructed to protest against the proposed enactment into legislation of the proposed law.

POLK, *Acting.*

[Paraphrase, telegram.]

DEPARTMENT OF STATE,
December 24, 1918.

AMERICAN CONSUL,
Nogales, Mexico.

Referring to your dispatch No. 263, the department instructs you to advise the appropriate State authorities that the American Embassy at Mexico City has been instructed substantially as follows.

You are instructed to address the Mexican Government relative to the agrarian law of the State of Sonora published November the 20th, which has been brought to the attention of this Government.

No provision is made for payment of compensation to the owner by the State of Sonora for lands to be taken by State and assigned to private interests and you will therefore, point out that the proposed law is confiscatory in character. It clearly

violates the following provisions of article 27 of the Mexican Constitution: "Private property shall not be expropriated except for cause of public utility and by means of indemnification." The confiscatory character is not obviated by provisions that persons to whom lands are transferred by State shall make annual payments to owners beginning two years after transfer, no penalty being provided for nonpayment and the credit of the State is not pledged to assure payment.

It is further violative of the fourteenth article of the constitution: "No person shall be deprived of life, liberty, property, possessions, or rights without due process of law instituted before a duly created court, in which the essential elements of procedure are observed"; when it provides for taking of property by purely arbitrary administrative action without due process of law or judicial determination.

You will further direct the attention of the Mexican Government to the fact that such safeguards as are provided for property owners by said provisions of article 14 correspond to provisions under which property is taken for public use in the United States and it is believed that this principal is followed generally throughout the world as in accordance with the general idea of justice and equity. In this principle the owner has the right to demand that an impartial tribunal shall pass upon the question of compensation and that he be given an opportunity for a hearing.

Article 27 also provides for judicial determination of value of the improvements on lands expropriated while in the proposed law no such provision appears.

You are therefore instructed to protest against the proposed enactment into legislation of the proposed law.

POLK, *Acting.*

No. 52.

AMERICAN CONSULATE GENERAL,
Nogales, Mexico, March 13, 1919.

Subject: Proposed agrarian law for the State of Sonora.

The honorable the SECRETARY OF STATE,
Washington, D. C.

SIR: Replying to the department's instruction No. 308 of February 8, 1919, file 312.115/367, I have the honor to report that the Congress of the State of Sonora, Mexico, is still in session at Hermosillo, and from the information furnished me by the Mexican consul at Nogales, Ariz., the much-discussed agrarian law has so far failed of enactment as a law by the said Congress. I have the honor to be, sir,

Your most obedient servant,

CHAS. W. DOHERTY,
American Vice Consul in Charge.

[Paraphrase, telegram.]

DEPARTMENT OF STATE,
Washington, D. C., March 20, 1919.

AMERICAN CONSUL,
Nogales, Mexico.

The department refers you to your dispatch No. 52 and instructs you to bring to the attention of the appropriate State authorities the fact that the American embassy at Mexico City has been instructed to renew protest previously made against agrarian law, referring to the advices given them pursuant to instructions contained in departments's December 24, 6 p. m.

POLK, *Acting.*

[Paraphrase, telegram.]

DEPARTMENT OF STATE,
Washington, D. C., March 21, 1919.

AMERICAM EMBASSY,
Mexico City.

1924. The department refers you to its telegram No. 1745 and instructs you to renew protest against proposed agrarian law for the State of Sonora, information having come to the department that the law failed of passage in last session of Sonora Legislature, but has been reintroduced in present session. You will bring to the attention of the foreign office this information of the department.

POLK, *Acting.*

[Paraphrase, telegram.]

DEPARTMENT OF STATE,
Washington, D. C., July 16, 1919.

AMERICAN EMBASSY,
Mexico City.

2095. The American embassy at Mexico City is instructed to request of the foreign office whether the report is correct, that has come to the attention of the department, that the Legislature of the State of Sonora passed the agrarian law, about June 26. You are instructed to protest anew against the measure and urge that action be promptly taken to prevent the coming into force of a measure threatening American interests.

POLK, *Acting.*

[Paraphrase, telegram.]

DEPARTMENT OF STATE,
Washington, D. C., July 17, 1919.

AMERICAN CONSUL,
Nogales, Ariz.

You are instructed to report whether the Legislature of the State of Sonora has passed the agrarian law, and if so, to forward a copy for the department's information. The American embassy at Mexico City has been instructed to renew protest against the measure, and you will inform the appropriate State authorities of this action.

POLK, *Acting.*

No. 151.]

AMERICAN CONSULATE,
Nogales, Mexico, July 29, 1919.

Subject: New agrarian law of Sonora.

The honorable the SECRETARY OF STATE,
Washington, D. C.

SIR: I have the honor to forward herewith five copies of a translation of the new agrarian law of the State of Sonora, approved June 23, 1919, and promulgated by the governor, July 3, to be effective July 27, 1919.

My request to the governor for copies of this law and a statement as to the points in which it differs from the law under consideration by the previous Congress of Sonora, if any, has not been yet complied with. I have the honor to be, sir,

Your most obedient servant,

FRANCIS J. DYER,
American Consul.

No. 81. AGRARIAN LAW OF THE FREE AND SOVEREIGN STATE OF SONORA, APPROVED BY THE STATE CONGRESS, JUNE 23, 1919; PROMULGATED BY THE GOVERNOR, JULY 3, 1919—TO BE EFFECTIVE JULY 27, 1919.

CHAPTER FIRST.—GENERAL BASES.

ARTICLE 1. The present law has for its object to create and foment small properties in the State.

ART. 2. For the effect of the present law are of public utility:

(1) The subdivision of the great estates.

(2) The establishment of new centers of agricultural population with the lands and waters which may be indispensable to these.

(3) The utilization of the waters for their equitable distribution and application to the cultivation of the lands; and

(4) The others which may tend to realize the ends enunciated in the previous article.

ART. 3. Every inhabitant of the State who reunites the requisites which, further on are detailed, shall have the right to acquire a parcel in accordance with the prescriptions of this same law.

ART. 4. The parcels to which the previous article refers shall be taken from private properties or from those that by any concept can be disposed of by the State.

ART. 5. The lands of private property which must be partitioned shall be subdivided by their proprietors in accordance with this law, but if they do not proceed to

the subdivision, or if they resist the effecting of it, the State, following the expropriation by reason of public utility, shall make the subdivision.

ART. 6. The procedure of expropriation shall be verified in accordance with the dispositions of the relative law, excepting in that which refers to the payment which shall be made in accordance with that which this same law provides.

CHAPTER SECOND.—AGRARIAN OFFICES.

ART. 7. The legal course of all matters to which this law relates shall be by conduct of the agrarian department of the State depending from the executive power, and which shall be in charge of one engineer, with the force of employees which the budget of expenditures establishes.

CHAPTER THIRD.—OF THE CLASSIFICATION OF THE LANDS.

ART. 8. For the effects of this law the lands shall be classified in the following form:

(1) Of agriculture.

(2) Of grazing.

ART. 9. By lands of agriculture shall be understood those which upon being applied for are in cultivation or which may be immediately cultivable.

ART. 10. By grazing lands shall be understood those which, upon being applied for, are not cultivable by any circumstances proper to the same lands, and those, which being susceptible of cultivation, require to this effect special primary works of irrigation, of defense, or of breaking.

ART. 11. The lands of agriculture in their turn shall be subdivided into:

(1) Of irrigation.

(2) Of "temporal" (watered by rains).

ART. 12. By irrigated lands shall be understood those which on being applied for count upon the water necessary to assure at least one crop on the agricultural year.

ART. 13. By lands of "temporal" shall be understood those whose watering depends exclusively upon the eventualities of showers.

CHAPTER FOUR.—OF THE MAXIMUM EXTENSION OF LANDS WHICH MAY BE POSSESSED.

ART. 14. The maximum extension of land which may be possessed by one person or legally constituted corporation is the following:

Fifty hectares in the lands of private property situated within the zone which was demarcated primordially as "ejidos" (commons) of the town.

Outside of the zone fixed in the preceding the maximum extension shall be the following:

(*a*) In irrigated agricultural land, 100 hectares.

(*b*) In "temporal" agricultural land, 300 hectares.

(*c*) In grazing lands, 10,000 hectares.

ART. 15. In the extension fixed in the previous article shall be comprehended that of one or of various lots belonging to one same proprietor whether they be located together or distant one from the other or situated in one or various municipalities.

ART. 16. The persons and institutions which conforming to the present law have the right to possess lands may possess at the same time lands of grazing, of irrigation, and of "temporal," always that said lands do not exceed the limits fixed in article 14.

ART. 17. When the proprietor of a land of "temporal" whose extension does not exceed the limits fixed for the lands of this class converts it to irrigated land he may continue to possess it integrally.

ART. 18. Grazing lands of the maximum extension which have been solicited for their cultivation shall be subdivided in accordance with official guidance with the prescription of this law relative to lands of agriculture.

ART. 19. When the proprietor of a grazing land whose extension does not exceed the limits fixed by this law for this class of land converts it in all or in part into land of agriculture he may continue possessing it integrally.

CHAPTER FIVE.—OF THE SUBDIVISION.

ART. 20. Every property which exceeds the extension fixed in article 14 and which belongs to one sole individual or legally constituted corporation shall be considered as a great estate and its owner shall be obliged by reason of public interest to subdivide the excess within the term which this law fixes.

ART. 21. From the date of the promulgation of this law the proprietors of great e states in the State shall give notice to the agrarian department of the preparatory operations of subdivision and legalized copies of the respective contracts consummated.

ART. 22. There is established 10 months to count from the promulgation of this law as the legal term within which the proprietors shall themselves make the subdivision of which the preceding articles treat.

ART. 23. The date establishes in the preceding articles having passed, the excess of lands which belong to one sole person or legally constituted corporation shall be subdivided by the Government in accordance with fraction 7 and the respective inserts of article 27 of the General Constitution of the Republic and the Law of Expropriation for cause of public utility of the State.

ART. 24. The governor of the State shall convoke, by means of permanent notices in the Boletin Oficial or by any other medium of publicity, the persons who wish to acquire lots in the properties which are to be subdivided, establishing conditions of acquisition, etc., and when he has received sufficient applications, shall proceed to the expropriation.

ART. 25. For the effects of the previous article it shall be understood that there are sufficient petitions when these amount to 10, or, when without amounting to this number, they cover an area of 50 hectares. In case that the portion expropriable does not exceed 50 hectares, it shall be sufficient that the application presented cover 50 per cent of said portion.

ART. 26. When a property is subdivided, the proprietor shall have the right to choose the extension of land which best suits him, always that it does not exceed the limit fixed in this law.

ART. 27. The expropriation of lands which are carried to a conclusion by the executive of the State by the applications of this law shall be limited to the extensions which have been applied for.

ART. 28. The lands which by the exercise of the faculty of economic coercion (facultad economic-coactiva) pass to the possession of the State shall be adjudicated to whoever applies for them in legal form and terms.

CHAPTER SIXTH.—OF THE APPLICATIONS AND ADJUDICATIONS.

ART. 29. The maximum extensions of adjudication shall be the following:

(*a*) Of irrigated lands, 15 hectares.

(*b*) Of lands of "temporal," 50 hectares.

(*c*) Of grazing lands, 1,250 hectares.

Only in very special cases and when the applicants furnish sufficient elements within the legal term to construct primary works of irrigation, of defense, or of breaking can the executive cede as a maximum 100 hectares of irrigable land and 2,500 for the purposes of grazing when the applicant has sufficient elements to develop the land and improve the grazing.

ART. 30. The applicants for land shall address the governor of the State in writing, and shall express:

1. Surname and Christian names, profession or occupation, residence, nationality, civil state, and age.

2. The number of hectares which he wishes to acquire and the class of land.

3. The place where the lot or lots applied for are found and other data relative to their location, expressing the name of the property and of the proprietor.

4. The number of the family which he has in his charge, if he has any dependent upon him, expressing the sex and age of the members which compose it.

ART. 31. The applicants shall prove, in accordance with the respective regulations, the following:

1. To have the draft animals and elements for the cultivation of the agricultural land applied for, or, in the absence of these, the resources necessary to acquire them.

2. To have at least 15 head of greater cattle or 30 of lesser cattle, or, in default of these, the resources necessary to acquire them for the utilization of the grazing land which he applies for; and

3. That they prove that which is expressed in fraction (4) of the previous article if they are not proprietors of the lands, and if they are that they express the area of the lot or lots, their class, location, and other relative data.

ART. 32. When there may be various applicants for the same property, the procedure in order of preference shall be as follows:

1. Mexicans who have served in the constitutionalist army, those who have rendered or are rendering personal services in the Yaqui campaign, the children and widows of these, and other persons who have rendered services to the cause of the revolution lands applied for are located.

2. The persons mentioned in the preceding fraction who are not residents of the place in which the lands applied for are located.
3. Mexicans who are partners or tenants of the property which is to be divided.
4. The residents of the place.
5. Those others who reunite the requisites established in article 27 of the General Constitution of the Republic and in this law.

ART. 33. The governor of the State shall forward all the applications to the agrarian department, where a register shall be kept of these to the end of the proceeding, in order of priority, to the application of the lots solicited and in accordance with the preceding article.

CHAPTER SEVENTH.—OF THE ADJUDICATEES.

ART. 34. The adjudicatees of lots of subdivision shall have the following obligations, saving in case of proven superior force (force majeure):
1. If it treats of agricultural land which is in cultivation at the moment of its subdivision they must have it cultivated in its entirety within the first year to count from the date on which they are given possession of it.
2. If it treats of lands which is not in cultivation at the time of making the subdivision, but which may be immediately cultivable, they must put in cultivation within the first year 50 per cent and the remaining part within the second year.
3. If it treats of grazing land solicited for cultivation they shall enjoy 5 years within which to put all the land in cultivation, and must open each year to cultivation 25 per cent of the total extension adjudicated.
4 If it treats of grazing land solicited for this object they must maintain constantly on it at least 15 head of greater cattle or 30 head of lesser cattle.
5. The terms fixed in fractions 1, 2, and 3 having passed, they can not fail to cultivate the land during two consecutive years.
6. To pay opportunely the annual installments with which they have to amortize the value of the property and the interests which said value bears, as also the State and municipal taxes which are assigned to them.
7. While the price of the lot is not paid in its totality, they can not alienate, hypothecate, nor burden in any manner, nor speculate in any form with the titles of acquisition, any contract or operation celebrated to these ends being null by common right, and the ownership of the said lot shall be transmissible only by title of inheritance until its total value has been paid.
8. To inscribe the lot or lots in the municipal office of appraisal to which it belongs and in that of the public registeror property for fiscal and statistical purposes.
9. To personally cultivate or administer the lot or lots adjudicated. Absentee cultivation shall not be permitted, nor the gratuitous cession of title, nor its renting in any form.

ART. 25. When the adjudicatee fails to comply with the precepts of fractions 1, 2, 3, 4, 5, 7, 9, of the preceding article, the Government shall declare the lot or lots which have been adjudicated open to application, publishing such declaration in the Boletin Oficial three consecutive times, eight days apart and making use of any other medium of publicity.

ART. 26. That ordained in the preceding article being complied with, the lot or lots shall be adjudicated to the first applicant who reunited the requisites demanded by this law and who shall pay on account 25 per cent of the sum covered by the departing farmer plus 50 per cent of the improvements incorporated with the lands, and the remainder of the price paid or to be paid in installments fixed in the contract of adjudication. The said 25 per cent shall be delivered to the first adjudicatee, the rest remaining in favor of the State, as also the price of the improvements, the expenses of transfer being for account of the State.

ART. 27. The adjudicatee who infringes the disposition contained in fractions 6 and 8 of article 34 shall be subject to the processes which the relative laws establish, and with respect to the annual installments with which they have to amortize the value of the property and the interests which said values bear shall be subject to that which the contracts of adjudication dispose.

CHAPTER EIGHTH.—OF THE PRICE AND PAYMENT OF THE LOTS.

ART. 38. The value of the property expropriated shall be paid by the government of the State with bonds of the agrarian debt, which shall be amortized in the time and in the form which the material law may fix.

ART. 39. The value of each lot shall be paid by the adjudicatees in 20 annual installments which shall amortize the capital and the interest which these shall earn at the rate of 5 per cent per annum.

ART. 40. The payment of the annual installments must be entered in the subdepartment of the general treasury of the State within the first 15 days of the month of July.

ART. 41. The annual installments not entered within the term established shall be subject to the payment of the interest stipulated in article 39.

ART. 42. When the subdivision shall be made by the Government, the value of each hectare shall be that fixed or accepted in the appraisal of collection offices increased 10 per cent plus the amount of the improvements and the proportional expenses caused by the subdivision. The amount of the improvements shall be valued by experts, one named by the owner, another by the adjudicatee, and a third by the Government in case of discord.

CHAPTER NINTH.—GENERAL PROVISIONS.

ART. 43. The lots adjudicated conforming to this law shall pass to the adjudicatee free of all encumbrance, the rights of the creditors of the subdivided property to exercise the actions which the relative laws confer being saved to them.

ART. 44. The simulation of a contract of purchase-sale posterior to the promulgation of this law shall be adjudged as a direct act to evade compliance with the same law, and the lands which are the object of the simulated contract shall be by deed and by right for this sole circumstance subject to the same consequences as the great estates not voluntarily subdivided by their owners.

ART. 45. The difficulties which may be presented for the application of the present aw shall be decided by the executive of the State.

TRANSITORY ARTICLES.

ARTICLE 1. The executive of the State is authorized to issue the necessary regulations for the application of this law, and to name the employees of the agrarian department.

ART. 2. This law shall be published by solemn proclamation (bando solemne) in all the State on the 27th of July of the current year, entering into force from that date.

ART. 3. For the application of the present law all dispositions which oppose it are declared without effect.

[Paraphrase, telegram.]

DEPARTMENT OF STATE,
Washington, D. C., August 14, 1919.

AMERICAN EMBASSY,
Mexico City.

2154. With reference to the agrarian law of the State of Sonora and the department's telegram to you of July 16, you are instructed to bring to the attention of the Mexican Government substantially the following:

That the law is ambiguous in many provisions as to the duties, rights, and obligations of the landowners thereunder—for example, the right of landowner to make divisions of his lands by private arrangements, payment of lands expropriated by the State, and the rights of creditors.

The provisions for fixing value of improvements violates article 117 of Mexican constitution, which provides that value of improvements shall be fixed by judicial determination and not by experts only, the form in which this provision provides. It would appear that such a constitution of the board to pass upon the value of improvements does not meet with the demands of even-handed justice.

That the measure provides for taking of property by purely arbitrary administrative action, without due process of law or judicial determination, which violates article 14 of the Constitution: "No person shall be deprived of life, liberty, property, possessions, or rights without due process of law instituted before a duly created court, in which the essential elements of procedure are observed."

It is believed that the safeguards provided by said provisions of article 14 prevail generally throughout the world as in accordance with the general idea of justice and equity.

The fact that wise safeguards of former article are just and equitable is not altered by the apparent conflict between said provisions in article 14 and article 27 for administrative expropriation of private property.

The Government of the United States is constrained to renew its protests against the coming into force of the measure in question, in view of the considerations mentioned, on the ground of its ambiguity, that it is confiscatory in character, and that it makes no provisions for due process of law and judicial determination. All rights are reserved in making this protest.

The Mexican Government is hereby advised that the American Government will be forced to take up this question with the Mexican Government for international adjustment and reparation in the event that absolute and even-handed justice is denied American citizens after they have exhausted all proper local remedies.

LANSING.

[Paraphrase telegram.]

DEPARTMENT OF STATE,
Washington, D. C., August 14, 1919.

AMERICAN CONSUL,
Nogales, Mexico:

With reference to your dispatch No. 151, you are instructed to inform the appropriate State authorities that the American Embassy at Mexico City is to inform the Mexican foreign office substantially as follows:

That the agrarian law of the State of Sonora is ambiguous in many provisions as to the duties, rights, and obligations of the landowners thereunder. For example, the rights of landowners to make divisions of his lands by private arrangements, payments of lands expropriated by the State, and the rights of creditors.

The provision for fixing value of improvements violates article of Mexican constitution which provides that value of improvements shall be fixed by judicial determination and not by experts only, the form in which this provision provides. It would appear that such a constitution of the board to pass upon the value of improvements does not meet with the demands of even-handed justice. Article 117, Mexican constitution.

That the measure provides for taking of property by purely arbitrary administrative action, without due process of law or judicial determination, which violates article 14 of the constitution, "no person shall be deprived of life, liberty, property, possessions, or rights without due process of law instituted before a duly created court, in which the essential elements of procedure are observed."

It is believed that the safeguards provided by said provisions of article 14 prevail generally throughout the world as in accordance with the general idea of justice and equity.

The fact that wise safeguards of former article are just and equitable is not altered by the apparent conflict between said provisions in article 14 and article 27 for administrative expropriation of private property.

The Government of the United States is constrained to renew its protests against the coming into force of the measure in question, in view of the consideration mentioned, on the ground of its ambiguity, that it is confiscatory in character, and that it makes no provision for due process of law and judicial determination. All rights are reserved in making this protest.

The Mexican Government is hereby advised that the American Government will be forced to take up this question with the Mexican Government for international adjustment and reparation, in the event that absolute and even-handed justice is denied American citizens after they have exhausted all proper local remedies.

LANSING.

AMERICAN CONSULATE,
Nogales, Sonora, Mexico, September 21, 1919.

Subject: Governor of Sonora answers note of protest against new agrarian law.

The honorable the SECRETARY OF STATE, *Washington.*

SIR: I have the honor to inclose herewith the answer of the State Government to my communication of August 14, 1919, transmitting the protest of the Department of State against the new agrarian law of the State of Sonora.

Inasmuch as this is an important communication, I have had a copy made and carefully compared, and I am inclosing the original, one compared copy of the same, and a rough translation made in this office.

I have the honor to be, sir,
Your most obedient servant,

FRANCIS J. DYER, *American Consul.*

[Translation.]

(Seal.) Office of the Secretary to the governor of the State of Sonora, section of Government. No. 2737.

Replying to your note of the 15th instant, in which you say that under instructions from your Government you permit yourself to call the attention of the Government in my charge to the defects and unconstitutionality (referring to the Mexican consti-

tution) of the Agrarian law of this State, passed by the State congress on the 23d of last June, I wish to advise you as follows:

The points which you touch upon in your note on the subject are expressed as follows:

1. The law is obscure and ambiguous.
2. It is contrary to article 117 of the general constitution of the Republic.
3. That in case the bonds to which the law refers are not paid, through negligence, recourse will be had to the diplomatic methods.
4. That it violates article 27 of the general constitution which provides that the value of the property must be fixed according to judicial determination.
5. That it also violates article 14 of the same constitution which prescribes that no person shall be deprived of his life, of his liberty and property except by process of law and before a competent tribunal.
6. That the law being confiscatory, protest is made against the execution of its provisions with respect to American citizens affected by it, and that they will have recourse to assistance, which is at their service if needed.
7. Finally, you warn this Government that in case justice is absolutely denied to such citizens (that is to say, that if the law be applied to lands possessed by Americans) the Government of the United States will be compelled to take the matter up with the Government of Mexico through the medium of an international tribunal for reparation.

The nature of the referred note being given and the manner in which it is couched, the Government under my direction considers it pertinent and necessary to inform you, first of all, that a State government is not competent to enter upon any discussion of this nature with representatives of foreign Governments, inasmuch as, according to the fundamental law of the nation, judicial notice of these subjects is the exclusive prerogative of the President of the Republic.

Having made this reservation merely as a courtesy to you and in consideration of the friendship and good relations which bind together the Mexican Nation and the United States, without establishing precedents and solely for this occasion, I will permit myself to give you some explanation of the justice and legality of all and each one of the points concerning which you have entered protest.

First point. You affirm that the agrarian law in force in this federative entity suffers from the infliction of obscurity and ambiguity as to several of its dispositions, but you did not indicate precisely which of those provisions were obscure and ambiguous. In virtue of the fact that this executive holds a very different view to yours, I must confine my explanations solely to those points particularly and definitely indicated by you.

You say that the agrarian law does not provide for the compensation that ought to be given to the owners of lands that are expropriated by the State, but it is enough to read article 38 of the said law to see that "the value of the finca expropriated shall be paid by the government of the State with bonds of the agrarian debt, which shall be amortized in the time and in the form that the law on that subject provides." It is necessary, then, to wait until the law to which article 38 refers is enacted in order to be able to judge accurately regarding the matter of compensation. That those bonds can be issued is a matter which is answered in the next paragraph.

Second point. Although you do not indicate which one of the provisions (or sections) of article 117 of the Federal constitution is the one that is violated by the plan laid down for paying those whose lands may be expropriated, it is clear that you meant to refer to VIII, which says textually:

"The States can not in any case issue bonds for public debt or contract obligations in favor of societies or individual foreigners when the titles or bonds must be issued to the bearer or transferable by indorsement. Moreover, the consul has not noticed that article 27 of the same general constitution, which bears precisely on the point of dividing or breaking up the large tracts of land, expressly orders that the "proprietors will be compelled to receive bonds of a special issue to guarantee the payment for the expropriated properties that the General Congress with that object would have to make a law authorizing the States to create an agrarian debt."

Therefore, there is no opposition between the provisions of the agrarian law and article 117 of the constitution, for the said constitution makes that exception to the prohibitions that it imposes on the States in a general manner.

Third point. That in case of negligence in the payment of the bonds, American citizens would be compelled to resort to diplomatic negotiations.

Leaving aside the threat of doubtful propriety that is made to the Government under my charge without necessity or in consequence of violating anything, because no (law or regulation) is yet in effect, in execution of the pending law; that is, the formation of the agrarian debt to which article 38 refers, you will permit me to say to you, that the foreigners, according to the laws and the principles of the judicial science,

will not have any rights except to resort to local measures, the same as the Mexican nationals, and they could resort to diplomatic means only when they had exhausted all of the legal resources in the country, the Government would not apply the law to them in the same manner as to its nationals, and to the most favored foreigners, in accordance with the terms of treaty made with the United States, and then if the foreigner has not renounced the right to appeal to his Government, as wisely provided by our constitutional law, when making special concessions to foreigners, like acquiring a foothold in national territory. (Art. 27 of the constitution of 1917.)

Fourth point. That it violates article 27 of the general constitution, which prescribes that the value of the property is to be fixed by judicial determination. This is another error in your note, which I take the liberty of making plain: If there shall be judicial determination when making expropriation of the land or lands which are to be divided in accordance with the agrarian law of the State. Article 6 says: The procedure of the expropriation will be carried on in accordance with the provisions of the law on the subject. Well, then, the law of expropriation of the State of October 27, 1906, directs: "Article 8. Having made the declaration of public utility. The record shall be referred to the judge of first instance in whose jurisdiction is located the property expropriated, or whom the expropriated designates, if they happened to be in different districts."

The other articles refer to the method of fixing the price of the expropriated property, a matter which the judge will attend to. The procedure, then, is judicial, being in conformity with the mandate in the same article 27 of the general constitution: The laws of the federation and of the States in their respective jurisdictions will determine the cases in which the occupation of private property will be of public utility, and in accordance with said laws the administrative authority will make suitable declaration. The price that will be fixed as indemnity for the thing expropriated will be based on the fiscal value of it appearing in the offices of the tax collectors, and whether the value was declared by the owner or only tacitly accepted by him having paid his contributions on such basis, augmenting it by 10 per cent. The excess in value which that particular property might have because of the improvements that were made subsequent to the date upon which it was appraised will be the only thing which will remain subject to expert judgment and to a judicial determination. This same procedure will be observed with respect to objects whose value had not been fixed in the offices of the public revenues. This general arrangement is entirely in harmony with the provisions of article 42 of the agrarian law, which says: "When the division is made by the Government, the value of each hectare will be fixed or accepted in the tax offices, with 10 per cent added, including also the value of the improvements and the expenses proportionally apportioned to the subdivisions. The value of the improvements will be fixed by appraisers, one named by the proprietor, another by the grantee, and a third who will be nominated by the Government in case of disagreement." Furthermore, the same article 27 expressly enjoins the following precepts: "During the coming constitutional period the Congress of the Union and the State legislatures in their respective jurisdictions will expedite laws for the carrying out of the cutting up of the big properties, conforming with the following bases:

(*a*) In each State and Territory will be determined the greatest area of land which may be owned by one individual or one legally constituted society.

(*b*) The excess above the area determined upon shall be subdivided by the proprietor in the time fixed by the local laws, and the fractional parts will be put on sale under the condition that the various Governments approve, according to the same laws.

(*c*) If the owner should refuse to divide his property, it would be done by the Government, by means of expropriation.

(*d*) The value of the fractional portions will be paid by annual sums, which will amortize capital and proceeds in a term not less than twenty years, during which time the person who bought it can not dispose of it. The rate of interest will not exceed 5 per cent yearly.

(*e*) The proprietor will be compelled to accept bonds of a special debt to guarantee the payment of the expropriated property. With this aim the National Congress will at an early date enact a law giving the States the power to create an agrarian law.

(*f*) The local laws will guarantee the family patrimony, deciding how much property it should comprise, on the basis that it will be inalienable, and will not be subject to seizure or mortgage of any kind. It will not then in any way be contrary to the forms prescribed by the law nor to the manner in which the payments are made of the expropriated lands, and as it is applied equally to all, citizens and strangers, the latter have no right to appeal to their Governments, because they are under necessity of obeying and respecting the laws of the country which extends to them hospitality.

Fifth point. That is also violates article 14 of the same Constitution which provides that no person shall be deprived of his life, of his liberty, and property except by legal judgment and by a competent tribunal.

Having read the foregoing fourth point there remains not the least doubt that in no respect does the agrarian law violate that part cited from article 14 to which you allude. In fact, when depriving individuals of their properties for the purpose of dividing them into small parcels, the expropriation is decreed primarily on the score of public utility; this declaration being made, it goes to some competent judge (his qualifications being stated in the law itself) for the determination of the price. All this is in entire conformity with the postulados of that beneficent article of our Constitution, which you believe it violates, it may be because you did not make a deeper study of the concordance of both laws.

Sixth point. The conclusion that the said agrarian law may be confiscatory or of a confiscatorial nature is entirely a question pertaining to those concerned or affected by it, who will do well, if they so decide, to seek aid, which is the legal recourse that the inhabitants of the Republic have to protect themselves from abuses of the laws or the authorities that attack or presume to trample under foot, their individual privileges. It is righteous that they should proceed so, so that the Supreme Court of Justice of the Nation, the one supreme qualified judge of the constitutionality or unconstitutionality of an act may dictate as it sees fit the determination reached in each concrete case that is brought to its official knowledge.

Seventh point. The Government in my charge feels that the American consul has gone to the extreme challenge when, as already has been said, the law has not been applied nor the enabling laws dictated (creation of the agrarian debt, rules, etc.) that would present an impending menace warranting the tone of his note, all the more when a more detailed study of the agrarian law in question might have changed his excellent and illustrious judgment, for the Government feels that the foregoing explanations are clear and entirely sustained by justice.

In order to bring to a close this extended note, I take the privilege to add that, on treating of such delicate points as trying to make a country change the legislation that it wants to have executed in its own jurisdiction the authorities of the other nations have no right to intervene, as you yourself may be able to see, Mr. Consul, in the authors of the international laws whose literary texts do not allow me to cite, either in the space or in the character of this note, which is merely explanatory and which serves to efface prejudices and misunderstandings, creating good relations between the foreigners that inhabit this State or have property in it, and the authorities of the same, who on giving out laws such as the one treated of, have not wanted to attack the rights of the foreigners nor make their situation difficult, but rather to follow ideals of justice in behalf of which the natives and foreigners have to sacrifice part of their interests for the general good.

I will now take this opportunity to mention to you that President Wilson himself, on commenting about Mexico, when the two parties, Villistas and Carrancistas, were active, expressly declared that the United States would aid the party that would give more guarantee to carry out the ideals of the Mexican revolution, and one of those ideals, one of the most far-reaching, is relative to the division of large estates that make the immense majority of our farmers change into slaves worse than those of the feudal age.

In other words, I have already shown that knowledge or recognition of these matters is a function of the Federal Government, and that it will know how to find a legal and dignified solution of conflicts of this nature that arise.

Your note being answered, and hoping that you will see in the present one a sincere wish of acknowledgment, it affords me pleasure to present to you my distinguished consideration.

Constitutions and Reforms, Hermosillo, Sonora, September 13, 1919.

ADOLFO DE LA HUERTA,
Governor.

El Oficial 1/o.E. del D. General.

M. PINA.

Al SENOR FRANCIS J. DYER,
Consul Americano en Nogales, Sonora.

DEPARTMENT OF STATE,
Washington, November 18, 1919.

DEAR SENATOR FALL: My memorandum of yesterday will convey to you that I do not share completely the conviction that something definite is now likely to be done in the Mexican situation.

The new developments (evidence, etc.), which are available to your committee, may be regarded as of a character rather more startling than the usual run of facts in similar instances. Even so, it is a question whether the cabinet and Congress would regard it as sufficient to precipitate a situation in respect of Mexico which might be fraught with more serious consequences than that which now confronts us.

Should Congress adjourn within a few days, it is conceivable that the new evidence might be used as well after the new session and thus give you a chance to get more of a much needed rest. I do not wish to be considered as doing a thing, or being disposed to do a thing, to delay action for a moment. Having been through similar flurries before, I merely wonder whether this is the final one, which it is presumed, inevitably will come.

Very truly, yours,

B. O.

Hon. A. B. FALL,
Three Rivers Mexico.

For the press:

DEPARTMENT OF STATE,
August 14, 1919.

In view of the long series of murders and outrages of American citizens in Mexico, culminating in the murder of Peter Catron in San Luis Potosi last month, and the perpetration of other acts in disregard of American lives and property, the American Embassy at Mexico City, on July 22, by direction of the Secretary of State, made the following representations to the Mexican Government:

MEXICO CITY, *July 22, 1919.*

SIR: With reference to the embassy's note dated July 16, 1919, relative to the murder of Peter Catron near Valles, San Luis Potosi, on or about July 7 last, I have the honor to inform you that I am now under telegraphic instructions from my Government to urge upon the Mexican Government the capture and punishment of those responsible for this murder and the adoption of adequate measures to prevent a recurrence of the murder of American citizens.

I am also instructed to state that should the lives of American citizens continue to remain unsafe and these murders continue by reason of the unwillingness or inability of the Mexican Government to afford adequate protection, my Government may be forced to adopt a radical change in its policy with regard to Mexico.

Accept, sir, the renewed assurances of my highest consideration.

GEORGE T. SUMMERLIN,
Charge d'Affaires.

The Mexican reply, dated July 28, signed by Salvador Diego-Fernandez, in charge of the department of foreign relations, and dated July 28, follows:

"Mr. CHARGE D'AFFAIRES: The note which your honor was pleased to send me on the 22d instant advised me of the instruction which you had received to notify this department that if the lives of the citizens of the United States in Mexico continued in a state of insecurity, and if murders should continue because of the unwillingness or inability of the Mexican Government to give adequate protection, the Government of the United States would be compelled to adopt a radical change in its policy with regard to Mexico.

"In reply I have the honor to state that the fact that offenses against the lives of citizens of the United States have occurred in the territory of the Republic can not be notoriously attributed to unwillingness to give protection. The willingness to furnish this protection has been expressed repeatedly, and the material difficulties in the way of fulfilling a promise, supposing that it is not fulfilled, should not be confused with unwillingness to do so, especially as this willingness had been demonstrated by acts.

"Moreover, if we consider the protection of human life in absolute terms, that is to say, if in every case and wherever a citizen of the United States may be within Mexican territory he should enjoy special and effective protection to a degree such that his life may never be placed in danger it is not possible for the Government of Mexico to do this because so perfect a condition of security exists nowhere; with all the more reason is this true, considering the great territorial extent of the Republic, its scanty population, and the difficult conditions which prevail after a long civil war.

"The Government of Mexico has always endeavored as far as possible to give full security to the lives of foreigners as well as of its nationals, but the fact is that foreigners through ignorance, the lack of prudence, or rash eagerness for profit, venture to remain

or to travel in dangerous regions, thereby incurring the risk of becoming the victims of offenses and even trusting to escape offenses because of their being foreigners.

"It should be remembered, moreover, that always when the Government of Mexico has had knowledge of an offense it has pursued the presumably guilty parties. The pursuit in such a case surely is not the same as that ordinarily made in cities in the case of ordinary crimes because the circumstances are different in a populous community.

"In the latter it is relatively easy to identify the guilty party, while in uninhabited places the band which committed the offense is located and pursued, is overtaken and as many as possible are killed without generally being able to identify the really guilty party, because even within the band of offenders itself it is impossible to determine as might be supposed which projectile of a volley caused a murder. The recent Correll case proves that the Mexican Government following this procedure, which is the only possible one, is displaying the greatest activity, because immediately after this murder it was reported forces left in pursuit of the band and killed four of the villains.

"The Mexican Government has been constantly preoccupied with the pacification of the Republic and as a first step has destroyed the principal rebel groups and has conquered the most notorious leaders, as is demonstrated by the conclusion of the recent Villa movement, the death of Zapata, of Blanquet, and Inez Avila, without mentioning the operations against groups of minor importance. A necessary consequence of this progress in the labor of pacification is the existence of some bands, the weak remains of the large groups.

"The Mexican Government has been, and continues, animated by the best of intentions, to eliminate all those difficulties which might disturb its good relations with the Government of the United States and has so proven on repeated occasions. If the Government of the United States wishes its citizens to enjoy greater protection, the Mexican Government, anxiously desiring as ever a good understanding between both Governments, suggests the desirability that citizens of the United States concentrate in the populous places where complete guarantees may be offered them and that these citizens, when they find it necessary to visit the dangerous zones, request sufficient forces for their protection, which will be furnished by the Mexican authorities.

"In the Tampico region the paymasters of the petroleum companies have been offered escorts to accompany them for the safe transportation of funds, and the companies have refused on the pretext that the presence of the escort precipitates the attack of the rebels or that the individuals of the escort do not conduct themselves properly. These are unfounded assertions. Moreover the relation which has existed between those same petroleum companies and the rebels is notorious, it being also suspected that there may have been cases in which the paymasters were in accord with the supposed assailants. The Mexican Government, in order to demonstrate once more its willingness to furnish complete protection, has already formally promised to reimburse the sums which might be taken from the paymasters notwithstanding the presence of the escort, and if this last offer is not accepted the consequences will be the exclusive fault of those same interested parties.

"I believe I have made clear the true situation and the possibility of the Mexican Government giving daily increasing means of protection to life and property as it evidently has done and its undeniable desire to secure every class of guarantees within the national territory. In view of these facts, the menace embraced in your note has surprised the Mexican Government, all the more so since it seems strange that it should be exacted that even in depopulated regions human life should be protected in a more perfect manner than in the most populous cities of the most cultured countries where bloody crimes often occur without the respective governments thereby becoming the object of severe observations."

DEPARTMENT OF STATE,
November 12, 1919.

Secretary of State Lansing made a statement to-day to make clear the Government's attitude on the question of responsibility of Mexico for the safety of Americans in that country. This statement, made in response to inquiries of newspaper correspondents in connection with the case of William O. Jenkins, the American consular agent at Puebla, Mexico, follows:

"The newspapers, in connection with the Jenkins kidnapping case made it appear that I had said that Americans in Mexico had no greater rights to protection than Mexicans. I regret that the context of my comments were not given in full because it would have shown that I was referring to a condition in which the Mexican authorities had employed every means which they possessed or should have possessed to protect the lives and property of aliens in a Mexican community. If the authorities

failed to provide means of protection or to use such means the statement attributed to me would not apply.

"To avoid being misunderstood as to this Government's interpretation of the rule of international law on the subject of responsibility on the part of Mexico for the safety of Americans in that country I make the following statement:

"While in general there is presumed to be no difference between the rights of aliens and the rights of natives to be treated fairly and justly under local laws and by the local authorities, nevertheless should the operation of the local laws or the acts of commission or omission by local authorities result in injustice to Americans or lack of adequate protection of their lives or property, it is the privilege as well as the right of this Government, under international law, by diplomatic intervention to see to it that justice is accorded to its citizens and their rights given proper protection.

"The reason for this is that, when a condition of political unrest and lawlessness exists such as obtains in certain parts of Mexico, aliens being denied proper protection by the authorities must rely on their Government, operating through diplomatic channels, to obtain justice and security. This is a general statement and the basis of the policy followed by this Government, though it is necessarily subject to modification in particular cases.

"It should be borne in mind, however, that the accepted law and practice of nations is that, as a rule, it must be shown that a foreign government is responsible for injustice done to aliens or that its constituted authorities are negligent in protecting their lives and property, before liability is incurred."

DEPARTMENT OF STATE,
November 20, 1919.

The Department of State to-day sent a note to the Mexican foreign office, through the American Embassy at Mexico City, calling for the immediate release of William O. Jenkins, the American consular agent at Puebla.

The note, which is based on the rearrest of Consular Agent Jenkins at Puebla, points out that the United States Government is "surprised and incensed" to learn of the reimprisonment of Mr. Jenkins, particularly in view of the suffering and losses already sustained by him in connection with his kidnapping through lack of protection by the Mexican authorities and in connection with his first arrest by Mexican officials.

The note expressed the view, based on the information in the possession of the Department of State, that his rearrest is absolutely arbitrary and unwarranted, and warns the Mexican Government that further molestation of the consular agent will seriously affect the relations between the United States and Mexico, for which the Government of Mexico must assume sole responsibility.

DEPARTMENT OF STATE,
November 21, 1919.

The following statement submitted to the Department of State by William O. Jenkins, the American consular agent at Puebla, regarding his recent kidnapping, is for immediate publication.

"PUEBLA, MEXICO, *November 7, 1919.*

"JOSEPH W. ROWE, Esq.,
"*Vice Consul in Charge, American Consulate General, Mexico.*

"SIR: In compliance with your instructions of the 4th instant, I beg to make the following report on my recent experience in being kidnapped by a rebel band of this State:

"On Sunday night, October the 19th, about 9 o'clock, upon leaving my apartment to make a short inspection of the premises, as is my custom before retiring, I was attacked by five men, all armed with pistols, and was told by the leader that if I made any resistance or sound, I would be immediately killed. Knowing the desperate character of such men, and with the odds completely against me, I considered it useless to attempt any resistance, and was searched for weapons, none being found, and then my hands were tied. I thought that these men were mere robbers, as there had recently been in this city, as well as in Mexico, innumerable cases of holdups, and I thought that I was dealing with one of these bands. It is well to state that my residence is located in the southern extremity of this city, adjoining my cotton mill here, and the residence and mill occupy an entire block, therefore I do not have any neighbors nearer than one street away. However my residence is not any great distance away from the heart of the city, as Puebla, although a city of about 125,000 inhabitants, does not cover a very great extension of ground, and my place is only seven cross streets, from the principal street of the city, or a distance of about six hundred meters.

"Upon having my hands tied, I was told by the leader of the bandits to accompany them to the office, and there, the keys to the safes were taken from my pocket, and the entire contents of two safes was robbed, consisting of the sum of 50,263 pesos and 65 cents, Mexican gold and silver coin, as well as two wrist watches, worth about 150 pesos, one pistol worth 25 pesos, one rifle worth 25 pesos, and I discovered later that they had also taken one watchman's pistol worth 50 pesos and one watchman's clock worth 110 pesos, so that my total loss from the robbery was $50,623.65, 50,623 pesos and 65 cents, Mexican gold.

"It will be understood that in this city there are no banks where money can be deposited, as the Government confiscated all the banks long ago, and until the present time no private banks have been established here, and it is therefore necessary that every business man be his own banker, keeping in his own safe whatever money he may have on hand. It is also known that there is no paper money at present, and all money at present circulating is in coin. It is pertinent to mention that there was the sum of 105 pesos Mexican gold of consular funds in the money taken from my safes and that the office of the consular agency is in the same room as my private office; therefore it may be properly stated that the safes were in the office of the consular agency.

"As soon as the money had been taken from the safes the leader of the band dispatched two of the men with the money, and I neither saw nor heard of them again. I was then informed by him that I was to be taken, which was my first intimation that I was to be kidnapped, and I used every possible argument to dissuade him from that intention, explaining to him that my father had just suffered an apoplectic stroke, and that any great worry would probably prove fatal to him; that my wife was not well and could not stand any great nervous shock; that he had already taken an enormous sum of money from me and that I was not in a position to pay any further ransom. He immediately replied that as far as the payment of any further ransom was concerned I need not worry about it, as he did not want my money, but that he wanted the Mexican Government to pay, not only the ransom that he would demand but the money that he had taken from my safes as well, and that it was absolutely necessary for him to carry me away, on account of the fact that he desired to give a severe blow to the actual Government and could only do that by taking some one with an official character, and that he felt sure the United States Government would exact of the Mexican Government immediate reparation for all loss. I tried to explain to him that he was in error and that it would be very difficult, if not entirely impossible, to make the Mexican Government pay any ransom; that such a proceeding would be very long and tedious, and that in the meanwhile I, an innocent subject of his political plans, would suffer greatly and probably lose my life. He was very profuse in his explanations that he meant no harm to me personally and had nothing at all against me, but that it was indispensable to carry away a "consul" to make his blow be properly felt. Seeing the futility of further argument, I requested that he allow me to speak to my wife, which he very reluctantly permitted, and only after I had pointed out to him that his own plans would be facilitated by her knowing what had happened to me and being able to act more intelligently as regards my ransom. My wife during this time was in our apartments with my sister, and of course knew absolutely nothing as to what was going on.

"The leader of the band accompanied me, with his pistol constantly covering my body, to a point from which I could call my wife, and having called her he immediately made me return to the office, where we awaited her coming. When she came, I explained to her as best I could, considering the state of her excitement and my own, what had happened, and what the men proposed to do, and she united her pleas with my own to the leader of the band, that I not be carried off, offering him every thing we had that he wanted, if he would desist from that intention, but it was entirely useless, as he repeated to her what he had told me; that his principal idea was to give a blow to the Government, and that this could only be effected by carrying me off in person. At my wife's request, my hands were untied, but it was impossible for me to make any defense, as the three remaining men held their pistols in constant readiness to shoot, and I knew that any effort on my part to make a defense would certainly be the death of myself or my wife, and probably both of us.

"The leader of the bandits then ordered my wife to call up the British vice consul here, Mr. William Hardaker, an intimate friend of ours, saying that he also wanted to carry him with me, but my wife replied that Mr. Hardaker was in Mexico, and the bandit said no more on the subject. But it is evident that it was his intention to carry Mr. Hardaker with me. It is probable that he intended making me call Mr. Hardaker, for it was certainly not his intention to allow my wife to come to the office, but after she had come, he very likely considered it better that she call him, and not that I do it. I have since learned that on that night there were several suspicious

people immediately around Mr. Hardaker's house, and it is quite possible that it was their intention to capture him on his leaving his house, as he also lives in the extreme eastern limit of the city. The leader of the band had his face covered with a red handkerchief, so that it was difficult to form an intelligent idea as to his appearance, but from later knowledge I am absolutely certain that he was Federico Cordoba, one of the most daring and intelligent of all the rebel leaders that infest this region.

"When my wife and I saw the impossibility of avoiding my being carried off, I gave her brief instructions to what she should do; she requested permission to bring my overcoat, which was granted, and I was immediately taken from my home and conducted on foot to a lonely street behind the general hospital of the city, situated at some distance from my home, but in the same general section. To arrive at this place we had to pass through several streets, but as the city had very poor police service, we saw no police at all, and I was unable to make any effort to escape, especially so as upon leaving my house my arm was tied to the arm of the leader, and I could not get away. The leader and I went in front, and the two other men followed immediately behind me. At the street mentioned, or rather a road, for it is not an open street, we found other men waiting, and after a hurried conversation between them and the leader I was blindfolded, turned around several times to make me lose the sense of direction, and then we traveled on foot for a considerable length of time, more than a half hour, I think, where we found other men with horses, and I was mounted on a horse, my legs tied to the stirrup leathers, and with my eyes completely covered, we started out. My horse was led by the rider in front. We traveled all night, over a good road for a while, but afterwards over very rough country and about 5 o'clock in the morning we stopped, my eyes were unbound, and I found myself amidst a very rough and mountainous country, surrounded by low mountains, so that it was impossible for me to see any landmark from which I could judge my position. But as it seemed very cold to me, I judged that I had been carried to one of the neighboring volcanoes near Puebla, and thought that it was the Malintzi, a large mountain to the northeast of the city. However, this idea was banished later on by the fact that during the day it was very warm, and on account of so many mosquitoes, from which I deducted that I must be lower than I at first thought.

"I was kept busy that day (Monday) in a small cave, guarded by six men, but among them I was unable to recognize the leader of the band who had captured me.

"I was allowed to write to my wife, which I did, and delivered the letter to the man in charge of my guard, whom the men called 'Coronel,' and I presume that he was one of Cordoba's confidential men, and have reason to think he was Cordoba's brother, from later information.

"I was of course very anxious to know where I was, and who my captors were, but in reply to my inquiry as to my whereabouts, I was informed that I was in the mountains, and as to the identity of my captors, I was told that it was "Men of Caraveo." As Marcelo Caraveo is one of the most prominent of all the rebel leaders, I could not know if they were telling the truth or merely deceiving me, but decided on the latter, as I had not heard of Caraveo being near this region lately. However, later developments prove that it was true, as Cordoba belongs to the division of Caraveo and they both depend directly on Pelaez, the rebel leader near Tampico.

"When I first arrived at the cave mentioned I saw in the low mountain just across from the cave quite a number of armed and mounted men, probably about 100. I believe that they belonged to this same band, though I am not sure about it, nor did I ever see them again, as they left soon after my arrival there. I was kept in the cave that day and that night, but on Tuesday morning about 2 o'clock my guards and I mounted on horses and traveled for several hours again, my eyes again covered, and I was unable to judge the direction traveled. About daylight we arrived at the spot indicated for our next camp, and this time it was out in the open, on the side of a mountain and at the foot of a steep cliff, where I was hidden in the low shrubbery growing there. I was changed again on Wednesday morning and again on Friday morning, always moving just before day. I soon formed the conclusion that I was being hidden from other rebel bands, as every precaution was taken to not allow me to be seen, as well as the guards always hid themselves on the approach of anyone. Numerous natives were gathering wood from time to time near our hiding places, as well as charcoal burners, but great care was taken that we be not seen. I saw from time to time numerous bands of mounted men riding around on the mountains, and also many camp fires at night, from which I infer that the region is completely full of rebels.

"On Tuesday night it rained all night, and I was in the open and had no protection whatever from the rain. I was completely soaked, and on Wednesday morning did the best I could to dry my clothes in the sun. This same thing happened on Wednesday and Thursday nights, and on Thursday night I began to suffer severe pains from rheumatism in my right leg.

"This rapidly grew worse, and on Saturday I was in a most deplorable state, being unable to arise from the ground, and suffering constantly the most excruciating pain from my leg. I was unable to eat or sleep and began to have fever. Also the mosquitoes troubled me excessively, to such an extent that my face, neck, and hands were very swollen. For two days my left eye was swollen almost shut, but this might have been from the bite of some other insect. The guards did not treat me roughly, but did what they could, but as they had nothing to give me, I was unable to get any relief of any kind. In fact, I did not even have water to drink, as these men are all accustomed to drink out of the puddles found in the fields and roads, and I was not able to drink this water very well. I often suffered from actual thirst. The repeated wetting suffered by us all did not apparently affect them, and I suppose that they are used to it. Of course, we all passed the nights lying on the ground, with a blanket for a bed, and fortunately I had my overcoat for cover. During this time I had frequent talks with the coronel who guarded me, and until I was taken sick we discussed the press reports of my kidnapping, as we always received the Puebla papers the same day, and he was very angry that the Mexican Government did not at once offer to pay the 300,000 pesos that he demanded for my ransom. My captor had indicated to me and to my wife in my office, before carrying me away, that he would exact this ransom for my liberty. He said that he would hold me until they did, and repeated to me that he did not want me to pay 1 cent, but that the Government must pay. At that time I was not positive whether the "coronel" was the man who had entered my home or not, on account of being much taller and heavier than I had judged my captor to be. I failed to mention also that before I was carried away from my home, the leader told me and my wife that I would be immediately killed if any attempt was made to follow them or to attack them while I was held prisoner, and, of course, my wife's first efforts were to prevent any persecution being made until I was released.

"This was secured with difficulty, as the authorities wanted to at once give pursuit to the bandits, but fortunately it was avoided, and my life was thus saved, as I would have undoubtedly been killed in such a case.

"The coronel told me to tell my wife this in my letters, which I did. He also during the days I was with him, instructed me to write my wife to hurry as much as possible the arrangment of the ransom, and gave me a copy of certain conditions that he said had been sent to my wife, in which it was stated that unless the money was paid by a certain date, I would be shot.

"During this time, my friends had been very active to discover my whereabouts, finding great difficulty in doing this on account of the fact that I myself did not know where I was, and on account of the fact that the rebel Cordoba did not want it known that he had me prisoner.

"However, due to my intimate friend, Senor Lic. Eduardo Mestre, I was finally located, on the Friday following my capture, and on that day, Lic. Mestre in a conversation with Cordoba in his camp, secured the admission from Cordoba that he was holding me. I knew absolutely nothing of all this, as up to this time Frederico Cordoba had not presented himself to me, but on Saturday afternoon, October the 25th Cordoba himself came to where I was held in compamy with Lic. Mestre, and I talked with him for the first time.

"He repeated to me in the presence of Lic. Mestre what he had said the night of my capture, and what the "coronel" had told me many times that he regretted having to cause me so much trouble and suffering, but that he himself was only an intermediary, and could not alter the conditions of my ransom, and that it was impossible to release me for less than the sum of 300,000 pesos Mexican gold. As Lic. Mestre saw the deplorable condition in which I was at that time, and as I myself felt that I would not be able to live much longer without medical attention, as my leg was growing worse all the time, I told Lic. Mestre that something would have to be done, and while I had resisted the idea of paying the ransom still I agreed to it, in view of my grave condition. Lic. Mestre explained to Cordoba the impossibility of raising such an enormous sum on such short notice, as well as the inconveience of trying to bring out such an amount of money in gold as Cordoba had demanded, pointing out to him that the weight of the gold would be about 600 pounds, and offering to pay the money in the form, time and place that Cordoba desired. Also it was pointed out to Cordoba that in case of my death, no ransom could be collected, and he himself saw that I was very ill. Lic. Mestre desired to carry me with him at once, but Cordoba flatly refused such an idea, but after leaving me, he and Lic. Mestre agreed that he would deliver me the next day against the payment of at least 30,000 pesos in gold, all the drafts that could be secured, and a document signed by friends of mine responding with their lives for the payment of this balance.

"The visit of Lic. Mestre was the first time that I knew exactly where I was, or in whose hands I was, although I had formed an approximate idea as to my location before. Cordoba passed the night with me that night, and probably seeing I was very ill, on Sunday morning early, he set out with me in the direction of Puebla. I had to be tied to my horse to keep from falling and at times the pain in my leg was so intense that I almost fainted. We traveled about three hours, arriving at a point called "The Dam," where we waited until 3 o'clock in the afternoon. I thought that I was waiting for my friends to come for me, but it developed later that Cordoba had not brought me to the place where Lic. Mestre was to come with the money, but to a point quite distant, and we were waiting for advice to come that the money had been paid, or was ready to be paid. At 3 o'clock in the afternoon, a messenger came to Cordoba and he then advised me that my ransom had been satisfied and that I was free. He assisted me to a house down by the dam, where there was a telephone with Puebla, and I advised my friends where I was, and they immediately sent for me. Cordoba stayed with me until he knew that I was being sent for and then left. My friends sent for me immediately, and I arrived in Puebla about 6 o'clock on Sunday night, October the 26th. I was taken to the American Hospital here, where my wife was ill, and remained there a week and was then removed to my home. I am recovering rapidly from the effects of my experience and hope to be entirely well in a few days.

"Lic. Mestre waited at another point for Cordoba until late in the afternoon, when he finally arrived, and paid on account of my ransom the sum of 34,000 pesos in Mexican gold, 20,000 pesos in drafts, or a total of 54,000 pesos in cash. He also delivered to Cordoba a written obligation, by the terms of which five of my friends responded with their lives for the payment of the rest of the ransom money, which document Cordoba accepted as cash, and he extended a receipt for the entire 300,000 pesos, as well as for the sum of approximately 50,000 pesos that he had taken from my safes.

"Since my release further payments have been made on account of the balance due, and total payments now approximate 100,000 pesos. It is my intentions to make arrangements as best I can for the immediate payment of all the balance due and recover the document that was extended to Cordoba, thus releasing my friends from the great responsibility they have assumed. I feel absolutely certain that any failure to comply with the obligations of that document would result in the immediate death of these friends and myself, as it is well known that the rebels can with all ease perpetrate most any crime that they desire.

"It is proper to say that the government of this State did not assist in any practical way to my release, for while they did arrest many people and create a great stir by their apparent activities, they did nothing at all of a practical nature, and their activities served more as a disturbance than as an assistance. My release was due to my own friends here. I feel that these men have been instrumental in saving my life, for it is due to their efforts that I was reached in time and ransomed when found.

"I will not say that the payment of this ransom and the money taken from my safe will result in any financial disaster to me, for I have property that is worth more, but it has placed me in an exceedingly critical condition for the moment, inasmuch as I do not have the money to make these payments, and I am therefore attempting to borrow the money for the moment and make the payment and then repay it as I am able to sell some property to pay it back. If I am unable to borrow the money I will be unable to comply with the obligation, as I have no way of realizing this amount of cash on short notice.

"It is worthy of attention to take note of the attitude of the State government of Puebla assumed towards this incident, for almost immediately after my capture the official paper of the governor published the opinion that I had been instrumental in my own kidnapping, and that I had formed a plot with the rebels and other friends of mine to cause international difficulties. Also that it was the intention to collect this ransom from the Mexican Government and divide it, etc. It is impossible to express my indignation at this outrage on the part of the local authorities, and they have persisted in persecuting me in every way possible until a few days ago. Even while I was in the hospital, unable to see anyone, the judge in charge of the case, in repeated instances, attempted to cause me trouble, and it was only by the stand taken by the director of the hospital that I was not annoyed. I am glad to say that the best element of this city has recognized in these attacks only an effort on the part of the governor to avoid the responsibility of his criminal neglect of the protection of the city, and it is a source of much satisfaction to me to have received assurances from thousands of people here in this city and from other places as well that the governor's plan is well understood.

"I will say in this connection that I am not, nor have ever been, an enemy of the governor, but on the contrary have always been on the very best of terms with him, and have been able during his term to render him valuable assistance at different times. This makes his action the more repugnant. It is believed that it was the intention of the authorities to arrest me, for they tried by every means to get me removed from the hospital to my home, and even resorted to having an examination made of my person by a corps of medical men of the city to determine if I could be removed.

"I accepted this examination only because I wanted to show the greatest willingness to assist them in their investigation, but their own doctors were forced to sign a report declaring that I was ill and could not under any circumstances be removed for the moment.

"I have given all the declarations asked for, and stand ready to give any further information that may be required of me.

"Even my friends have been persecuted, and Lic. Mestre, who was so instrumental in saving my life, has been arrested on trumped-up charges, and has actually been declared 'worthy of imprisonment,' and is out on bond.

"It is needless to say that I am assisting him in every way possible and will continue to do so until he is free from further trouble.

"I wish to say that I have always taken proper precautions for the protection of my home, and have a watchman during the whole night, but on the night of my capture the watchman had been overpowered and tied previous to the attack on me. I was told while in the mountains that they had gained access to my house by one of their men slipping into the factory on Sunday morning and hiding until night, when he assisted the others to enter. It is also in order for me to say that before this incident this city was not properly protected, as all the roads into the city were without guards and the rebels were free to come and go as they liked.

"I was told by them that they frequently came into the city on horseback in groups of four and five without suffering the least molestation.

"They always stated to me that it would have been easy for them to capture the city, but they recognized the fact that they did not have sufficient elements to hold it, and for that reason had not attacked the place.

"My home and the whole section in which I live has always lacked sufficient police protection, and before this incident the nearest policeman was five streets from my house. Naturally, the rebels had no fear from that source. I am asking for better protection in the future.

"A very important matter is that, although the local government could hardly be restrained from sending troops out immediately to punish my captors when they learned of my capture, they have made the slightest effort to do so since I returned 12 days ago, although they have been incited to do so, but excuse themselves by aying that they will do so.

"The rebels are only a few miles distant; they have been there for months and years; they plant, cultivate, and gather their crops entirely unmolested; the whole countryside is with them; and yet the Government apparently makes no effort to drive them away and give decent protection to this city. There are in the immediate vicinity of this city not less than a half dozen important bands of rebels, all of them well known to the Government, and no determined effort has ever been made to fight them. This is the situation as it is to-day of this city.

"My entire loss in this matter has been about as follows (Mexican gold):

"Ransom paid and to be paid	$300,000.00
"Money and effects stolen from office	50,523.65
"Money taken from my pocket	122.00
"Hospital fees for myself and wife	320.00
"Expenses for telegrams	435.26
"Expenses for messengers to mountains	170.00
"Expenses for automobiles and coaches	121.00
"Expenses Lic. Mestre while in Puebla	550.00
"To be paid to lawyers in his defense, as well as remuneration for himself, as he is a poor man	5,000.00
"Total	357,341.91"

The following is the text of the Mexican Government's reply, dated November 26, 1919, to the American note of November 20 regarding case of William O. Jenkins, the American consular agent at Puebla.

"Mr. CHARGÉ D'AFFAIRES: I am instructed by the President of the Republic to reply in the form in which I am doing to note No. 1533 of November 20, which you

addressed to the Mexican Government under instructions from the Department of State of the United States.

"I must not conceal from you that the attention of the Mexican Government has been called strongly to the fact that no legal foundation, no principle or precedent of international law, and not even a reason were invoked in demanding the immediate liberty of Mr. Jenkins who, as you know, is at the present moment placed under the authority of a judge in the city of Puebla. The Mexican Government does not see what foundation there may be for such a demand; it believes that it may not be solely the strength of the country which makes it, inasmuch as the United States has characterized itself by its desire expressed on various occasions that right and justice should be the motto of its diplomacy and respect for weak countries the basis of its international relations on the continent; and prefers to attribute the terms of the note to which I reply to an imperfect knowledge of our penal laws.

"The imprisonment of Mr. Jenkins is neither unjustified nor arbitrary as your note asserts, he himself having rendered and signed contradictory testimonies concerning the abduction of which he was the victim. The judge has had sufficient cause for supposing him to be responsible for the crime of rendering false judicial testimony, and this has merited his imprisonment. However, this imprisonment does not in itself signify that Mr. Jenkins is culpable, as this can only be established by a final judgment.

"You are aware that in Mexican penal procedure there are three classes of imprisonment: The preventive, when it is suspected that a person is criminally responsible in a crime; the formal, when there is sufficient evidence against the accused in the opinion of the judge to suppose him to be responsible for the deed; and ordinary imprisonment or the one imposed by a final sentence as a punishment properly so called for the duly proven crime and culpability of the accused. The first two classes of imprisonment are not legally penalties but simply restrictions on the liberty of the accused as a means of investigating the truth.

"The sentence may also establish the innocence of the accused. Mr. Jenkins suffered preventive detention and 72 hours later formal imprisonment. This is the reason for his having been rearrested, and this is the circumstance which appears to be considered by the Government of the United States as a persecution or as a series of molestations being unjustifiably inflicted on the consul.

"During the course of the prosecution the accused may at any time request and obtain his liberty under bail. Mexican law is very liberal in granting it, the request and deposit of the amount fixed by the judge sufficing. Mr. Jenkins, by refusing to exercise this right notwithstanding he has been invited repeatedly to do so, and that the judge has fixed as bond the sum of 1,000 pesos, can not strictly speaking call himself a victim of molestations which he voluntarily inflicts upon himself, and furthermore he is being held in prison with all the attentions and comforts compatible with his condition.

"He being, therefore, subject to a prosecution which is being conducted in accordance with the dictates of law under the authority of a judge whose acts are not secret but are under the constant vigilance of public opinion, which is interested in having the truth become known in this matter, the Mexican Government finds itself unable to grant the demand for liberty contained in the note under reply, and it is supported by strong reasons founded on the law of nations and considerations of a constitutional nature. Under the former it considers that no Government may make a diplomatic reclamation in favor of one of its subjects in foreign countries excepting in the cases of denial of justice or of a notoriously unjust sentence which is also under international law a case of denial of justice, and that the practice has invariably been followed of waiting till the tribunals handling a case concerning a foreigner have pronounced judgment, which I repeat, should it be notoriously unjust would be the sole basis on which a representation could be made.

"As regards the constitutional point of view our political constitution establishes as a mental principle the separation of the attributes of the executive power and those of the judicial department, and therefore the executive is not empowered to interfere in matters pertaining to the latter. Likewise the autonomy of the States is guaranteed by our charta, and by virtue of the federative structure of the Mexican Republic the federal power can not intervene in matters which, like that of Mr. ———, corresponds properly and exclusively to the authorities of the State of Puebla. For this reason the executive could not issue orders to the judge handling the case to have Mr. Jenkins placed at liberty, since that official would with reason refuse to obey the same in case it were given and the executive would thus violate the first principle of government with which he has always endeavored to comply—that is to say, respect of, and securing respect for, the laws of the country. Very well. This conduct, in the

opinion of the Mexican Government, can not affect unfavorably the friendly relations which happily exist between Mexico and the United States, above all as the case is one of so simple a nature in which by complying with so small a requirement, Mr. Jenkins would be placed at liberty, since the equal application to nationals and foreigners alike of the laws of each of the two countries can never be the cause of friction between those countries.

"In the United States, on some occasions, Mexican consuls have suffered imprisonment for deeds coming under the scope of the laws and of the authorities of the country; and the Mexican Government, even though in its opinion such imprisonment was unjustified, has never permitted itself to make the slightest suggestion looking to the nonapplication in each case of the laws of the United States, inasmuch as its practice has invariably been to respect the laws of other countries, and it does not claim that Mexicans abroad should make of their Mexican citizenship a title for exceptions and privileges.

"Neither in the United States nor in Mexico may any citizen under prosecution be liberated by an order emanating from the Executive, and it would be strange that in Mexico an American citizen should have greater rights than those he has in his own country or greater than those which a Mexican citizen has in Mexico. Neither can the Government of Mexico concede to American citizens greater rights than those enjoyed in the United States by Mexicans.

"The Government of the United States appears to act under the conviction that Mr. Jenkins is absolutely innocent notwithstanding the fact that this matter is in the course of investigation. The Mexican Government, without attempting to claim that Mr. Jenkins is culpable, limits itself to submitting the foregoing considerations to the United States, trusting that the Department of State will postpone its judgment until the tribunals have pronounced their sentence, being assured that the officials of the Mexican Government have no intentions of causing molestations or persecutions to Mr. Jenkins, but solely a sincere desire to act with justice.

"This opportunity affords me, et cetera.

"S. MEDINA."

DEPARTMENT OF STATE,
DIVISION OF FOREIGN INTELLIGENCE,
December 1, 1919.

The Secretary of State on November 29, 1919, sent a note to the Mexican Government, through the American embassy at Mexico City, renewing the request of the Government of the United States for the immediate release of William O. Jenkins, the American consular agent at Puebla, Mexico, who was kidnapped at Puebla, subsequently released on payment of ransom, and then arrested by the Mexican authorities at Puebla. The note is in answer to that of November 26, 1919, from the Mexican foreign office.

The note directs the American chargé d'affaires, Mr. Summerlin, to communicate the following at once to the Mexican Government:

"I have not failed to transmit to my Government the note of the Mexican Government dated November 26, 1919, with reference to the case of William O. Jenkins, American consular agent, at Puebla, and I am now in receipt of a reply from the Government of the United States which I am instructed immediately to transmit to you.

"The Government of the United States declines to be drawn into a juridical discussion of irrelevant matters or unimportant incidents brought forward in connection with this case. The Mexican Government can not be misled, as it intimates, by the citation by the United States of 'no principle or precedent of international law, and not even a reason' for Jenkins's release; for obviously no such citation is necessary for the enlightenment of a government of the present day. The Mexican Government believes, and rightly so, that the American request for Jenkins's release is not based on 'solely the strength of the country which makes it,' for it knows the request is founded on the justice of the right of an American citizen and United States consular officer to fair treatment while residing and discharging his duties within Mexican jurisdiction with the knowledge and approval of the Mexican Government.

"The Mexican Government may contend that the imprisonment of the victim is necessary for the investigation by a judge under the 'constant vigilance of public opinion' of the truth regarding his abduction and that a right of release on bail is a palliative for such wrongful imprisonment, but the United States is constrained to the opinion that such arguments are mere excuses. The Government of the United States invites and desires the fullest possible examination and investigation of this case, but it can not admit that it is necessary in order to ascertain the facts that Mr.

Jenkins should be retained in prison even with the privilege of applying for bail. My Government will not and is satisfied that Mr. Jenkins will not place any obstacle in the way of a complete and full examination of himself or his witnesses, or of the events, leading up to and connected with his abduction. The Mexican Government prefers to attribute the American note to an imperfect knowledge of the Mexican penal laws and proceeds to explain with refinement the intricacies of Mexican penal proceedings. But the Government of the United States fails to discern in their application to this case at the hands of Mexican authorities any approximation to impartial treatment of Jenkins, and the Mexican Government knows the absence of such treatment is the reason for the American request.

"The Mexican Government maintains that it can not grant the request of the United States for Jenkins's release for the reason that under international law no diplomatic intervention is appropriate unless a denial of justice has occurred and because the Mexican Government is not in a position to demand Jenkins's release in view of the separation of the executive and judicial powers under the Mexican form of Government and the independence of the State courts, by one of which Jenkins is held. The succinct answer to this contention is, as everyone knows, that a denial of justice has already taken place, and also because the Mexican constitution specifically gives the Federal tribunals, jurisdiction of 'all cases concerning diplomatic agents and consular officers.'

"The United States is not to be driven by such subtle arguments into a defense of its request for the release of Mr. Jenkins. It is for Mexico to show cause for his detention, not for the United States to plead for his liberation. Stripped of extraneous matter, with which the Mexican note of November 26, endeavors to clothe it, the naked case of Jenkins stands forth: Jenkins, a United States Consular Agent, accredited to the Government of Mexico is imprisoned for 'rendering false judicial testimony,' in connection with the abduction of which he was the victim. This is the substance of the Mexican note.

"My Government is pleased to learn that the imprisonment of Jenkins stands on this single, and well-defined ground, and that the reported statements that Mexican authorities had caused the imprisonment of Jenkins because of collusion with his abductors and rebellion against the State are not seriously regarded by your Government.

"In whose interest then is the charge of false swearing brought against Jenkins? His abductors? He is in equity the complainant in the case of his abduction, not the defendant, as the Mexican Government now makes him out to be. The Mexican Government is prosecuting the victim instead of the perpetrators of the crime. While the outlaws, who endangered his life and took away a large part of his fortune, enjoy their freedom, the Mexican authorities now deprive Jenkins of his liberty. Moreover, the ground expressed for the imprisonment of Jenkins, namely, that he is supposed 'to be responsible for the crime of rendering false judicial testimony' must be taken—and my Government directs special attention to this point—as merely an expression of opinion on the part of the Mexican Government as it is entirely unsupported by evidence. There is not produced any of the testimony rendered by him, or any extracts from such testimony tending to show the correctness of this opinion. The Mexican Government can not expect the United States to accept in the grave circumstances of this case such a bare unsupported statement as a valid excuse for the imprisonment of an American consular officer, particularly in view of the fact that the investigation of the case by the representatives of the United States in Mexico, so far as it has proceeded, fails utterly to support this opinion of your Government.

"On the contrary the investigation gives the Government of the United States every reason to believe that Mr. Jenkins has not knowingly given any false testimony in respect of vital points in his case; although he has been harassed by Mexican authorities to give such testimony, even while lying in the hospital too weak and exhausted to make them as a result of his treatment by the abductors, and while he knew evidence was being obtained against him through intimidation of witnesses. So stands the single, unsupported, and my Government believes utterly unfounded, ground alleged for Jenkins's imprisonment.

"What conclusion is to be drawn from such a reply of the Mexican Government other than there has been a studied effort on the part of Mexican authorities to ensnare Jenkins in the intricacies of legal proceedings by alleging the commission of technical offenses, and by bringing unsupported charges against him, for a purpose: In the first place, to divert the attention of the American public and the American Government, and indeed of Mexicans themselves, from the actual situation, namely that Puebla, the capital of the State of Puebla, and perhaps the second largest city in Mexico, is without adequate protection from outlaws who infest the immediate neighborhood and who were accustomed openly and freely to visit the city without hind-

rance, that by the failure to furnish adequate protection in this district the Mexican authorities have, through their negligence, made possible the abduction of Jenkins, and that in harmony with such an attitude on the part of the Mexican authorities they have failed to carry out the duty and obligation incumbent upon them to apprehend and punish the bandits concerned in the crime of which Jenkins was the victim. And in the second place it appears to have been the purpose of the Mexican Government to assume a willful indifference to the feelings of the American people that have been aroused to the point of indignation by the exposure, hardships, and physical suffering endured by Jenkins during his abduction and his subsequent treatment at the hands of the Mexican authorities.

"In view of the considerations which have been set forth and in view particularly of the belief of my Government that the charge against Jenkins of deliberate false swearing is unfounded, the Government of the United States must renew its request for the immediate release of Consular Agent Jenkins from further imprisonment.

"LANSING."

No. 174. LEGACION DE LOS ESTADOS UNIDOS DEL BRASIL,
Mexico, May 7, 1915.

The SECRETARY OF STATE,
Washington, D. C.

SIR: I have been requested by the American Society of Mexico and the international committee to transmit to you the following document:

"The American Society of Mexico and the International Committee of Foreign Residents unit in an expression of thanks and appreciation for the efforts made by the American Government and representatives, through which 34 sacks of foreign mail have just been received here from the accumulations at Vera Cruz, the first from there since February.

"Urgent appeal is hereby made to the Washington Government that effective steps be taken to put the capital city of Mexico again into communication with the world, by the reopening of at least one railway line for traffic to Vera Cruz, or the northern border. Isolation has been almost complete since the beginning of the present year. The movement of passengers, freight and mails has been stopped, and private cablegrams are unwarrantably censored.

"The capital is suffering a lingering death. The indifference of those engaged in the present warfare of factions, toward the necessities of the great majority of the people of Mexico, native and foreign, is daily bringing about greater complications, which will render a solution of the Mexican problem still more difficult.

"The food situation is acute and there is much suffering in the city. Flour is selling up to 1 peso per pound (equal to the daily wage of a common laborer who can not indulge in such food); meat also up to a peso per pound, and corn 25 centavos a pound. Many articles of medical supplies in the city are exhausted and hospitals have been stripped of surgical instruments by outgoing troops. There is urgent need of carbons for street lamps and of other articles vital to public health and protection.

"The Washington Government two months ago renewed its advice that Americans leave Mexico until conditions become more settled and followed it with the suggestion from Gen. Carranza that other foreigners, also, leave Mexico City. Unfortunately there has been no way open to act upon the advice since it was given, even for those Americans and other foreign residents whose circumstances and responsibilities would permit them to leave.

Three travelers were shot last week while trying to get from this city to Pachuca, 50 miles away. A number of Americans who have attempted recently to leave by automobile or other conveyance have been turned back by armed men, regardless of passports some of which were signed by the convention president, Roque Gonzalez Garza.

"The censorship of private and commercial telegrams by the conventionalist authorities here, and also the Carrancistas at Vera Cruz, is so strict that residents can not explain to relatives or correspondents abroad either their situation or their actions. Cablegrams can not be sent if they refer to stoppage of mails or other abnormal conditions, although such interference with foreign service is in contravention of the cable company's franchise, while the country is not engaged in foreign war. Remittances can not be made by mail and this interference with cablegrams renders difficult or impossible arrangement by telegraph of maturing obligations, such as life-insurance premiums and commercial paper. Foreign residents who are awaiting mail remittances from abroad are, many of them, dependent temporarily on assistance from friends here or from relief committees.

"Fresh evidences of anti-American feeling are seen in proposed legislation in anonymous threatening letters, in public speeches, in utterances by delegates in the convention, and in the Mexican press. This attitude toward Americans is justified by Mexicans here, on the ground that the 'United States is showing partiality toward the Carrancista cause.'

"Attention must be called to the report that goods at Vera Cruz destined for the merchants of this city (on some of which the import duties have already been paid) and held for months in Government warehouses at Vera Cruz, because of closing of the railways, are now being removed, without hindrance by the authorities there, and sold or used by persons having no right or claim to warrant such action; and this despite the assurances of protection given by the Carrancista government when the American troops were withdrawn from Vera Cruz.

"The hope is expressed among foreigners here that the special representatives from the United States who are attached to particular chiefs may not be deterred by an excessive desire to maintain agreeable relations with those leaders from furnishing the Washington Government with complete, accurate, and impartial reports of what actually transpires in their locality."

With renewed assurances of my highest consideration, I have the honor to be, sir,

Your obedient servant,

J. M. CARDOSO DE OLIVEIRA,
Brazilian Minister, in charge of American Interests in Mexico.

WEDNESDAY, MAY 19, 1920.

UNITED STATES SENATE,
SUBCOMMITTEE OF THE COMMITTEE ON FOREIGN RELATIONS,
Washington, D. C.

The subcommittee met, pursuant to adjournment, at 2.30 o'clock p. m., in Room 128, Senate Office Building, Senator Albert B. Fall, presiding.

STATEMENT OF ADMIRAL WILLIAM BANKS CAPERTON.

The CHAIRMAN. Admiral, we have been in the habit of administering an oath to the witnesses, but in your case that will not be required. You have taken an oath to support the Government and Constitution of the United States.

Admiral CAPERTON. Yes, sir.

The CHAIRMAN. You may state your full name?

Admiral CAPERTON. William Banks Caperton.

The CHAIRMAN. What has been your profession?

Admiral CAPERTON. The naval profession, sir.

The CHAIRMAN. When did you enter the profession?

Admiral CAPERTON. June, 1871.

The CHAIRMAN. During recent years, particularly from 1915 down to and through 1919, what rank have you held in the Navy?

Admiral CAPERTON. I was rear admiral up to July, 1916, when I became a full admiral, and was commander in chief of the Pacific Fleet.

The CHAIRMAN. Are you now retired?

Admiral CAPERTON. Yes, sir.

The CHAIRMAN. When did you retire?

Admiral CAPERTON. June 30, 1919.

The CHAIRMAN. During the year 1915, or a portion of that year, where did your duties call you?

Admiral CAPERTON. In Haiti and the east coast of Mexico, the Gulf of Mexico.

The CHAIRMAN. When did you take charge on the west coast of Mexico?

Admiral CAPERTON. I took charge on the west coast of Mexico on July 28, 1916.

The CHAIRMAN. Admiral, the committee has been anxious to have your statement as to what you discovered generally about the conditions, what your ideas are about the conditions in Mexico, and your experience there in dealing with the Mexican Government, or any of the factions, your orders, etc., reports you may have made which you are able to give the committee, and we ask you to go ahead in your own language and make your own statement.

Admiral CAPERTON. I desire to preface my remarks with the statement that I was senior officer present on the east coast of Mexico from March to June, 1915, and was commander in chief of the Pacific Fleet from July 28, 1916, until April 30, 1919. I operated in the Pacific from the time I took command of the Pacific Fleet until the latter part of May, 1917, when the larger part of my force including myself in my flagship were transferred to the Atlantic to take part in war operations.

During the time I was senior officer present on the east coast of Mexico; that is, from March to June, 1915, Gen. Carranza was the head of the de facto government of Mexico with headquarters at Vera Cruz, but he had not as yet been recognized by the United States. Carranza was first chief of the Constitutional Army in charge of the executive power, and Gutierrez was in Mexico City as provisional President of the Republic elected by the convention of Aguascalientes. Villa and Zapata were both active against each other and against the other two as well. It is interesting to note that within three days after the evacuation of Vera Cruz by the American forces and approximately one month after his recognition by the United States Carranza found it desirable to transfer his headquarters to Vera Cruz, a seaport town at one end of his country.

I made arrangements at Tampico at a time when the Villistas were threatening the city, to use one of the German interned vessels as a place of refuge for foreigners. I sent a boat up the river to consult with the Villista general and this boat was fired upon but no damage incurred and the officers succeeded in communicating with the Villistas for the purpose of protecting foreigners in case of an investment of the city.

While I was at Vera Cruz and Carranza had his headquarters there, I consulted frequently with the State Department officials and from what I gathered, I trust that they did not transmit verbatim all the notes received from the Mexican authorities.

The CHAIRMAN. Admiral, might I ask you not as to the contents of those notes, but why you expressed the hope that those notes have not been transmitted verbatim?

Admiral CAPERTON. As I understand, they were not very complimentary and rather impertinent, and not such as I expected would be written to our Government.

The CHAIRMAN. They did not by any means meet with your approval, as to the character of diplomatic or other notes which should be submitted to a Government?

Admiral CAPERTON. No, sir. Of course, I did not see the notes, but that was generally understood.

The CHAIRMAN. Who was, at this time, if you know, acting as diplomatic representative of the United States in Mexico?

Admiral CAPERTON. I think Mr. John R. Silliman was special representative of the President.

The CHAIRMAN. Prior to or at the time that Carranza occupied Vera Cruz, do you know whether the affairs of the American Government generally had been placed in the hands of the representative of any other country—the Brazilian minister or other foreign representative?

Admiral CAPERTON. I can not recall that just now.

The CHAIRMAN. Very well, you may proceed.

Admiral CAPERTON. West coast—conditions in the fleet when I assumed command. First. On July 28, 1916, I assumed command of the Pacific Fleet, at San Diego, Calif., hoisting my flag on the armored cruiser *San Diego*. I found that all available ships in the Pacific had in June been ordered to Mexican waters, and that Admiral Winslow whom I relieved had distributed them on the day I took command, as follows: Acapulco, U. S. S. *Pittsburgh;* Guaymas, U. S. S. *Cleveland* and U. S. S. *Yorktown;* La Paz, U. S. S. *Milwaukee,* U. S. S. *Denver,* supply ship, eight destroyers, and two colliers; Mazatlan, *South Dakota;* Topolobampo, *Annapolis;* Manzanillo, U. S. S. *Maryland* and U. S. S. *Raleigh* (en route); Salina Cruz, U. S. S. *Colorado* (Rear Admiral Fullam) and U. S. S. *Chattanooga.*

This distribution of ships to Mexican waters had been due to developments in Mexican affairs. Just previous to this our troops, entering Mexico as a punitive expedition against bandits, had been fired upon near Parral and a boat attached to the U. S. S. *Annapolis* had been fired upon by natives at Mazatlan. As I remember, Admiral Winslow's instructions as turned over to me were: (*a*) To order all available ships to Mexico, (*b*) not to land unless directed by the department.

The CHAIRMAN. What was about the date those orders were turned over to you?

Admiral CAPERTON. July 28.

The CHAIRMAN. In the year 1916?

Admiral CAPERTON. Yes, sir.

The CHAIRMAN. Very well, you may proceed.

Admiral CAPERTON. (*c*) To encourage Americans and other foreigners to leave Mexico until conditions became more settled and to facilitate the departure of such Americans and foreigners; (*d*) to allow no unnecessary communication with shore in Mexico.

Second. My instructions and policies outlined to me. In traveling from Haiti to assume command of the Pacific Fleet I was directed to proceed via Washington, which I did, reporting to Admiral Benson, Chief of Naval Operations. Admiral Benson impressed upon me very strongly the desire of the Government to keep out of trouble with Mexico. I was to take drastic steps in carrying out the instructions already given to Admiral Winslow to prevent the creation of any situation by the Navy which would involve the two Governments. I was not to start trouble and as far as possible I was to see that the Mexicans had no opportunity to start trouble with the Navy. In carrying out these policies I issued the following circular letters:

1. The commander in chief has not been informed of any change in the policy of the Government regarding Mexico since the instructions issued during the crisis in June. The situation remains acute and every endeavor must be made to carry out the wishes of the department that the Navy take no chance at causing or being a party to trouble with Mexico. All intercourse with Mexicans must be avoided, except such as may take place aboard our own ships or in making calls aboard Mexican men-of-war. Senior officers present at the various ports must not be misled by an apparent improvement in local conditions. The general condition of the country will eventually dominate. One irresponsible native, if he has the opportunity, may provoke matters. It is against such a contingency that we must always be on our guard. The policy remains that Americans should leave Mexico and our ships afford them refuge until transportation is available.

2. The department's message "Allow no unnecessary communication Mexican shore until further orders" will be interpreted as follows:

(*a*) Ships to anchor in such berths as to reduce to a minimum danger from attack by organized bodies or irresponsible individuals, and in such position that exit to sea can not be made hazardous.

(*b*) No officer or man to land on Mexican territory except in case of urgent necessity.

(*c*) Ship's boats not to go in to landings except when absolutely necessary. When officials or prominent people on shore are desired on board for the acquisition of information, and it is impracticable for them to come out in shore boats, ship's boats may touch at landings during daylight to bring them off and land them ashore, but ship's boats are not to remain alongside landing. Refugees may be brought on board under the same restrictions. In each specific case of a ship's boat going in to the landing, the senior officer present shall satisfy himself as far as possible that local conditions warrant such procedure.

(*d*) Fishing and boating parties should keep well clear of the shore.

(*e*) In all cases, the senior officer present at each port will be held strictly accountable for any future embarrassment to the Government, within his jurisdiction, which might have been avoided.

W. B. CAPERTON.

Third. In view of an apparent ignorance at Manzanillo concerning the reasons for our nonintercourse with shore, I transmitted the following confidential letter to the vessels of my command:

UNITED STATES PACIFIC FLEET,
U. S. S. "SAN DIEGO," FLAGSHIP,
Manzanillo, Colima, Mexico, August 14, 1916.

Confidential.

To: Commander reserve force, United States Pacific Fleet, commander coast torpedo force, United States Pacific Fleet, and all commanding officers, United States Pacific Fleet.

Subject: Nonintercourse with shore, Mexican waters.

1. The commander in chief has been informed that the inhabitants of at least one Mexican port are in ignorance of the Mazatlan incident and that they consequently misconstrue our lack of communication with shore.

2. The commander in chief desires that it be impressed upon Mexican officials, directly, when on board our ships, or through our representatives, that this condition of nonintercourse with shore has been brought about by the Mexican people themselves through the unfriendly acts of their countrymen at Mazatlan in an unwarranted attack by rifle fire upon one of our ship's boats; that the Navy regrets that its continued feeling of friendship toward Mexico has apparently not been reciprocated, as evidenced by the above occurrence; that, therefore, in its desire to avoid any possible future trouble by a repetition of the Mazatlan incident or by other unlawful acts of irresponsible persons, it is prompted to restrict communication with shore, and thus prevent subjecting its personnel to possible further insult; that our ships in the various ports are not to be regarded as a menace, but are there for the purpose of transporting to other parts our subjects, as well as those of other foreign countries who may desire to leave on account of unsettled conditions.

W. B. CAPERTON.

The CHAIRMAN. Admiral, would it interrupt you to ask you what induced you, or what caused you, to use the statement in the letters of instructions or orders which you have just quoted, to the effect that you knew that the people of at least one community had been misinformed as to the Mazatlan incident, and did not understand it?

Admiral CAPERTON. The general in command of the Mexican forces at Manzanillo came on board ship at my invitation and called upon me, and while there I was surprised to hear his remarks about why we did not land and were not communicating with the shore. I then repeated to him about what I said in this letter, and he was very much surprised to hear such remarks, and then he told me that he had heard, or had been instructed by the Government, that we had caused all the trouble, commenced the row, and that the fault was all ours.

The CHAIRMAN. Did he mention the name of his informant, who transmitted that information to him?

Admiral CAPERTON. To the best of my memory, he told me that Gen. Obregon had issued the letter, or informed him of that occurrence.

The CHAIRMAN. That is, that he had issued the letter to the subordinate under him who was in charge at Manzanillo.

Admiral CAPERTON. Yes, sir.

The CHAIRMAN. And the information he had was to the effect that the Mazatlan incident was due to the aggression of the Americans?

Admiral CAPERTON. Yes, sir; entirely.

The CHAIRMAN. And the fault was entirely theirs?

Admiral CAPERTON. Yes, sir.

The CHAIRMAN. Did he indicate to you any orders or instructions he had received in connection with that letter, or did he just simply mention it?

Admiral CAPERTON. No, sir; he just mentioned the incident, and was surprised when I told him the truth about it, was very much surprised.

The CHAIRMAN. Very well, you may proceed.

Admiral CAPERTON. General conditions. Upon assuming command I started out in my flagship to make a tour of inspection of the West Coast of Mexico, visiting the principal seaports. I did not go ashore at any of these places nor did anyone from my flagship. I would send a radio ahead to one of our ships that was in port and ask her commanding officer to arrange for the consuls and Mexican officials to come off to my flagship immediately upon my arrival. The commanding officer would arrange this by communicating ashore by radio or through private shore boats. I obtained all my information in this manner. The following is a summary of my report following this inspection:

The CHAIRMAN. That report was an official report made to your superior officer?

Admiral CAPERTON. Yes, sir.

The CHAIRMAN. In tabulated form?

Admiral CAPERTON. Yes, sir.

The CHAIRMAN. Would it answer your purpose as well to file it and let the reporter put it in the record, instead of your reading it?

Admiral CAPERTON. Yes, sir.

The CHAIRMAN. It can be returned to you afterward.

Admiral CAPERTON. Yes, sir. I should like to have it returned. It belongs to my private file.

The CHAIRMAN. If you will allow us to use it, we will have a copy made for the record.

(The report referred to is as follows:)

SUMMARY.

La Paz: Americans and foreigners, 10; in vicinity, 5.
Salina Cruz: Americans and foreigners, 4; in vicinity, 60.
Acapulco, Americans and foreigners, 2.
Manzanillo, Americans and foreigners, 4; in vicinity, 90; number recently returned, 20 or 30.
Mazatlan, Americans and foreigners, 60; in vicinity, 200; number recently returned, large percentage.

Topolobampo: Americans and foreigners, none; in vicinity, 60; number recently returned, several.

Guaymas: Americans and foreigners, 2; in vicinity, 80; number recently returned, 70.

MEXICAN TROOPS.

La Paz, 100; one-half of these troops recently brought from Santa Rosalia account smallpox scare.

Salina Cruz, 50; Under command of Capt. Manuel Diaz C.

Acapulco, 150; Military operations in the State against Zapatistas reported successful.

Manzanillo, 100; About 900 troops in State of Colima under command of Gov. Juan Jose Rios.

Mazatlan, 500; Bulk of the State troops at Culiacan, under Gen. Flores, who is temporarily in Mazatlan.

Topolobampo, none; no regular garrison is kept at Topolobampo.

Guayamas, 500; no regular garrisons in valley proper; soldiers only at garrisons along railroad. About 6,000 in all, in these various garrisons.

FINANCIAL QUESTION—VALUE OF PAPER MONEY.

La Paz: With the exception of Mexican National Bank and State bank notes, the only money circulating at present in Lower California, is silver.

Salina Cruz: Since July 1 the standard money, declared legal tender, is the recent issue of infalsificables. This was placed on the market as elsewhere and ordered by the Government to be accepted at the ratio of 10 to 1. The 5 peso, 2 peso, and 1 peso issues of Vera Cruz paper money were allowed to circulate as small change. These being accepted at a 10 to 1 ratio on the infalsificable issue which makes this small change 100 to 1 "oro nacional." The Government will not accept paper money for duty, but requires silver or American gold. On July 23 an order was received from the director of telegraphs that infalsificables could be received at the ratio of 25 to one.

Acapulco: The money question continues serious. There is very little silver currency in town, but prices are quoted sometimes in silver rather than in paper, the former of course being lower. Infalsificables are quoted 40 to 1. The Vera Cruz issue, used for small change, is quoted at 10 to 1 on the infalsificables.

Manzanillo: Infalsificables are quoted here at the ratio of 20 or 25 to 1 despite the Government's edict of 10 to 1. Certain Vera Cruz bills up to 20 peso notes are accepted in the varying ratio of from 10 to 50 to 1 on the infalsificables. The same trouble exists in Manzanillo as elsewhere concerning importation. Firms do not care to import when the import duties must be paid in gold or silver and their sales bring them only paper money.

Mazatlan: Infalsificables are quoted at 30 to 35 to 1. Certain issues of Vera Cruz money are also accepted at a varying rate of from 10 to 30 to 1.

Topolobampo: Infalsificables at varying ratios.

Guaymas: Information was received that the Mexican Government has changed its attitude in regard to its insistence of the 10 to 1 standard on the infalsificable issue of paper money; that people would now be permitted to trade in this money according to local quotations. No solution to the financial question can be seen at the present time.

FOOD QUESTION.

La Paz: Food at present plentiful.

Salina Cruz: No flour in town. Natives live on bananas, corn, and such green stuff as can be obtained from the immediate interior. The peon will not suffer materially from the lack of food as there is a considerable amount of small gardening, but it will be very difficult in the near future for any of the higher class of people to exist satisfactorily.

Acapulco: Food question generally serious, but not immediately so, on account of produce being raised and foraged from woods.

Manzanillo: Not immediately serious. Very little flour in town; none coming in. Great deal of cattle outside of Manzanillo.

Mazatlan: Food situation improving, still very unsatisfactory. Very little corn available in city. Fresh products from the immeidiate vicinity is the principal source of supply.

Topolobampo: There is a general scarcity of corn, though the Indians and Mexicans have planted some during the rainy season. Corn is best obtained from Guasave, south of Mochis. No immediate shortage of food. Satisfactory at Mochis.

Guaymas: The food situation is better than it was some months ago. Crops are said to be sufficient to feed this part of the country in the immediate future. Little importation is going on. General restriction on shipments of food by merchants from one town in the State to another.

MILITARY ACTIVITIES.

La Paz: None.

Salina Cruz: Carranza garrisons now located at Salina Cruz, Tehuantepec, San Geronimo, Rio Verde, Rincon, and Santa Lucretia along the railroad. "Reactionaries" operating in Chiapas and against Gov. Castro at Oaxaca.

Acapulco: Military operations in the State against Zapatistas are reported as having been successful. No trouble with Zapatistas anticipated.

Manzanillo: Carranzistas in full control of the cities in the State but not in the outskirts. Villistas, numbering several thousand, under Gen. Norena and Gen. Guzman, operate in States of Michoacan and Jalisco. Villistas reported very strong in Michoacan. Have recently seized San Telmo light.

Mazatlan: The bulk of State troops are at Culiacan, the capital. Soldiers in the city carry arms only when on duty. Regular police also carry arms on duty. No military activity.

Topolobampo: None. Small guard of a few men at Mochis.

Guaymas: Conditions in Yaqui Valley reported very unsatisfactory. Carranza forces under Gen. Madrigal said to have been as destructive as the Indians. With the recent relief of Madrigal and withdrawal of troops, conditions as regards Mexican element expected to improve, but danger from raids by Broncho Yaquis is increased. Troops removed from valley proper, but stationed in garrisons along railroad as far inland as Buena Vista.

RAILROADS.

La Paz: None.

Salina Cruz: Railroad operates train daily; rolling stock in very bad shape; little business.

Acapulco: None.

Manzanillo: The railroad operates about one train per day. Mail service is in working order.

Mazatlan: Trains operate irregularly, due principally, it is claimed, to washouts.

Topolobampo: Trains operate about twice weekly.

Guaymas: Triweekly train service with the United States has been put in effect. The operation of the railroad has now passed from Government control back into the hands of the Southern Pacific Co.

TELEGRAPH AND RADIO STATIONS.

Las Paz: Telegraph to San Jose del Cabo.

Salina Cruz: The local office of the Central and South American Telegraph & Cable Co. is open for business, it being managed by Mr. William Wiseman, British vice consul. Small radio station is to be removed to Oaxaca.

Acapulco: Small Mexican radio station—telegraph generally out of commission.

Manzanillo: The local telegraph office is in operation. Radio station in operation.

Mazatlan: Radio station in operation. Telegraph occasionally in operation.

Topolobampo: Telephone to Los Mochis. Telegraph from Mochis.

Guaymas: Radio station and telegraph in full commission.

SHIPPING.

La Paz: American steamers *Golden Gate, Anvil, San Pedro;* occasionally Mexican, *Korrigan II.*

Salina Cruz: Small British steamers, occasional Japanese and small American steamers.

Acapulco: Generally none except gunboat *Guerrero*, which brings food.

Manzanillo: American steamer *Centralia* and others with dynamite for mine companies, and general cargo.

Mazatlan: Little shipping, occasional vessel stops in with general cargo.

Topolobampo: Scarcely any shipping at all.

Guaymas: Negligible amount of shipping.

Soon after submitting the above report I received the following telegram from the department:

SEPTEMBER 9, 1916.

Department of State desires to obtain immediately, for information American commissioners, telegraphic report covering new developments in Mexico as follows: First, political conditions; second, financial conditions; third, food and economic status; fourth, resumption of work in mining districts; fifth, manifest betterment or reverse in transportation facilities since recognition; sixth, general attitude authorities and populace toward foreign interests. Submit telegraphic report to Navy Department.

I replied to his telegram as follows:

SEPTEMBER 10, 1916.

GOVT. OPNAV., *Washington*.

First. Government forces in control principal towns and in general control west coast. Villistas reported active in States of Jalisco, Colima, and Michoacan. Reactionaries active in State of Oaxaca. Zapatistas in State of Guerrero passive at present. Yaqui Indians questionable factor in State of Sonora; Mayo Indians reported broken up as unit. No apparent interest recent municipal elections; no voting at all Manzanillo; few votes elsewhere. People generally indicate passive faith in govermnent except Guavamas district, where antagonism de facto government said to be growing.

Second. Financial question considered very serious and present greatest problem. Business interests are demanding sound financial basis. Enforcement by military authorities of various paper currency on people, its depreciation and subsequent annulment, and frequent changes in paper currency have stagnated business. People have no faith in paper currency. No silver in circulation except Lower California and small amount Manzanillo. Latest issue infalsificables greatly depreciated. Merchants will not import because duties must be paid in gold or silver and sales made for paper.

Third. Food question improved somewhat since June, especially La Paz, and not immediately serious for peon class, but improvement considered only temporary, due to general cessation agricultural pursuits. Very little importation and general scarcity corn and flour. Foodstuffs generally under supervision military authorities, who restrict shipments and occasionally commandeer paying in paper. Food in general use is uncultivated products from surrounding country. Economic conditions bad, because capital lacks confidence and labor lacks employment.

Fourth. Mines reported resuming work to certain extent, taking chances rather than close. Strikes occasionally agitated. Trouble experienced obtaining supplies. Laborers prefer payment in food and supplies rather than depreciating paper currency. Military authorities State of Jalisco and Colima have facilitated shipments for mine companies to and from Manzanillo. Richardson Co., Yaqui Valley, and United Sugar Co., Mochis, rather inactive, awaiting developments. Industries as a whole not operating to any extent.

Fifth. Transportation by rail generally improving. Rolling stock greatly deteriorated. Train service with irregular schedules reported in operation Guaymas, Topolobampo, Mazatlan, Manzanillo, Salina Cruz. Little shipping by sea.

Sixth. General outward attitude authorities cordial, populace indifferent. Believed generally suspicious Americans and would be actively antagonistic slightest excuse. Americans returning Yaqui Valley found peons occupying farms reluctant to move off claiming Mexican authorities in June authorized confiscation American owned lands.

Attention invited my written report August 21.

CAPERTON.

The CHAIRMAN. That telegram or radiogram which you have just read was in answer to the department's inquiry?

Admiral CAPERTON. Yes, sir.

The CHAIRMAN. Based upon the fact that the commission wanted that information?

Admiral CAPERTON. Yes, sir.

The CHAIRMAN. Do you recall what commission that was? Was it the Mexico-American mission headed by Secretary Lane on the one side and on the other by the later Mexican ambassador, Bonillas, Luis Cabrera, and others?

Admiral CAPERTON. I am unable to state, sir. I do not know.

The CHAIRMAN. You do not know what commission wanted that information?

Admiral CAPERTON. No, sir.

The CHAIRMAN. You had, however, prior to the receipt of this telegraphic request already covered these various matters in your report?

Admiral CAPERTON. Yes, sir.

The CHAIRMAN. If the Navy Department had examined your report they could have ascertained these facts without wiring you specifically for them, I presume?

Admiral CAPERTON. It should have been in the department at that time, sir.

The CHAIRMAN. Very well; you may proceed.

Admiral CAPERTON. Impressions of political situation. General warfare has now been going on in Mexico for a number of years. The peon has been weaned away from agriculture and other peaceful pursuits in order to ally himself to one or another of the various leaders that have obtained local control. I believe that the peon has wearied of the continuous strife, and were it not for the ambitious agitators he would gladly resume his work of tilling the soil or mining its products provided he can be protected and has not become so hardened as to prefer the probably more profitable and less irksome occupation of serving some chieftain in local power for the time being.

However, there is no incentive for him to return to profitable peaceful pursuits, for no sooner are his crops harvested or success attained in some other line than raiders appear or taxation and confiscation otherwise rob him. I do not believe that peace and law and order can be restored in Mexico except by a dictator, be he from within or from without. The country to my mind is disintegrating into the tribal state. At one time I learned of a considerable movement of Mexican troops from Sonora to Jalisco and vice versa. I learned that this was being done because the troops that were in Sonora originally came from Jalisco and therefore they did not care to fight in Sonora, and on account of the discontent they had to be returned to Jalisco. The same seems to apply to all troops that were sent out of their own States to fight.

I do not believe that the majority of the military leaders purpose to serve any central government except as may be personally agreeable or profitable. There may be some who are anxious to really have a strong central government, but I do not think that any central government can muster enough adherents or strength at this time to enforce itself throughout Mexico. The many years of strife have so rent the country that it would certainly take a phenomenal Mexican to piece and hold together the scattered remnants. The Mexicans travel little.

The residents of one State do not know much of the other States. They have their own interests and do not care to have officials of other States unknown to them dictate their affairs. A central government means to them only additional taxation interference. I do believe that a great number of the better class of Mexicans have endeavored to keep clear of political and military developments and are as anxiously as we awaiting a return to more settled conditions.

A number of them have exiled themselves until the establishment of a central government that can really rule. I have always found the authorities most polite and courteous. It is a trait of the Latin race. I believe that at least some of our difficulties with Mexico have been the result of our lack of understanding of the Latin race and temperament. To obtain a desired result, the method of approach and conduct with a Latin should be different from that accorded an Anglo-Saxon or other race.

Foreign activities in Mexico. (*a*) Movement of Japanese subjects along the coast: On various occasions I was informed of a possible concerted movement on the part of the Japanese to smuggle immigrants into the United States through Mexico. The Japanese maintain a line of steamers to Salina Cruz and occasionally to Manzanillo, and upon arrival at these ports it would be reported that some Japanese would be landed. As far as I could ascertain there is without doubt a certain unlawful influx into this country of Japanese via Lower California and the mouth of the Colorado River, but it is not believed that this indicates a general organized movement on the part of the Japanese, but is simply for the commercial benefit of the individuals or companies concerned. No activities other than unlawful entry into the county have been discovered. As far as could be determined, the Japanese along the coast were engaged principally in the fishing business.

In February, 1917, the Japanese steamer *Kotohira Maru* arrived at Manzanillo from Japan and landed 900 cases, ranging in weight from 100 pounds to 10 tons each, which contained machinery for an ammunition plant, and machine guns, rifles, and potash. The alleged destination of the material was Mexico City.

(*b*) Activities with Salvador: In November, 1916, it was reported that the Mexican transport *Jesus Carranza* had sailed for Salvador to obtain some arms and ammunition that had been taken there when the Huerta forces evacuated Guaymas, Manzanillo, and Mazatlan in 1914. This activity in Salvador caused a suspicion that the arms and ammunition might be intended for the discontents of Nicaragua, of which there were some due to the presidential elections held shortly before. It had been reported that Irias, who was active in Nicaraguan affairs and who had taken part in the revolution of 1912 might possibly be fomenting trouble for the Nicaraguan Government, especially in view of his recent failure to establish himself in Nicaragua. It was known through rumors and through the press that Irias was contemplating the establishment of a supergovernment of Central America with himself at the head. German agents were supposed to be active in this plot, basing their activities from Mexico City. Irias was to head revolutions in Nicaragua, Salvador, and Costa Rica, and then overthrow the other countries. The existence of this plan was confirmed by persons in Guatemala when I visited that country in May, 1917, to thank President Cabrera for breaking relations with the Imperial German Government. I ascertained at this time that the reasons that Guatemala had broken with Germany in reality:

(*a*) Fear of aggression by Mexico and Salvador.

(*b*) Opportunity to increase friendship of United States with consequent advantages in trade and protection.

(*c*) Opportunity to confiscate large German estates.

(*d*) Desire to strengthen Cabrera administration. Therefore, it could well be believed that the activities of the *Jesus Carranza* might be in connection with this superplot concocted by German agents in Mexico and Central America and by Irias.

I directed two of my ships to quietly shadow the *Jesus Carranza*. I was informed that the *Jesus Carranza* had taken on arms and ammunition at Acajutla and at La Libertad, and one of my vessels trailed her sufficiently to determine that she was destined for a northern rather than a southern port. About November 29, 1916, the *Buffalo* at Manzanillo reported the arrival of the *Carranza* at that place and that she had discharged about 100 miscellaneous packages of ammunition and quite a number of Mauser and Remington rifles. These were shipped supposedly for Mexico City. Some weeks later the *Jesus Carranza* fitted out for a return trip to Salvador, and on January 8, 1917, sailed for Manzanillo carrying complete radio outfit, including towers and an aeroplane said to be a present from the Mexican Government to the Government of Salvador. The *Jesus Carranza* returned to Manzanillo on February 13 with another shipment of arms and ammunition.

Conclusion: While in command on both coasts, I made every endeavor to be nearest the possible scene of trouble and to make dispositions to protect Americans and other foreigners. In case of fighting ashore in the cities between the various factions, I endeavored to have the leaders establish neutral zone. I knew that it was my mission not to be a party to bloodshed or the use of force unless directed by the department, and my protection consisted, therefore, mainly of protests and asylum.

The CHAIRMAN. Admiral, you have stated as one of the reasons for Guatemala breaking relations with Germany their desire to strengthen the Cabrera government. The Cabrera government to which you refer is that of Estrada Cabrera, the President of Guatemala?

Admiral CAPERTON. Yes, sir.

The CHAIRMAN. This general summary of your impressions, with reference to political as well as other conditions in Mexico, represents your impressions of those conditions or your judgment of those conditions at the present date, does it? That is, of a recent date, as well as at the time you were actually in command on the west coast?

Admiral CAPERTON. Yes, sir.

The CHAIRMAN. You have referred to the firing upon a boat of yours at Tampico in 1915? Who made the attack upon this boat at that time, if you know?

Admiral CAPERTON. As I remember, it was made by persons on shore, on the wharf.

The CHAIRMAN. You do not know to what faction they belonged, whether to the Carrancistas or Huertas?

Admiral CAPERTON. Of course, that was before I took command.

The CHAIRMAN. The incident I am referring to took place at Tampico, when you sent a boat up the river.

Admiral CAPERTON. Oh, I was thinking about another incident.

The CHAIRMAN. That was in 1915, when you sent a boat up the river.

Admiral CAPERTON. They were fired on by the Villistas.

The CHAIRMAN. Were the Villistas at that time attempting to attack Tampico?

Admiral CAPERTON. Yes, sir.

The CHAIRMAN. By whom was Tampico held at that time?

Admiral CAPERTON. It was held by the Carrancistas.

The CHAIRMAN. Was any representation of official character or any protest made to anyone on account of the firing on your boat?

Admiral CAPERTON. I think not, bacause after reaching the headquarters of the general, he explained to us that his forces were roving all through the country around him, and that he, as I remember, regretted the incident; but still we found them at every turn, on returning the next day, at every point very aggressive and bitter, you might say, and at times we were very fearful of the lives of the party.

The CHAIRMAN. Do you recall whether you made a report of that incident of the firing upon this boat to Washington?

Admiral CAPERTON. Oh, I think I did, sir, because I have a copy of the instance somewhere in my possession, and I am sure I made an official report, as I always reported all such incidents. When I said a moment ago that I had not made a protest, I thought you meant by telegraph or radio.

The CHAIRMAN. You did get into communication with the general, or someone who claimed to be in command of these Villistas who fired upon your boat?

Admiral CAPERTON. Yes, sir.

The CHAIRMAN. And he explained it as you have indicated?

Admiral CAPERTON. Yes, sir.

The CHAIRMAN. And you are confident that you did report the incident to Washington?

Admiral CAPERTON. Yes, sir.

The CHAIRMAN. You did not take command of the fleet and were not on the west coast until after this Mazatlan incident occurred, to which you have referred?

Admiral CAPERTON. No, sir.

The CHAIRMAN. So that, personally, you are not cognizant of the facts, except through reports that you have seen?

Admiral CAPERTON. No, sir.

The CHAIRMAN. There is present with you now, I think, one of the officers who was with the fleet when you took command on the west coast?

Admiral CAPERTON. Yes, sir; Commander Beauregard, who was my secretary after I took command, and who had been flag lieutenant with Admiral Winslow.

The CHAIRMAN. Who was your predecessor?

Admiral CAPERTON. Yes, sir. Commander Beauregard became my flag secretary when I took command.

The CHAIRMAN. Admiral, you have stated as your conclusion and in your judgment, that order and peace can not be restored and maintained and a central government established in Mexico, except by a dictatorship, from within or without. Could you, from your knowledge of the leaders in Mexico at that time and up to the present time name anyone whom you think could, if he wanted to, and would if he could, establish an orderly and peacable government, and could maintain such in Mexico—any man in Mexico?

Admiral CAPERTON. I do not believe that I could pick out such a man. There may be some, but under present conditions, and having

had the experience that I have had while on both the coasts, I do not believe that I could do so.

The CHAIRMAN. Not directing your attention to any particular name, of course, or making any invidious distinctions, the statement you have made applies generally, does it?

Admiral CAPERTON. Yes, sir.

The CHAIRMAN. You came in contact with this man Irias, who was a revolutionist in Nicaragua and a candidate for the presidency of Nicaragua, personally, in the discharge of your official duties, did you?

Admiral CAPERTON. Yes, sir.

The CHAIRMAN. Where was that?

Admiral CAPERTON. That was in Managua, the capital of Nicaragua.

The CHAIRMAN. Under what circumstances, might I ask, or have you any hesitancy in stating what the circumstances were which brought you together? Of course, if I ask you any questions which you prefer not to answer, I withdraw them.

Admiral CAPERTON. Yes, sir. At the time that I mention, I was in the Gulf of Fonseca, making a survey of that Gulf, with a view to establishing a naval station.

The CHAIRMAN. You were making a survey following the Nicaraguan treaty with this Government?

Admiral CAPERTON. Yes, sir; I communicated with the minister at Managua, who asked me to pay him a visit. I went to Corinto with my flagship and with part of my staff, went by rail to Managua, and there saw the minister and remained with him some time, as the election was approaching at that time and the various candidates of the different factions were drawing together in Managua. Among that number was Julian Irias and a Dr. Espinosa and many others, and it was while I was there that I met all these various candidates of the different factions.

The CHAIRMAN. Did you have any talk with him about his aspirations, or what he was trying to do?

Admiral CAPERTON. Yes, sir. I met him on several occasions, and on one occasion I met him at our legation, and was present at an interview he had with our minister at that time, in regard to the elections generally and his candidacy, and the general situation, as our minister was holding such conferences with the various factions.

The CHAIRMAN. The purpose of such conferences, so far as we were concerned, through our minister, I presume, was to prevent any armed disturbance or factional disturbance of a violent character during the election?

Admiral CAPERTON. Yes, sir; that was the general idea. He was trying to have the elections pass off peacefully at that time, as they had been very much to the contrary at other times.

The CHAIRMAN. As a result of this conference, and immediately following the conference, what became of Julius Irias and his candidacy, if you know?

Admiral CAPERTON. During the conference, I might say, Mr. Irias was so well convinced that he would not make a good candidate that he announced at that time that he would withdraw from the candidacy, and also would not allow any one of his party to run.

The CHAIRMAN. What was the general business of this gentleman Irias, as far as you were able to ascertain, in Central America?

Admiral CAPERTON. As far as I could hear, he was a general disturber and agitator, and a man of not very enviable reputation.

The CHAIRMAN. From what you learned in your investigations concerning Irias, and also in your investigations concerning Mexico, was there any connection between Irias and the Mexicans, aside from the machinations of the Germans in the City of Mexico? That is, were the machinations carried on through the instrumentality of Mexicans or were they carried on by Germans?

Admiral CAPERTON. That I could not tell exactly. There were some Germans; in fact, many of them in Nicaragua at that time.

The CHAIRMAN. Was the sympathy, as nearly as you could understand it, of the Mexican officials in Mexico at that time with or against Irias in his ambitions and aspirations?

Admiral CAPERTON. It was our impression that they were with him, and were more or less behind him.

The CHAIRMAN. Admiral, we are very much indebted to you, sir, for the statement which you have made, and for being kind enough to attend the sessions of the committee, and we thank you very much.

STATEMENT OF COMMANDER A. T. BEAUREGARD.

The CHAIRMAN. You may state your name.

Commander BEAUREGARD. A. T. Beauregard.

The CHAIRMAN. Commander, you were with Admiral Winslow when he was in command of the fleet on the west coast of Mexico, were you?

Commander BEAUREGARD. Yes, sir; I was serving on his staff.

The CHAIRMAN. Were you, during this time, at Mazatlan, Mexico, or near there?

Commander BEAUREGARD. We were off Mazatlan shortly after the firing upon one of the boats of the *Annapolis*.

The CHAIRMAN. The *Annapolis* was one of the American ships under the command of Admiral Winslow?

Commander BEAUREGARD. Yes, sir; engaged at that time in the American patrol of Mexico, and at that time happened to be at Mazatlan.

The CHAIRMAN. In the performance of your duties do you know just what occurred with reference to the firing upon the boat of the *Annapolis*?

Commander BEAUREGARD. Yes, sir. I saw all the reports upon the occurrence, and likewise read the court of inquiry in the matter.

The CHAIRMAN. What was the date of the occasion, Commander?

Commander BEAUREGARD. To the best of my knowledge, it was approximately June 15, 1916.

The CHAIRMAN. Now, will you kindly state what occurred there, what that incident was?

Commander BEAUREGARD. The flagship was in United States waters, and we received a radiogram from the *Annapolis* reporting that her boat, a motor sailer, I think, had been fired upon; that one man had been killed and others injured, and that two officers were being held ashore. I think that is the general tenor of the first news that we had. I think, to sum up, that the commanding officer of the *Annapolis* sent his boat ashore, as he desired to send a message by an officer to the American consul, or whoever was acting as American consul at that time. The boat had arms, but they were concealed. That was in

view of the general tenseness of the situation. As soon as the boat ran alongside of the pier and the two officers landed, they were immediately seized by Mexicans, and, as I remember, one of those that did the seizing wore a Mexican uniform of some sort, probably a customhouse officer or one of the Carranza officers.

Efforts were then made by the Mexicans to seize the boat and crew, but the officer in charge, divining their motive, shouted out to the boat crew to shove off quickly and return to the ship. This they did, whereupon the Mexicans opened fire upon the boat. All during this time the American flag was flying on the boat. After being fired upon, and while returning to the ship, the boat crew broke out their arms and ammunition and in their defense returned the fire.

The officers were marched up to the local authorities and were imprisoned, various threats and menaces being inflicted upon them, both during their way through the town as well as after they arrived.

Later, I do not recall whether it was the same day or the next, through concerted efforts of Americans and others on shore, and after an investigation, the officers were allowed to return to their ship; but their progress through the city was extremely dangerous, and they themselves, I understand, attribute their escape, we might say, back to the ship as due to the efforts of a Mrs. Brown, who was the Mexican wife of an American there, who seemed to have great influence with the Mexicans, and who accompanied them down to the boat; in fact, off to the ship.

A report of the matter was made by Admiral Winslow to the department. The commanding officer of the *Annapolis*, in view of the policy of noninterference on shore, withheld the fire of his battery from protecting his boat, as he saw that there would be a useless loss of innocent lives, as the docks were somewhat crowded.

The CHAIRMAN. Was there any official demand made by Admiral Winslow, or those under his command, for the release of the officers?

Capt. BEAUREGARD. The report of their release was received so soon after the original report that the admiral, I do not think, had time to take any action on that particular matter.

The CHAIRMAN. Did the admiral make a protest, or require of the Mexican authorities at Mazatlan, or the authorities at Mexico City, any apology or explanation for the firing upon his boat and seizure of his officers?

Capt. BEAUREGARD. No, sir; that entire matter was referred to the department in Washington. In view of Admiral Mayo's experience acquired when his boat was insulted at Tampico, you might say, it was considered proper to leave that to the department.

The CHAIRMAN. In view of these conditions, and of the orders from the department to the admiral in command, as has been shown in the testimony of Admiral Caperton, it was not considered the duty of the admiral or officer in command at Mazatlan, or in general command of the fleet, to himself take any action in the way of a protest, or demand for an apology, or reparation, but to refer the matter entirely to Washington for action and instructions?

Capt. BEAUREGARD. Yes, sir. The admiral could have recourse only to protests, not demands. Shortly after Admiral Mayo's ultimatum at Tampico the naval regulations were amended, to make

sure that no officer issued any ultimatum to any government or official until the department had been communicated with and had approved such action.

The CHAIRMAN. Then, under the orders as they stand now, and as they stood at the time of the Mazatlan incident, if you were in charge of an American ship in foreign waters, and your boat, under your flag and manned by your sailors, was fired upon, you would not consider that you had the authority or would be justified in returning the fire, or in later demanding an explanation or reparation, without referring the matter to Washington?

Capt. BEAUREGARD. It would depend a good deal upon the circumstances. The regulations provide that if force is used to seize one of your boats, force must be used to repel the same. Of course, the different methods of action would depend upon the seriousness of the situation and existing instructions. If a good many innocent people would be affected, I do not think any American commander would deliberately shell so as to injure them.

The CHAIRMAN. Ordinarily, would not an American commander demand an explanation of the authorities in command at such a port as Mazatlan, for action similar to that which you have described?

Capt. BEAUREGARD. Yes, sir; an explanation would be requested of the official in charge, military or otherwise, and endeavor would be made to obtain the release of any of our persons arrested, but under existing conditions and instructions force is not to be used, as I understand it.

The CHAIRMAN. Aside from the question of using force, was any explanation demanded by the commander of the *Annapolis*, or any apology demanded by him?

Capt. BEAUREGARD. I do not recall that particular feature, but I do know that this was brought to the attention of the Mexican authorities in Mexico City, and that Gen. Obregon sometime later sent out the Mexican version of the Mazatlan incident.

The CHAIRMAN. Have you that version?

Capt. BEAUREGARD. I have a copy of it. It is a telegram from Mexico City, June 18, to the military commander of the port of Manzanillo, received June 19, 1916, and reads as follows:

To-day at 11.30 a. m., while two American officers bringing a message from the captain of the ship *Annapolis* to the American consul were disembarking at the wharf of this port, some drunken individual who happened to be there, fired upon them. The crew who brought them in returned the fire, and several of our soldiers, who accidentally happened to be on the scene of activities, in their turn answered the fire of the crew, the fusilade of the crew resulting in the wounding of two constitutional soldiers, and of the individual who started the shooting. The American officers were detained at the commandancia militar of the port, and explanations having been made I allowed them to return on board the *Annapolis*, in this manner considering the incident closed.

Affectionately, the minister,

A. OBREGON.

The CHAIRMAN. Were either of the members of the crew of the ship *Annapolis* or the boat crew from the ship *Annapolis* injured in the firing?

Capt. BEAUREGARD. One man was killed, and I think others were wounded.

The CHAIRMAN. From your investigations and your knowledge of the facts, was the statement of the local commander to Gen.

Obregon, afterwards given out by Gen. Obregon, as in the dispatch that you have read, correct, as to how the difficulty started?

Capt. BEAUREGARD. Not as reported by the commanding officer of the *Annapolis*, or as reported in the court of inquiry.

The CHAIRMAN. Captain, how long have you been in the naval service?

Capt. BEAUREGARD. I entered the Naval Academy in 1903.

The CHAIRMAN. When did you join the Navy off the coast of Mexico?

Capt. BEAUREGARD. I have served several times off both coasts of Mexico. I served on the staff of Admiral Winslow and Admiral McLean on the east coast of Mexico, and with Admiral Winslow and Admiral Caperton on the west coast of Mexico.

The CHAIRMAN. During the period of your service, have you served in South American and Central American waters?

Capt. BEAUREGARD. Yes, sir; I have cruised four times to South America and about as many times to Central America.

The CHAIRMAN. Captain, may I ask you what State you are a native of?

Capt. BEAUREGARD. I am a native of Texas.

The CHAIRMAN. Do you speak any other than the English language?

Capt. BEAUREGARD. Spanish and French fairly well.

The CHAIRMAN. Did you speak either of those languages prior to entering Annapolis?

Capt. BEAUREGARD. Yes, sir; both.

The CHAIRMAN. You were then able to confer with the natives of Mexico, Central America, and South America in their own tongue?

Capt. BEAUREGARD. Yes, sir; I have done that sort of work for the admirals on whose staff I have served.

The CHAIRMAN. Have you acted as interpreter or translator for the admirals in the performance of their duties?

Capt. BEAUREGARD. Yes, sir.

The CHAIRMAN. You have thus come in contact with many of the officials of the Mexican Government, as well as of the other Governments in Latin America, have you not?

Capt. BEAUREGARD. Yes, sir; I accompanied the admiral and spoke for him on nearly all occasions when the official upon whom we called could not talk English, but only Spanish.

The CHAIRMAN. You have been interested, more or less I presume, in Mexican conditions during the last few years, have you?

Capt. BEAUREGARD. Yes, sir; I have been intensely interested in all Latin-American affairs, as I have met so many people in those countries.

The CHAIRMAN. In that portion of Texas where you were born, are there many descendents of the Spanish race?

Capt. BEAUREGARD. There are a great many Mexicans. My father owned a ranch near San Antonio, Tex., and until I was 11 years old I grew up among Mexicans on the ranch.

The CHAIRMAN. You have had a somewhat extensive acquaintance among those who have been more or less prominent in Mexico during the last few years, have you?

Capt. BEAUREGARD. Yes, sir; I have met several, and have read and followed quite a good deal of the operations of some of the others.

The CHAIRMAN. We, as a committee, are directed by the Senate of the United States, to report to that body suggestions as to how to avoid, if possible to do so, in the future the many lamentable occurrences of the past few years, resulting in deaths, outrages, loss of property, etc., to American citizens in Mexico, and of course, as a part of that inquiry to go into conditions in Mexico generally, and to form some conclusion, if possible to arrive at any conclusion, as to what may be looked forward to for Mexico itself as to the rehabilitation, the establishment, and maintenance of law and order and peace in that country. What is your judgment upon that matter? Do you believe that the Mexicans themselves, living in Mexico, are capable of forming and maintaining a responsible, orderly, and peaceable government?

Capt. BEAUREGARD. I think that a good many of the people would welcome law and order again, but I do not think that the leaders would all pull together. I think that has been demonstrated by the number of breaks that have already occurred since the time of Porfirio Diaz.

The CHAIRMAN. Do you know any prominent native or Mexican in Mexico at this time who you believe can, through instrumentalities in Mexico itself, establish and maintain a central government, peaceable and orderly and capable and willing to perform international and national duties? Can you, in running over them in your mind, picture such a man?

Capt. BEAUREGARD. I can not picture one that could actually control the whole country. I think there are probably a number of men that would be good presidents of Mexico, but I do not think that they could keep the necessary support that would make a strong centralized government. The States, I think, due to the long period of revolution, have absorbed a good deal of the central power, and now do not care to give it up. I think that is particularly true of Lower California, and probably some of the western States.

The CHAIRMAN. So long as the different States can of themselves maintain practically a separate government from the central government, it gives an outlet for the ambitions of individuals, which outlet would be somewhat closed to ambition if there was a central government which all should support, as in the United States?

Capt. BEAUREGARD. Yes, sir; I think a good deal of the trouble there is due to the agitators, and of course, any strong central Government must be capable of promptly suppressing such agitators, in order to hold itself in power.

The CHAIRMAN. Is the situation in Mexico complicated also because of racial and other differences existing in the character of the citizens of the different States of the Republic?

Capt. BEAUREGARD. I think that the Yaqui Indians hold themselves rather aloof from the Mexicans proper, and so do a number of those in the southern States, and, according to our investigations, those in Oaxaca have never recognized the authority of Carranza, and still more or less profess to be adherents of old Porfirio Diaz.

The CHAIRMAN. You knew something of the basic stock of the citizens of Sonora, for example, including the Yaqui Indians, did you not?

Capt. BEAUREGARD. Very little of that, sir.

The CHAIRMAN. What is the basic stock of all Mexico?

Capt. BEAUREGARD. Indian and Spanish.

The CHAIRMAN. Are there very many different and distinct tribes of Indians?

Capt. BEAUREGARD. Yes, sir; it is a mixture, as I understand it, of Spanish and the various Indian tribes.

The CHAIRMAN. And those Indian tribes themselves, do not at any time constitute a homogeneous population of what is now the Mexican Republic?

Capt. BEAUREGARD. No, sir.

The CHAIRMAN. So that all of those are graftings of the Spanish blood upon the Indian stock, and not upon one stock, but upon a variety of Indian stocks, as I understand it?

Capt. BEAUREGARD. Yes, sir.

The CHAIRMAN. Is there any similarity that you have been able to see between the Opatas, Pima Altas, the Yaquis, or Papagos, in Sonora and the northern part of the country, and the original stock of Yucatan, for example?

Capt. BEAUREGARD. I do not recall that. I have never actually been in Yucatan.

The CHAIRMAN. Well, in southern Mexico, Tampico and Vera Cruz, are the Mexicans of very similar appearance and characteristics to those of Sonora?

Capt. BEAUREGARD. No, sir; they are somewhat different. That was especially noticeable when Gen. Carranza entered Vera Cruz, because we could detect the northern troops distinctly from those of the southern and eastern States. We could see those differences.

The CHAIRMAN. It was very noticeable?

Capt. BEAUREGARD. Yes, sir.

The CHAIRMAN. I think that is all, Captain. Thank you very much.

The committee will adjourn, subject to the call of the chairman.

(Whereupon, at 4.45 p. m., the committee adjourned, subject to the call of the chairman.)

THURSDAY, MAY 20, 1920.

UNITED STATES SENATE,
SUBCOMMITTEE OF COMMITTEE ON FOREIGN RELATIONS,
Washington, D. C.

The subcommittee met, pursuant to the call of the chairman, at 12 o'clock noon in room 128, Senate Office Building, Senator Albert B. Fall presiding.

The CHAIRMAN. The committee will come to order. Captain, you may be sworn. Will you give your full name, please?

TESTIMONY OF CAPT. W. M. HANSON.

The witness was duly sworn by the chairman.

Capt. HANSON. My name is W. M. Hanson.

The CHAIRMAN. Where do you live?

Capt. HANSON. I live in San Antonio, Tex.

The CHAIRMAN. How long have you lived in Texas?

Capt. HANSON. All my life.

The CHAIRMAN. You are a citizen of the United States, of course?

Capt. HANSON. Yes, sir.

The CHAIRMAN. What is your present official position, if any?

Capt. HANSON. Senior captain of the Texas State Rangers.

The CHAIRMAN. How long have you been with the subcommittee on Mexican affairs, investigating?

Capt. HANSON. Since September 1, 1919.

The CHAIRMAN. Captain, what official positions, if any, have you held prior to your present position as captain of the Texas Rangers—senior captain?

Capt. HANSON. Deputy sheriff and deputy United States marshal from 1884 to 1898; then deputy United States marshal of the western district of Texas, 1898 to 1902, stationed on the Rio Grande border. Then I was appointed United States marshal for the southern district of Texas under Mr. Roosevelt in 1902 and served in that capacity until 1906. I was reappointed, resigned, and went to Mexico, in the ranch business.

The CHAIRMAN. What year did you go to Mexico?

Capt. HANSON. In 1906.

The CHAIRMAN. Why did you go to Mexico?

Capt. HANSON. Mexico was an undeveloped country, and I saw the tide of immigration turning south. I interested some friends in St. Paul and went there to buy ranch property and to make it my permanent home.

The CHAIRMAN. Did you purchase property there and reside there?

Capt. HANSON. Yes, sir; we purchased the Hacienda el Conejo.

That was the main ranch, situated on the Guyallejo River, about 80 miles northwest of Tampico, on what was then the Mexican Central Railway, later the Monterey branch of the Mexican National Railways of Mexico.

The CHAIRMAN. What business were you proposing to engage in on this ranch—cattle ranch, stock ranch, or what?

Capt. HANSON. Cattle and farming. We planted 600 acres of citrus fruit, and in addition to that we improved the ranch very highly and we were raising stock, cattle, and horses and mules.

The CHAIRMAN. In raising the crops and in developing this ranch, did you depend upon the rainfall or did you use——

Capt. HANSON (interposing). No, sir; we had irrigation; 14,000,000 gallons of water a day that we brought through a canal by gravitation to the property.

The CHAIRMAN. Did you purchase or secure your water rights for the use of this water and rights of way for the canal under the laws of Mexico?

Capt. HANSON. We purchased the water with the ranch. The owner of the ranch had previously secured the rights from the Mexican Government.

The CHAIRMAN. From whom was the title to this ranch derived, and about the date of the orginal title, if you know?

Capt. HANSON. We had titles dating back to 1802 that were carried down to the owner, to the man that we bought if from, Mr. Manuel de Leon.

The CHAIRMAN. Your original titles then, dated back prior to the organization of the present so-called Mexican Republic; that is, prior to 1821?

Capt. HANSON. Yes, sir.

The CHAIRMAN. Did you at any time have any serious question concerning your titles, either to water or to your land while you were there?

Capt. HANSON. No, sir; everything up the time I left—that is, during Diaz's régime, was perfectly quiet, and we received fine protection and every assistance, and we worked in connection with the Government, both the Diaz and Madero Government, for the betterment of Mexico.

The CHAIRMAN. You have spoken of having 600 acres in citrus fruits. How old were the trees?

Capt. HANSON. They were just coming into bearing in 1914—4 years old. We had just gathered our first grapefruit off of the first 10-acre plot. In addition to that, we had about 1,000,000 trees; a great many of them budded in nursery form.

The CHAIRMAN. What other farm crops were you raising besides fruit?

Capt. HANSON. Corn, principally.

The CHAIRMAN. About what was the acreage in corn?

Capt. HANSON. About 2,000 acres.

The CHAIRMAN. About how many cattle did you have on the ranch or adjoining ranches?

Capt. HANSON. When we purchased the ranch we got 2,000 head of cattle with it. Then, in addition to that, we bought a few more and never sold any. We butchered a few cattle for home consumption.

The CHAIRMAN. What were the conditions of the country with reference to order and peace and law being observed and enforced prior to the Madero revolution?

Capt. HANSON. I think that the conditions there were much better even than they were in the United States. There was no one who went armed, and, to give you an idea, I had a very large ranch house there, and I never had a key in my doors and never lost 10 cents' worth of stuff out of the house, and the Mexicans on the ranch—several hundred—had access to it.

The CHAIRMAN. You say there were several hundred Mexicans on the ranch. What was the labor which you used principally?

Capt. HANSON. The native labor, altogether.

The CHAIRMAN. Mexican labor?

Capt. HANSON. Yes, sir.

The CHAIRMAN. How many Americans were in your employ?

Capt. HANSON. Oh, one or two. Probably two or three, during the whole time. But I had two citrus fruit experts employed all the time, one from Cornell University and the other from California.

The CHAIRMAN. Were they employed as experts in the raising of citrus fruits?

Capt. HANSON. Yes, sir; they were in charge of our citrus fruit industry.

The CHAIRMAN. Why did you employ them from the Cornell University and California, respectively; why did you not employ men from Mexico?

Capt. HANSON. Well, they did not understand much about the citrus fruit industry, and we bought the best brain we could. We employed the Cornell University man through the department here. We asked them to give us the best—to refer us to some one and they gave us this name—Prof. Crawford.

The CHAIRMAN. What were his duties, and those of the California man?

Capt. HANSON. Well, the California man, Mr. J. W. Hair, was in charge of the propagation of our citrus grove. He attended to the budding, the planting, etc., and Prof. Crawford, of the Cornell University, came down to assist the Mexican Government, our association, and our citrus fruit growers in that section of the country in fighting what is known as the Trypeda Ludens fly, a fly that depredates on the fruit. He was in charge of that, in connection with the Mexican Government.

The CHAIRMAN. By whom was he paid?

Capt. HANSON. He was paid by our company, which was the Mexico Land Co., and the Gulf Coast Citrus Fruit Association, which was composed of citrus fruit growers of the States of Tamaulipas, Nuevo Leon, Veracruz, and San Luis Potosi. I was president of that association This association was formed under the laws of Mexico and was composed of Americans and Mexicans who worked in perfect harmony, and we were assisted from Mexico by their experts, Profs. Gandera and Millen. Our objects were to eliminate the pest before referred to, "Trypeta Ludens," and to arrange for marketing our fruit in foreign countries.

The CHAIRMAN. Now, you speak of the California expert having charge of the budding, etc.; was he able to do all the work himself, or did he have help, assistants?

Capt. HANSON. Prior to his coming there, I employed Prof. Stiles, of Texas, who is an expert citrus-fruit man, to come down and spend 10 days with me to teach some of my Mexicans how to bud. I paid him $500 and his expenses. When he arrived I picked out six of my best men; they were ignorant; only one or two could read and write; but they were very apt, and he taught them to bud. Then when Mr. Hair came down they assisted him. They got to be quite expert before I left there and could bud from two to three or four hundred trees a day.

The CHAIRMAN. Now, did the Mexicans—were there any Mexicans in that country who understood modern up-to-date citrus-fruit farming, budding, etc.?

Capt. HANSON. No, sir; the natives, laborers, thought it a very foolish enterprise when he told them that we were going to plant citrus fruit there. Prof. Gandera and Prof. Millen, of Mexico City, were educated along that line, but inactive in our section.

The CHAIRMAN. Now, you say you were gathering your first crops. Were there any other bearing orchards in your neighborhood, larger or smaller?

Capt. HANSON. Only one, Mr. K. H. Merrem, of the Hacienda la Victoria, had probably 40 or 50 acres, and there were a few small groves near Monterey, Linares, Montemorales, Ciudad Victoria, Colonia, Tampico, Rio Verde. In each colony there were minor developments along this line, but you may say exclusively by Americans. This industry was in its infancy, but the development had proven its future success.

In addition to that, I want to state that during all this time that I was propagating the nursery any Mexican in the country was welcome to come and take trees away. I was trying to introduce the citrus-fruit industry into that section of the country. A great many of them availed themselves of this opportunity, and had a few trees in different portions of that section.

The CHAIRMAN. How long had Merrem's orchard been in bearing?

Capt. HANSON. They were about the same age as ours.

The CHAIRMAN. Then you did not know what your orchard would have done; you had nothing to go by as to what it might have done had it been further developed?

Capt. HANSON. Only judging by the citrus-fruit industry at Tampico. Mr. MacDonald had 14 acres of oranges 11 years old that produced about 10 boxes to the tree, that he sold for $4 a box. Mr. Hopps also had a successful grove.

The CHAIRMAN. American gold?

Capt. HANSON. American gold, f. o. b. Tampico. They were shipped to Minneapolis and St. Paul, and that is what gave us the idea of that being a citrus fruit country. In addition to that, we had experts from California and Utah, and other places, who are thoroughly conversant with the citrus fruit industry, and we had our soil and water analyzed, and after making a very extensive investigation we concluded that in as much as it was below the frost line, and with the climate and conditions that section was adapted to the citrus fruit industry.

The CHAIRMAN. How many Mexicans did you employ, or were you employing before you came out, in your operations there?

Capt. HANSON. Upon our purchase of this ranch there was about 20 or 25 families. It was an old broken down ranch, unimproved; had been formerly a cow ranch for many years, and the Mexicans were a little skeptical as to the Americans when I first arrived there. After employing these few that were on the ranch, they found that we were all right, and they much preferred to work for us, because we paid them better wages and treated them better, and housed them better than some of the Mexican ranch men in that country; therefore, they began to flock to us and there was never a time up to the time I left there, but what there was always a surplus of labor.

The CHAIRMAN. What were the average wages paid when you went there for that character of work?

Capt. HANSON. Mr. DeLeon was paying 50 cents, Mexican money; when I left there we were paying as high as 2 pesos a day. We gradually increased their wages as we taught them how to do the work, and paid them in accordance with their capabilities.

The CHAIRMAN. Now, did you furnish houses for your laborers to live in?

Capt. HANSON. Yes, sir; we furnished wood, water, and houses, and we put a sewerage system all over the place, and that was all free to them; we did not charge them anything for that, and in addition to that, we kept about a $4,000 commissary that we sold the goods at cost and carriage. We also furnished free medical attention and free drugs.

The CHAIRMAN. Did you have any experience while you were there, in the attempt to provide, or to offer opportunity to the Mexican laborers and others for providing themselves with their own homes?

Capt. HANSON. Yes, sir. After Mr. Madero went into power it seemed that his policy was to divide the land and give each Mexican in the country a home. I cut off on the opposite side of the river about a quarter of a mile from the main ranch, a town site divided into lots 40 by 80 meters, and every lot fronting on the river. I offered any Mexican regardless of whether he worked on our place or not, that would come and build a house, that I would deed him the land the first night he moved his family into it. And there was to be no restriction with the exception of the sale of liquor.

He was not to sell any liquor. He could sell the next day if he wanted to, or he could do anything with it, and he was under no obligations even to work for our company, but all we wanted him to do was to build him a house, and I went so far as to offer to give him the palm to roof it with, and the wood, the logs out of the woods to build it with, and loan him teams, wagons, and carts to haul it, and to pay him wages while he was doing it, to be taken out 50 cents every two weeks, in order that he might live and support his family while he was building a house.

The CHAIRMAN. That is, you mean to say that you would take 50 cents out of his wages every two weeks to repay for hauling and so forth?

Capt. HANSON. No, not for hauling, but to repay the money advanced him to live on while he was building his house.

The CHAIRMAN. That is, you would deduct from his wages 50 cents to be applied upon his account?

Capt. HANSON. Yes, sir, for advances.

The CHAIRMAN. How many availed themselves of this offer?

Capt. HANSON. Three. They explained to me that they would much rather live on the ranch and not have the house and lot.

The CHAIRMAN. They had a house furnished them free of rent?

Capt. HANSON. Yes, sir.

The CHAIRMAN. As well as water, and so forth, in addition to their wages running from 75 cents up to $2 a day?

Capt. HANSON. Yes, sir.

The CHAIRMAN. Were there any schools in the neighborhood?

Capt. HANSON. Yes, sir; there were schools at a little town, Xicotencatl.

The CHAIRMAN. On the ranch itself there were no schools?

Capt. HANSON. No; not at that time. A few times we had schools. It was pretty hard to get teachers, but our standing offer was that we would pay for the school and all expenses of it, and on this town site that I was telling you of across the river, I had in contemplation the building of a school house and church, and had arrangements made with the Catholic priest in that vicinity to take charge of it.

The CHAIRMAN. What was the feeling between the Americans there—yourself and others—in that community, and the native Mexicans?

Capt. HANSON. It was splendid. There was no bad feelings at all, and we were never treated better even in the United States than we were under the Diaz régime or while he was in power. The natives had learned to know the Americans and appreciated them, and I never had any trouble with a single Mexican while I was on the ranch during the entire eight years that I lived there.

The CHAIRMAN. When did you last see the ranch?

Capt. HANSON. In January, 1914.

The CHAIRMAN. Have you had any information since that time with relation—with reference to the condition, the physical condition of the ranch after you left?

Capt. HANSON. Yes, sir; I saw the ranch, as I say, in 1914, in January, and it was destroyed. The windows were broken in, and robbed——

The CHAIRMAN. You mean the house?

Capt. HANSON. Yes, sir; the house; and it was very finely furnished, with something like eight or ten thousand dollars' worth of furniture in the house—beds and so on. That was all destroyed and taken away. They destroyed the pillows. I had a great many feather pillows on the place and they cut them open and threw the feathers out to the winds and used the pillow slips for maletas; that is, for sacks to carry food in.

The CHAIRMAN. What became of the live stock?

Capt. HANSON. They were all taken away. Mr. ——— informs me that there is not a mule or horse, nor a cow of any description on the ranch, with the exception of probably some wild ones in the woods.

The CHAIRMAN. What was the condition which you saw in 1914 with reference to the citrus fruit growing?

Capt. HANSON. It was not so bad at that time, but later on it was burned—burned up completely.

The CHAIRMAN. You mean to say that there are none of the trees growing there?

Capt. HANSON. No, sir; there may be a few scattered trees, but my information is that it was completely burned.

The CHAIRMAN. Now, what was the date upon which you left there?

Capt. HANSON. I left there on the 14th day of January, 1914.

The CHAIRMAN. How did you happen to leave?

Capt. HANSON. In November previous to that time Consul Miller had notified us that the United States Government had requested all Americans to come to Tampico and get under the guns of our ships, which were placed there for the protection of the Americans in that country. We remonstrated, but he insisted and said that our Government wanted us to be patriotic and get out of there, as it might cause complications if we attempted to stay out on the ranches. I went to Tampico and when I received word that the property was destroyed—that was along in the latter part of December, 1913—I went to Consul Miller and he advised that I go to the ranch.

It was a little bit dangerous to go, because they were fighting between there and for 50 miles out of Tampico on out in that direction, Carrancistas and Huertistas, and finally I took a man who was very friendly to the Carrancistas, secured permission, and went through both lines and on to the ranch with the intention of making a list of what I had lost and what damage had been done, and go up to see the governor at Victoria, which was the capital of the State, and secure from him, if possible, an officer to go down with me and check up my losses and give me a receipt for them in order that I would not have to put in a claim against the Mexican Government at that time. I did not want to antagonize the Carrancistas, because it was very evident that our Government was backing them against Huerta and that his fall was sure. Therefore I did not want to antagonize them and wanted simply to get a receipt and make no report of it, because it would do no good.

The CHAIRMAN. What happened to you when you went back?

Capt. HANSON. When I arrived at Victoria I stayed all night, in company with my attorney, Judge McCabe, and bookkeeper and cashier, Mr. Gonzales. Next morning I went up to call on the governor, and he arrested me and virtually sentenced me to death that evening. He kept me under guard of 50 Mexicans until about 8 o'clock that night. He finally allowed me to return to my room, and next morning there was a court-martial instituted, and I was tried then by court-martial for the next 10 days.

About the tenth day, Consul Miller, of Tampico, got to me with two friends of mine and finally prevailed on the governor to not shoot me. He finally agreed to send me out of the country, which they did; in fact, they sent me to Matamoros by automobile—but I paid $300 for the automobile to get out—and delivered me to Gen. Pablo Gonzales about 11 o'clock in the morning, and through the efforts of United States consul and others he ordered me put across the river that afternoon about 3 o'clock.

The CHAIRMAN. What was the charge against you for which you were tried first and upon which you were deported?

Capt. HANSON. That I was in favor of intervention and a Huerta spy. There was no government recognized in Mexico at that time.

The CHAIRMAN. Were you taking part in the revolution or in the troubles there?

Capt. HANSON. Not at all; no, sir. I had nothing to do with it. I had been sick three months in Tampico in the Southern Hotel and had taken no part directly or indirectly in anything connected with the Mexican trouble; in fact, it made no difference to me, and I voice the sentiments of all other Americans in Mexico when I say that the Americans in Mexico do not care who is president of Mexico, just so they have peace and protection.

The CHAIRMAN. Had you been making any reports with reference to the friends of Huerta or to the Huerta government?

Capt. HANSON. No, sir; the only reports that I ever made when Miss Gourd was ravished out of Tampico. Consul Miller asked me to take Mr. Gourd's statement, which I did, and we sent 16 copies of that, sworn to before the consul, to yourself and other Senators and Representatives in Washington, as well as the departments here. It seemed that the fact that I had been active in reporting that matter had gotten back to the Carranzistas, and that probably was one of the reports that they alluded to, that I had made.

The CHAIRMAN. And that was to your own Government or officials or citizens of the United States?

Capt. HANSON. Yes, sir.

The CHAIRMAN. And not to the Mexicans?

Capt. HANSON. No, sir.

The CHAIRMAN. In what month were you deported by Gen. Gonzales?

Capt. HANSON. In January, 1914.

The CHAIRMAN. Did you return to Mexico thereafter, and, if so, to what part?

Capt. HANSON. Yes, sir; the following April I returned from Texas City by boat to Tampico, arriving there about the 10th of April.

The CHAIRMAN. How long did you remain there?

Capt. HANSON. I remained there until I was shanghaied out of there together with 2,800 Americans on the 22d of April, 1914. (For list see Galveston News of April 28, 1914.)

The CHAIRMAN. What do you mean by you were "shanghaied"? Just what occurred there at that time?

Capt. HANSON. On the 20th of April there was a notice posted on the "Commandancia" to the effect that the Americans had invaded Vera Cruz, and Gen. Huerta called on all patriotic Mexicans to arm themselves and defend their beloved country. That was about 2 o'clock in the afternoon. At once Mexicans began to go up to the "Commandancia" and get guns and ammunition, and a mob began to form, and they began their cry of "Death to the Americans" and rioting. About 6 o'clock the Americans concluded it was best that they house up, and each one went to some place that he considered to be safer than on the streets. Together with about 150 Americans, men and women, I took refuge in the Southern Hotel. That was where I was living. And about 6.30 o'clock we had closed all the doors and barred them, with the exception of one, and there was a crowd of Americans standing inside watching the Mexicans go by, rioting and so forth, a rock was thrown through the door and hit an old man about 70 years old, who was a reporter on the Times, tearing his cheek off.

About 10 or 15 minutes later another rock was thrown through and hit one of the Pierson Oil Co. geologists in the head, cutting him across the forehead, laying his scalp open. Then we closed the doors and formed ourselves into a party for defense. After getting all the guns we could together we found we could arm 32 men. They appointed Capt. Ed Williams and myself to take charge of the men. We divided them 16 upstairs and 16 downstairs. We barred the doors and they began at once to break in the plate glass drug store of Sanborn Bros., in the corner of the building, and shooting through the top of our house and at our American flag which floated over the building. About 9 o'clock there was a rap on the door that could be distinguished from the mob, and the commanding officer of the steamboat *Dresden* came in and told us that he believed we were going to be massacred and if we so desired he would take care of our women and children. After consultation several of the ladies, American ladies, went through the mob with him, to the ship.

About 11 o'clock he returned and told us that he had just notified Gen. Zaragoza that he must clean the streets of this mob or he would sweep them with lead.

The CHAIRMAN. Who was Gen. Zaragoza?

Capt. HANSON. General Zaragoza was the commander in charge of the Huertistas who were defending the town against the Carrancistis. You understand, there had been a battle going on since about the 10th of the month and an incessant battle, firing over us; three battleships were throwing their shells over our building, over Tampico, into the Carrancista ranks on the north of Tampico, and at this conversation—or consultation—between Capt. Koehler, Mr. Williams, and myself, I asked him why he did not wire our ships.

The CHAIRMAN. What ships?

Capt. HANSON. Our ships that had left there that morning.

The CHAIRMAN. You say our ships?

Capt. HANSON. That is, the United States ships.

The CHAIRMAN. Battleships?

Capt. HANSON. Battleships. The ships that were in port that had been there for our protection. They left there that morning; left us alone, and he said that his wireless was not strong enough. I asked him why he did not go to the English ship. He said he had been to them, that they refused to send a message, stating that they were neutral. He said that he and two Americans, who accompanied him, had requested the commander of the English ship—asked him if, in case it was necesaary—would land his marines and assist him in defending the many foreigners in Tampico. He told him that he would not; that he was neutral, and he then said "I am ready to die with you."

The CHAIRMAN. This was Capt. Koehler?

Captain HANSON. Yes, sir; "I am ready to die with you if necessary, but I want it distinctly understood that it is an act of humanity and not for any other reason, and that the first American officer that puts his foot on the shore I will be very glad to retire and turn the matter over to him." It wore on until about 2 o'clock. In the meantime, Zaragoza had in a manner dispersed this mob. About 2 o'clock Capt. Koehler came back and left one of his officers with us with a searchlight and with orders that in case they went to dynamite the building or commit any act of violence he was to flash

this searchlight three times on the Pierson buildings (that could be viewed very readily from the ship and from the Southern Hotel) and he would come with his force. And he held his force in readiness and in arms—none of them slept that night—to come to our assistance if they had attempted the massacre, as it was supposed they would do.

The next morning about 7 o'clock I went out and asked the leader of this mob, or rather the mob, if they would allow me to go to the consul's office. They said I could go if I would go without arms; so I laid my arms aside; pulled off my coat, so they would be very sure to know that I did not have any arms and went to the consul's office. When I arrived I found Consul Miller and several men that were with him as his assistants and bodyguard the night before and for several days, and who had not slept for probably 36 hours, lying around with their clothes on, perfectly worn out. I roused him and told him of the situation on the outside; that the mob was forming again and that it could not be delayed very much longer, and that I was afraid that I could not hold our people very much longer; they were getting very anxious to get busy.

The CHAIRMAN. What do you mean by "get busy"?

Captain HANSON. To fight. There had been insults of every description hurled at us all night long and we were afraid that a shot would be fired, and if they had attempted to kill us it would have been impossible to have held those men any longer. They would have defended themselves to the last. So, realizing just what a few shots would do to start the thing, Consul Miller went up to see Gen. Zaragoza and he advised that we get out. I asked Consul Miller—that was about 8:00 or 8:30 a. m.—I asked him if he had heard anything from our Government. He said that he had not; that he had done his best to notify them, but that he had not heard a thing from our ships or from the Government. I went on back to the hotel and was in consultation there with the Americans when word came for us to get to the ships the best way we could through this mob.

The CHAIRMAN. What ships?

Capt. HANSON. The German, English, and Dutch. They had agreed to take us out; besides, I think there was an American oil steamer there, but floating a foreign flag. They were not allowed to float an American flag and we got out of there the best way we could with just what we had on our backs—men, women, and children. The bank in the Southern Hotel, belonging to the Fouts Brothers, was sealed, and I think with an English seal on it, in order that it would be respected. We went out to the ships and the next morning we found them in motion and looked out and asked where we were, and where we were going, and they said "You are going to Galveston." We objected.

The CHAIRMAN. What boats were you on?

Capt. HANSON. The *Des Moines*, and I think there probably was something like 18 or 20.

The CHAIRMAN. American boats?

Capt. HANSON. American ships.

The CHAIRMAN. You had been transferred?

Capt. HANSON. Transferred; yes, sir.

The CHAIRMAN. How far were you out from Tampico when you were transferred?

Capt. HANSON. Tampico, the city, is about six miles from the mouth of the Panuco River, and the ships——

The CHAIRMAN (interposing). That is, from where the Panuco River flows into the gulf?

Capt. HANSON. Yes, and just out in deep water, just the other side of the jetties, there our ships were all lined up cleared for action. There was something like 18 gunboats, destroyers, and battleships

The CHAIRMAN. And you were taken out by the German, Dutch, and English ships, and oil tankers, and were transferred to our battleships—gunboats?

Capt. HANSON. Yes, sir.

The CHAIRMAN. And our battleships and gunboats which you found in motion next morning?

Capt. HANSON. Yes, sir.

The CHAIRMAN. And informed you you were going to Galveston?

Capt. HANSON. Yes, sir.

The CHAIRMAN. Were you transferred over to the American boats—were you informed at that time that you were going to be taken away?

Capt. HANSON. No, sir. You will understand that in several battles that had previously occurred in Tampico the Americans had been taken on board ships and taken out to sea until the battle was over and then returned to their homes and business, and we naturally supposed that when we got on the boats that we were just going out as usual, out to sea, and we were very much surprised when we found that we were going to Galveston, because every one had simply left there as they were, many of the ladies had left their dishes unwashed, and their houses virtually open, and with no change of clothes or anything of that kind, and only the clothes that we had on our backs.

Now, with reference to the leaving of the ships: On the evening of the 20th, my understanding was, through the consul and others, that Admiral Mayo had been ordered to take his ships and leave that port. Consul Miller sent three messages, very strong messages, protesting against the removal of the ships and stating to the department in Washington, the conditions, that the battle had been raging there for 10 days; the streets were full of people, and that he did not believe it was right to take the ships out; but he received no answer, and when Admiral Mayo—I did not see the messages, but my understanding was that when Admiral Mayo received the orders to leave he could not believe it, and wired for confirmation of orders, and he received them, and was ordered again to take his ships and get out. And he did it, very reluctantly; but they left us alone.

The CHAIRMAN. You were taken to Galveston then, were you?

Capt. HANSON. Yes, sir; we were taken to Galveston.

The CHAIRMAN. And that is what you meant by saying that you were shanghaied?

Capt. HANSON. Yes, sir. We were taken out without our consent or knowledge.

The CHAIRMAN. Were any protests made to the officers of the boats?

Capt. HANSON. Yes, sir; and they told us, "that was orders"; that they had orders to take us there, and they were going to do it, and they did.

The CHAIRMAN. From Galveston, where did you go?

Capt. HANSON. When we arrived at Galveston we held a few indignation meetings and "resoluted and whereased" a while and came to Washington as a committee. I had the honor of being on that committee that came to Washington to deliver personally a protest and about a thousand sworn affidavits of outrages that had been committed in that country, to our Government.

The CHAIRMAN. Whom did you see here?

Capt. HANSON. When we arrived we saw Mr. Garrison.

The CHAIRMAN. The Secretary of War?

Capt. HANSON. The Secretary of War, who treated us very nice, was very sympathetic, and listened to our stories, and promised to do all that was within his power. Then we went to see Mr. Daniels. During the conversation he asked us what we were kicking about. We told him that we thought the Government had treated us very badly by taking the ships out and leaving us there unprotected, after depending on them for so many months and being assured of protection from this Government, and he asked us the plain question as to whether or not we thought that this Government should use her Army and Navy to protect a lot of filibusters, schemers, and adventurers, who had gone to Mexico to exploit the Mexican people.

That brought on a kind of a scrap and things got a little personal and we left.

The CHAIRMAN. Did you see the President?

Capt. HANSON. No, sir; we did not. We tried but did not see him.

The CHAIRMAN. What did you do then?

Capt. HANSON. Some of the committee saw Mr. Bryan. I was not present at the conference, but the chairman of our committee, Mr. Lucas, had several interviews with Mr. Bryan and he treated us very nicely, so far as part of our requests were concerned. You see our people were starving in Galveston; that is, they would have starved if it had not been for the good people of Galveston coming to their relief, and also from other portions of the State, and we wanted money sent down there to feed our people at Galveston. He granted that very readily, and sent money there, and then we asked him for transportation to get them to where they used to live, not to their homes, but a great many of them wanted to go back to where they had acquaintances that they thought they could depend on, and through Mr. Bryan we received transportation for them to wherever they wanted to go in the United States.

The CHAIRMAN. They did not get transportation back to Mexico?

Capt. HANSON. No, sir; he would not agree—I think it was three weeks that we stayed here and worked before we got anything from the department and they finally agreed to put a transport at Galveston and allow such men as had business there to return, but no women, with the exception of some nurses—three or four nurses that were formerly in a hospital in Tampico. But prior to getting on the transport they all had to sign a document to the effect that they did not hold this Government responsible, or something of the kind. I was not there—I do not know, but it is in the testimony before this

committee as to the nature of that document that they signed, under Mr. Lester's report.

The CHAIRMAN. You refer to the Lester report in Part 16 of these hearings? Were you there in Tampico when the sailors, the United States sailors, and the launch supposed to be seeking a supply of gasoline, were arrested by Zaragoza's troops?

Capt. HANSON. Yes, sir. During the battle of December, 1913, between Carrancistas, 8,000 strong, attacking the Federals or Huertistas, 3,500 strong, there were a few Americans, that, knowing our Government was against Huerta and backing the Carrancistas, wanted to make friends with the Carrancistas, and on various occasions requested passports from Gen. Zaragoza to go out of the city on different excuses, but in truth, some of them went to report to the Carrancistas where the Federals were stationed, and what they were doing. In other words, to give them information against the Huertistas.

After fighting some 10 or 12 days the Carrancistas ran out of ammunition and retired, and between that time and the time of their next attack, the following April, Gen. Zaragoza had found that some of these Americans had not been true to the trust that he had reposed in them, and had given information to the Carrancistas; therefore, on the following April, when the Carrancistas returned to attack them, he gave orders that no one should leave the city without an order from him—and he refused to give it—in order that the Carrancistas might not be informed as to their movements inside of Tampico.

My understanding was that this boat from one of our battleships started down below, or passed the Iturbide Bridge, where the arroya ran into the Panuco River in the city of Tampico. As they were passing they were halted by the captain in charge, who was guarding that point, and brought ashore. He turned them over to a petty officer and started them up to the headquarters—Zaragoza's headquarters. He met an officer of superior authority who asked him what he was doing with those marines. He answered that they had attempted to go by the mouth of this arroya down the Panuco River, against his instructions, and he ordered him at once to turn them loose.

The CHAIRMAN. That is, the superior officer?

Capt. HANSON. The superior officer ordered him to turn them loose at once and put them back in their boat and send them back to the ship, which was done. Gen. Zaragoza, immediately upon hearing of this incident, wrote a note of apology to Admiral Mayo. Admiral Mayo refused to accept it and demanded that he come in person, and, if I am not mistaken, I went with Consul Miller to the firing line and summoned Gen. Zaragoza to go before Admiral Mayo.

Upon his arrival there Admiral Mayo demanded an apology, and he apologized in every possible way that he could, but told him that he could not comply with the demand that Admiral Mayo made, which was to erect an American flag on Mexican soil and fire a salute of 21 guns, but Gen. Zaragoza told him that he had no authority to do that; that that was a diplomatic matter and that he would have to refer the matter to President Huerta. He gave him until 6 o'clock the following day to do so. I understood that he wired this information and demand to Gen. Huerta, and that he wired back, acquiescing

in it, provided Admiral Mayo would accept the apology by answering him with 8 guns, which was refused, as it might have been construed an act of recognition.

The CHAIRMAN. Now, to return a moment to the condition of your property. You say that the orange grove has been burned and the house looted, the furniture destroyed, etc., and there is no stock remaining. What about—what became of your commissary?

Capt. HANSON. The commissary was taken, the same as everything else.

The CHAIRMAN. There was no attempt to take any of this property by judicial procedure?

Capt. HANSON. Oh, no, sir.

The CHAIRMAN. Were there any receipts issued for it?

Capt. HANSON. No, sir.

The CHAIRMAN. By any officers or soldiers or anyone else?

Capt. HANSON. No, sir.

The CHAIRMAN. They just simply were confiscated, like a train robber would confiscate an express package?

Capt. HANSON. Yes, sir; and they did confiscate the ranch, but through the influence of Mr. Merrem, who remained on one of the adjoining ranches, it was finally released to him for us.

The CHAIRMAN. Well, in this attempt to confiscate the ranch, what do you mean by "attempt to confiscate"?

Capt. HANSON. They took charge of it.

The CHAIRMAN. Again just like a train robber who would confiscate an express package?

Capt. HANSON. Just the same thing. They forced a great many of my workmen into their army, murdered a lot of them, and my information is, took a great many of the women folks with them.

The CHAIRMAN. Are you familiar with any other American settlements or colonies, or others engaged in agriculture or pursuits of like character in that country?

Capt. HANSON. Yes, sir; there were something like 15 or 20 colonies of American citizens scattered all over that country.

The CHAIRMAN. About what was the size of these colonies?

Capt. HANSON. Well, they ran from 10 families to 350.

The CHAIRMAN. Engaged in general agriculture?

Capt. HANSON. And stock raising.

The CHAIRMAN. What were the classes of these Americans? Where did they come from?

Capt. HANSON. They came from the United States, different portions, and they were a splendid class of gentlemen.

The CHAIRMAN. Did they have their families with them? Wives and children?

Capt. HANSON. Yes, sir; wives and children. They built schoolhouses and churches and went there to make that their home and lived there and obeyed the laws, and during the time I was there in Mexico I never heard of one American being arrested for any offense or any violation of the laws in all these colonies; that is, while Diaz was in power.

The CHAIRMAN. Were these men engaged in speculation of any kind?

Capt. HANSON. No, sir; they were poor people, the majority of them.

The CHAIRMAN. Now, what character of agricultural implements did they use generally in these colonies?

Capt. HANSON. American, imported from the United States.

The CHAIRMAN. What agricultural implements were the Mexicans using, when these colonies went there?

Capt. HANSON. They were using wood plows and oxen, tied up around the heads.

The CHAIRMAN. That is, you mean that instead of using the ox bow, as we would use it, they drive the oxen with ropes and a stick tied to the horns?

Capt. HANSON. Yes, sir; a stick tied across the head—the ancient method. You see pictures where they did the same thing hundreds of years ago.

The CHAIRMAN. Now, you say they had wooden plows, Were the plows made anything like ours—double-handled?

Capt. HANSON. No, sir; one handle. They would cut a long pole and then put another upright piece down here and on the end of that they would get some kind of a piece of iron or something else, and tie it on, or rivet it in some way, and that is what they used for a plow, one handle.

The CHAIRMAN. Before the Americans were driven out of there, had the Mexicans begun to learn, or were they learning the use of up-to-date agricultural machinery, plows, and so forth?

Capt. HANSON. Oh, yes; immediately upon our taking charge of this ranch we discarded everything of a Mexican nature, and we bought all our wagons, buggies, hacks, and all kinds of farming implements, including sprayers, high-power sprayers, gasoline sprayers, for our trees—everything was imported—saddles, American saddles, American harness, and, in fact, everything American. The Mexicans all over the country there, the Mexican ranch men, and the Mexican farmers, would come over and watch us use them, and then they wanted one like it, and I would order plows from this country for my Mexican neighbors, and there got to be such a demand that C. Holck & Co., of Monterey, secured the agency for the Pony Disc plow. I remember that, and they received them by the carload and were sold all over that country from the samples that we had taken in to this one ranch. Now, every other American in that country had a like experience in every section where he lived. The Americans, by using American manufactured implements and harness, saddles, etc, flooded that country all over with American implements and American manufactured goods.

The CHAIRMAN. When the Mexican did get an American stock saddle, would he use that in preference to the old Mexican saddle?

Capt. HANSON. Yes, sir; they were wild about them; all the ranch men in that country wanted saddles just like mine that I had purchased in San Antonio, Tex.—that also applied to buggies and hacks. I ordered several of these mountain hacks for my Mexican neighbors.

The CHAIRMAN. Then these Americans were not only engaged in attempting to benefit themselves and establish homes there, but were also the direct cause of increased trade with this country?

Capt. HANSON. Oh, yes.

The CHAIRMAN. In the sale of agricultural implements and general articles, such as you have described?

Capt. HANSON. Yes, sir; and I want to say in connection with this, that every American in that country, without exception, when he settled in Mexico, and went there to make it his home, worked for the upbuilding of that country, and the institutions of that country, just the same as the Americans do in any section of the United States in which they may live.

The CHAIRMAN. Then, did the Americans pay the same wages that the Mexicans were earning in like character of work? Did they pay the same wages that the Mexicans themselves employing that labor, paid?

Capt. HANSON. No; they paid increased wages, and that was the only friction between Mexican ranchmen and the newcomers or the Americans there; they objected to us raising the price of the native labor.

The CHAIRMAN. Have you, or your company, or the people that were associated with you, ever received any money or anything of value for your investment there in Mexico?

Capt. HANSON. Not one dollar. Our damages up to date from the best information that I can get will run right around $400,000 gold, and we have never received one cent.

The CHAIRMAN. How much actual cash that you know of did you invest there, aside from the increased value of your property—just actual cash invested?

Capt. HANSON. We invested about $400,000, in improvements.

The CHAIRMAN. And that, together with increased value which you place upon the land, has been approximately a total loss?

Capt. HANSON. Yes, sir.

The CHAIRMAN. The raw land, I suppose, is still there?

Capt. HANSON. The raw land is there, but the fences and everything else destroyed. If we go back we will have to commence from the ground up and build over.

The CHAIRMAN. Do you hope to go back?

Capt. HANSON. Well, I hope to go back; but, of course, I would not go back under the present condition of things there. If this Government ever straightens up and does the proper thing in Mexico and gives the American pioneers guaranties for life and property, I would be glad to go back and make that my home. I like Mexico and I like the people.

The CHAIRMAN. Do you mean to say that you would take your family—you are a man of family?

Capt. HANSON. Yes, sir.

The CHAIRMAN. Do you mean to say you would take your family back there and live there?

Capt. HANSON. Yes, sir; I have educated two boys; given them a collegiate education with the expectation of taking them to Mexico with me.

The CHAIRMAN. Now, as to the other colonists who have been driven out of there, as shown by the testimony in this case, with which you are familiar, would these colonists who have been driven out, as you were, go back there if they could?

Capt. HANSON. Yes, sir.

The CHAIRMAN. You know many of them, do you?

Capt. HANSON. Yes; personally I know a great many of them, and I want to say those colonists as a rule were poor people; they would

sell their homes in this country, take the proceeds and go to Mexico, and invest in land and build themselves a home there. Those homes have been destroyed, just as mine has, and they have been brought out of that country; ran out of that country; and many of them have been living in poverty and want in this country since their departure from Mexico.

They are in a horrible condition, many of them that I know personally, and they are as good people as the sun ever shone on, and they deserve more consideration than they have received; they are in a very bad shape and have shown themselves to be very deserving people, and good Americans.

The CHAIRMAN. You mean that they deserve decent consideration, at any rate?

Capt. HANSON. Yes, sir; different consideration than they have received.

The CHAIRMAN. What has been the effect upon the minds of the Mexicans generally in Mexico of the policy pursued by this Government in allowing the colonists and settlers, American citizens, to be driven out of Mexico?

Capt. HANSON. Well, they have simply lost all respect for us. When we went to Tampico and that section we were considered first-class, and given every attention possible; in fact, we were given better attention than any other foreign nationality, and when I left there a Chinaman was better respected than any American. They have no faith in our Government, and especially since their treatment at Vera Cruz. Our Government went in there; they expected help; and thought we were there to stay; they helped our Government and soldiers in every conceivable way possible, only to be left there and shot down like dogs after we left. That has caused the Mexican people not to have very much confidence in our Government. That is one of the reasons, because they trusted us, and felt that when we went in there we would never leave until we established a government with guarantees, and after we left them they were shot down because they had assisted the American soldiers.

The CHAIRMAN. Suppose that the United States were to develop another policy, would tell the Americans who were driven out of these colonies that this Government would protect them if they desired to go back into Mexico, and to take over their homes again, and start to build them up, what, in your judgment, would be the effect on the minds of the Mexicans of that community?

Capt. HANSON. They would receive them with open arms and with gratitude.

The CHAIRMAN. Would you be able, do you think, to secure labor from the Mexicans themselves?

Capt. HANSON. Yes, sir; all we might need. The Mexican people are friends of the American people; that is, the submerged class, the 80 per cent. They want the Americans there; they like them because they make money out of them, and receive humane and good treatment for themselves and families. I had Mexicans on my ranch to tell me that they were receiving better treatment during those eight years that we were there, and others in that community, than they had received before, and they were tickled to death that the Americans were there.

The CHAIRMAN. Do you think that the Americans would be welcome again if it is understood that the United States would protect its citizens there, and enable them to protect themselves, and thus to afford protection for the Mexicans who wanted to work for them?

Capt. HANSON. Yes, sir.

The CHAIRMAN. Now, who is it in Mexico who are against the Americans and against their return? What class of Mexicans?

Capt. HANSON. Well, it is a class of people that have come to the front under the Madero revolution. It started along in that time and when Diaz was overthrown; since then it has been conducted to a great extent by ignorant people, who rose to influence by loot, by theft, and by murder to the high places, and they have controlled by the iron hand, and the policy of our Government has been to arm those people. Naturally, that bunch has disarmed the 80 per cent, and if one of the 80 per cent does not agree with their policies or has anything to say about them, he is murdered; he is killed; and the 80 per cent of the people are under the guns of the people whom this Government has armed.

The CHAIRMAN. Now, what was the policy of the Mexican Government with reference to arms throughout Mexico prior to this revolution?

Capt. HANSON. They were not allowed to have any kind of arms. Diaz would not allow it. If a man had a shotgun on his place he would think he was a revolutionist—would not allow any of them to have any kind of arms without permission. Of course, if a man could get a license to have arms he would be all right, but there were very few allowed to have a gun.

The CHAIRMAN. Was the American or the Mexican traveling through that country, horseback or on foot, or in a vehicle of any kind—was he safe from attack?

Capt. HANSON. Perfectly, more so than he would be in this country.

The CHAIRMAN. Were there soldiers, large numbers of soldiers, a large standing army, in Mexico? Were their soldiers around in your vicinity?

Capt. HANSON. We had no soldiers. We had a few policemen over at this little town, but no soldiers. It was not necessary. I want to say another thing, that during my knowledge of Mexico, up to the time of the revolution, I never knew of one bank robbery; during the time I have known Mexico—for 25 or 30 years—I have never known but one train robbery during the Diaz régime in Mexico. And in the 8 years that I lived there, up to the time of the revolution, my stock ran all over the country and I never lost but one animal that I knew of by theft.

The CHAIRMAN. Now, since you were finally brought out of Mexico, run out, and then by your Government brought out, in order to protect you, what have you been engaged in generally?

Capt. HANSON. When I came out of Mexico the last time I at once went to work as special agent of the San Antonio Uvalde & Gulf Railroad, with headquarters in San Antonio, Tex.

The CHAIRMAN. On a salary?

Capt. HANSON. On a salary of $150 a month. And on the 1st day of January, 1918, I was requested by my friends to accept a captaincy in the Texas Rangers, and at that time the Texas Rangers were mostly stationed on the Rio Grande border, and inasmuch as

there was a great deal of German propaganda and anti-Americanism throughout Mexico and along the border, and on account of my acquaintance with the Mexicans and the country and the people, they requested me to accept this position, which I did, at $125 a month. I served in that capacity up to the present time. I still hold my commission as senior captain of the State Rangers, but secured a furlough on the 1st day of September, 1919, to assist this committee in their investigation work.

The CHAIRMAN. You speak the Spanish language, do you?

Capt. HANSON. Yes, sir.

The CHAIRMAN. Does your family speak the language, your sons?

Capt. HANSON. Yes, sir; my boys all speak it.

The CHAIRMAN. Now, in your work as special agent of the railroad company along the border, and then as ranger, have you had reason to have your attention brought, directed to this German propaganda of which you speak?

The CHAIRMAN. You also, of course, are familiar with what is known as the Plan San Diego that has been testified to here?

Capt. HANSON. Yes, sir.

The CHAIRMAN. You saw the operation of that plan by the Mexicans?

Capt. HANSON. Yes, sir.

The CHAIRMAN. Were the Germans, in their propaganda and their work, in accordance with this Plan San Diego?

Capt. HANSON. Yes, sir.

The CHAIRMAN. You have read, of course, the Zimmerman note to Mexico?

Capt. HANSON. Yes, sir.

The CHAIRMAN. Is that along the line of this, along the line of the Plan San Diego?

Capt. HANSON. Along the line of it; yes, sir.

The CHAIRMAN. Do you know whether the same plan of San Diego and the plan of the Zimmerman note are still received as something that might be carried out by Mexican agitators?

Capt. HANSON. Yes, sir.

The CHAIRMAN. You have, in assisting the committee, investigated the activities of Mexicans in connection with propaganda along the river, the boundary?

Capt. HANSON. Yes, sir.

The CHAIRMAN. You are familiar with the letters that have been introduced here, photostatic copies of letters from Carranza and from officials of the Carranza Government to agitators?

Capt. HANSON. Yes, sir.

The CHAIRMAN. They are extreme radicals?

Capt. HANSON. Yes, sir.

The CHAIRMAN. And part of your duty with this committee has been to investigate, to run down and check up reports of that kind?

Capt. HANSON. Yes, sir.

The CHAIRMAN. Then you think that up to the time you left the border, that is, the latter part of March of this year, Mexicans were still engaged in agitating against this Government?

Capt. HANSON. Yes, sir; they were.

The CHAIRMAN. On both sides of the border?

Capt. HANSON. On both sides of the border.

The CHAIRMAN. And with what element generally on this side of the border were they connected, if you know?

Capt. HANSON. Well, with the radical element.

The CHAIRMAN. What particular name is given to that radical element generally?

Capt. HANSON. The I. W. W. and communists.

The CHAIRMAN. It has been testified to in various hearings in this case, and by various witnesses that armed raids and acts of violence have been committed by people coming from Mexico across the international border and committed against or upon the lives and property of American citizens in the United States. Have you in your experience or within your knowledge ever learned of any raid by Americans upon the other side of the border at any time?

Capt. HANSON. I have never heard of anything of the kind.

The CHAIRMAN. Have the Texas Rangers been allowed to go across the international border when they chose to do so?

Capt. HANSON. No, sir; only with soldiers.

The CHAIRMAN. That is, with regular soldiers of the United States?

Capt. HANSON. Yes, sir.

The CHAIRMAN. So that, of your own initiative or acting under orders from your own State government, you have not been allowed to pursue even raiding parties?

Capt. HANSON. No, sir; we could pursue them to the river, but never across.

The CHAIRMAN. So, if you were on a hot trail you were not allowed to cross?

Capt. HANSON. No, sir.

The CHAIRMAN. You have, however, cooperated with the regular forces of the United States?

Capt. HANSON. Yes, sir; the Rangers have been over several times but always under command of the United States Army.

The CHAIRMAN. Now, since the year 1911, we will say, have American citizens from Texas been allowed to go across the border with arms?

Capt. No, sir.

The CHAIRMAN. By whom were they prevented from carrying arms into Mexico?

Capt. HANSON. By their own Government.

The CHAIRMAN. Do you know what the rule was with reference to our soldiers guarding the border if they saw any American attempting to go across with arms?

Capt. HANSON. They would arrest him.

The CHAIRMAN. Then American citizens having business in Mexico or desiring to cross the border were prevented both by the orders of the Mexicans and by our own armed forces from carrying arms even for their own protection?

Capt. HANSON. Yes, sir.

The CHAIRMAN. So that Americans who have crossed have been compelled to go unarmed?

Capt. HANSON. Unarmed, absolutely, and without protection.

The CHAIRMAN. During these raids, or any of them, from Mexico into the United States, did many Mexicans lose their lives at the hands of officers from this side, or soldiers, troops, or citizens?

Capt. HANSON. Well, of course, I don't know just how many have lost their lives, but the condition growing out of that plan of San Diego was this: The first thing they knew of it the Mexicans began raiding across the border, but they didn't consider it very serious at first, until finally they captured a copy of the plan of San Diego and saw that all Americans were to be murdered, and Texas, Arizona, New Mexico, and so forth, taken back by Mexico; and then they woke up. The first act then was to concentrate their women and children into the little towns around, and they began to guard the roads into them.

The CHAIRMAN. You are speaking of American citizens in Texas.

Capt. HANSON. Yes, sir; Mexicans and Americans who lived in Texas—citizens. The Mexican population was just about as much excited over it as the Americans were—that is, I mean the Americans of Mexican origin, Mexican blood.

The CHAIRMAN. Who are American citizens residing on this side?

Capt. HANSON. American citizens; yes, sir And they appealed for aid, and it didn't get there quick enough, and these raiding parties began to come over and wantonly destroy ranches, murder, and rob until it got to be unbearable, and the people, the citizens themselves, rose en masse, and it is true they did kill a good many Mexicans, but the Mexicans that they killed were either raiders, sympathizers, or harborers of the people of the other side.

The CHAIRMAN. And under conditions of that kind, where people were taking the law into their own hands and operating for their own defense, not being protected by their own Government, and on their own soil, I presume that unfortunately some instances may have occurred where innocent people were killed?

Capt. HANSON. Probably so. That is always the case with an uprising. They are blind when they get to that stage, but they were very careful. I know that the rangers and citizens and others were very careful not to commit acts of that kind. Probably they may have done so, but I know the majority of people that were killed on that border were either sympathizers, aiders, or abettors of the people from the other side.

The CHAIRMAN. Or actual raiders.

Capt. HANSON. Actual raiders; yes, sir.

The CHAIRMAN. There is a large Mexican population on the lower Rio Grande in Texas, is there?

Capt. HANSON. Yes, sir.

The CHAIRMAN. What is the general character of that population among those who were born here?

Capt. HANSON. They are peaceable, good citizens, as a rule.

The CHAIRMAN. Were the majority in actual sympathy with any attempt to take back Texas and add it to Mexico?

Capt. HANSON. No, sir; not the majority. The minority probably were.

The CHAIRMAN. Captain, you are more or less familiar, of course, with Texas history; do you know many of those people, the descendants of Mexicans, residing upon this side, who are the descendants of those who joined the Texans in the fight for liberty?

Capt. HANSON. Yes, sir. The Benevidas family, for instance, at Laredo, there are not more loyal Americans on earth than they are.

The CHAIRMAN. As a matter of fact, which is generally lost sight of by those who are not familiar with that history, one very prominent Mexican, Zavala, led a full regiment of natives and assisted materially the Americans under Houston and others in the overthrow of Santa Anna and the attainment of independence by the State of Texas.

Capt. HANSON. Yes, sir. Many of their descendants live in San Antonio, Tex., and around there. Miss Zavala lives there now.

The CHAIRMAN. Zavala was the first lieutenant governor of the State of Texas.

Capt. HANSON. Yes, sir.

The CHAIRMAN. Has there been any change in the feeling of the people of Mexico with respect to law and the rights of property, etc., engendered by the last 10 years of lawlessness in that country, do you know?

Capt. HANSON. Well, I haven't been in Mexico for several years, but my understanding is there are a great many peaceable, law-abiding, hard-working Mexicans that have been forced by the revolutionists into their armies and have been taught to rob, steal, murder, and depredate on people. The younger generation, of course, have been raised now for 10 years right up under that. They have seen nothing but atrocities, and therefore the conditions with reference to the people of Mexico are very much worse now than they were before. They never had any idea or dreamed of anything of that kind under the Diaz régime, but having been taught by these people how to do these things, and when they see their colonels and generals and their officials from the top to the bottom committing these depredations, naturally they felt that they had license to do the same thing.

The CHAIRMAN. Could order and respect for law and the rights of property and human life be restored in Mexico by a firm government?

Capt. HANSON. Yes, sir; with help. Of course they would have to have outside help.

The CHAIRMAN. Do you mean to say that in your judgment the Mexicans themselves have so lost their sense of proportion and of national or international obligation, or of respect for central government that it would be necessary for any central government to have some active support or help?

Capt. HANSON. Yes, sir; a certain class has. They must have help from the outside.

The CHAIRMAN. Captain, in your operations in Mexico you were necessarily in Tampico more or less?

Capt. HANSON. Yes, sir.

The CHAIRMAN. You are familiar with the oil districts there, are you?

Capt. HANSON. Yes, sir.

The CHAIRMAN. During the period of your residence there the oil industry has grown to very large proportions?

Capt. HANSON. Yes, sir.

The CHAIRMAN. How are the oil companies there looked upon, the American oil operators, by the Mexicans generally?

Capt. HANSON. As their saviors. When the oil men went to Mexico, the Mexican laborers were getting from 50 to 75 cents a day, and were uneducated and ignorant. The oil men in every instance where it was possible have employed native labor and mixed with them, their superintendents, and experts in the production of oil and

the manufacture of oil products; and a Mexican, while he may appear ever so ignorant, is smart, naturally smart and quick to catch on.

The CHAIRMAN. An imitator?

Capt. HANSON. An imitator. And a great many of these people have become very proficient in the different lines of work in the oil business, and as they would understand their work better and do it better the oil companies in every case have always raised their wages, until now they are getting as high as 16 to 20 pesos a day. There are men there in very responsible positions that have been educated by the oil men. Those men have, as a rule, taken care of their money and many of them own little homes in Tampico and have a few chickens, and hogs, etc., and are getting along nicely, doing better than they ever had before. They dress better than they ever did and are educating their families. It is all due to the education and wages paid by the oil men.

The CHAIRMAN. In your investigations for this committee, you had some correspondence with reference to radical propaganda?

Capt. HANSON. Yes, sir; here are the original papers [handing papers to the chairman].

The CHAIRMAN. In your correspondence, among others to whom you wrote and from whom you received letters was one Arthur Thompson, who has been a witness before this committee.

Capt. HANSON. Yes, sir.

The CHAIRMAN. It is in testimony that he received a letter signed "Gus Klumpner," to which he replied. Who was Gus Klumpner?

Capt. HANSON. That was myself. I signed that letter "Gus Klumpner."

The CHAIRMAN. Mr. Thompson asked the chairman of the committee during the hearing as to why the name "Gus Klumpner" was signed to the letter to him, to which he had replied. What was your reason for using this name?

Capt. HANSON. It is a German name, and after reading his book, I thought he was a German propagandist, or had been during the war, and was not an American, and I thought he would respond to that name quicker than he would to an American name.

The CHAIRMAN. I notice in one of the letters, a portion of this correspondence, you suggest to Mr. Thompson that you would be glad to have him come before this committee, or suggest to him that he should do so, and give the committee and the people of the United States through the committee the benefit of his knowledge of Mexico and of its people.

Capt. HANSON. Yes, sir.

The CHAIRMAN. Did you think from what you had seen of his writings, etc., that he had any knowledge of Mexico and its people?

Capt. HANSON. I did not. After reading his book I knew he had not.

The CHAIRMAN. And your idea was that rather the people of the United States might understand the colossal ignorance of Carranzista propagandists?

Capt. HANSON. Yes, sir.

The CHAIRMAN. Having read the testimony of Mr. Thompson, I suppose you satisfied yourself upon that point?

Capt. HANSON. Yes, sir.

The CHAIRMAN. As the committee has in various portions of the evidence already offered testimony along this line, we will not put into the record at this time the correspondence itself, but we will keep that in the files of the committee.

Capt. HANSON. I was requested to get a picture of the destruction in Mexico. This photograph shows the Monterrey R. R. depot before, and then it shows it after they had destroyed it—after they had burned it.

The CHAIRMAN. The witness is explaining certain photographs showing the Monterrey depot, both before and since its destruction by the revolutionary forces or bandits in Mexico, which will be filed in the committee's records.

In the investigations carried on by this committee among various colonies which are mentioned, I notice the colony of Manuel. Where was that colony?

Capt. HANSON. That was about 40 miles northwest of Tampico, on the railroad.

The CHAIRMAN. Well, how many people were there; do you know?

Capt. HANSON. There were about 10 families.

The CHAIRMAN. What was the value of the porperty lost there, if you know?

Capt. HANSON. About $100,000.

The CHAIRMAN. Where is the colony of Rio Verde?

Capt. HANSON. Rio Verde is on the San Luis branch of the Mexican National Railways, between Tampico and San Luis Potosi.

The CHAIRMAN. About how many families were there?

Mr. HANSON. Twenty.

The CHAIRMAN. What was the amount of the loss there, if you know?

Capt. HANSON. Approximately $200,000.

The CHAIRMAN. Where is the colony of Vallas?

Capt. HANSON. It is on the same railroad, near Rio Verde.

The CHAIRMAN. And there were about 50 families there?

Capt. HANSON. Yes, sir.

The CHAIRMAN. A total loss of about how much?

Capt. HANSON. About $500,000.

The CHAIRMAN. Where is the colony of Victoria?

Capt. HANSON. At the capital of the State of Tamaulipas. There are about 20 families there yet.

The CHAIRMAN. And the loss was approximately $200,000?

Capt. HANSON. Yes, sir. These figures are approximated.

The CHAIRMAN. Do you know anything about where Thomas Ewing was?

Capt. HANSON. No, sir. The committee has some letters there from those people.

The CHAIRMAN. The committee has received certain letters from parties whom you name, and which letters are here now before the committee, one from Thomas Ewing, claiming a loss of $342,518.12. You have examined that letter, have you?

Capt. HANSON. Yes, sir.

The CHAIRMAN. And from the examination of the letter are you satisfied—have you satisfied yourself of the approximate truth of the statements contained in it?

Capt. HANSON. Yes, sir; so far as I know it is supported by sworn affidavits.

The CHAIRMAN. There is a letter here from L. Gunter, claiming a loss of $8,640. You have examined that letter, have you?

Capt. HANSON. Yes, sir.

The CHAIRMAN. There is a letter here from John W. Glaze, claiming a loss of $3,531. That contains an itemized account.

I will state that these letters will be placed in the record, following the testimony of this witness.

We have a letter from L. J. Kolklosch, claiming a loss of $89,800. Also a statement from J. Lilywhite, with reference to the Morelos Colony. This J. Lilywhite was a witness whom the committee attempted to secure—the attendance of whom the committee attempted to secure at Tucson, and was unable to do so because of the breaking down of his automobile. That statement will be placed in the record also.

(The letters referred to appear in the appendix following the testimony of this witness.)

Capt. HANSON. Here is something—I don't know whether it ought to go into the record, but it ought to go into the files of the committee. You might put the whole thing in, leaving the name out.

The CHAIRMAN. This statement which you have handed the committee, being a statement of L. Witzke, was taken by yourself, or in your presence, and also in the presence of an intelligence officer of the United States Army.

Mr. HANSON. Yes, sir.

The CHAIRMAN. This statement of Witzke will be filed with the testimony.

(The statement referred to appears in the appendix following the testimony of this witness.)

This is a statement obtained by the investigator from one Rowe with reference to his kidnapping, the statement being made at San Antonio, December 3, 1919, which will be published as part of this hearing.

(The statement referred to appears in the appendix following the testimony of this witness.)

This is a list of Americans killed in Mexico not in the "murder maps." The deaths of these men have all been checked up from other portions of the testimony, and it will now be incorporated in the record, simply as containing the names, dates, etc., of the deaths.

(List referred to appears in the appendix following the testimony of this witness.)

The Chairman will offer as part of the hearing in this case, to be printed in this part of the hearing, executive document No. 98, Thirty-sixth Congress, first session, being the Treaty of Transit and Commerce with Mexico, with a message from the then President of the United States under date of January 4, 1860, containing also a letter from the then minister, Robert McLean, to the Secretary of State, Mr. Cass, under date of December 14, 1859; also containing a convention to enforce treaty stipulations.

(The document referred to appears in the appendix following the testimony of this witness.)

There will also be printed in the record at this time, although not in the proper place, the written memorandum referred to in the

testimony of Mr. Kellogg, given heretofore, concerning the oil laws of Mexico.

(The memorandum referred to appears in the appendix following the testimony of this witness.)

Also there will be filed and printed in this record the transcript of the judgment of the Texas court of criminal appeals in the case of Jose Antonio Arce et al., appellants, v. State of Texas, of April 17, 1918, which will be printed in the record.

(The paper referred to appears in the appendix following the testimony of this witness.)

Also the affidavit of E. E. Dickason, repealing the testimony of Henry Forrest, containing on page 1187 of the printed record, in so far as that testimony mentions Mr. Dickason. The affidavit will be printed in justice to Mr. Dickason without any expression of opinion from the committee as to the veracity of the testimony or the affidavit.

(The affidavit referred to appears in the appendix following the testimony of this witness.)

Also an affidavit of Mrs. R. L. Sanford, concerning outrages upon herself, the affidavit being executed before a notary public of the State of Texas on the 19th day of April of this year.

(The affidavit referred to appears in the appendix following the testimony of this witness.)

Also the affidavit of ———, made on the 30th day of January, 1920, which will be printed with the name of the party making the affidavit in blank for the protection of such party. After the printed record is completed the original will be returned to the committee for its executive files. Any American names mentioned in the affidavit will be stricken out. This man is still doing business in Mexico.

(The affidavit referred to appears in the appendix following the testimony of this witness.)

Also the statement of ——— with reference to his capture by and experiences while with Francisco Villa, executed on the 30th day of January, 1920, which will be printed with the names in blank, and the original will be returned to the committee for its executive files.

(The paper referred to appears in the appendix following the testimony of this witness.)

Also the affidavit of Charles S. Dolly, made on the 19th of August, 1919, with a letter accompanying same, which will be printed in full.

(The affidavit and letter referred to appear in the appendix following the testimony of this witness.)

Also letter with an accompanying account from W. A. Lyon, which will be printed in full in the record.

(The letter and account referred to appear in the appendix following the testimony of this witness.)

Also affidavit and letter from Charles F. Simon, which will be printed in full in the record; these affidavits containing claims for damages.

(The affidavits and letter referred to appear in the appendix following the testimony of this witness.)

Also affidavits of Mrs. R. L. Fisher, B. H. Brown, and Joe Stempfle, with relation to the murder of Wilford O. Robertson, which will be printed in full in the record.

(The affidavits referred to appear in the appendix following the testimony of this witness.)

These affidavits and letters have been received by the committee and full credit given them, as it was impossible for the committee to reach and secure the attendance of each witness of whom it knew, and therefore it directed letters to be written to various parties with the statement that their affidavits or letters concerning their claims or subjects of interest would be received and printed in the record, which is now being done.

Also there will be printed in this part certain portions of Army intelligence reports concerning radical activity and bolshevist propaganda in Mexico. The direct source of this information will not be given, as it might interfere with the work of another department of this Government still being carried on in other places than Washington.

(The extracts from reports referred to appear in the appendix following the testimony of this witness.)

In connection with the last document there will be printed the report of special agent Capt. Hanson, as made by him to the adjutant general of Texas, and also to this committee.

(The report referred to appears in the appendix following the testimony of this witness.)

With the printing of this record the hearings before the committee at this immediate time will be concluded, to be taken up from time to time at the call of the chairman; the committee, under the instructions of the Foreign Relations Committee, continuing its investigations when, in the opinion of the chairman, the same is necessary.

(Whereupon, at 2.30 o'clock p. m., the committee adjourned.)

APPENDIX.

SAWTELLE, CALIF., *March 13, 1920.*

Maj. DAN M. JACKSON,
San Diego, Calif.

DEAR SIR: I had not been informed that the Senate committee on investigation of Mexican affairs was to be in Los Angeles until I seen in the papers where the committee had arrived and departed for San Diego, with the expectation of returning to Los Angeles at a later date, so if you will notify me when this committee is to convene in Los Angeles I will be very pleased to place my claim before them and give such information as may be required.

Thanking you for past favors, I remain

Yours, respectfully,

THOMAS EWING,
Box 378, Sawtelle, Calif.

SAWTELLE, CALIF., *March 18, 1920.*

Maj. DAN M. JACKSON,
Secretary Senate Investigation Committee on Mexican Affairs,
Los Angeles, Calif.

DEAR SIR: At your request I hereby give the amounts of the different claims that I am filing with the Secretary of State, at Washington, D. C.:

Claim.		Ewing's loss.
A. Loss of Ewing Mine, loss to Ewing & Stroyick	$10,000.00	$5,000.00
B. Loss of La Deseada, loss to Ewing & Cornick	30,000.00	15,000.00
C. Loss of La Blanca Mine	10,550.00	10,550.00
D. Loss of San Antonio Mine, loss to Ewing & Dudley	45,000.00	17,500.00
E. Loss of San Antonio No. 2, Ewing & Cornick	40,000.00	20,000.00
F. Loss of San Antonio No. 3, Ewing & Cornick	40,000.00	20,000.00
G. Loss of San Miguel Mine, San Miguel-Sonora Gold Mining Co., S. A., Thomas Ewing, president	525,000.00	205,078.12
H. Loss of San Bernardino No. 2, Ewing & Stroyick	15,000.00	7,500.00
J. Loss of San Bernardino No. 3, Ewing & Stroyick	15,000.00	7,500.00
K. Loss of Turkey Track Mine, Ewing & Cornick	57,000.00	27,500.00
L. Loss of personal property on his ranch	6,890.00	6,890.00
Total claim	794,440.00	342,518.12

THOMAS EWING,
Soldiers Home, Calif.

KERENS, TEX., *January 30, 1920.*

Maj. DAN M. JACKSON,
Secretary of the Subcommittee on Foreign Relations,
El Paso, Tex.

DEAR SIR: I am in receipt of letter dated January 24, from Senator Albert B. Fall, chairman of Committee on Foreign Relations, from his office in San Antonio, Tex., requesting that I write your detailing the circumstances, and amount of loss suffered from Mexican thieves.

I lost from thieves, believed to be from Mexico, 125 head of cattle, about one-half of these were three and four year old, steers, and balance were cows, and two-year olds, which were valued at that time at about $60 each. I also lost 19 head of saddle or cow horses, which I valued at $60 each.

These horses and cattle were stolen from my ranch in Duval County, Tex., during and between the years 1913 and 1915. about the time the country was overrun by Mexican thieves believed to be from Mexico, as some of the horses were traced back almost to the Rio Grande River, and believed to have been carried into Mexico.

Trusting this is the information wanted, and awaiting your reply, I am,

Yours very truly,

L. GUNTER.

FILLMORE, OKLA., *February 2, 1920.*

COMMITTEE ON FOREIGN RELATIONS,
El Paso, Tex.

DEAR SIR: My father, John W. Glaze, is sick, so will send in his list for him.

John W. Glaze's Mexico damages.

1 good saddle horse	$50
1 American mule	200
1 American mare	125
5 cow yearlings	100
6 young American cows	300
3 Mexican mules	150
1 American saddle	32
70 acres of field grown up	350
300 yards of 1-inch water piping	100
Household stuff	200
Chicken wire	100
30 bearing orange trees	180
50 bearing banana trees	50
2 dozen chickens	24
Farming tools	70
House and barn	1,500
Total	3,531

C. L. GLAZE.

Subscribed and sworn to before me on this 2d day of February, 1920.

[SEAL.] H. J. GREEN, *Notary Public.*

My commission expires September 30, 1922.

FILLMORE, OKLA., *February 2, 1920.*

SUBCOMMITTEE TO INVESTIGATE MEXICAN AFFAIRS.

DEAR SIRS: Am a member of the Blalock Mexico Colony, located at Chamal Tamps, Mexico.

My place was not bothered much till in January, 1915, 200 Villa soldiers camped in my cornfield, carrying off and destroying most of corn.

From this time on things grew from bad to worse, as soon as Carranza's soldiers got possession of country in which our colony is located. I went before the head officer and asked for protection. He laughed at me and told me to let the poor fellows have what they wanted.

Had to keep work stock tied in brush to keep soldiers from taking them. We were uneasy all the time, because we knew that we did not have any protection.

Carranza's soldiers forced Americans to give up all guns and pistols where they found out we had any.

It got so bad that in June, 1916, my family and myself and other Americans decided to leave Mexico. As we passed through Mexican town to railroad station, Carranza's soldiers threatened to hold us there and not let us go on. At railroad station we had to pay conductor on train $100 to hold train long enough for us Americans to load our own baggage on train.

When we boarded train at Tampico for Monterey, two of Carranza's soldiers, armed with pistols, robbed my wife of her watch and chain and $5 United States money.

In Monterey American women were insulted at waiting room by Carranza's soldiers.

After Carranza was recognized, the Americans in Mexico were treated like dogs.

I reached the border without a dollar, and have worked by the day and rented land ever since.

Respectfully,

C. L. GLAZE.

This is an itemized statement of my losses in Mexico:

9 head of cattle, at $30 per head	$270
1 wagon	50
1 saddle	10
25 head of hogs, at $10 per head	250
Farm implements	150
Household stuff	100
Watch and chain	50
American money stolen	5
2 dozen chickens	12
600 bushels of corn	600
Provisions	20
1 team of mules	200
Damage to buildings	500
Damage to fences	300
For 20 acre field growing up	60
Loss of rent on 60-acre field for 3 years	900
	3,477

I made out this statement to the best of my ability.

C. L. GLAZE.

Subscribed and sworn to before me this 2d day of February, 1920.

[SEAL.] H. J. GREEN, *Notary Public.*

My commission expires September 30, 1922.

LAREDO, TEX., *January 28, 1920.*

To the Subcommittee to Investigate Mexican Affairs, Hon. Albert B. Fall, Chairman.

GENTLEMEN: I am one of those who went to Mexico during the Diaz administration. We were invited there by the Government of Mexico and encouraged by our Government at Washington. I believed with all others who went there that we could depend on the protection vouchsafed by both Mexico and the United States in our rights of lives and property.

We could not have asked more than we were accorded in protection and respect by the Mexican Government and people under the incumbency of President Diaz. Not until the overthrow of the Diaz régime and the election of Francisco Madero as president of Mexico, did we feel seriously affected in our colony at Columbus, Tamaulipas.

One summer morning we were hunted at our houses and fields in and around Columbus as if it were a round-up of cattle. That is fully described in my complaint to the State Department at Washington, D. C., during the incumbency of Mr. Bryan, Secretary of State. Up to that time we did not feel the force of the criminal laws in Mexico, and now only by a "frame-up" against our colony. We felt as safe from harm heretofore as we ever felt in our homes in the United States.

There were no robberies, no bandit raids, no kidnapping for ransom, no killings of both native and foreign peoples, no ravishing of women and young girls, no ruthless destruction of property, no intimidation of people to cause them to flee from the country, no question of the rights of possession and use of property purchased, no question of surface and oil rights, no question of the rights to buy and sell lands, no question or reservation excepting, I think, to land along the northern boundary, no objection to the issuance of the Translacion de Dominio necessary to transfer real property from one "American" to another, no talk of "Mexico for Mexicans," no decrees abridging the rights of our people in anything excepting franchise which we did not desire nor expect, no decrees carrying force of confiscation of our vested rights in our lands, no extortion in the rates of taxation, and no interference in transportation of produce and passenger service by railroads. Now all is changed.

The fields are retaken by the wild jungle, most of the houses have been carried away or burned, the fences have disappeared, and the whole colony would remind a person of an old abandoned graveyard. The landowners and home builders have one privilege left, and that is to pay taxes at several hundred per cent advance on lands made fruitless by wars, raids, intimidations, and presidential decrees and laws. The final spike that nailed the coffin being the famous article 27 of the new constitution.

Here the picture of homes, fields, and groves was blurred. The dreams of peace and protection were now of destruction and waste. Treaty rights were ignored and

promises were entirely ignored. Property rights were as if written in the sands. Patents to the lands were no more binding than political platforms to carry elections, only good during the campaigns.

We can see a waste of possibly $500,000 in the Columbus colony alone, where small investors dropped in many cases all they had, and were invited to hasten to the United States and depend on charity of friends. Ask why all this? Later, truth may tell.

I am not of those who may say that the Mexican people are all bad. I would estimate that 95 per cent of them are inclined to peace and industry. Not over 5 per cent rule the masses and are responsible for the reign of terror in Mexico.

The masses are as helpless to defend themselves against that small minority as a flock of sheep against a wolf in their midst. The minority is increasing daily. The majority is daily growing weaker. The minority will never reform within themselves. They are in a normal state from centuries of bandit activity, curbed for a season by President Diaz, and liberated by Francisco Madero. The opening of prison doors was easy. The round-up of the lawless has not been within the power of any leader in Mexico.

What can be done? What will happen, and when?

DAMAGE AND LOSSES.

I have suffered losses, and mental and physical harm that can not easily be estimated:

I bought one-third interest in land	$16,000
Spent preparatory to colonization	16,000
Protocalization and taxes, approximately	2,000
Schools and teaching	500
Gifts and charities	300
Expenses in various sums	5,500
Damages, article 27, decrees	50,000
Total	89,300

The above is exclusive of the damages for arrest, abuse, and imprisonment, as per complaint resting in the Department of State, and minor outrages to my person by a Mexican thief, working for the National Lines, whom I caught stealing my onions, and a special outrage I suffered in an attack by a German and a Swede at Columbus. I could get no action by the courts in either case.

Balance on hand for old age, zero.

I inclose the few pages, with the "reservations" that they are not for the press. As you doubtless know, we have no immunity and I have not been immersed in the River Styx, and I still hope to get something out of Mexico. I know not what to do. I am now losing everything in way of crops and rentals by not feeling safe to go. I was selected for kidnaping when I left there last May, through the warning of Mexican friends.

Can not get any one to collect anything for me. I must not be under the ban in Mexico. I did not name the butchery of one of our citizens as I suppose others have done so.

Loyally,

L. J. KALKLOSCH.

THE STORY OF THE THEFT OF THE LAND OF THE COLONY MORELOS (MORMON) IN THE STATE OF SONORA, MEXICO.

[As told to me in person by J. Lillywhite, now head man of the colony.]

The Mormon colony Morelos was established in Sonora on the Bavispe River about 1901. It was founded by about a dozen families, mostly from Utah. In 1910 the colony numbered about 700 persons and was in a prosperous condition. The colonists had purchased their land—some 27,000 acres—partly from Cole & Cameron, an American firm of cattlemen, and partly from Mexican owners.

The colonists built some 50 brick dwelling houses, a flour mill, a fine schoolhouse, and fenced and irrigated their lands, adding greatly to the value of their holdings The farms were stocked with well-bred cattle, horses, hogs, and chickens. The colonists engaged in general farming, the crops consisting of wheat, corn, barley, potatoes and other vegetables, and fruits of many kinds. One year their wheat crop

amounted to 47,000 bushels. An imported stallion owned by a few of the colonists cost $2,299. Other blooded animals were imported by the colonists.

When Diaz was driven out the colony was flourishing. In the spring of 1912, when Oroszco's Red Flaggers overran Chihuahua, the colonists were asked by the American Government to come out. They complied with the request, but left Mexican caretakers on their property. A few never went back, not having the means. Others went back as soon as they could to take care of their own and of the property of their associates.

Those who went back took in with them an American consul named Dye, who went with them and gathered up along the valley merchandise which had been looted from their stores. Mexicans owning the homes searched invariably denied that they had anything belonging to the colonists, but in the face of these denials goods stolen from the colonists were found in nearly every home. Consul Dye took photographs of the wrecked and looted stores and houses and sent them to Washington.

The mill was destroyed. More than a ton of books, charts, and school paraphernalia had been taken away and destroyed, or were scattered over the country for miles around.

The mill was rebuilt and the machinery replaced by the Lillywhite Brothers. The colony resumed operations and went along with more or less interference by the revolutionists, who dynamited the irrigation dam and helped themselves from time to time to the cattle, horses, and produce of the colonists.

In 1915, when Carranza joined up with Gen. Calles in Sonora and they marched east into Chihuahua, the Mexicans living near the colony had already decided to seize the land of the colonists. Carranza stopped at Colonia Morelos, and these Mexicans appealed to him to divide the lands up among them. When they had finished their plea, J. Lillywhite took Carranza into his buggy and drove him over the colony, pointing out the brick houses, the mill, the growing orchards, and the fields of grain and the irrigation dam, and then, by comparison with 200-year old towns like Fronteras, argued with Carranza that what the Mormons had accomplished in five years would not have been accomplished by native Mexicans in two centuries. Carranza agreed with him and promised to protect the colonists in their rights. On their return he replied to the clamorous Mexicans by saying that he would not have the colonists disturbed; that they had paid for their lands and developed them and made them productive, and were entitled to all they had accumulated. Then he told J. Lillywhite to recall all the missing colonists, saying they were just the class of people the country needed, and he promised then and there to issue permits to the colonists to bring in free of duty any live stock or machinery that they needed to carry on their development work, and also that he would guarantee the colonists protection for life and property.

For a time thereafter the colonists were subjected only to those annoyances arising from marauding visits of occasional bands of revolutionists and bandits.

When Villa was on his way to take Agua Prieta in Sonora. Gen. Calles sent down to the colony a demand that the mill be dismantled at once so that Villa could get no flour. Calles' men took away an important part of the machinery and put the mill out of commission. Villa's men, in trying to get what flour remained in the mill, completely wrecked the machinery. The mill was again rebuilt, but the two crops of wheat then on the ground—one in the stack and one ready to harvest—were seized by Carranza forces before they could be got in. This was at the time that the Pershing punitive expedition started in and when the country was expecting intervention.

Just after this Gen. Calles seized all the land belonging to the colonists and turned it over to the Mexicans who had been clamoring for it. The colonists held the houses then occupied by them and J. Lillywhite held the mill and a small piece of ground which he refused to give up. The Mexicans took the rest of the land, vacant houses and most of the farming tools without compensation to the colonists.

The Mexicans were unable to raise enough to feed themselves, and J. Lillywhite went into other districts and bought and shipped in wheat in order to fill his contract to supply El Tigre Mining Co. The Commissary of the Mexicans who were living on the land belonging to the colonists then appeared at the mill and demanded the flour milled for El Tigre Mining Co. They wanted all there was, but "compromised" on a ton, which was delivered to them. Then they promptly demanded the rest, and had got two tons more when the millman crippled the engine so that they could not get the rest. The Mexicans then appealed to the presidente of the district at Agus Prieta, who went to the colony and arranged with J. Lillywhite for a thousand pounds more of flour on the condition that the Mexicans would pay for it at the next harvest. Only a small part of the three tons and a half was ever paid for. Bad wheat was received for some, and some poor labor was done for another small part. J. Lillywhite's loss on this wheat was more than a thousand dollars.

Since that time the Mexicans have been in possession of the land. They have destroyed many of the buildings and torn up a good many fences, moving the wire to other parts of the country and selling it. They cut down bearing fruit-trees to plant corn, and used about as much judgment in their other farming operations.

Many of the colonists gave up in disgust and came out after turning their claims over to J. Lillywhite. He remained and protested vigorously to the Mexican authorities against the vandalism of those who had seized the properties of the colonists. He was told that he had nothing to do with the properties by the Mexicans in control, and the Mexican authorities simply ignored his protests.

Mr. Lillywhite stated that quite recently the Mexican authorities had made a demand upon him for payment of taxes on the property which had been taken from him and the other colonists.

And that is the way the matter stands at this time.

I have read over the above statement and certify to its truth.

(Signed) J. LILLYWHITE,
Post-office box 413, Douglas, Ariz.

DOUGLAS, ARIZ., *November 5, 1919.*

L. Witzke, 24 years of age; German citizen; left Germany 1912, arriving in San Francisco 1916. Left United States in March, 1914. Arrested January 31, 1918, at Nogales, Ariz. Since then in custody.

I went to Mexico because I feared a declaration of war between the United States and Germany. I got hold of a Russian passport and the legation secretary sent me to Janke who was the head of the German secret service at Monterrey. He was living in a house belonging to a Mexican, Calle Guerrero 18. He took care of the Germans coming from the United States.

Janke told me that von Eckhardt and Carranza had an agreement and were working together. There was no go-between. Carranza and von Eckhardt always conferred personally. The latter part of 1917 von Eckhardt tried to float a loan for Carranza and I don't know whether he was successful or not, for I was arrested before it was completed. Von Eckhardt offered to put up German securities. When Carranza wanted von Eckhardt he would send for him and he would go in an auto and call on him publicly. As to what took place no one would know for their business was formal. Meetings always took place in Carranza's office in the National Palace.

Swertz was a major in Carranza's Army. He was a German citizen; a noncommissioned officer in German Army. Received his commission in 1916. He had been arrested since arrival in the United States and escaped to Mexico. Gov. Calles being very much pro-German gave him a commission.

Gen. Kloss was a German citizen; now an officer in the Carranza Army. Of course he was very much pro-German.

Ninety per cent of the Mexican Army were anti-American and pro-German since the war started.

There was a proposal to Mexico from Zimmerman to Carranza that if the United States went into the war Germany, Japan, and Mexico were to make an alliance against the United States, and Mexico was to get Texas, New Mexico, Arizona, and California for her part. This was before the war. Carranza tried to get Japan to join, but failed. Carranza's secret service men would make their reports to the Mexican Government, and anything they reported that was of interest to us we would get it through official channels. Von Brandt was our agent in Nuevo Laredo; he was a saloon man. His son was one of the means of communication across the river. Also taxi driver.

Gens. Obregon, Pablo Ganzales, who has a German wife, Murguia, Elias Calles, Serano, Gen. Garza, of Mexico City, were all strong pro-German. Everbush said he also paid Pelaez. The Mexican consul at Laredo was very kind to me and in 1917 viséd my passport. I did not have a picture but he passed me. He knew I was a German secret service agent. He asked my name and I told him, and he at once said all right.

The German Government through Spain had Mexico to be neutral, for the purpose of having that as a refuge for the German secret service, etc. We thought the United States might force an issue with Mexico; hence we sent our agents to Tampico to keep peace as far as possible between the Mexicans and the oil people.

We received our notices and news from Germany through Laredo, Tex., and El Paso principally and by wireless in Mexico City in the Chapultepec Park. At first it was not strong enough and the Mexican Government put it up higher. We received our

news over the wireless in code. We could not send messages, but could receive which were relayed.

It is against the law in Mexico for a foreigner to send code messages. All I had to do was to tell nearly any Carranza general who I was and my business, and he would at once allow me to send code messages especially enumerated above.

Gov. Cantu is anti-Carranzista and pro-American. Prior to the United States's entry into the war it was Germany's wish for Mexico and the United States to get into war so as to keep the United States occupied here and not have opportunity to consider European matters. My understanding was that Mexico was to harass the United States border prior to the war with Germany so she would not enter the war against Germany. Carranza soldiers would raid on the border under the guise of other parties. Maurio Mendez, minister of telegraph, was under pay from the German Government. His pay was paid through Carranza, who was repaid by the German citizens of Mexico.

Carranza was pro-German because he thought it the salvation for his country. To keep himself in favor had to be anti-American, for the Mexican people are anti-American.

SAN ANTONIO, *December 3, 1919.*

ACCOUNT OF THE ROWE KIDNAPING AS TOLD BY HIMSELF.

About a month ago some seven rebels entered the mining camp. There were about 100 men employed around the camp. A man had been placed on a near-by hill to warn of the approach of rebels; he failed to warn of the approach of this same bunch of seven. When the bunch arrived at the mine, a Frenchman started to run from the office to his room; he was shot in the stomach, later he was killed. The Englishman Rowe was carried away. That night a man came and said he would be released for 2,000 pesos. The money was sent out, but for various reasons the delivery could not be made. Soldiers were near by, so the money was returned; a later effort of this nature failed. A few days after they kidnaped Rowe they went into a small village and carried off a girl, the captain took her; a few days later the second in command thought he should have the girl; he killed his superior and took the girl. Some days later another of the party, a friend of the captain, killed the second who had been in command originally; this killer took the girl for himself. Later another of the bunch, a friend of the first killer, killed the last one who got the girl; this killer run away, thus leaving only three in the bunch. During all the time they were or had been skipping from pillar to post, dodging around, always guarding Rowe. Some three weeks after he had been taken the bunch deliberately hanging him to a tree in order not to be bothered with him any more. He prevailed upon them to allow him his liberty and he would send them 1,000 pesos. They cussed him out, but eventually accepted the proposition; they carried him to a near-by village and allowed him to go. He had to rest a week in the village; he was in a very bad shape; eventually he arrived at Fresnillo and gave this account of his experiences. He means to send the thousand pesos, as next "gringo" they caught they might not take his word. Just as the vice-consul in Zacatacas heard of the matter, he complained; many soldiers were sent out, but they had no part in the "rescue" as reported by the press.

Fresnillo is a small place, 40 miles north of the city of Zacatacas. The mining camp herein mentioned is 6 miles from Fresnillo.

LIST OF AMERICANS KILLED IN MEXICO, NOT IN MURDER MAP.

Darrow Berris, Nuevo Buena, 1913.
De Fabir, C. G., Cerecruz, soldier.
Bruce, Bruce, Ner Guerrero, 1916.
Echold, ———, Temosachic, 1914.
Earnest Howell.
Goodman, child, Acapulco, 1911.
Goodman, child, Acapulco.
Goodman, child, Acapulco.
Jones, Harry J., Texas, 1915, soldier.
Johnson, Guy, Chihuahua, 1916.
Keane, Peter, 1916.
Martinez, Luciano, Tampico district, 1913.
Martinetto, A., Cumpas, 1915.
Miller, Chas. De Witt, Columbus.

Morris, J. L., Cumbre Tunnell.
Patrick, Glennon, Alamo, Lower California, 1911.
Pearson, George F., Western Chihuahua, 1916.
Pelham, Oscar, Santa Gertrudis Mine, Pachuca, 1911.
Price, Scott, Mexico, 1912.
Riche, A. C., Columbus.
Snell, Benjamin, Ner Minaca, 1916.
Stell, Dr. A. T., Near Guerrero, 1916.
Stevens, William J., Pacheco, 1912.
Smith, Barron, Mexico City, 1915.
Wolf, U. G., Sonora, 1913.
Taylor, S. E., 1915.
Thomas, Robert.

[Confidential.]

[Thirty-sixth Congress, first session. Executive, No. 98.]

TRANSIT AND COMMERCE WITH MEXICO.

MESSAGE OF THE PRESIDENT OF THE UNITED STATES TRANSMITTING A TREATY OF TRANSITS AND COMMERCE BETWEEN THE UNITED STATES OF AMERICA AND THE MEXICAN REPUBLIC; ALSO A CONVENTION TO ENFORCE TREATY STIPULATIONS BETWEEN THE UNITED STATES OF AMERICA AND THE MEXICAN REPUBLIC, BOTH SIGNED AT VERA CRUZ ON THE 14TH DAY OF DECEMBER, 1859.

January 4, 1860. Read, and, on motion by Mr. ———, referred, together with the treaties and accompanying documents, to the Committee on Foreign Relations, and ordered to be printed in confidence for the use of the Senate.

March 6, 1914. Injunction of secrecy removed, and ordered printed for the use of the Senate.

To the Senate of the United States:

I transmit to the Senate for consideration, with a view to ratification, a "treaty of transits and commerce between the United States of America and the Mexican republic;" and also a "convention to enforce treaty stipulations" between the same parties, both of which were signed by the plenipotentiaries of the respective governments, at Vera Cruz, on the 14th December ultimo.

I also transmit a copy of a despatch of the minister of the United States accredited to the Mexican government to the Secretary of State relative to these instruments.

JAMES BUCHANAN.

WASHINGTON, *January 4, 1860.*

Mr. McLane to Mr. Cass.

No. 56.] UNITED STATES LEGATION,
Vera Cruz, December 14, 1859.

SIR: I have the satisfaction to forward herewith a treaty concluded with the government of Mexico, by which it will be perceived that my negotiation for transits and rights of way across the Isthmus of Tehuantepec, and from the Rio Grande and Arizona to the Gulf of California, is successfully closed, and that this government consents to all the stipulations deemed important by the President to insure the safety of the same.

I have also concluded and forward herewith a convention with the government of Mexico to enforce treaty stipulations, and to maintain order in the territory of the republics of Mexico and the United States, by which it will be perceived that, while the independence of Mexico is in no degree compromised, the United States acquires the right to intervene in support of its own treaty rights and the security of its own citizens whenever Mexico may be unable to guaranty the same, without incurring the obligation or necessity of a general intervention in the domestic affairs of that country.

The treaty of transits and commerce is based upon the resolutions or project of Mr. Ocampo, submitted to me with his letter of the 9th July, 1859, a copy of which was transmitted to you as exhibit A of my despatch No. 23. The articles of this project

have been modified in pursuance of your instructions communicated in your No. 10, which modifications were refused by Mr. Fuente in his note of August 30, a copy of which was transmitted to you as exhibit A of my despatch No. 33, and again on the 24th November, in a personal conference with me, after which he retired from the government, President Juarez having decided that it was his duty to conclude the negotiation on the basis of your instructions already noted. Mr. Ocampo then having resumed the post of Minister of Foreign Affairs, I held several conferences with him, in which I advised him that I had no desire to press the views of my government further, and that I should not resume the negotiation unless the views of the President in relation to the protection of the transits were promptly and fully conceded. In reply to which he informed me that he had received instructions to accept the proposition I made to Mr. Fuente in August, to wit: that the article in the treaty with the republic of Nicaragua relating to the protection necessary and proper to insure the safety of the transits should be adopted as a satisfactory solution of the question.

I accepted this concession, and proceeded with the examination of the other articles of his project, all of which were modified to meet the views of the government of the United States, except in relation to the limitation proposed by me on the dividends that might be made by companies possessing the privileges of transit. In the exercise of the discretion confided to me I did not press this proposition, as Mr. Ocampo manifested unusual sensibility in reference to it, and persisted in his opinion that such a limitation ought not to be enforced upon companies that invested capital in Mexico, where the value of money was so much greater than in the United States or in Europe; but I deemed it expedient to extend and enlarge the demand I had made concerning the commercial privileges to be enjoyed at the termination of the transits. With this view I proposed that a list of articles should be agreed upon, being the growth, product or manufacture of the two republics, and that the Congress of the United States should select from the list at its discretion which articles could be imported into either republic at these transits on terms of perfect reciprocity, whether free or at a fixed rate of duty. In this list I embraced everything that was included in the project of a reciprocity treaty formerly negotiated between Mexico and the United States, with some additional articles of considerable importance, especially all grains and breadstuffs, and manufactures of cotton and leather.

I consider this arrangement, when taken in connection with the warehousing regulations provided for in the original project, to be of great importance, not only to the frontier population between Mexico and the United States, but to the general commercial interests of both republics, more particularly to the agricultural interest of the west, and the manufacturers of cotton and leather, whether in the west or east; and as it is embodied in the treaty of transits and commerce, the original project of which has already received the sanction of the President, I indulge the hope that he will find in it an additional reason for receiving with satisfaction the result of my negotiation.

This treaty of transits and commerce, as concluded, cedes to the United States in perpetuity the right of way across the Isthmus of Tehuantepec and from the Rio Grande and Arizona to the Gulf of California, with free passage of goods, merchandise, and mails, troops and munitions of war. Warehouses are to be erected at the termini of the transits, and regulations established for storage of goods for sale in Mexico or for reshipment, and transit free of duty, with a schedule of articles to be imported into either republic on terms of a perfect reciprocity. Power is conceded to the Government of the United States to use its military force to insure the safety of these transits and that of its citizens who may enjoy the same. These provisions, with the stipulation exempting them from forced loans and guaranteeing religious freedom and worship in chapels or private houses, will give to the citizens of the United States in Mexico great advantages, and on the line of the transits as well as on the inland frontier contribute to the welfare and general prosperity of both republics.

The amount of four millions is stipulated as the sum to be paid to Mexico in compensation for its loss of revenue for the free passage of goods through its territory between our Atlantic and Pacific States or destined for consumption in Arizona, and in consideration of the concessions embraced in the other stipulations of the treaty. Two millions of this amount are reserved for the satisfaction of claims of citizens of the United States against the government of Mexico.

I have commented upon all these stipulations in former despatches, and expressed to you the opinion I entertain of their value; it is not necessary, therefore, that I should extend my observations in this despatch, my purpose being simply to recapitulate the stipulations embraced in the treaty as it has been concluded by me.

In reference to the convention to enforce treaty stipulations and to maintain order in the territory of either republic, I have little to add to what I have repeatedly

brought to your attention in connection with the inability of any government that may exist in Mexico as a central government to perform properly its functions as a supreme government, and in discussing Mr. Ocampo's project of a treaty of alliance between Mexico and the United States. I do not doubt now, and I have never doubted, the ability of the constitutional government to sustain itself against the church and military government that has possession of the capital, but I cannot foresee when or how the struggle between them will terminate; and until such a termination is reached citizens of the United States in Mexico will be exposed to danger, and treaty stipulations will be violated. Under these circumstances, although I have on all occasions represented to the constitutional government that I was instructed to adhere to the fixed policy of the United States and avoid all intervention with the domestic administration of Mexico, yet I have steadily insisted that it was the recognized duty of the government of the United States to intervene and interfere whenever its own security, or what was due to itself in the abstract, or in virtue of treaty stipulations, required such intervention, as also to protect and defend the lives and property of citizens of the United States within the territory of Mexico.

Keeping this general principle in view, and pursuing the spirit of your instructions on this point, I have endeavored to come to such an understanding with the constitutional government as would permit such an intervention with the least possible disturbance of the friendly relations that ought to be maintained between the two republics, and without any real departure from the policy of the United States in this connection.

It has been with much difficulty that I induced the constitutional government to recognize its obligation to seek the aid of the government of the United States when it was unable to perform with effect its proper functions as a government; and it was only when I represented that sooner or later the government of the United States would act without reference to it or any other government or authority, in defence of its treaty rights and to protect its citizens, that I was able to come to any conclusion satisfactory to myself on this point.

The principle of mutuality or reciprocity that prevails in the convention I have concluded and now submit for the consideration of the President seems due to the self-respect of the government of Mexico, and was justified practically by recent events on the Rio Grande frontier; and I adopted it willingly, and with confidence that it gave greater strength to the convention than if I had only contemplated the contingency that the weakness of the Mexican government rendered such intervention necessary.

I am aware that I have acted very much on my own discretion and responsibility in concluding this convention, though I have endeavored to follow the spirit of your instructions; and I am persuaded that if the government of the United States declines the responsibility imposed upon it by the adoption and ratification of this convention, further anarchy will prevail in Mexico, until it will be terminated by direct intervention from some other quarter in the federal politics of Mexico, or by an intervention of our own, caused by some sudden and unforeseen provocation that will expose us to the responsibilities of a general war, and a conquest that few would desire to undertake or consummate.

I beg to call your attention to my despatch, No. 5, in connection with the value of the transit from Guaymas to Arizona, and to my despatches Nos. 8, 10, 17, and 22, in reference to the Tacubaya assassinations, and the demand addressed to the Miramon government for redress, and also to my No. 54, referring to the assassination of Ormond Chase; and in this connection I invite your particular attention to the necessity of adopting some measure in concert with the constitutional government, or independent thereof, to enforce these demands. All the facts connected with these transactions urge strongly the adoption of the convention herewith transmitted.

Very respectfully, your obedient servant,

ROBERT M. MCLANE.

Hon. LEWIS CASS,
Secretary of State, Washington City.

[Confidential.]

[Thirty-sixth Congress, first session. Executive, No. 98.]

TREATY OF TRANSITS AND COMMERCE BETWEEN THE UNITED STATES OF AMERICA AND THE MEXICAN REPUBLIC, DATED AT VERA CRUZ, DECEMBER 14, 1859.

January 4, 1860. Read, and, on motion by Mr. ———, referred, together with the treaties and accompanying documents, to the Committee on Foreign Relations, and ordered to be printed in confidence for the use of the Senate.

March 6, 1914. Injunction of secrecy removed, and ordered printed for the use of the Senate.

Whereas the ratifications of a treaty of amity, commerce, and navigation were exchanged between the United States of America and the United Mexican States on the fifth of April, one thousand eight hundred and thirty-one; and whereas the ratifications of a treaty for the alteration of boundary and the regulation of a transit or right of way across the Isthmus of Tehuantepec were exchanged between the same two republics on the thirtieth of June, one thousand eight hundred and fifty-four; and whereas, it is deemed expedient to amplify and extend some of the stipulations of the aforesaid treaties, and thus render more firm and inviolable the true and sincere friendship now existing between the United States and Mexico:

Wherefore the following stipulations have been agreed upon by means of a treaty of transits and commerce.

For which important object the President of the United States of America has appointed Robert M. McLane, a citizen of the United States, and envoy extraordinary and minister plenipotentiary of the United States of America near the Mexican government, with full powers; and the President of the Mexican republic, in the exercise of the executive power, having conferred like full powers on the citizen Melchor Ocampo. Secretary of State and Foreign Affairs; and the aforesaid plenipotentiaries, after having compared and exchanged in due form their respective powers as aforesaid, have agreed upon the following articles:

Considerando que las ratificaciones de un tratado de amistad, comercio, y navigacion fueron cangeadas entre los Estados Unidos dos Méjicanos y los Estados Unidos de América á los cinco dias de Abril, del año de mil ochocientos treinta y uno, y por cuanto que las ratificaciones de un tratado para la alteracion de los linderos y los reglamentos de un tránsito ó derecho de via al traves del Istmo de Tehuantepec fueron cangeadas entre las mismas dos repúblicas, á los treinta dias de Junio del año de mil ochocientos cincuenta y cuatro; y por cuanto se juzga conveniente amplificar y estender algunas de las estipulaciones de los antedichos tratados, y de esta manera volver mas sólida e inviolable la verdadera y sincera amistad que ahora existe entre Méjico y los Estados Unidos.

Por lo tanto las estipulaciones siguientes han sido convenidas por medio de un tratado de transitos y comercio.

Para cuyo importante objeto el Presidente de la república Méjicana, en el ejercicio del poder ejecutivo ha conferido plenos poderes al ciudadano Melchor Ocampo, Secretario de Estado y del Despacho de Relaciones Esteriores y el Presidente de los Estados Unidos de América al ciudadano Roberto M. McLane, enviado estraordinario y ministro plenipotenciario de los Estados Unidos de América cerca del gobierno Méjicano; y los susodichos plenipotenciarios despues de haber comprobado y cambiado sus respectivos plenos poderes, han convenido en los articulos siguientes:

ARTICLE I.

As an amplification of the eighth article of the treaty of the thirtieth of December, one thousand eight hundred and fifty-three, the Mexican republic cedes to the United States and its citizens and property, in perpetuity, the right of way, by the Isthmus of Tehuantepec, from one ocean to the other, by any kind of road now existing, or that may hereafter exist, both republics and their citizens enjoying it.

ARTICULO I.

Como amplification del articulo 8 del tratado de 30 de Déciembre, de 1853, la república Méjicana cede á los Estados Unidos en perpetuidad, y á sus ciudadanos y propiedades el derecho de via por el Istmo de Tehuantepec, des de un oceano hasta el otro por cualquiera clase de camino que exista hoy ó existir á en lo de adelante, gozando de ello ambas republicas y sus ciudadanos.

ARTICLE II.

Both republics agree to protect all routes now existing, or that shall hereafter exist, over the said isthmus. and to guaranty the neutrality of the same.

ARTICLE III.

Simultaneous with the first bona fide use of any route across the said isthmus for purposes of actual transit, the republic of Mexico shall establish two ports of deposit—the one on the east, the other on the west of the isthmus. No duty shall be levied by the government of Mexico upon foreign effects and merchandise which may pass bona fide by the said isthmus, and which may not be intended for the consumption of the Mexican republic. No incumbrance or tolls shall be imposed upon foreign persons and property which may pass by this road beyond those that may be imposed upon the persons and property of Mexicans. The republic of Mexico will continue to allow the free and untrammeled transit of the mails of the United States, provided they pass in closed mail bags, and they be not for distribution on the road. Upon such mails none of the charges imposed, nor of those which may hereafter be imposed, shall be applied in any case.

ARTICLE IV.

The Mexican republic agrees that it will establish for each of the two ports of deposit—the one on the east, the other on the west of the isthmus—regulations that will permit the effects and merchandise belonging to citizens or subjects of the United States or of any foreign country to be entered and stored in warehouses, which shall be erected for that purpose, free of all tonnage or other duties whatever, except the necessary charges for cartage and storage, which said effects and merchandise may be subsequently withdrawn for transit across the said isthmus, and for shipment from either of the said ports of deposit to any foreign port, free of all tonnage or other duties whatever; and they may likewise be withdrawn from the said warehouses for sale and consumption, within the territory of the Mexican republic, on the payment of such duties or imposts as the said Mexican government may be pleased to enact.

ARTICULO II.

Ambas republicas convienen en protejer todos los caminos que existen hoy ó existan en lo de adelante y en garantizar la neutralidad de los mismos.

ARTICULO III.

Simultaneamente con el primer uso bona fide de cualquiera ruta por medio de dicho istmo, con motivos del tránsito efectivo del mismo, la república de Méjico, establecerá dos puertos de depósito, el uno al este, y el otro al oeste del istmo. Ningun derecho se recandará por el gobierno de Méjico sobre los efectos y mercancias estrangeras que pasen bona fide por dicho Istmo, y que no sean destinados para el consumo de la república Méjicana. Ningun gravamen ó derechos de portargo se impondrá á las personas y propriedades estrangeros, que pasen por este camino, mas de los que se impongan á los personas y propiedades Méjicanas. La república de Méjico continuará permitiendo el franco y libre tránsito de las balijas de correo de los Estados Unidos, siempre que pasen sacos cerrados y que no sean para repartirse en el camino. Sobre tales balijas ningunos de los gravámenes impuestos ni de los que los en sucesivo se impongan se aplicarán en ningun caso.

ARTICULO IV.

La república Méjicana conviene en establecer, para cada uno de los dos puretos de depósito, el uno al este, y el otro al oeste del istmo, los reglamentos que permitan la entrada y el almacenaje de los efectos y mercancias pertenecientes á los ciudadanos ó á los súbditos de los Estados Unidos ó de cualquier pais estrangero, libres de todo gravámen de tonelada ú otro derecho cualquiera, con escepcion de los gartos necesarios para el acarreo y almacenaje de dichos efectos, para los cuales se construirán almacenes propios; los dichos efectos y mercancias pod ranser sacados del depósito para el tránsito de dicho istmo, asi como para embarcarlos desde cualquiera de los dos puertos de depósito, con destino á cualquier puerto del estrangero que dando siempre libres de todo derecho de tonelada ú otro impuseto cualquiera; igualmente podran ser sacados de dichos almacenes para ser vendidos y consumidos dentro del territorio de la república Méjicana, previo el pago de derechosé impuestos que tenga por bien decretar el dicho gobierno Méjicano.

ARTICLE V.

The republic of Mexico agrees that should it become necessary at any time to employ military forces for the security and protection of persons and property passing over any of the routes aforesaid, it will employ the requisite force for that purpose; but upon the failure to do this, from any cause whatever, the government of the United States may, with the consent or at the request of the government of Mexico, or of the minister thereof at Washington, or of the competent legally appointed local authorities, civil or military, employ such force for this and for no other purpose; and when in the opinion of the government of Mexico, the necessity ceases, such force shall be immediately withdrawn.

In the exceptional case, however, of unforeseen or imminent danger to the lives or property of citizens of the United States, the forces of said republic are authorized to act for their protection without such consent having been previously obtained; and such forces shall be withdrawn when the necessity for this employment ceases.

ARTICLE VI.

The Mexican republic grants to the United States the simple transit of its troops, military stores, and munitions of war, by the Isthmus of Tehuantepec, and by the transit or route of communication referred to in this convention from the city of Guaymas, on the Gulf of California, to the Rancho de Nogales, or some suitable point on the boundary line between the republic of Mexico and the United States near the one hundred and eleventh degree west longitude from Greenwich, immediate notice thereof being given to the local authorities of the republic of Mexico. And the two republics agree, likewise, that it shall be an express stipulation with the companies or enterprises to whom hereafter the carriage or transportation is granted, by any railroads or other means of communication, on the aforesaid transits, that the price for conveying the troops, military stores, and munitions of war of the two republics shall be, at most, one-half the ordinary fare paid by the passengers or merchandise which may pass over the said transits; it being understood that if the grantees of privileges already granted, or which hereafter may be granted, upon railroads or other means of conveyance over said transits, refuse to receive for one-half the price of conveyance the troops, arms, military stores, and munitions of the United States, the latter government will not impart to them the protection spoken of in articles second and fifth, nor any other protection.

ARTICULO V.

La república de Méjico conviene en que si fuere necesario, en cualquier tiempo el emplear fuerzas militares para la seguridad y proteccion de los personas y propiedades que transiten por cualesquiera de las rutas antedichas, ella empleará la fuerza necesaria con este fin; pero en caso de omision en hacerlo por cualquier motivo que fuere, el gobierno de los Estados Unidos, podrá con el consentimiento, ó á pedimento del gobierno de Méjico, ó al de su ministro en Washington, ó al de las autoridades locales competentes y legalmente nombradas, sean civiles ó militares, emplear tal fuerza para este efecto y no para ningun otro; y cuando en el juicio del gobierno de Méjico cese esa necesidad, la tal fuerza se retirará inmediatamente.

En el caso escepcional sin embargo de un peligro imprevisto ó inminente para las vidas ó propiedades de los ciudadanos de los Estados Unidos, las fuerzas de dicha república tendrán facultad de obrar para la proteccion de ellos, sin que dicho previo consentimiento haya sido obtenido, y tales fuerzas se retirarán cuando concluya la necesidad para su empleo.

ARTICULO VI.

La república Méjicana concede á los Estados Unidos el simple tránsito de sus tropas pertrechos y municiones de guerra por el Istmo de Tehuantepec, y por el tránsito ó ruta de comunicacion de que se habla en este convenio, desde la ciudad de Guaymas sobre el Golfo de California, hasta el Rancho de Nogales, ú otro punto conveniente sobre la frontera entre la república de Méjico y los Estados Unidos, cerca del grado 111° de longitud oeste de Greenwich dándose aviso de ello á las autoridades locales de la república de Méjico. Y las dos repúblicas convienen igualmente en que será estipulacion espresa con las compañias ó empresas á las que en lo sucesivo se conceda el acarreo y trasporte, por cualesquiera ferro-carriles ú otros medios de comunicacion, en los ante dichos tránsitos, que el precio de conduccion de las tropas, pertrechos y municiones de guerra de las dos repúblicas será cuando mas la mitad del precio comun que paguen los pasajeros ó las mercancias que pasen sobre dichos tránsitos; entendiéndose que si los concesionarios de privilegios ya acordados ó que en lo sucesivo se acordaren sobre ferro-carriles ú otros medios de conduccion en dichos tránsitos rehusan recibir por mitad del precio de conduccion las tropas, armas, pertrechos y municiones de los Estados Unidos, este último gobierno nô les impartirá la proteccion de que hablan los Artículos II y V, de este tratado, ni ninguna otra.

ARTICLE VII.

The Mexican republic hereby cedes to the United States in perpetuity, and to their citizens and property, the right of way or transit across the territory of the republic of Mexico, from the cities of Camargo and Matamoros, or any suitable point on the Rio Grande, in the State of Tamaulipas, via Monterey, to the port of Mazatlan, at the entrance of the Gulf of California, in the State of Sinaloa, and from the Rancho de Nogales, or any suitable point on the boundary line between the republic of Mexico and the United States, near the one hundred and eleventh degree west longitude from Greenwich, *via* Magdalena and Hermosillo, to the city of Guaymas, on the Gulf of California, in the State of Sonora, over any railroad or route of communication, natural or artificial, which may now or hereafter exist or be constructed, to be used and enjoyed in the same manner and upon equal terms by both republics and their respective citizens, the Mexican republic reserving always for itself the right of sovereignty which it now has upon all the transits spoken of in the present treaty. All the stipulations and regulations of every kind applicable to the right of way or transit across the Isthmus of Tehuantepec that are or have been agreed upon between the two republics, are hereby extended and applied to the foregoing transits or rights of way, excepting the right of passing troops, military stores, and munitions of war, from the Rio Grande to the Gulf of California.

ARTICULO VII.

La república Méjicana por este articulo cede á los Estados Unidos en perpetuidad y á sus ciudadanos y propiedades, el derecho de via ó tránsito por el territorio de la república Méjicana, desde las ciudades de Camargo y Matamoros ú otro punto conveniente del Rio Grande en el Estado de Tamaulipas, por via de Monterey, hasta el puerto de Mazatlan, á la entrada del Golfo de California, Estado de Sinaloa; y des de el Rancho de Nogales, ú otro punto conveniente sito en las fronteras entre la república de Méjico y los Estados Unidos, cerca al 111° grado de longitud oeste de Greenwich, por via de Magdalena y Mermosillo hasta la ciudad de Guaymas sita en el Golfo de California, Estado de Sonora, por cualquier ferrocarril ó via de comunicacion, natural ó artificial, que por ahora ó en lo venidero existiere ó que se que se construyere para el uso y goce mutuo, y bajo las mismas condiciones, de ambas repúblicas y sus respectivos ciudadanos. reservándose siempre para si la república Méjicana el derecho de soberania que hoy tiene sobre todos los tránsitos de que habla el presente tratado. Todas las estipulaciones y reglamentos de cualquiera clase aplicables al derecho de via ó transito por el Istmo de Tehuantepec, y sobre los cuales estan de acuerdo y se han convenido entre las dos repúblicas, por este articulo se estienden y se aplicana á los antedichos tránsitos ó derechos de via, á escepcion del derecho de pasar tropas, pertrechos y municiones de guerra, desde el Rio Grande hasta el Golfo de California.

ARTICLE VIII.

The two republics likewise agree that, from the list of merchandise here annexed, the Congress of the United States shall select those which, being the natural, industrial, or manufactured product of either of the two republics, may be admitted for sale and consumption in either of the two countries, under conditions of a perfect reciprocity, whether they be considered free of duty, or at a rate of duty to be fixed by the Congress of the United States; it being the intention of the Mexican republic to admit the articles in question at the lowest rate of duty, and even free if the Congress of the United States consents thereto. Their introduction from one to the other republic shall be made at the points which the governments of both republics may fix upon, at the limits or boundaries thereof ceded and granted

ARTICULO VIII.

Convienen igualmente ambas repúblicas, en que, de la liste de mercancias aqui adjunta, elija el Congreso de los Estados Unidos las que, siendo producto natural, industrial ó manufacturado de cualquirea de las dos repúblicas sean admitidas para su venta y consumo en cualquiera de los dos paises, bajo condiciones de una reciprocidad perfecta, sea que se les considere libres de derechos, ó con tal cuota como sea fijada por el Congreso de los Estados Unidos, puerto que la intencion de la república Méjicana es admitir los articulos de que se trata á los mas bajos derechos, y aun libres, si el Congreso de los Estados Unidos consintiere en ello. Su introduccion de una á otra república se hará por los puntos que los gobiernos de ambas repúblicas determinen en los limites ó términos de ellas, cedidos y concedidos para los tránsitos y enperpetuidad por este con-

for the transits, and in perpetuity, by this convention, either across the Isthmus of Tehuantepec or from the Gulf of California to the interior frontier between Mexico and the United States. If any similar privileges should be granted by Mexico to other nations at the termini of the aforesaid transits upon the Gulfs of Mexico and California, and upon the Pacific ocean, it shall be in consideration of the same conditions and stipulations of reciprocity which are imposed upon the United States by the terms of this convention.

venio, ya al traves del Istmo de Tehuantepec, ya desde el Golfo de California hasta la frontera interior entre Méjico y los Estados Unidos. Si algunos privilegios semejantes fueren concedidos por Méjico á otras naciones, en los términos de los ante dichos tránsitos sobre los Golfos de Méjico y California y el oceano Pacifico, será en consideracion de las mismas condiciones y estipulaciones de reciprocidad que son impuestas á los Estados Unidos por los términos de esta convencion.

Schedule annexed to article VIII.

Animals of all kinds.
Plows and loose iron bars.
Rice.
Poultry and fresh eggs.
Quicksilver.
Stone coal.
Fresh, salted, and smoked meats.
Wood and iron houses.
Raw hides.
Horns.
Chile or red pepper.
Drawings and models of large machinery, buildings, monuments, and boats.
Boats of all sizes and classes for the navigation of the rivers on the frontier.
Brooms and material for their manufacture.
Bridle bits.
Fresh, dried, and sugared fruits.
Type, spaces, plates for printing or engraving, rules, vignettes, and printing ink.
Printed books of all classes bound in paper, (pamphlet bound).
Hops.
Timber, unwrought, and firewood.
Butter and cheese.
Geographical and nautical maps and topographical plans.
Marble, wrought and unwrought.
Machines and implements for agriculture, farming, mining, for the development of the arts and sciences, and their fixtures, either loose or for their repair.
Dyewood.
Fish, tar, turpentine, and ashes.
Plants, trees, and shrubbery.
Slates for roofing purposes.
Common salt.
Riding saddles.
Palm-leaf hats.
Plaster of Paris (gypsum).
Vegetables.
Undressed sheepskins.
Grain of all kinds, and from which bread is made.
Flour.
Wool.
Lard.

Lista indicada en este articulo VIII.

Animales de todas clases.
Arados y rejas sueltas.
Arroz.
Aves y huevos frescos.
Azogue.
Carbon de piedra.
Carnes frescas, ahumadas y saladas.
Casas de madera y de fierro.
Cueros al pelo.
Cuernos.
Chile.
Diseños y modelos de bulto de máquinas, edificos, monumentos y embarcaciones.
Embarcaciones de todos tamaños y clases para navegar en los rios de la frontera.
Escobas y material para hacerlas.
Frenos.
Frutas, frescas, secas, y cubiertas.
Letra, escudos, espacios, plecas, viñetas, y tinta de imprenta.
Libros impresos de todas clases á la rústica.
Lúpulo.
Madera sin labrar y leña.
Mantequilla y queso.
Mapas geográficos, naúticos y cartas topográficas.
Marmol labrodo y en bruto.
Máquinas y aparatos para la agricultúra, la industria, la mineria, las artes y las ciencias, y sus partes sueltas ó piezas de refaccion.
Palo de tinte.
Pez, alquitran, trementina y cenizas.
Plantas, árboles, y arbustos.
Pizarra para techos.
Sal comun.
Sillas de enontar.
Sombreros de palma.
Yeso.
Vegetales.
Talcas.
Granos de toda especie que sirvan para hacer pan.
Harina.
Lana.
Manteca.
Sebo.

Tallow.
Leather, and manufactures of leather.
Every species of textile or woven fabric of cotton, excepting that called brown sheeting (*mantatrigueña.*)

Cuero y manufacturas de cuero.
Toda especie de tegidos de algodon, esceptuando el llamado mantatrigueña.

ARTICLE IX.

As an amplification of the fourteenth and fifteenth articles of the treaty of the fifth of April, one thousand eight hundred and thirty-one, in which that which relates to the exercise of their religion by the citizens of Mexico was stipulated, the citizens of the United States will be permitted to exercise freely in Mexico their religion, either in public or in private, within their houses or in the churches and places which may be assigned to worship, as a consequence of the perfect equality and reciprocity which the second article of the same treaty states was taken for its basis. The chapels or places for public worship may be purchased, and shall be held as the property of those who may purchase them, as any other common property is purchased or held, excepting therefrom, however, the religious communities and corporations to whom the present laws of Mexico have prohibited entirely and forever and a day the odtaining and holding anything whatever in propriety. In no case shall citizens of the United States residing in Mexico be subject to have forced loans levied upon them.

ARTICULO IX.

Como amplificacion de los articulos 14° y 15° del tratado de 5 de Abril, de 1831, en que se estipuló lo relativo al ejercicio de la religion paralos ciudadanos de la república de Méjico, se permitirá á los ciudadanos de los Estados Unidos que ejerzan libremente en Méjico su religion en público ó en privado dentro de sus casas ó en los templos y lugares que se destinen al culto, como consecuencia de la perfecta igualdad y reciprocidad que el Articulo II, del mismo tratado dice que se tomaba por base de él. Las capillas ó lugares para el culto divino podrán ser comprados y serán poseidos como propiedad dequienes los cómpren como se compra y posee cualquiera otra propiedad comun, esceptuándose sin embargo á las comunidades ó corporaciones religiosas á las que las actuales leyes de Méjico han prohibido del todo y para siempre obtener y conservar nada en propiedad. En ningun caso que darán los ciudadanos de los Estados Unidos sujetos á que se les cobreu préstamos forzosos..

ARTICLE X.

In consideration of the foregoing stipulations, and in compensation for the revenue surrendered by Mexico on the goods and merchandise transported free of duty through the territory of that republic, the government of the United States agrees to pay to the government of Mexico the sum of four millions of dollars, of which two millions shall be paid immediately upon the exchange of the ratifications of this treaty, and the remaining two millions shall be retained by the government of the United States for the payment of the claims of citizens of the United States against the government of the republic of Mexico, for injuries already inflicted and which may be proven to be just, according to the law and usage of nations and the principles of equity; and the same shall be paid *pro rata*, as far as the said sum of two millions will permit, in pursuance of a law to be enacted by the Congress of the United States for the adjudication thereof, and the remainder of this sum shall be returned to Mexico by the United States, in case there be any such remainder after the payment of the claims thus found to be just.

ARTICULO X.

En consideracion de las anteriores esti pulaciones, y en compensacion de las rentas á las cuales renuncia Méjico sobre los efectos y mercancias transportadas libres de derecho por el territorio de dicha república, el gobierno de los Estados Unidos conviene pagar al gobierno de Méjico la suma de cautro millones de pesos, de los cuales, dos millones se pagarán luego que se verifique el cange de las ratificaciones de este tratado, y los dos millones restantes serán reservados por el gobierno de los Estados Unidos en pago de las reclamaciones de los ciudadanos de los Estados Unidos contra el gobierno de la república de Méjico, por perjuicios que se les hayan causado, y que sea probado que son justas conforme á la ley y uso de las naciones y á los principios de la equidad: las cuales serán adjudicadas y pagadas *pro rata* hasta donde alcance la dicha suma de los dos millones, de conformidad con una ley que será decretada por el Congreso de los Estados Unidos pata la adjucacion de esas mismas reclamaciones, y devuelta á Méjico la parte que sobre en el caso de que pagadas las reclamaciones justas quede algun sobrante.

ARTICLE XI.

This treaty shall be ratified by the President of the United States, by and with the advice and consent of the Senate of the United States, and by the President of Mexico, in virtue of his extraordinary and actual executive functions, and the respective ratifications shall be exchanged at the city of Washington, within the exact period six months from the date of its signature, or sooner if possible, or at the seat of the constitutional government, if any alterations or amendments be proposed by the President and Senate of the United States, and accepted by the President of the republic of Mexico.

In testimony whereof, we, the plenipotentiaries of the contracting parties, have hereunto affixed our hands and seals, at Vera Cruz, the fourteenth day of December, in the year of our Lord one thousand eight hundred and fifty-nine, in the thirty-ninth year of the independence of the Mexican republic, and the eighty-fourth of that of the United States.

ROBT. M. MCLANE. [L. S.]
M. OCAMPO. [L. S.]

ARTICULO XI.

Este tratado será ratificado por el Presidente de Méjico en virtud de sus funciones ejecutivas estraordinarias actuales, y por el Presidente de los Estados Unidos de America, conla anuencia y consentimiento del Senado de los Estados Unidos, y las ratificaciones respectivas cangeadas en la ciudad de Washington, ó en la residencia del gobierno constitucional si se propusieren algunas alteraciones ó enmiendas por el Presidente y el Senado de los Estados Unidos, y se aceptáren por el Presidente de la repúbilca de Méjico, en el preciso término de seis meses contados desde el dia en que se firme ó antes s fuere posible.

En fé de lo cual, nosotros, lo plenipotenciarios de las partes contratantes, lo hemos firmado y sellado en Vera Cruz el dia catorce de Déciembre del año del Señor mil ochocientos cincuenta y nueve, trigésimo noveno de la independencia de la república Méjicana y octogésimo cuatro de la de los Estados Unidos.

M. OCAMPO. [L. S.]
ROBT. M. MCLANE. [L. S.]

CONVENTION BETWEEN THE UNITED STATES OF AMERICA AND THE MEXICAN REPUBLIC, DATED AT VERA CRUZ, DECEMBER 14, 1859.

Convention to enforce treaty stipulations and to maintain order and security in the territory of the republics of Mexico and the United States.

Whereas, in consequence of the existing civil war in Mexico, and particularly in view of the disturbed condition of the inland frontier of Mexico and the United States, occasion may arise when the forces of the two republic may find it necessary to act in concert and coöperation to enforce treaty stipulations and to maintain order and security in the territory of either republic; wherefore the following convention has been agreed upon:

ARTICLE I.

If any of the stipulations of existing treaties between Mexico and the United States are violated, or the safety and security of the citizens of either republic are endangered within the territory of the other, and the legitimate and acknowledged government thereof may be unable from any cause, to enforce such stipulations or to provide for such safety and security, it shall be obligatory on that government to seek the aid of the other in maintaining their due execution, as

Convencion para ejecutor las estipulaciones de los tratados y conservar el orden y la seguridad en el territorio de los repúblicas de Méjico y de los Estados Unidos.

Considerando que por resulta de la guerra civil que ecsiste en Méjico, y en vista particularmente del estado desordenado de la frontera del interior entre Méjico y los Estados Unidos, puedan suscitarse ocasiones en que las fuerzas de ambas repúblicas se vean necesitadas de obrar de acuerdo y en coöperacion para ejecutar las estipulaciones de los tratados y para conservar el orden y la seguridad en el territorio de cualquiera de las dos repúblicas, por cuyo motivo se ha convenido en la siguiente convencion:

ARTICULO I.

Si cualesquiera de las estipulaciones de los tratados vigentes entre Méjico y los Estados Unidos fueren violadas, ó el resguardo y seguridad de los ciudadanos de cualquiera de las dos repúblicas fueren arrissgados dentro del territorio de la otra, y que el gobierno legitimo y reconocido de ella no pueda, por cualquier motivo, ejecutar tales estipulaciones ó prevenir tal resguardo y seguridad, será obligacion de aquel gobierno solicitar el socórro del otro para mantener la debida ejecucion

well as order and security in the territory of that republic, where such violation and discord occur; and in every such special case the expenses shall be paid by the treasury of the nation within whose territory such intervention may become necessary; and if disorder shall occur on the frontier of the two republics, the authorities of the two republics nearest to the place where the disorder exists shall act in concert and coöperation for the arrest and punishment of the criminals who have disturbed the public order and security of either republic, and for this purpose the parties guilty of these offences may be arrested within either republic and delivered over to the authorities of that republic within which the crime may have been committed; the nature and character of such intervention, as well as the expense thereof, and the manner of arresting and subjecting to punishment the said criminals shall be determined and regulated by an agreement between the executive branches of the two governments.

de ellas, y tambien el orden y la seguridad en el territorio de aquella república en donde tal violacion y desorden sucedan; y en cada caso especial semejante, los gastos serán pagados por el Tesoro de la nacion dentro de cuyo territorio semejante, intervencion se haga necesaria; y si el desorden sucediere sobre la frontera d las dos repúblicas, las autoridades de ambas repúblicas mas inmediatas al lugar adonde el desorden ocsista, obrarán de acuerdo y en coöperacion para el arresto y castigo de los criminales que han interrumpido la tranquilidad y seguridad pública de cualquiera de las dos repúblicas, y con este fin los reos de estas faltas podrán ser arrestados dentro cualquiera de las dos repúblicas, y entregados á las autoridades de aquella república dentro de la cual el crimen haya sido cometido; el genero y el carácter de tal intervencion como tambien los gastos de la misma, y la manera de prender y someter al castigo los dichos criminales, serán determinados y arreglados por un convenio entre los ramos ejecutivos de los dos gobiernos.

ARTICLE II.

This convention shall be ratified by the President of the United States, by and with the advice and consent of the Senate of the United States, and by the President of Mexico, in virtue of his extraordinary and actual executive functions, and the respective ratifications shall be exchanged at the city of Washington within the exact period of six months from the date of its signature, or sooner if possible, or at the seat of the constitutional government if any alterations or amendments be proposed by the President and Senate of the United States, and accepted by the President of the republic of Mexico.

In testimony whereof, we, the plenipotentiaries of the contracting parties, have hereunto affixed our hands and seals, at Vera Cruz, the fourteenth day of December, in the year of our Lord one thousand eight hundred and fifty-nine, in the thirty-ninth year of the independence of the Mexican republic and the eighty-fourth of that of the United States.

ROBT. M. MCLANE. [L. S.]
M. OCAMPO. [L. S.]

ARTICULO II.

Esta convencion será ratificada por el presidente de Méjico en virtud de sus funciones ejecutivas estraordinarias actuales, y por el Presidente de los Estados Unidos de America con la anuencia y consentimiento del Senado de los Estados Unidos, y las ratificaciones respectivas cangeadas en la ciudad de Washington, ó en la residencia del gobierno constitucional si se propusierece algunas alteraciones ó enmiendas por el Presidente y el Senado de los Estados Unidos y se aceptaren por el Presidente de la republica de Méjico, en el preciso término de seis meses contados desde el dia en que selfirme ó antes si fuere posible.

En fé de lo cual, nosotros, los plenipotenciaros, lo hemos firmado y sellado en Vera Cruz el dia catorce de Déciembre del añn del señor mil ochocientos cincuenta y nueve, trigésimo noveno de la independencia de la república Méjicana y octogésimo cuarto de la de los Estados Unidos.

M. OCAMPO. [L. S.]
ROBT. M. MCLANE. [L. S.]

[Confidential.]

[36th Congress, Ex. Session. Executive.]

TREATY WITH MEXICO.

AMENDMENT TO BE PROPOSED BY MR. SIMMONS.

June 26, 1860,

On motion by Mr. Mason,

Ordered, That it be printed in confidence for the use of the Senate.

March 6, 1914. Injunction of secrecy removed and ordered printed for the use of the Senate.

In article eight, strike out all after the word "agree" in line one, and insert the following:

—that from the "two lists" of merchandise here annexed, the Congress of the United States may select those which, being the natural industrial or manufactured product of the republic of Mexico, shall be admitted into the United States for sale and consumption therein, and also those which, being the natural industrial or manufactured product of the United States shall be admitted into the republic of Mexico for sale and consumption therein, under conditions of a perfect reciprocity as to the duties to be imposed thereon, it being agreed that the duties, if any, shall be the same in each of the two lists and operate alike in the two countries on all articles reciprocally received by the two republics; and the duties, if any, which shall be imposed by the Congress of the United States upon the articles of merchandise received therein which are not received by Mexico, shall be the just measure of the duties to be paid to Mexico upon the articles of merchandise which are received by that republic and not received from Mexico into the United States, it being the intention of the Mexican republic to admit the articles in question at the lowest rates of duty, or even free, if the Congress of the United States assents thereto.

The following articles of merchandise, being of the growth or produce of the republic of Mexico, shall be admitted into the United States for sale or consumption therein, in conformity with the foregoing stipulations:

Animals of all kinds.
Ashes.
Brooms, and materials for their manufacture.
Boats of all sizes and classes, for the navigation of the rivers on the frontier.
Coffee.
Cotton.
Drawings and models of large machinery, buildings, monuments, and boats.
Fresh fruits.
Fresh, salted, and smoked meats.
Flour.
Fish.
Grain of all kinds, and of which bread is made.
Geographical and nautical maps and topographical plans.
Lard.
Marble, wrought and unwrought.
Machines and implements for the development of the arts and sciences, and their fixtures, either loose or for their repair.
Poultry and fresh eggs.
Plants, trees, and shrubbery.
Plaster of Paris. [Gypsum.]
Palm-leaf hats.
Quicksilver.
Rice.
Tar.
Tallow.
Timber, unwrought, and fire-wood.
Tobacco, unmanufactured or manufactured, other than segars and snuff.
Turpentine.
Types, spaces, plates for printing or engraving, rules, vignettes, and printing ink.
Agave fiber, dressed or undressed, or made into rope, hammocks, or bags.
Cocoa, cocoa shells, cocoa leaves, and cocoa nuts.
Cochineal.
Dye woods of all kinds and extracts thereof.
Horns and horntips.

Indigo.
Jalap.
Mahogany or other woods, used in the manufacture of furniture.
Raw hides.
Sarsaparilla.
Undressed sheep skins or goat skins.
Wool, the value of which, when exported, shall not exceed eighteen cents per pound.

And the following articles of merchandise being of the growth or product of the United States shall be admitted into the republic of Mexico, either free of duty or upon the payment of the same rates, or amount of duty, as shall be imposed by the Congress of the United States upon the articles of merchandise hereinbefore enumerated to be admitted into the United States from the republic of Mexico:

Animals of all kinds.
Ashes.
Boats of all sizes and classes, suitable for the navigation of the rivers of the frontier.
Brooms, and materials for their manufacture.
Butter and cheese.
Cotton.
Coffee.
The drawings and models of large machinery, buildings, monuments, and boats.
Every species of textile or woven fabric of cotton, excepting that called brown sheeting. [Manta trigueña.]
Fresh fruits.
Fresh, salted, and smoked meats.
Flour.
Fish.
Grain of all kinds, and from which bread is made.
Geographical and nautical maps and topographical plans.
Lard.
Leather, and all manufactures of leather.
Machines, of all kinds, and implements for agriculture, farming, mining, for the development of the arts and sciences, and their fixtures, either loose or for their repair.
Marble, wrought or unwrought.
Palm-leaf hats.
Plants, trees, and shrubbery.
Plows, and iron in bars, loose.
Poultry and fresh eggs.
Printed books, of all classes, bound in paper. [Pamphlet bound.]
Plaster of Paris. [Gypsum.]
Quicksilver.
Rice.
Stone coal.
Screws, of all sizes.
Tar and turpentine.
Tallow.
Timber, unwrought, and firewood.
Tobacco, unmanufactured or manufactured, other than segars, and snuff.
Types, spaces, plates for printing and engraving, rules, vignettes, and printing-ink.
Wood and iron houses.

Their introduction from one to the other republic, as stated, shall be made at the points which the governments of both republics may fix upon, at the limits or boundaries of the transits ceded and granted in perpetuity by this convention, and at all other ports of entry now fixed, or which may hereafter be provided, in either of the two countries within the jurisdiction of either of the two governments now contracting for the entry of merchandise from other countries, and upon such proofs as may be required that the articles of merchandise so entered are of the growth or manufacture of the republic from which they are exported.

If any similar privileges shall be granted by Mexico to any other nation, at the termini of the aforesaid transits, upon the Gulfs of Mexico and California, and upon the Pacific ocean, or at any other ports of entry of the republic of Mexico, such grant of privileges shall include a reciprocal trade between such other nation and Mexico in the same articles of merchandise, and other reciprocal benefits, with those herein stipulated between the United States and Mexico, and shall not be granted without the payment of a proportionate amount of money, in advance in each case, as an equivalent and compensation for the revenue which may be surrendered by Mexico

in relinquishing the specific or other duties imposed upon others upon the introduction of the articles of merchandise herein enumerated into that republic. The amount to be paid in money by such other nation shall bear the same proportion to the amount of its trade with Mexico in the articles of merchandise herein enumerated, as the sum of four millions of dollars bears to the amount of the trade from the United States to the republic of Mexico in the same articles of merchandise, and shall be computed and apportioned in each case upon the amount of the actual trade of the nations, respectively, to Mexico, in said articles of merchandise, for the five years next preceding the time of the ratification of the present treaty; and all such commercial privileges shall terminate simultaneously with those herein granted.

ART. —. Strike out all after the word "stipulations," line 2, and insert the following in lieu thereof:

—and as a commutation, equivalent, and compensation for the revenue surrendered by Mexico, upon the merchandise from the United States to be entered for consumption in, or to be transported through, the territory of the republic of Mexico free of duty, the government of the United States of America agrees to pay to the government of Mexico the sum of four millions of dollars, of which two millions shall be paid to Mexico immediately upon the exchange of the ratification of this treaty, and the remaining two millions shall be retained by the government of the United States, for the payment of the claims of citizens of the United States against the government of Mexico for injuries already inflicted, and which may be proved to be just, according to the law and usage of nations and the principles of equity; and after the claims shall be ascertained, and a list of the names of the claimants is reported to Congress, with the amount due to each respectively, in pursuance of a law to be enacted by the Congress of the United States for the adjudication thereof, the said two millions shall be appropriated by Congress for the payment of said claims, in full, if the said sum retained is sufficient, and *pro rata* if insufficient, to pay the whole; and the remainder of the two millions shall be paid to Mexico by the United States, in case there is any remainder after the payment of the claims thus proved to be just.

The stipulations contained in the eighth article of the present treaty are to continue for ten years, and thereafter until one or the other of the said republics shall have given one year's previous notice that they desire to terminate the same; and these and all other stipulations shall take effect when the two millions agreed to be paid to Mexico shall be paid, and the necessary laws to carry the same into operation shall be passed by the Congress of the United States.

MEMORANDUM REGARDING THE RIGHTS BOTH UNDER MEXICAN AND INTERNATIONAL LAW OF AMERICAN PETROLEUM COMPANIES OPERATING IN MEXICO IN RESPECT OF PETROLEUM PROPERTIES ACQUIRED BY THEM PRIOR TO MAY 1, 1917.

The following is a statement of the principal facts and questions of Mexican and of international law involved in the controversy between the Federal Government of Mexico and the American oil-producing companies operating in that country.

STATEMENT OF FACTS.

1. The commercial development of petroleum in Mexico was commenced by Messrs. Edward L. Doheny and Charles A. Canfield, of the Mexican Petroleum Co., in the year 1900, in which year these gentlemen acquired their first petroleum properties in Mexico.

2. Not a single acre of oil land was then or has at any time since been acquired by these gentlemen or their companies, or any of the other American petroleum producers from the Mexican Government. No "concession" or grant of any kind has been made to any such company since the beginning of the development period. In every instance petroleum rights have been acquired by purchase or lease made with private owners who held under titles extending back in many instances more than 250 years.

A concession covering public lands was granted by the Government of Mexico to a Mexican company owned by the leading English oil interests, but up to the present time no petroleum development has taken place under it.

3. The only important concessions as to petroleum lands which have been granted at any time since the beginning of the Diaz régime, with the exception of the English concession above alluded to, are concessions granted within the last few months by

the Carranza government itself to its own friends and favorites. These concessions, if legally upheld, effect the confiscation of certain lands belonging to the American petroleum companies, for they purport to permit drilling upon and along the beds of streams running through the oil region despite the fact that the land underneath these streams is, subject to certain easements of passage, owned to the center of the stream by the owners of the adjoining uplands.

In other words, it remained for the Carranza government, purporting to repudiate alleged concessions, to itself enter largely into concession-granting activity.

4. In reliance upon the provisions of the Mexican laws which we shall hereafter quote, American concerns have since 1900 made enormous investments in the purchase and acquisition by lease or contract of oil lands, and in the establishment of a very large system for the collection, distribution, transportation, and refining of the products of these fields. Every dollar of this investment was made in reliance upon the guaranties of the Mexican constitution of 1857, and upon the laws (dating from 1884) declarations, announced policy, and supposed good faith of the Mexican Government.

5. In 1917 the Carranza government procured the adoption (by entirely ultra-constitutional methods) of the so-called Queretaro constitution, in which a clause is found declaring for the first time in the history of Mexican legislation that the Mexican Republic possesses what is called "direct dominion" over petroleum.

No attempt was made to construe the meaning of this clause, or to put it into effect until February, 1918, when the first of a series of decrees relating to the subject was issued. These decrees emanated solely from Mr. Carranza as dictator, were not the result of legislative action by the Mexican Congress, were wholly without legal sanction and were in no sense valid laws of the Mexican Republic.

In substance these decrees purport to construe the constitutional provisions as retroactively affecting properties theretofore acquired by American companies under the terms of preexisting laws, and attempt to confiscate these properties and take them from their owners with no pretense of compensation.

6. Direct enforcement of these laws was at first attempted by the Carranza government; but the petroleum companies, acting with the full knowledge and with the support of the United States State Department, refused to comply with their terms and to admit their validity. Thereafter the Carranza administration sought to accomplish indirectly, by preventing the actual enjoyment of the properties in one way or another, the objects which they had been unable to accomplish directly, but in this they likewise have failed owing to the determined and continued insistence of the American companies upon their rights both under the laws of Mexico and internationally.

7. No questions of taxation are involved in this controversy.

Attention is called to the following points of law:

POINT I.

During the entire period of the acquisition of these petroleum rights by the American companies, and up to May 1, 1917, no doubt exists but that under the laws of Mexico the title to petroleum beneath the surface of privately owned lands belonged to the owner of the surface itself.

From the time when Mexico gained its independence to 1884, no mining code or Federal legislation regarding title to substances found beneath the surface of the land had been promulgated.

On December 14, 1883, however, the constitution of 1857 was amended by authorizing Congress "to promulgate mining and commercial codes which shall be binding throughout the Republic, etc." (Constitution 1857, art. 72 as amended, Sec. X.)

On November 22, 1884, the first Federal mining law of the Republic of Mexico was promulgated under the foregoing provisions of the constitution of 1857. This mining law contained the following clause:

"ART. 10. The following substances are the exclusive property of the owner of the land who may, therefore, develop and enjoy them without the formality of entry (denuucio) or special adjudication: IV * * * salts found on the surface, fresh and salt water, whether surface or subterranean; petroleum and gaseous springs * * *."

The provisions of this law leave no room for argument as to the absolute ownership of petroleum by the owner of the surface of any given tract of land.

These provisions were not and could not have been the result of any pressure brought to bear upon the Mexican Government by interested parties, for the commercial development of petroleum did not commence until 16 years thereafter.

Ou June 4, 1892, a further mining code was enacted, which contained the following provisions:

"ART. 4. The owner of the land may freely work without a special concession in any case whatsoever the following mineral substances: Mineral fuels, oils, and mineral waters.

"ART. 5. All mining property legally acquired and such as hereafter may be acquired in pursuance of this law shall be irrevocable and perpetual, etc."

This was the law in force at the time when commercial petroleum development first commenced in Mexico.

A further mining code was issued on November 25, 1909, containing the following clause:

"ART. 2. The following substances are the exclusive property of the owner of the soil: I. Ore bodies or deposits of mineral fuels of whatever form or variety. II. Ore bodies or deposits of bituminous substances."

These are the only basic laws relative to the subject which were promulgated in the Republic of Mexico between the date of its independence and the adoption of the Queretaro constitution in 1917.

Their terms are distinct and unquestioned, and the officers of the Mexican Government themselves have never attempted to seriously claim that they are capable of any interpretation other than that given to them by the petroleum companies.

Each of these laws comprises an unequivocal invitation to foreign capital to enter into the petroleum business in Mexico and contains ample assurance that all such enterprises could safely and properly deal with the owner of the surface of supposed petroleum lands; and all of the great petroleum properties owned by American companies prior to May 1, 1917, were thus acquired by them by private treaty with such owners and in reliance upon the foregoing provisions.

POINT II.

At a special session of the academy of jurisprudence of Mexico held in 1905, the meaning and effect of these laws were considered, and it was held that petroleum rights belonged to the owners of the surface and could not be taken from them at the whim of the Government of Mexico.

Shortly after the beginning of the century the success of the first petroleum enterprise in Mexico became apparent. Thereafter it occurred to certain persons that their interests might be promoted if petroleum could be declared to be the property of the nation and subject to acquisition by denouncement instead of by private treaty with the owners of lands.

They, therefore, brought about a session of the academy of jurisprudence to discuss this subject and this session took place in 1905. There were in attendance practically all of the leaders of the bar of Mexico. The presiding officer was Senor Lic. Luis Mendez, universally considered as the leading lawyer of the country at that time.

The subject received the fullest consideration from every point of view and as a result two resolutions were adopted by the unanimous vote of every lawyer present except the one who had brought about the conference. These resolutions were:

First. That petroleum beneath the surface of lands belonged to the owner of the surface and not to the Mexican Government; and

Second. That these petroleum rights could not be taken from the owner of the surface by the Mexican Government under any claim of superior ownership.

It would have been impossible to have obtained any more authoritative declaration as to the meaning and scope of the preceding petroleum legislation in Mexico than the one which was given to it by this eminent body of jurists.

POINT III.

The Carranza attempts to confiscate these petroleum rights were made pursuant to a series of Executive decrees which purported to interpret the constutition of 1917 as being retroactive in its application, and as vesting the Government with petroleum rights previously acquired under preexisting laws by private operators.

It will be observed in this connection that the language of the constitution of 1917 is, to say the least, ambiguous upon this point. It provides in article 27 that the Mexican Republic possesses "direct dominion" over petroleum. Possibly this clause taken by itself might be construed as referring to all petroleum, whether situated beneath lands previously acquired by private owners or beneath the surface of public lands.

But article 14 of this constitution expressly states that "no law shall be given retroactive effect to the prejudice of any person whatsoever."

And later on the further provision is found:

"ART. 126. This constitution and the laws of the United States of Mexico which shall be made in pursuance thereof * * * shall be the supreme law of the land."

In other words, the constitution itself, including article 27, is by its own terms declared to be one of the "laws" of Mexico, and as such should not be given retroactive effect under its own terms.

President Carranza, however, paid no attention to these articles of the constitution; and commencing in February, 1918, issued a series of decrees based upon the theory that article 27 was retroactive in its effect and that it deprived private owners of all petroleum rights in lands theretofore purchased by them; and that in order to obtain any right to extract petroleum from these lands they must admit the paramount title of the Government to the petroleum, apply for licenses to operate their own properties, and must pay "rentals and royalties" to the Government in consideration of obtaining permission from them to carry on their respective enterprises.

The dates of these decrees are February 19, 1918; May 18, 1918; July 8 as amended August 8, 1918; July 31, 1918; and August 12, 1918.

POINT IV.

These executive decrees were wholly beyond the power of President Carranza to issue.

Prior to the first of these decrees Mr. Carranza had been vested by Congress with the power to legislate matters relative to the national finances.

He had, however, pursuant to the terms of his own constitution, no power whatever to exercise the functions of Congress in any other regard.

Disregarding entirely this limitation and refusing to await congressional action, he hastened to endeavor to revolutionize this most important department of the law and to change the entire preexisting theory of land titles and of subsoil rights.

These facts are illustrative of the utter disregard for due process of law which has been evinced by the Carranza government, and of the dictatorial power which President Carranza has assumed to exercise in this and other matters.

The oil companies immediately commenced court proceedings against these decrees, which proceedings have been pending in the supreme court of justice for over a year, but were never allowed to come to a hearing.

It is entirely possible that even the Carranza attorneys recognized the hopelessness of endeavoring to obtain a decision upholding the validity of edicts so transparently unauthorized.

POINT V.

The Carranza government attempted to justify its confiscatory project by claiming that the Mexican Republic formerly had title to all petroleum, and that the effect of the present constitution is to revest the Government with its original rights.

The foregoing argument is frequently set forth among the excuses advanced by the apologists of the Carranza régime. With regard to it, the following points are to be noticed:

I. Even if it were true as a matter of historical fact (which it is not) that Mexico formerly owned all petroleum beneath its subsoil, the truth nevertheless remains that from 1884 onward her laws expressly repudiated any such claim of ownership, declared that the petroleum belonged to the owner of the surface, and invited the world to act in reliance upon these assurances.

This invitation was accepted, and enormous investments were made in reliance upon such assurances.

In this connection it will be noted that the constitution of 1857 which was in force at the time that these investments were made, contained the following express provisions:

"ART. 16. No person shall be molested in his person, family, domicile, papers and possessions, except by virtue of written order of competent authority which shall have been the basis of due process of law."

"ART. 27. Property of individuals shall not be taken without their consent except for causes of public utility and upon previous indemnization."

"ART. 33. Foreigners * * * shall be entitled to the guaranties set forth in section first, title first of the present constitution" (this being the section and title in which articles 16 and 27 are found).

Irrespective of any claim of former title of the Mexican Government with regard to petroleum, we find that the actual situation is—

First. That the Mexican Government expressly declared for a period of at least 33 years that it had no such title so far as related to petroleum beneath the surface of lands which had passed into private ownership.

Second. That, on the contrary, its laws set forth unequivocally that such petroleum was owned by the owner of the surface and could be sold and dealt with exactly as the surface itself was sold and dealt with, free from any license on the part of the Government.

Third. That this express recognition of property rights in the private owner of the surface was reenforced by the provisions of the constitutional bill of rights above quoted, fully protecting the property rights of every individual except after due process of law and due indemnity.

Fourth. That these provisions were expressly made applicable to foreigners.

Fifth. That Americans placed full reliance upon the foregoing and invested immense sums of money on the faith thereof.

Sixth. That all such foreigners are amply justified in insisting that the rights thus acquired be protected, whatever might formerly have been the position of the Mexican Government with regard to petroleum under lands that had not passed into private ownership.

II. Upon an examination of the ancient laws of Spain relating to this subject, it will be found, moreover, that the Mexican Republic never became vested with the title of petroleum beneath the surface of privately owned lands.

(*a*) The first law of importance to be noted is the edict of Felipe II of Spain, dated January 10, 1559. This law provides that on account of their great benefit and utility there are taken over into the royal patrimony "ores of gold, silver, quicksilver, and other metals."

It will be noted that the general word used is "metals" and not "minerals."

An interesting feature of this law is that although the edict covered ores beneath the surface of privately owned lands as well as beneath the surface of the public domain, yet careful express provision was made for due indemnity to all private parties who were affected by the operation of the decree and whose property was thus taken from them.

It remained for the president of a supposedly democratic republic to issue decrees upon this subject in 1918, which were more arbitrary, confiscatory, and unjust than the one promulgated in the sixteenth century by one of the most absolute monarchs of Europe.

(*b*) In 1783 certain ordinances were issued in the time of Charles III, which referred in general language to the "mines being the property of the crown of Spain." The word "bitumen" is used in one of the clauses.

It is upon a forced construction of the language of these ordinances that the claim of the adherents of the Carranza régime is based, disregarding subsequent laws, to which we will now refer.

(*c*) At some time during the later years of the eighteenth century the commercial importance of coal became recognized. Questions arose as to whether coal mines belonged to the royal patrimony or did not, and in any event as to how best to provide for the extraction of coal from any deposits where it was found. To meet this point a further royal decree, dated December 28, 1789, was issued, which reads as follows:

"For the purpose of clearing up the difficulties met in the use of deposits of coal, and to simplify the method of taking it without prejudice to the owners, and with due reference to public utility, I have seen fit to decree, declare, and order the following:

"(1) Since coal is not a metal or a semimetal, nor any other of the articles comprehended in the laws and ordinances which specify that mines are the property of the royal patrimony, its extraction and traffic shall be free by sea and land throughout all of my kingdom, and its exportation by sea for the purpose of being dealt with in foreign countries shall not be impeded.

"(2) These mines must belong to the proprietors of the lands in which they are found, it being understood that the term proprietor means the direct owner or the enjoyer of the usufruct without there being any need of asking a license from any tribunal or authority in order to extract from, lease from, sell from, or grant from, but if the proprietor, after a mine has been discovered, shall refuse to develop his property in any of these manners, so that they may be turned to account, my council and the intendente of the province or the corregidor of the district shall have power to adjudicate their use to the discoverer, who shall give to the owner the fifth part of the production obtained from it."

It will be observed that by the operation of this law it was established—

(1) That coal was not one of the metals or semimetals which had previously been reserved to the Crown.

(2) That the direct owner of the land is expressly declared to be the owner of this hydrocarbon—which at the time was the only hydrocarbon recognized as having any

commercial value, and that the reason for this rule was expressly stated to be that it was not a metal or semimetal.

(3) That although provisions are made guaranteeing the public the use of coal from any mines, yet this provision is expressly conditioned on the full recognition of ownership and the payment of a royalty to the owner on all coal extracted.

(*d*) Even after the promulgation of the foregoing edict, there was still evidently some uncertainty as to the exact scope and effect of the former laws upon this subject, and for the purpose of clearing up the entire matter, a further edict of August 24, 1792, was made, which contains the following express provisions:

"(1) Despite any interpretation which might have been given or may be given to the laws and ordinances to the effect that every kind of mines, although not expressly named in those laws, belong to the Crown, mines of coal shall be of free availability as are by ancient custom mines of iron and other substances which are extracted from the bosom of the earth.

"(2) Nevertheless the Crown shall preserve the supreme right of incorporating to itself such mines as it may require or as may be convenient for the use of the royal navy, foundries, machines, or other objects whatsoever and public service. Such mines as may be found in unclaimed or public lands, may be thus incorporated without recompense, but if they belong to local council, communities, or individual owners, there shall be paid to them their just value.

"(3) The direct owners who are the proprietors of the lands where mines of coal exist, whether they are council, communities, or individuals, may discover them, work them, and enjoy them for themselves alone, or permit others to do so, or may rent them or sell them as they see fit, without any license or formality other than that which may be required to enjoy, rent, or sell the land which contains them."

It is difficult to see how, after this final ordinance, any possible doubt can exist as to the fact that coal, which was the only hydrocarbon then supposed to possess any value, belonged not to the Crown, but to the private owner, and that the reason for this was that the prior laws were intended to establish a distinction between metalliferous minerals and nonmetalliferous minerals. And in every case where any provision is made in these edicts which looks toward the utilization of this substance by any person other than the owner, his right to full compensation is expressly and specifically recognized—again in strong distinction to the arbitrary and spoliatory policy which Mr. Carranza thought fit to subsequently adopt.

(*e*) No express provision is made in these later statutes as to petroleum for the simple reason that petroleum was not then known to possess any commercial value of importance whatsoever. But the principle upon which coal was decreed to be exempted from the royal patrimony is that it was neither a metal nor a semimetal; and this principle is, of course, controlling in the analogous case of petroleum.

(*f*) The Republic of Mexico obtained its independence in 1821, and thereafter a treaty was entered into with the Kingdom of Spain, whereby the royal patrimony as it then existed was transferred to the Republic of Mexico.

(*g*) Despite the apparently clear and conclusive language of the decrees quoted, further questions were raised as to the rights of the nation with regard to hydrocarbons generally. The theory was advanced that the laws of 1789 and 1792 did not apply to Mexico. After some litigation on the subject had taken place, the Mexican nation amended its constitution so as to provide for the issuance of mining codes; and the only authority having the right to finally settle this subject, to wit: the Mexican Congress, acting under the provisions of the amended constitution, adopted the code of 1884 which has hereinbefore been quoted and which was intended to and undoubtedly did place the matter forever at rest, establishing conclusively that the nation accepted the interpretation of the preexisting laws which we have hereinbefore set forth, and disclaimed any rights whatsoever in or to hydrocarbons lying beneath the surface of privately owned lands; and this statute in its express language included the word "petroleum."

(*h*) This interpretation was again discussed and approved in the celebrated session of the Academy of Jurisprudence in 1905, above referred to; and no further question regarding the matter was ever raised until the Carranza propagandists, in their desperate efforts to find some sort of a basis upon which the spoliatory and confiscatory acts of their Government could be defended, resurrected this ancient argument from its grave, and, disregarding its complete refutation which we have hereinbefore presented, attempted to utilize it for the purpose of misleading the uninformed.

(*i*) For the foregoing reasons it is submitted that under the municipal laws of Mexico, and even under the constitution of 1917 itself, the acts of Mr. Carranza in attempting to take from private owners, without compensation, the petroleum rights which they had validly acquired prior to May 1, 1917, are wholly unwarranted.

POINT VI.

Pursuant to the principles of international law, it is submitted that the confiscatory scheme of Mr. Carranza with respect to petroleum under lands validly acquired by citizens of the United States prior to May 1, 1917, is in violation of the principles of natural justice, and that citizens of the United States are entitled, if necessary, to be protected by their Government against its effects.

This point is specifically covered by the note of the United States addressed to the Mexican Government and dated April 2, 1918, signed by Ambassador Fletcher, in which it is said:

"The United States can not acquiesce in any procedure ostensibly or nominally in the form of taxation or the exercise of eminent domain, but really resulting in the confiscation of private property and arbitrary deprivation of vested rights.

"Your excellency will understand that this is not an assertion of any new principle of international law, but merely a reiteration of those recognized principles which my Government is convinced form the basis of international respect and good neighborhood. The seizure or spoliation of property at the mere will of the sovereign and without due legal process fairly and equitably administered has always been regarded as a denial of justice and as affording internationally a basis of interposition. * * *

"In the absence of the establishment of any procedure looking to the prevention of spoliation of American citizens, and in the absence of any assurance, were such procedure established, that it would not uphold in defiance of international law and justice the arbitrary confiscations of Mexican authorities, it becomes the function of the Government of the United States most earnestly and respectfully to call the attention of the Mexican Government to the necessity which may arise to impel it to protect the property of its citizens in Mexico divested or injuriously affected by the decree above cited."

The same principle is upheld in the note of the British Government of April 30, 1918, addressed to the Mexican minister of foreign relations, in which it is said:

"The provisions of the decree are in the opinion of the Government of His Majesty in open conflict with laws and contracts in force, according to which considerable investments of British capital have been made in petroleum-bearing lands and in the petroleum industry in Mexico. * * * It would be contrary to the principles of the Mexican Constitution and those of justice to separate surface rights from subsoil rights which now belong to those land owners who have invested capital in the petroleum-producing zone."

We also call attention to the note of the French Government to the Mexican Government, dated May 13, 1918, in which similar protests were made, and in which it is said:

"These regulations, strict compliance with which might entail confiscation, rest on principles of law wholly different from those on which was based the legislation in force when their investments in petroleum in Mexico were made. At that time no attempt was made to establish differences between surface rights and those flowing from subsurface ownership."

These notes, as stated in the American note of April 2, do not establish any new principles of international law, for acts of the description protested against had always been regarded as denials of justice and as affording the basis for international action.

"The Government of the United States will not permit, without interposition on its part, the spoliation by Peru of the property of American citizens invested in that country by the invitation of its own authorities. * * * And even were there such a tribunal, its decrees, validating in defiance of international laws such confiscation, could not bind the citizens of foreign states thereby despoiled.

"This is not, it will be understood, the assertion of any new principles in international law. The seizure or spoliation of property at the mere will of the sovereign and without due legal process, has always been regarded as in itself a denial of justice and as affording the basis for international interposition." (Letter of Mr. Bayard, Secretary of State, to minister to Peru, Jan. 19, 1888, cited Vol. VI, Moore's Dig. Int. Law, p. 253.)

In enumerating various classes of unquestionable denials of justice, the following language is used:

"Among the first class of acts, in which the denial of justice is predicated upon wrongs inflicted by governmental authorities prior to trial, in willful disregard of due process of law, may be mentioned * * * seizure or confiscation of property without legal process * * * the detention and confiscation of vessels without legal process, etc." (Borchard Dip. Prot. of Citizens Abroad, p. 336. Citing 2 Wharton's Dig. Int. Law, S. 235, and numerous other authorities.)

So reprehensible are departures of this sort from the principles of international law that it has been expressly declared that—

"By such a declaration of rules for the guidance of her conduct in international relations, Ecuador placed herself outside of the pale of international intercourse." (Letter of Mr. Rives, Assistant Secretary of State, Oct. 24, 1888, cited Vol. I, Moore's Digest Int. Law, p. 6.)

"The State which disclaims the authority of international law places herself outside of the circle of civilized nations." (Sir Henry Maine, Int. Law, pp. 37, 38.)

POINT VII.

The attempt of Mr. Carranza's government to confiscate these petroleum rights is in sharp contrast with the pledges which he gave to the United States prior to and at the time of such recognition as was afforded him by our Government.

The de facto recognition of Mr. Carranza took place on October 19, 1915.

Prior to that date the following formal declaration had been made by Mr. Arredondo, the special personal and official respresentative of Mr. Carranza in this country, to Secretary of State Lansing:

"Mr. Venustiano Carranza, depositary of the executive power of Mexico, whom I have the honor to represent in this country, has authorized me to say that his public declarations of December 12, 1914, and June 11, 1915, bear the statement that the Government he represents, in its capacity of a political entity, conscious of its international obligations and of its capability to comply with them, has afforded guaranties to the nationals and has done likewise with regard to foreigners, and shall continue to see that their lives and property are respected in accordance with the practices established by civilized nations and the treaties in force between Mexico and other countries."

Subsequently when the Mexican ambassador was received by President Wilson at the White House, the President, as reported in the New York World, said in substance that he would "welcome convincing evidence that a constitutionalist Government had been established in Mexico willing and able to guarantee life, property, and justice to Americans the same as other foreigners. The United States asks no more and can accept no less."

Again, before Mr. Fletcher, our ambassador to Mexico, presented his credentials to the Mexican Government, he was instructed by our Government to ask the Mexican minister of foreign relations whether the New Mexican constitution which had then been drafted would be subject to retroactive application with confiscatory results. This was not a mere casual conversation, but was a definite diplomatic inquiry. The answer of the Mexican minister of foreign relations was:

"Legislation emanating from the new constitution with regard to property rights would, in his judgment, in no way prejudice present property rights."

At the same time Gen. Aguilar called Mr. Fletcher's attention to the provisions of the constitution prohibiting retroactive laws.

This answer was reported by Mr. Fletcher to the State Department, was accepted as official, and has been embodied in a form letter issued by the State Department to Americans who have made inquiries as to the effect of the constitution of 1917 upon previously acquired property rights of foreigners.

POINT VIII.

The breach of international obligations resulting from the confiscatory plan of the Carranza government is not excused by the fact that its own citizens have received or may receive similar treatment.

"But where a government asserts that its citizens in a foreign country have not been duly protected, it is not competent for the government of that country to answer that it has not protected its own citizens, and thus to make the failure to perform one duty the excuse for the neglect of another.

"It is true that in this way foreigners may enjoy an advantage over the citizens of a country. This, however, is not a matter for foreign governments to consider. They have no power to regulate the relations of another government to its citizens; nevertheless, they are bound to ask that their own may be protected." (Moore's Digest of International Law, Vol. VI, pp. 803, 804.)

"The measure of one country's international obligations is the measure of the other country's right. The rule of obligation is perfectly distinct and settled. Each country is bound to give to the nationals of another country in its territory the benefit of the same laws, the same administration, the same protection, and the same redress for injury which it gives to its own citizens, and neither more nor less, provided the

protection which the country gives to its own citizens conforms to the established standard of civilization. There is a standard of justice, very simple, very fundamental, and of such general acceptance by all civilized countries as to form a part of the international law of the world.

"The condition upon which any country is entitled to measure the justice due from it to an alien by the justice which it accords to its own citizens is that its own system of law and administration shall conform to this general standard. If any country's system of law and administration does not conform to that standard, although the people of that country may be content or compelled to live under it, no other country can be compelled to accept it as furnishing a satisfactory measure of treatment to its citizens." (Address of Secretary Root before Am. Soc. Int. Law, Apr. 28, 1910.)

Other declarations are:

"International law recognizes on the part of each member of the family of nations certain forms or attributes of government for the purpose of assuring the rights of the individual. * * *

"The rules of international law in this matter fall with particular severity upon those countries where law and administration frequently deviate from and fall below this standard; for the fact that their own citizens can be compelled to accept such maladministration is not a criterion for the measure of treatment which the alien can demand, and international practice seems to have denied these countries the right to avail themselves of the usual defense that the alien is given the benefit of the same laws, the same administration, and the same protection as the national. * * * The individual * * * will be protected * * * when his rights * * * as measured not necessarily and finally by the local, but by the international, standard, are invaded." (Borchard on Dip. Protection of Citizens Abroad, pp. 27–28. Citing Pillet, A., Recherches sur les droits fondamentaux des etats, Paris, 1899, pp. 19–28, and other authorities. Also Pillet, Principes de droit Int. Priva. Paris, 1903, pp. 169, 194.)

"The alien therefore, is not bound to accept the treatment accorded to nationals if such treatment is in violation of the ordinary principles of civilized justice, and notwithstanding the fact that the national has no immediate remedy against the injustice." (Borchard, p. 107.)

This point has been well discussed and fully covered in the notes of the United States Government to the Government of Mexico with regard to the petroleum confiscation program.

The question in all such cases is whether the principles of natural justice have been violated.

In all such cases the rights of the foreigner are not measured by the rights of the national.

And in the present case, where enormous investments have been made by Americans upon the faith of the perfectly explicit preexisting laws of Mexico, it is submitted to be clear that the principles of natural justice are violated by Mexico when it attempts, without pretense of compensation, to arbitrarily change its laws for the express purpose of confiscating the properties which had been acquired, developed, and shown to be valuable by the courage and initiative of foreigners.

POINT IX.

For the foregoing reasons it is submitted that the confiscatory plan of the Carranza government with relation to these petroleum rights can not be defended on the principles either of Mexican municipal law or of international law or practice, that no nation can prosecute such an illegal and immoral campaign without constituting itself an international outlaw, and that citizens of this country who have made large investments in reliance upon the good faith of the Mexican Nation and whose interests are threatened by a repudiation of that nation's previous pledges and laws, are entitled to the protection of their own Government in case of need.

Respectfully submitted.

FREDERIC R. KELLOGG,
52 Broadway, New York,
General Counsel of the Pan American Petroleum & Transport Co.

TEXAS COURT OF CRIMINAL APPEALS. JOSE ANTONIO ARCE ET AL., APPELLANTS, V. STATE OF TEXAS.

[Tex. Crim. Rep. —, 202 S. W. 951.]

CRIMINAL LAW—OFFENSE UNDER WAR—JURISDICTION TO PUNISH.

1. A State has no authority to punish depredations by citizens of a foreign country who have invaded its territory for the prosecution of a war existing between such country and the United States. (For other cases see Criminal Law, III, in Dig. 1–52 N. S.)

ARMY—LIABILITY OF SOLDIER FOR OBEYING COMMAND.

2. A soldier is not answerable in a civil court for killing an enemy soldier in a battle in which he was directed to engage by command of his superior officer. (For other cases, see Army and Navy, in Dig. 1–52 N. S.)

April 17, 1918:

Appeal by defendants from a judgment of the district court of Webb County convicting them of murder. Reversed.

The facts are stated in the opinion.

Messrs. C. M. Henry and George & Townes for appellants.

Every person is entitled to have a fair and impartial trial by an impartial jury, uninfluenced by any other consideration than the evidence adduced on the trial.

Randle *v.* State (34 Tex. Crim. Rep. 45, 28 S. W. 953); Coffman *v.* State (62 Tex. Crim. Rep. 88, 136 S. W. 779); Richmond *v.* State (16 Nebr., 388, 20 N. W. 282); Streight *v.* State (62 Tex. Crim. Rep. 453, 138 S. W. 742); Meyers *v.* State (39 Tex. Crim. Rep. 500, 46 S. W. 817); Barnes *v.* State (—Tex. Crim. Rep. —, 59 S. W. 882, 14 Am. Crim. Rep. 415, 83 S. W. 1116); Gallaher *v.* State (40 Tex. Crim. Rep. 296, 5 S. W. 393, 11 Am. Crim. Rep. 207); Dobbs *v.* State (51 Tex. Crim. Rep. 629, 103 S. W, 918).

Justice to the military subordinate and the necessities and efficiency of the service require that the order of the superior should protect the inferior, leaving the responsibility to rest where it properly belongs—upon the officer who gave the command.

United States *v.* Clark (31 Fed., 710; McCall *v.* McDowell, 1 Abb. U. S., 212, Fed. as. No. 8673; Com. ex rel. Wadsworth *v.* Shortall, 206 Pa. 165, 65 L. R. A. 193, 98 Am. St. Rep. 759, 55 Atl. 952; Riggs *v.* State 3 Coldw. 85, 91 Am. Dec. 272; People *v.* McLeod, 25 Wend. 483).

Messrs. Hamilton & Greer, also for appellants.

Mr. E. B. Hendricks, Assistant Attorney General for the State.

Davidson, J. P., delivered the opinion of the court:

Jose Antonion Arce, Vivinte Lira, Pablino Sanchez, Jesus Cerda, Isabel de los Santos, and Fredrico Gutierrez Zapata were charged with killing William Oberlies. Four of these defendants were placed upon trial for the homicide, namely, Arce, Lira, Sanchez, and Cerda, and given the death penalty for the killing of Oberlies, who, it seems, was a corporal in the United States Federal Army.

There are many interesting questions presented for revision in various ways. The motion to change the venue, application for continuance, exception to the jury, and incidental matters will not be discussed. They may not arise upon another trial, if one should occur; and should they, will be presented in a different light and from a different view, perhaps, as set forth in the record.

A condensed substance of the facts will show that during the recent trouble on the Rio Grande and in Mexico there was trouble between the United States and Mexico. We know, as a matter of history of the current events attending this trouble, that the United States invaded Mexico with a column of troops under Gen. Pershing, and there may have been other like occurrences on the Rio Grande by the United States troops. It is not the purpose of this opinion to go into the history of the trouble between the two countries, and the incidental fights and battles that may have occurred in connection with these troubles. Suffice to say, they did occur, and, under the authorities, this brought about a condition of "war" between the two countries. It was not what the authorities may term a complete state of war, but rather in the nature of an incomplete state of war. There was no formal declaration of war, as we understand the history of the times, between the two countries, where a state of war was recognized

as existing between the two countries. During these troubles, among other things that occurred was a force organized at Monterey by the direction and under the authority of the Carranza de facto government. It is shown by this record that, when this command was completed and the plan laid, it was done with the view of invading Texas and attacking some of the Federal troops located just below Laredo at San Ygnacio. There was a company of Cavalry of the Regular Army stationed at this point, with trenches and other means incident to resistance to attack. These Mexican troops made an attack upon this troop of United States Cavalry at night. On the night of the attack, another troop of United States Cavalry reached the point where the first troop was camped to spend the night en route to Zapata County, and when the fight came off that night both troops were in action. Four or five United States soldiers were killed and nine or ten of the Mexicans. Three of the Mexicans and one that was wounded were captured. These were tried under this indictment in the Texas State courts and, on conviction, given the death penalty. The evidence makes it clear that these Mexican troops were commanded by Carranza officers. One of these officers was killed during the fight, who seemed to rank as a lieutenant colonel. The commanding officer of the Mexicans was De los Santos, who, it seems, was later captured by the forces of Villa and executed. His name was in this indictment, but he was never arrested. That a state of warfare existed between the two countries is not questioned. Brig. Gen. Enoch H. Crowder, Judge Advocate, United States Army, has the following to say in an official opinion:

"It is thus apparent that under the law there need be no formal declaration of war; but that under the definition of Vattel a state of war exists, so far as concerns the operation of the United States troops in Mexico, by reason of the fact that the United States is prosecuting its rights by force of arms and in a manner in which warfare is usually conducted. The statutes which are operative only during a period of war have been interpreted as ralating to a condition and not a theory. * * * I am therefore of the opinion that the actual conditions under which the field operations in Mexico are being conducted are those of actual war. That within the field of operations of the expeditionary force in Mexico, it is a time of war within the meaning of the fifty-eighth article of war."

There are also in connection with this record, in the motion for new trial, exhibited to the court excerpts from a communication from the dustrict attorney of Webb County to John L. Wroe, secretary to Gov. Ferguson, as follows: "The jury returned the verdict of guilty and assessed the punishment of death. These four Mexican citizens testified under oath that they belonged to the constitutionalist army of Mexico; that the band that attacked San Ygnacio consisted of 75 men; and that they were publicly organized and equipped in Monterey and Jarita with the full knowledge of the de facto Government of Mexico. The recent trials in Webb County of the bandits who murdered our soldiers at San Ygnacio, the fact that they were publicly organized and equipped in Mexico, that they met and mingled with the forces and officers of the de facto government, that they were furnished transportation in the three railroad cars from Monterey to Jarita, that it was widely proclaimed at Monterey that these bands were going to make hostile incursions into Texas, that men high in the councils of the de facto government were cognizant of the unlawful enterprise, and yet not a finger was raised by that government to frustrate the mission. I charge the de facto government with full responsibility for the recent raids committed in my district, and I charge that these raids were conducted with the knowledge and consent, if not the approbation, of the de facto government."

It might also be stated in this connection that it is a question for judicial cognizance and knowledge that this battle at San Ygnacio was never disavowed by the de facto government of Mexico. It seems also to be within accurate statement that the organization of these expeditionary forces attacking San Ygnacio was by and under the direction of Gen. Nafarrette, Gen. Fierros, Gen. De la Rosa, with Col. Cavanas, Col. Isabel de los Santos, Col. Cruz Ruis, and others, and these were officers of the constitutionalist or de facto Carranza government. Col. Cruz Ruis was killed in the battle.

This, we think, was a state of warfare. See, in addition to what has been quoted from Bas *v.* Tingy (4 Dall., 37, 40, 1 L. ed., 731, 732), United States Supreme Court Reports, as follows: "It may, I believe, be safely laid down that every contention by force between two nations in external matters, under the authority of their respective governments, is not only war, but public war."

While the invasion of Mexico by Gen. Pershing's column was not a public or complete war, or not preceded by a declaration of war against Mexico by the United States, it was an act of war, and, under the definition given by Gen. Crowder and the authorities generally, it was technically and within the limited meaning of the word "war." It was not made with the consent of the de facto government of Mexico, but rather,

in fact, over the protest of that country. In the case of Montova *v.* United States (180 U. S., 261, 45 L. ed. 521, 21 Sup. Ct. Rept., 358) it was said: "To sustain a claim under this section it is incumbent upon the claimant to prove that the Indians taking or destroying the property belonged to a band, tribe, or nation in amity with the United States. The object of the act is evidently to compensate settlers for depredations committed by individual marauders belonging to a body which is then at peace with the Government. If the depredation be committed by an organized company of men constituting a band in itself, acting independently of any other band or tribe, and carrying on hostilities against the United States, such acts may amount to war, for the consequences of which the Government is not responsible under this act or upon general principles of law." (United States *v.* Pacific R. Co., 120 U. S., 227, 234, 30 L. ed. 634, 636, 7 Sup. Ct. Rept., 490.

This extract is made from Prize Cases (2 Black, 635, 17 L. ed. 476): "War has been well defined to be 'that state in which a nation prosecutes its rights by force.' The parties belligerent in a public war are independent nations. But it is not necessary, to constitute war, that both parties should be acknowledged as independent nations or sovereign States. A war may exist where one of the belligerents claims sovereign rights as against the other."

The Montoya case was a claim by a citizen against the United States for depredations by an Indian band commanded by the Chief Victoria. Some of the troop of which Victoria was chief were friendly to the United States; many of them were not. Victoria organized a band of his own tribe and Indian warriors from other tribes, and depredated upon the people of New Mexico, and finally went into Old Mexico. There was a fight between the band of Victoria and United States troops. A claim was made for a depredation made by Victoria and was held not valid because it was not brought within the terms of the law which makes the United States responsible only for depredations by tribes friendly to the United States.

It occurs to the writer that, according to the principles laid down in these decisions, and under the general rules with reference to warfare, the Mexican column that attacked the troops at San Ygnacio came within those rules, and that, if they are to be dealt with for crossing the river and fighting our troops, it should be done by the United States Government and not by the Texas courts. Texas has no authority to declare war against Mexico nor create a state of war. This must be done by our General Government at Washington, by the special delegated authority in the Constitution of the United States. Whatever may have been the rights of these Mexicans, the authority to punish, the writer feels, is within the jurisdiction of the United States and not the courts of Texas. If there was a state of war between the two countries, actual and complete, or inchoate and incomplete, then it became an international or Federal question, and not a State matter.

It might be interesting, but of no practical value, to follow this matter with reference to some fighting that occurred in Mexico at the time Gen. Pershing's column invaded that country, in which some of our soldiers were killed and some captured. The principles above laid down, as far as our information goes, controlled the relation between the de facto Government and the United States, with reference to that battle and our soldiers who were captured. They were not tried by the Mexican courts, but turned over to the United States, as we gather the history of the transaction. So, from this viewpoint, we are of the opinion that this judgment should be reversed.

We might also refer to the invasion of Mexico by the United States Army and Navy at Vera Cruz, under the command of Gen. Funston. Our soldiers, if captured, would have been subject to trial and punishment in Mexican courts, under the same rules as their soldiers would in our courts.

There is another interesting question or two in the case which may be mentioned incidental to the other question. Gen. Mann was used as a witness, as were other Federal officers, among them the two captains who commanded the two troops of Cavalry on the night of the fight. From their testimony, a general statement may be made to the effect that these Mexican soldiers would be controlled by their officers in command, and be obedient to them; that the command was organized under the authority of the Carranza or de facto Government of Mexico, and was in fact a military command. By this testimony is seems that, wherever under such circumstances, the soldiers must obey the orders of their superiors, and failure to do so would subject them to discipline, which rates from minor punishment to death, according to the rules which have been violated, by those under authority.

When a soldier is ordered to fight, it is his duty to do so, and he may forfeit his life on refusal to do so. If he deserts under certain circumstances, he may be shot or executed. These Mexican soldiers were ordered by their officers, commanded by

the officers, headed by the officers, to make the fight; the officers led them into the battle and they fought. Some were killed, others escaped and fled. Some were wounded, one of whom was captured and is under sentence in this case. It seems while being tried he was suffering severely from a wound. One at least of the defendants claimed to have been forced to go into battle by his commanding officer. He did not desire to fight, but under the rules of warfare if he deserted he would be tried and would be shot, or if he disobeyed orders and failed to engage in the fight he might forfeit his life.

If the State courts had jurisdiction of these defendants, we are of opinion the conviction is erroneous.

From any viewpoint of this case we are of the opinion that this judgment should be reversed and the cause remanded.

Pendegrast, J., absent.

ANNOTATION—LITIGATION ARISING OUT OF MEXICAN REVOLUTION.

The earlier cases on this subject are collected in the annotation following O'Neil *v.* Central Leather Co. (L. R. A. 1917A, 280).

The decision of the New Jersey court of errors and appeals in the O'Neil case, there annotated, was affirmed by the United States Supreme Court (Oetjen *v.* Central Leather Co. (U. S. Adv. Ops., 1917–18, p. 367), 246 U. S., 297, 62 L. ed.—38 Sup. Ct. Rep., 309), without considering, as the New Jersey court did, the validity of the levy of the contribution made by the commanding general.

The Supreme Court took the position that, under the rules of international law, the subject was not one for reexamination by it or any other American court, and that the act in that respect came within the principle that the conduct of one independent government can not be successfully questioned in the courts of another, that principle being as applicable in a case involving the title to property brought within the custody of a court as it is to cases in which claims for damages are based upon acts done in a foreign country, since it rests at last upon the highest considerations of international comity and expediency. The Supreme Court in this case took judicial notice that the Government of the United States had recognized the Government of Carranza as the de facto Government of the Republic of Mexico, on October 19, 1915, and as the de jure Government on August 31, 1917, and it further held that recognition of that Government as the de jure Government was retroactive in effect and validated all the actions and conduct of the Government so recognized from the commencement of its existence.

In the Oetjen case (United States) supra, the Supreme Court, in reply to the contention that the seizure of the property by a general acting under the Carranza Government was contrary to the provisions of the Hague Convention of 1907 "respecting laws and customs of war on land," said that it would perhaps be sufficient answer to say that the Hague Conventions are international in character, designed and adapted to regulate international warfare, and that they do not, in terms or purpose, apply to civil war. The court also suggested certain considerations making it doubtful whether the seizure in question would be in violation of the "regulations" referred to. The court, however, did not definitely decide these points, but placed its decision upon the application of the principles already referred to.

In Ricaud *v.* American Metal Co. (U. S. Adv. Ops., 1917–18, p. 370), 246, 304, 62 L. ed.—38 Sup. Ct. Rep., 312), the United States Supreme Court, answering questions certified by the circuit court of appeals for the fifth circuit, held, in effect, that the action by Gen. Preryra, who in 1913 was the commander of a brigade of the Constitutionalist Army of Mexico, of which Venustiano Carranza was then first chief, in seizing bullion within Mexico in behalf of that Government and selling the same, was binding, and could not be questioned on the merits, in a suit by the former owner to enjoin the collector of customs at El Paso, Tex., from deliveriug the bullion to other defendants, who had derived their title through said sale. In reaching this conclusion, the court took judicial notice of the recognition by the United States of the government of Carranza, first as a defacto and later as the de jure Government of Mexico, and declared that such recognition was retroactive in effect and validated all the acts of the Carranza Government from the commencement of its existence, and that the act in question came within the principle that the courts of one independent Government will not sit in judgment on the validity of the acts of another, done within its own territory. In reply to the contention based upon the fact hypothesized in one of the certified questions, that the ownership of the bullion was in a citizen of the United States, who was not a resident of Mexico at the time of the seizure and condemnation, the court observed that whatever rights such an American citizen may have can be asserted only through the courts of Mexico, or through the political

departments of our Government. The circuit court of appeals rendered judgment accordingly (Ricaud *v.* American Metal Co., C. C. A.—250 Fed., 853.

The conduct of the foreign relations of our Government is committed by the Constitution to the executive and legislative—"The political"—departments of the Government, and the propriety of what may be done in the exercise of this political power is not subject to judicial inquiry or decision. Oetjen *v.* Central Leather Co., (United States), supra.

In the Ricaud case (United States), supra, the petition which stated the required diversity of citizenship to give the Federal district court jurisdiction alleged that the bullion was the property of the plaintiff, and that it had been forcibly taken from his possession in Mexico by unknown persons, but made no reference to a state of war prevailing at the time and place of seizure. The court held that neither the jurisdiction of the district court nor its own jurisdiction was affected by the facts in regard to the seizure under the authority of the Carranza Government, although the action in that respect was binding and conclusive on the merits, and must be accepted by the court as such. In this connection, the court observed that to accept a ruling authority and decide accordingly, is not a surrender or abandonment of jurisdiction, but is an exercise of it.

In De la O. *v.* Consolidated Kansas City Smelting & Ref. Co. (1918) (— Tex. Civ. App.—202 S. W., 1027), as action against the smelting company for conversion of the proceeds of ores, a judgment for plaintiff was affirmed upon the ground that the defendant was estopped by the terms of its contract from asserting a title based upon confiscation by the Mexican Government. The court, however, observed that while, under the decision of the United States Supreme Court, it would take judicial notice of the fact that Carranza was the head of the military government in northern Mexico at the time the ores were imported (September 29, 1914), and that such Government could seize and sell property for military purposes, and that by any such sale, by its authorized officers title would pass to the purchaser, it concurred with the finding of the trial court that the record did not distinctly show that the officer or agent making the seizure and sale of ore in question was duly authorized to do so.

In Bartletsville *v.* Compania Minera Ygnacio Rodriguez Ramos, S. A. (1918) (—Tex. Civ. App.—202 S. W. 1048), an action for the conversion of ores in which the defense was that the ores had been seized and confiscated by Francisco Villa as a military necessity, and sold to parties in Mexico, from whom it was purchased by the defendant in good faith, the jury found that civil war existed in Mexico during the time the ores were taken, and that the armies led by Francisco Villa were opposed by the armies of Carranza; but further found that the cars of ore sued for were not taken "by any force or government in possession and contriol of the terrtory where plaintiff's mine was, or by any agent of such force or government acting by authority of such government or force. Nor was it taken by Francisco Villa, or any of his agents or officers, acting by his authority or directions; nor were the proceeds thereof intended for the benefit of the faction dominated by Villa." The court held that the question covered by the finding quoted was a proper one for the jury to determine, since, while the evidence was uncontradicted that the ores were purchased from Hipolito Villa, and that he was the financial agent of Gen. Villa, there was no positive statement that the ores were taken for the use of the armies; and that, while there were circumstances tending to show that they were taken by him as a representative of Gen. Villa for the army, there were also circumstances tending to show that they were taken for his own private use. The judgment in favor of the plaintiff in this case, however, was reversed, because of the improper admission of testimony as to the acts of Villa, such as mistreating prisoners, killing women and children and Chinamen, the court apparently being of the opinion that such testimony might improperly prejudice the jury against the recognition of any title based upon a confiscation by Villa's officers or agents. In this connection, the court observed that a material inquiry in the case was whether or not the ores were confiscated and sold by Villa's officers or agents, as such, for the reason that under the settled law of the United States, a sale by such would confer title.

In Bartletsville Zinc Co. *v.* Compania Minera Ygnacio Rodriguez Ramos, S. A. (Tex., supra), it was held that the court did not err in charging the jury not to consider the decree of Carranza confiscating the property in question, and other property, for the reason that it was promulgated at a time when he and Villa were acting together, while at the time the ore was seized and confiscated they had divided, and each taken leadership of a faction contending against the other; hence Carranza's decrees had no probative force in determining whether the ore was confiscated in fact by Villa or his officers.

It will be observed that the opinion in Arce *v.* State (ante, 358), bases its decision that the soldiers of the Mexican Government engaged in the fight at San Ygnacio were

not amenable to punishment by the state of Texas for murder because of their acts in that fight, upon the view that an incomplete state of war existed at that time between the United States and Mexico. The opinion makes a valuable contribution on this subject.

In De Orozco *v.* United States (1916) (151 C. C. A. 70, 237 Fed. 1008), a proceeding by the United States to forfeit a bail bond given for the release of the principal, who had been arrested upon a warrant issued upon a complaint charging him with having conspired "to begin and set on foot and provide and prepare the means for a military expedition to be carried on from the territory and jurisdiction of the United States against the territory and dominions of the United States of Mexico, with whom the United States of America are at peace;" and also charging as an overt act, the purchase and shipment to and storage at a warehouse "at Fifth and Santa Fe Streets," of military supplies, the court in answer to the contention that the preparation of such a military expedition was not a violation of Sec. 13 of the penal code, because the government of Carranza had not been recognized at that time as the legitimate Government of Mexico, said that the case of the Three Friends (1879) (166 U. S. 1, 41 L. ed. 897, 17 Sup. Ct. Rep. 495), shows that the prior recognition by this Government, of legitimacy or belligerency of the government or faction against which the expedition is directed, is not necessary to make such provision applicable.

In the De Orozco Case (Fed., supra), the court in answer to the objection that the complaint failed to allege the name of the city where the supplies were shipped and stored, and therefore failed to show an overt act within the jurisdiction of the district court for the western district of Texas, said that the jurisdiction may be determined by the place of the formation of the conspiracy, as well as that of the commission of the overt act; and that the allegation that the conspiracy was formed at El Paso in the western district of Texas was sufficient in that regard.

G. H. P.

APRIL 20, 1920.

Hon. A. B. FALL, M. C.,
Washington, D. C.

SIR: I have read (p. 1187 of printed records of testimony before your investigation committee) the testimony of Henry Forres, and hereby certify to the following facts:

1. That said testimony of Henry Forres, in so far as I am concerned, is a fabrication, pure and simple.
2. That I have no oil interests or leases or denouncements in Mexico, and have never had any at any time, and never had any connection whatever with oil in Mexico, except to assist said Forres in securing a lease about five years ago, and which he allowed to expire six months later.
3. That I know nothing about any such transaction as he mentioned in his testimony.
4. That I know of no reason whatever for his having connected my name in any way with any such transaction or any other transaction connected with any lease or denouncement of any nature, in Mexico, or anywhere else.
5. That I am reasonably certain that I am the party referred to as "Dr. Dixon," "recently discharged from the United States Army," as I served as a captain in the Army, and am the only physician from here that has been discharged from the Army. I now hold a captain's commission in the M. R. C.
6. That said Forres admitted to me this morning, after I had given him a severe "calling down," that his testimony was based on hearsay, and that he refused to name any party or parties that had given him the information.

E. E. DICKASON, M. D.

Sworn to and subscribed before me this 20th day of April, A. D. 1920.

[SEAL.] E. M. MONROE,
Notary Public.

SWORN STATEMENT OF MRS. R. L. ——— RELATIVE TO HER CAPTURE NEAR WASHINGTON PARK, BEING TAKEN ACROSS THE RIVER INTO MEXICO AND THERE ASSAULTED BY MEXICANS.

My name is Mrs. R. L. ———; I live at 4103 ——— Street, El Paso, Tex.; my husband is a soldier attached to the headquarters troop of the Eighth Cavalry at Fort Bliss, Tex.; I have lived here in El Paso for about three weeks; I was married on April 9 last to R. L. ———; I was a nurse overseas before coming to El Paso; I landed in New York from overseas on March 4, 1920; I was with the old Ninety-first Division; I came back with the First Infantry and came directly from New York to El Paso.

On April 12 last my husband and I were intending to go horseback riding; when I was ready to go my husband was busy and could not go, and he arranged for me to go with two boys out of the Medical Corps at Fort Bliss—Tom and Arthur Griffith; they are brothers; we left my home at 4103 ——— Street, near Washington Park, El Paso, Tex., about 2.15 in the afternoon; we went right down past Washington Park; when near the boundary line on the American side of the river we saw a Mexican, armed; he halted us; as soon as he pulled his gun the two boys with me ran, and I presume expected me to do likewise; the Mexican caught hold of the bridle to my horse and I could not do so, he having put his gun in my back; the Mexican spoke in Spanish and I could not understand him, that is, what he said, but from his gestures I understood that he wanted me to dismount; I then dismounted; he walked me about half a mile to the river; when we reached the river he had me mount my horse and swim the river; this Mexican did not have on a uniform, just overalls, a big Mexican hat, and belt and pistol; when we got on the Mexican side of the river there were 17 other Mexicans there and two other officers; I knew these two men were officers because they had on belts with cartridges and pistols like the Mexican that had me in charge; none of them had on uniforms; one of these Mexicans spoke a little English, and he told me the best thing I could do would be to accompany this man that had me in charge to Juarez; when we come across the river these two other Mexican men that I supposed to be officers went on up the river; the other Mexican officer that brought me across the river took me to a little adobe house near by; at this adobe house I was assaulted by these Mexicans; the one that captured me and brought me across the river was the first one; when we got across the river and to this house it was about 2.45 p. m.; we got to Jaurez about 4 o'clock; in Juarez this Mexican took me to the customhouse; there was no one there that could talk English; after a while a little Mexican came in that could understand English and I told him that I wanted to see the American consul; pretty soon the American consul came over to the customshouse; they did not lock me up; they detained me in the customshouse; it was about 6 o'clock when the American consul obtained my release; in my excitement I did not give my correct name to the American consul in Juarez; I did not want to give my right name nor to tell about this affair on account of the publicity that would be given to it; I did not say anything about the Mexicans assaulting me until I told my husband; the two boys that were with me and had gotten away came back and told about me being captured; after I told my husband about it he advised me to tell the officials. The next morning Maj. Hill, a doctor of the Medical Corps at Fort Bliss, came to see me; Maj. Hill made a physical examination of me; I do not know what he found; he never told me, but he told me not to worry; I know he must have found evidence that would corroborate my statement regarding the assault. I know it was quite evident to a doctor that I had been assaulted.

On Friday, April 16, I went to Juarez, Mexico, in company with Capt. Counts, the district intelligence officer, United States Army, and the American consul, Mr. Dow; we first went to the judge of letters, and he advised us that he did not have jurisdiction of the case, to go to the district judge, and I made my statement to him; the man that captured me and took me to Mexico was brought in and I identified him as the man that had captured me and as one of the men that had assaulted me; it developed that he was a Carranza customs officer; the district judge informed me that I would have to employ a Mexican lawyer, make my statement to him and have him reduce it to proper form and properly present by case, and that I would have to submit to an examination by a Mexican doctor. I identified the man, in Juarez before the district judge, that captured me and took me to Mexico, and I can identify him again; I can also identify the two Mexican officers that were on the Mexican side of the river when my captor took me over there.

On April 14 last Capt. Matlack, Tom and Arthur Griffith, the boys that were with me at the time I was captured, and I went down to the point near the boundary line where I was captured by this Carranza customs officer; and there Tom and Arthur Griffith and I showed Capt. Matlack the place where I was captured, and Capt. Matlack saw a plenty of evidence there that would indicate that the place we showed him was the place of my capture; there were the tracks of the horses of the two boys, Tom and Arthur Griffith, where they had wheeled and run and my tracks where the Carranza customs officer made me dismount; Capt. Matlack stated after his observation that the point where I was captured was fully a quarter of a mile of the boundary line on American territory.

Mrs. R. L. ———.

Subscribed and sworn to before me, a notary public in and for the County of El Paso, Tex., on this 19th day of April, 1920, at El Paso, Tex.

J. W. SCHMID,
United States Commissioner Western District, Texas.

SWORN STATEMENT OF ———.

After leaving Mr. ——— in Villa's hands, ——— and myself proceeded to the railroad, under the escort of ———. ——— took the train north to Juarez to arrange with our officials about getting the money. I went south to Villa Ahumada to attend to company business. On my arrival there I was immediately summoned before the officer in charge of the garrison, Lieut. Col. Quiroga. I was thoroughly interrogated by him regarding my movements and asked regarding Villa. I told him that I had been with Holguin and then turned loose 40 miles from the railroad instead of on the railroad. These were my instructions from Villa, so he would not be located, and for the safety of Mr. ———. Quiroga said that I had not told the whole truth and it would be best to put a rope around my neck to see if I would not tell the truth. Thinking better of it, he said: "We will send you to Chihuhua, where they certainly will put a rope around your neck." Next day I was placed under guard, along with Mr. ———, of the ———, and sent to Chihuahua. We were very much abused by these officers, who wanted us to ride in the gondola in which the guard traveled. This we refused to do and got into the first-class coach without a ticket. At Moctezuma we were told by the conductor we would have to buy a ticket, but the guard would now allow us to purchase same, saying, "Give us the money and we will buy a ticket for you." Mr. ——— gave the captain of the guard a $20 gold piece and that is the last we heard of ticket or money. That was the Carrancista guard.

On getting on the train again Mr. ——— gave the conductor a check for the amount of our fares to Chihuahua. This matter was reported to Col. del Arco, who belonged to the Juarez garrison, and who was on the train. Just this much to show that robbery is not confined to the bandits.

On our arrival at Chihuahua we were met by practically the entire American colony who assisted us in many ways out of our apparent difficulties. We were driven to the military headquarters and there detained overnight in a room 12 by 12, without chairs, beds or anything, and in the middle of the night some three intoxicated peons were thrown in with us. Next day at 11 o'clock we were brought before Murguia's chief of staff. I was again interrogated in a very nice way by Murguia's chief of staff, who assured me that Lieut. Col. Quiroga had exceeded his authority and that he would immediately telegraph him not to molest me in carrying on the affairs of the ———. He also gave me a safe guaranty that I would not be molested further by Carranza soldiers.

After coming to the border I rendered such assistance as I could to get the money to Villa and obtain the release of Mr. ———; which was accomplished in the Bosque Benito country about the 15th of November.

I would like further to state that the Villista who seized us close to the mine was a man by the name of Jose de la Paz, who immediately, with his men, proceeded to take everything we had in the shape of watches, money, clothes, guns, etc. Jose de la Paz was a lieutenant colonel on the staff of Martin Lopez. Since the attack on Juarez this Jose de la Paz was arrested by the secret service men in El Paso, placed in jail, and released on bond of $750, and since has returned to Mexico.

Before his release I identified the man in the office of the Department of Justice and told them "This is the man responsible for our capture." I may further state this man's family lives in El Paso and his children are being educated there at the expense of the American taxpayers.

It is impossible for us to make an exact estimate of our total loss in the way of supplies and provisions taken from the mine and on the road to the mine and lost at Villa Ahumada and paid in ransoms, but we estimate our total loss by Villista raids and taken by Carrancistas from the time we begun operations up to June the 20th of this year at $30,000.

In June, 1918, a man by the name of Jose Saldana came to our office and represented himself as an agent of Francisco Villa and offered to give us protection, providing the company would pay him a certain sum of money monthly. We refused to have any dealings with this man.

———

STATE OF TEXAS, *County of* ———, *ss:*

Before me, ——— ———, a notary public in and for ——— County, Texas, on this day personally appeared ——— ———, personally known to me to be the person who executed the above and foregoing instrument and acknowledged to me that same is true and correct.

Sworn to and subscribed before me this 13th day of January, A. D., 1920.

[SEAL.]

———

Notary Public in and for ——— *County, Texas.*

STATEMENT OF ———.

This company has been doing business mining lead and silver ores at the ——— mine since September, 1916.

This mine is situated in the State of Chihuahua, Mexico, 80 miles south of ——— and 40 miles east of ———, a station on the Mexican Central that runs between Juarez and Chihuahua.

Shortly after beginning operation raids were begun by various bandits calling themselves Villistas. These raids have been kept up continuously up to the 20th of June of this year, when we were finally compelled to stop operations.

We appealed to the Carranzista authorities ——— many times for protection. Several times they sent troops out to the mine, but never stationed any garrison at or near the mine or gave us any protection.

In response to various appeals made to the military authorities in Chihuahua for protection, we received the following reply from Gen. F. Murguia, who was at that time in command of the military forces of the State of Chihuahua. This communication was directed to Mr. F. Honigman, government inspector of mines, a free translation of which reads as follows:

Answering your official communication of the 9th instant, of which I have taken due notice relative to the protection and security of the mineral districts to which you refer and manifest to you that this head of operation has the firm intention to give this same security to all centers of work and industry within its power and in accordance with the workings of the military operations in the zone under his command, I am disposed to guard attentively these districts, such as Parral, Santa Barbara, Naica, and others which are on the railroad or at a convenient distance from the same, under the condition that the owners, representatives, or companies which direct them put them in operation.

In regard to the other mining camps, which are completely isolated from said lines or in distant parts of the State, at an opportune time we will give them the same guaranty, which for the time is not possible.

I reiterate to you my attentive consideration.

J. DE LAS O. M. F. MURGUIA,
Constitution and Reform.

CHIHUAHUA, *May 14, 1917.*

Seeing that it was impossible to get protection from the Government, and being in a position where we were compelled to work the property, we found it necessary to continue operations without protection and to make the best arrangement possible with the bandits who visited our place continuously.

We were compelled to submit to these raids and allow the bandits to carry off my supplies they desired. Many times our employees and workmen were threatened with violence at the hands of these robbers unless their demands were complied with. Several times the workmen were all driven from the property, work was completely suspended, and all supplies at hand were disposed of by the bandits.

We invariably notified the Carranzista authorities of these visits, but they were not able to prevent the Villistas from robbing the commissary whenever they so desired.

The Carranza authorities made very little real effort to capture these bandits.

Here is the detailed statement of robberies and raids on our properties, as reported to me by ——— who was superintendent of the ——— mine at the time.

"Operations at the ——— mine were started during the month of September, 1916, and for two months we were not molested by the Carranza and Villa forces.

"In the month of November Epifaneo Holguin put in his appearance. When I was in ——— the foreman at the mine advised me of the fact and recommended me not to come out for the time being. On this visit he took practically everything which was then in the commissary, amounting possibly to 500 pesos. On this trip he had about 10 men with him.

"He made repeated trips to the mine during November, December, and January, taking small amounts of provisions each time and leaving word with the men to tell me that he was very anxious to see me and for me not to be afraid, because he was our friend.

"During the month of January, 1917, we had in all 16 visits from different bands of Villistas, each one taking small amount of provisions.

"In the month of February Holguin, with 16 men, encountered me at a watering station on the road and informed me that he was Villa's representative in this district and that he had instructions to get $5,000 gold from us to help out the Villa cause, but that being a good friend of ours he would let me off upon the payment of 3,000

pesos. This was eventually reduced to 2,000 pesos, which was paid. This was supposed to release us from any further assessment or robberies on the part of Villa.

"It has been proven since that Holguin was a free lance, and not connected with Villa.

"All this time the Carranzistas in ——— were kept informed of the movements of these different bands of Villistas, but refused absolutely to do anything. On one of these occasions I advised the general in charge of ——— that Holguin and a party of 15 men were then within 3 miles of ——— and no action was taken.

"In June, 1918, I advised the major in charge of the garrison that Holguin was then about 6 miles from ——— and had taken charge of two wagon loads of provisions, which were then on the road to the mine, and that if he would send men out immediately that he would be able to get Holguin and prevent the provisions falling in his hands. The major advised me he could not do anything in the matter without first reporting it to Chihuahua to get instructions. On this occasion Holguin stayed with the provisions until they arrived at the mine, two dsys later, where he took all the provisions, leaving the workmen absolutely without anything to eat and burnt the wagons in which the provisions had been hauled to the mine.

"During all the time that I was in charge of the mine our freighters were suffering loss of mules and our men were repeatedly sent into ——— and told not to come back to work. Many times the workmen at the mines were not only out of provisions, but the small amount of water for drinking purposes was consumed by the different bands of Villistas for their horses, then forcing the men to abandon the mine and come into ——— on foot.

"On several occasions we were instructed to close the mine down and not to open it up again under a threat of having the property blown up and destroyed.

"Conditions became so bad during December, 1917, that I went to ——— to see if some kind of protection could not be given to us. At this time I had a contract for the extraction of ore from the mines and being a ——— subject called upon my consul at Chihuahua City to get him to go with me to see the proper authorities regarding this protection.

"I was advised by him to do absolutely nothing in the matter, as Francisco Murguia, who was the general in command, was absolutely pro-German; that nothing could be gained by seeing him, and, in fact, that we would be insulted by him, and more than likely, he thought, advised that he was pro-German and had no use for anyone who was a subject of any one of the allied nations, and that it would be better to try and get the protection from the local authorities. However, this was impossible, as the general in command at ——— was always drunk and had absolutely no command over his men.

"On occasions when requests were made for protection to the local authorities, they put up as excuses that their men had not been paid for several months, and that in case of an encounter they would not fight, fearing desertion at any time that they saw the possibility of getting away.

"On November 24, 1918, Villa took ——— after a fight of about 30 minutes, killing several of the garrison and capturing 37, whom he afterwards shot.

"Evidently before this attack was made he gave instructions to his men that the officers and employees of the company should not be molested, as soldiers were placed in front of the office and none of the Villistas were permitted to enter. He, however, took from me personally close to 7,000 pesos worth of provisions and clothing.

"A few days later Murguia, with seven trainloads of soldiers, arrived in ——— and took possession of the town without a fight, as Villa had already left.

"During the occupancy of the town by Murguia and 2,500 soldiers they practically destroyed the automobile belonging to the company, taking off the wheels and tires, and everything that w s movable, part of which we recovered by buying them from the Carrancistas' soldiers, as Murguia was inaccessible to anybody.

"No attempt was made at this time to try and round up Villa, who was known to be some 15 miles west of ———, where he stayed during the entire time that Murguia was in the town.

"During Villa's stay in ——— he remarked to me that he was not a bit afraid of Murguia, intimating that they had a tentative agreement for Murguia to operate on the railroad and Villa in the mountains.

"After Murguia left ——— Col. Boliva Sierra was left in charge, and immediately sent for me and ordered me to take the other machine, which was still in running order, and go after hay and corn for his animals. I told him in the first place that the machine was not in working order, and that in the second place, if it was, that the first obligation which I had would be to get provisions out to the men at the mine, as they had been without provisions for several days and probably were starving. He kept in-

sisting on our using the machine for his purposes, and upon my refusal to do so, he insulted us and called us Villastas.

"During his stay in ——— he lived in the adjoining house, and he and his staff were intoxicated practically all the time, and on one occasion they shot at the chimney of the house in which we lived and stated it was a pity the "Gringos" were not there so they could take a shot at them also; in fact, pandemonium reigned the whole time he was in charge of the garrison.

"From the time that Villa's forces left ——— to the closing of the mine, on the 20th of June, 1919, there were several visits made to the mine by Villastas, but very little in the way of provisions was taken.

"Upon Villa's return south, after his defeat at ———, he occupied the office of the company, taking clothing, bedding, supplies, and furniture such as he needed.

"Upon the occupancy of the town by the Carrancista forces they looted the company's office, and their soldiers sold many of the articles belonging to the company to people living in ———.

"On June 21, 1919, the Carranzistas took the town. Upon my arrival in ——— a few days later, I was able to get back a few of the articles which the Carranzistas had stolen, as some of them were loaded on trucks belonging to the garrison.

"The offices of the company were in possession of Gen. Ferede, and a demand was made upon him for the delivery of the office, which he refused to do, stating he had no other place to live in and that he would deliver the house when he got ready to leave. Since that time repeated requests have been made to turn the house over to us, but without avail."

These raids finally culminated with the capture of ———, president of the company, ———, general manager, and ———, mining superintendent, ———, by Epifaneo Holguin, who had been operating in this section for several years as a Villista. We were taken by Holguin and, after traveling for eight days, were delivered to Francisco Villa. Holguin at first demanded a ransom of $50,000 American gold, or the alternative would be to deliver us to Villa; of course, we could not pay the $50,000, so he took us to Villa.

Upon reaching Villa, he said to Holguin: "Where did you get these Gringos?" Holguin answered: "At the ——— mine." "Why did you not hang them there and be done with it, and save me the trouble of doing it here?" was Villa's rejoinder to Holguin.

Villa asked ———: "By whose orders are you working those properties? Don't you know that they are in my territory, and no one can work without my permission? If you wish to work, all right; but you must first make arrangements with me."

Then Villa began a long harangue about the persecution he had received at the hands of our Government, particularly from the President and other officers, which was about as follows:

"Wilson caused me to lose the battle of Celaya, because he refused me permission to pass two carloads of ammunition that I had at El Paso; for this reason the ammunition did not reach me in time, and I lost the battle. Later he recognized Carranza as President, when he had led me to believe that I was the one to be recognized as President. Still later he allowed Carranza to move 3,000 troops from Eagle Pass to Agua Prieta, which caused me to lose the battle of Agua Prieta. He allowed Carranza to move his troops across American frontier in order to defeat me. American guns were fired at my men at this same battle. This was not sufficient. My brother, Hipolito, was arrested and held for a ransom of $300,000, and was not allowed to go free until the last dollar was paid. I thought they would surely kill him. I hid from my men and cried like a child; but no, they did not execute him. When the last dollar was paid, they turned him loose.

"This was not all. I could stand all of this, for this was a fight between men; but then they arrested my wife at the bridge at Juarez and treated her like a dog—took the money from her purse and tore the rings from her fingers, amounting in all to $25,000.

"For all this persecution that I have received at the hands of your President and your Government you people must pay, and pay with your lives."

A little later Villa said that if we would pay him the $300,000 paid for his brother he would allow us to go free. This sum was later reduced to $50,000. Upon our insisting that it was impossible for us to pay this amount of money he reduced the demand to $25,000, the amount of money in cash and jewelry alleged to be taken from Villa's wife at El Paso. He ultimately reduced the amount to $20,000, with these words: "Pay me $20,000 and do not talk any more about it. It is your business to get the money."

It was then agreed that ——— and ——— were to be released to secure the money and ——— be held until the money was paid. After being held in all 25 days, and

after having paid the amount of money demanded by Villa, I was released at the border and instructed not to give out the information I had seen Villa nor that I had paid any ransom. That this money was to be considered a loan, and if I would do as he advised me the money would be returned. If on the contrary I gave out the information that I had been with Villa and had paid a ransom that myself and my property would suffer the consequence later on.

——— ———.
——— ———.

Subscribed and sworn to before me this — day of ———.
[SEAL.]

———,
Notary Public.

FORT MADISON, IOWA, *August 18, 1919.*

Senator ALBERT B. FALL,
Chairman Subcommittee on Mexican Conditions,
Foreign Relations Committee, United States Senate, Washington, D. C.

GENTLEMEN: Having recently read in the newspapers that a subcommittee headed by Senator Fall had been delegated to secure information as to the losses sustained by American citizens in Mexico, I wish if possible, to file a statement with the subcommittee as to my interests and losses.

From 1900 to 1912 I made heavy investments in Mexico and in 1906 took up my residence in Mexico City, becoming a director of the United States Trust Co., Mexico City, S. W. Rider, president. I remained in Mexico City until 1912, when in conformity with the recommendations of the United States Government communicated to me by the United States Ambassador to Mexico, the Hon. Henry Lane Wilson, and by the United States consul general to Mexico City, Mr. Arnold Shanklin, I abandoned my Mexican interests and left the country.

I am a native-born American citizen, physician, biologist, and chemist by profession; my permanent residence is in the town of Nelson, State of New Hampshire, and I maintain a winter residence in Nassau, Bahama Islands, where I am a registered medical practitioner and president of the Bahamas Plantation Co. (Ltd.). My record is briefly sketched in "American Men of Science" and in "Who's Who in America."

I have not as yet filed any claim with the Department of State, but now that there appears to be a bona fide effort to protect American interests in Mexico, I desire to place my claim on record with the hope that the United States Government may assist me in gaining peaceful possession of my properties and a just compensation for losses sustained in being deprived of them for the past eight years.

The statement attached hereto will serve to show the nature of my interests in Mexico and I will, when desired, certify the same and present full documentary evidence.

Very respectfully,

CHARLES S. DOLLEY.

STATEMENT AS TO THE INTERESTS OF CHARLES S. DOLLEY, M. D., AND HIS WIFE, ADELAIDE C. DOLLEY, IN THE REPUBLIC OF MEXICO.

1. Twenty-five thousand acres of grazing and timber lands situated in the municipality of Tila, district of Palenque, State of Chiapas, including the coffee plantation known as "Jolnocpa," of 350,000 coffee trees, in full bearing in 1912, with dwelling houses, factory buildings, coffee cleaning, drying, and grading machinery, cattle, mules, etc. This property was deeded to me in 1908 by the Pennsylvania Plantation Co. of Philadelphia, incorportared in the State of Maine, of which I was, for several years, president. From the time it was deeded to me, it was under the management of my son, Lester C. Dolley, C. E. In the fall of 1913 he was driven off the property of Jolnocpa by insurrectos, went down to the city of San Juan Bautista, to await the restoration of peace, was taken with tropical dysentery, hastened to Mexico City, and died in the American Hospital, Mexico City, December 17, 1913. Repeated but unsuccessful attempts have been made by myself and my representatives to recover possession of the estate. About 600 head of cattle and 20 mules were confiscated at the time my son was dispossessed, the house and factory looted and partly burned. At that time the property was worth at a low valuation, $250,000.

2. The El Metate Mine, near Rio del Oro, State of Guerrero:

Title to this rich free-gold property was taken by me in 1908, after several years' thorough investigation of the district by experts in my employ. Americans were driven out of this Balsas River country in 1912, many suffering great losses, and they have, as far as I can learn, never been able to resume operations. The El Metate property is conservatively valued at $50,000.

3. The Adelaida Mine, near Jecurato, district of El Fuerte, State of Sinaloa:

This is one of the richest and largest veins of zinc-lead-silver ore ever discovered in Mexico. It was originally located and title taken to it by Francis O'Gorman, a prominent American geologist and mining engineer, who died in Mexico City in 1907. I married his widow in 1908. The title stands in the name of my wife, Adelaide C. Dolley. Up to 1912 we had expended over $30,000 on the development of the property and in that year we had arranged with the firm of Denny Brothers, of London, England, well known mining experts, for the capitalization and operation of the mine, when the disturbed conditions put a stop to all mining in that district. This property is valued at $300,000.

4. Residential property in the Seattle Colony, Guadalajara, Jalisco.

These lots are in the name of Adelaide C. Dolley, and were taken over by her in settlement of a loan to one Maude Miller Sanchez, of Mexico City. Value, $10,000.

5. Investment in the securities of the South Eastern Railroad Syndicate, "Compania Ferrocaril del Sur Este," owning concession from the Federal Government, granted by the Diaz administration, to build a road from Santa Lucretia to Campeche, 700 miles.

All preliminary surveys had been completed and the road financed in London and Paris, and contract let to the firm of Norman Griffiths & Co., of London, for building the road, when the Madero rebellion put a stop to all work. This interest amounts to about $40,000.

6. Investment in the Cia Explotadora de Productos de Maguey, with factory at Apam, State of Hidalgo.

I was president of this company from its organization. Though seriously interfered with on account of its general manager, Claude Dunning, being married to a Mexican lady, this company has managed to do some work. Its product, agmel, is handled in the United States by The Agmel Co. of America (Inc.), A. W. Donly, Rahway, N. J., president. This interest amounts to about $20,000. It was founded on letters patent granted to me by the Mexican Government.

7. Several letters patent granted by the Mexican patent office, 1910, 1911; $10,000.

I feel that I am entitled to demand the full possession of all my properties, free from all claims for back taxes or other imposts, and to at least 6 per cent on the total investment from 1908 to date of settlement. I wish, furthermore, Government aid to recover for me the title papers, deeds, and other legal documents pertaining to the various properties herein mentioned, left by me in the hands of Lic. Jose E. Gomez, of Mexico City, who had received them for record, but who has refused to return them to me.

SUMMARY.

1. Chiapas coffee plantation, grazing and timber lands	$250,000
2. The "El Metate" mine, State of Guerrero	50,000
3. The "Adelaide" mine, State of Sinaloa	300,000
4. Real estate in Seattle Colony, Guadalajara	10,000
5. Securities of the Cia Ferrocaril del Sur Este	40,000
6. Interest in the Cia Explotadora de Productos de Maguey	20,000
7. Various Mexican patents	10,000
Aggregate	680,000

In witness whereof I have hereunto set my hand and seal this 19th day of August, 1919, and hereby swear that the above statements of interest in Mexico are true as I verily believe.

CHARLES S. DOLLEY. [L. S.]

Sealed and delivered in the presence of Geo. H. Schafer and Sarah H. Williams.

STATE OF IOWA,
County of Lee, ss:

Be it known that on this 19th day of August, 1919, before me, a notary in and for said county, personally appeared Dr. Charles S. Dolley, above named, who is to me known to be the person described in and who executed the above statement of interests in Mexico and claims on same, and acknowledged same to be his act and deed. Subscribed and sworn to before me by the said Dr. Charles S. Dolley on this 19th day of August, A. D. 1919.

SARAH H. WILLIAMS,
Notary Public in and for Lee County, Iowa.

SOMERVILLE, TEX., *August 20, 1919.*

Senator FALL,
Washington, D. C.

DEAR SIR: I herewith inclose you my account for damages against the Mexican Government. I was advised to send it to you by the consul at Monterey.

Yours, very truly,

W. A. LYON.

The STATE OF TEXAS, *County of Burleson:*

Before me, J. J. McCain, a notary public in and for Burleson County, Tex., on this day personally appeared before me William A. Lyon, known to me to be a credible person, and after being by me duly sworn on oath says, that he is a native-born citizen of the United States, having been born in Washington County, Tex., on the 26th day of October, 1844, and is now a citizen of the United States, and was on the dates and time that his property was destroyed in the Republic of Mexico, and that he is and was the sole owner of said property herein listed before and at the time of its destruction, and that no other person has any claim to said property. And was at the time of the seizure and destruction of said property residing at Somerville, Burleson County, Tex. And the deponent further says that he has never received payment in whole or in part for said property.

W. A. LYON.

Sworn to and subscribed to before me, this the 16th day of October, 1918.

J. J. MCCAIN,
Notary Public in and for Burleson County, Tex.

I hereby certify that I have no interest in the claim herein filed, and am neither the agent or attorney for the affiant, William A. Lyon.

J. J. MCCAIN.

INVENTORY OF PROPERTIES AND HOUSEHOLD EFFECTS BELONGING TO WILLIAM A. LYON, LOCATED IN THE VICINITY OF TOPO CHICO, NUEVO LEON, MEXICO, POST OFFICE ADDRESS SOMERVILLE, BURLESON COUNTY, TEX.

Fences	$300.00
Tools	12.00
Farming implements	6.00
1 violin	16.00
Liquors	40.00
2 slot machines	250.00
Harness	200.00
Funiture	170.00
Bedding	115.00
Dining room and kitchen utensils	180.00
Clothing	250.00
2 acres of corn, 3 months old	100.00
2 acres of peas, 3 months old	100.00
1 acre of sugar cane, 2 months old	75.00
2 acres of corn, 3 months old	75.00
1 acre of barley, 3 months old	75.00
4 acres of barley, 3 weeks old	74.00
1 acre of sugar cane, 1 month old	25.00
2 acres of barley, 4 weeks old	25.00
1½ acres of barley, 4 weeks old	40.00
Total	2,128.00

The above property was destroyed by the Federal soldiers of the Republic of Mexcio during the years 1912–13.

AMERICAN CONSULAR SERVICE.

UNITED STATES OF MEXICO,
STATE OF NUEVO LEON,
City of Monterey:

This day personally appeared before me, G. D. FitzSimmons, vice consul of the United States of America, Cecilio Villela and his wife, Juana Ornelas, both Mexican citizens, who are known to me, and after being duly sworn, depose and say: "We are acquainted with W. A. Lyon, having been employed by him as caretakers of his prop-

erty near Topo Chico, about 4 miles north of Monterey. About the fall of the year of 1912 we were left in charge of certain property belonging to the said Lyon, consisting of farm, implements, crops, and other property listed herewith. During this fall and year following the place was visited by soldiers known as "Carrancistas," who without our consent or permission took and destroyed everything that was on or about the place.

Further the deponents sayeth not.

CECILIO (his x mark) VILLELA.
JUANA ORNELAS.

Witness to signature of Cecilio Villela: W. Landolt.

Sworn and subscribed before me at Monterey, Mexico, on this 14th day of August, A. D. 1919.

[SEAL.] G. D. FITZSIMMONS,
Vice Consul of the United States of America.

NEW YORK CITY, *September 8, 1919.*

Hon. ALBERT B. FALL,
United States Senate, Washington, D. C.

DEAR SIR: We note in this morning's New York Times that the subcommittee, of which you are chairman, of the Senate Committee on Foreign Relations, will shortly conduct hearings on the Mexican question. We also note that the investigation of your subcommittee, among other things, will cover:

"The amount of damages suffered by Americans as a result of the destruction, confiscation, or theft of personal property.

"Damages suffered by Americans as a result of the confiscation or deprivation of the use of lands owned by them in Mexico."

On May 20, 1918, in behalf of Mr. Charles F. Simon, an American citizen whom we now represent, a claim for damages against the Mexican Government amounting to $49,774.80 was filed with the State Department.

It has occurred to us that possibly your subcommittee will be interested in having the papers in this claim, which covered damages to both personal and real property of Mr. Simon at his ranch in Mexico during the year 1916. We shall be glad to furnish you any such paper as you may wish.

Respectfully, yours,

PALMER & SERLES.

Know all men by these presents, that I, Charles F. Simon, of the Borough of Manhatten, city, county, and State of New York, have made, constituted, and appointed, and by these presents do make, constitute, and appoint Albert R. Palmer, Frank R. Serles, and George F. Handel, composing the firm of Palmer & Serles, attorneys at law with offices at 46 Cedar Street, in the Borough of Manhattan, city, county, and State of New York, my true and lawful attorneys, to represent me, in my name, place, and stead, before the Department of State of the United States of America, or before any court, board, or committee, or before any person or persons in any and all matters pertaining to a claim for damages against the Republic of Mexico, filed in my behalf on or about the 20th day of May, 1918, with the Department of State of the United States of America, giving my said attorneys full power to do everything whatsoever, requisite and necessary to be done in the premises, as fully as I could do if personally present, with full power of substitution and revocation, hereby ratifying and confirming all that my said attorneys, or their substitutes, shall lawfully do, or cause to be done, by virtue hereof.

In witness whereof, I have hereunto set my hand and seal to this instrument in triplicate the 16th day of September in the year one thousand nine hundred and nineteen.

C. FITZHUGH SIMON. [L. S.]

Signed, sealed, and delivered in presence of Herbert J. Carroll.

STATE OF NEW YORK,
County of New York:

On this 16th of September, 1919, before me personally came Charles F. Simon, to me known and known to me to be the individual who executed the foregoing instrument and he duly acknowledged that he executed the same.

HERBERT J. CARROLL,
Notary Public.

Term expires March 30, 1920.

MEMORIAL OF CHARLES F. SIMON IN SUPPORT OF HIS CLAIM AGAINST THE REPUBLIC OF MEXICO.

I, Charles F. Simon, claimant, am a citizen of the United States of America. I was born October 2, 1861, in the city of St. Louis, State of Missouri, and resided in that city until about 20 years ago, when I purchased about 1,800 acres of land in the State of Vera Cruz, Mexico, about 40 miles from the city of Jalapa. This land lies in two adjacent valleys, one known as "Clarin," one as "Rincon Negros." I planted on these lands 300,000 coffee trees, cleared pastures, made roads and fences. I built a residence for my family, also houses for workmen, stables, waterworks, drying grounds for coffee, and a machinery house in which I installed a complete outfit of modern machinery for the treatment of coffee. By 1914 I had in successful and profitable operation my coffee plantations with a full complement of workmen, who were well treated, well paid, and contented. They had the privilege without cost, of corn land, bean land, and pasture. I cared for them when they were sick, and in every way treated them with consideration. I was encouraged in this enterprise by the then existing Government.

On or about the 23d of April, 1914, the Mexicans living near the property entered my residence, situated in Clarin, by force, broke open two locked desks and several locked cupboards, took all my papers, title deeds, accounts, and some money, breaking some of the furniture. After the American troops left Vera Cruz I secured the title deeds to the property, but not my accounts, papers, money, etc.

We now come to the year 1916. Senor Caranza was in power and the district in which I lived swarmed with his opponents, something like 800 armed men. They rode around in small bands, living largely off the people like myself who had houses, beds, and food. Fifty of them would ride up to my house and other ranches of Americans at nightfall, and we would be forced to put them up for the night and often longer, feeding the men and horses. They go away, of course, without paying, sometimes taking saddles, blankets, and what money one is forced to let them have. In fact one is completely at their mercy, and they play with him as a cat does a mouse, all this notwithstanding the Mexican Federal Government was fully apprised of the situation by appeals from myself and others.

In April, 1916, Gen. Cejudo, who was the chief of the rebels in my district, took over my property and used my residence as military headquarters. I lived in Jalapa some 40 miles away, which city was within the control of the Federal authorities. I wrote to Gen. Cijudo protesting over his action in taking over my property. He replied that he regrets it, but he is obeying superior orders, and will give finally a full report to our consul in Vera Cruz, which was never done. The result is my foreman and workmen, with their families, were forced to leave the place and the ranch was abandoned to the mercy of the rebels. Before they left my foreman, Felipe Diaz, and my storekeeper, Candido Carretero, made an inventory of the contents of my residence, also an inventory of the houses and machinery, etc., which I file with this paper, together with their affidavits. The rebels took possession of all the coffee that was on the ranch, also all other articles that they could use to advantage, and finally completely wrecked the contents of my residence.

Those articles of furniture which they could not well carry off they destroyed. They stabled horses in the parlor and generally defiled the house. The garden of several acres which surrounds the house they have used for a corral for mules and the valuable plants were completely ruined. In December, 1916, my foreman received word that the rebels would allow him to return. So he wired me to the United States where I was then living. I replied by wire to take full force of men and start work cleaning up the property. I knew that if this was not done that the entire plantation would be ruined. If a coffee plantation is not kept free from weeds, the trees deteriorate rapidly and soon die. The growth of weeds in the Tropics is excessive and the plantings must be cleaned from four to six times each year. As we had been forced to abandon the property the previous spring, and in the meantine the rainy season had come and gone, the coffee plants were smothered in weeds. My foreman gathered all the workmen in the district and started to clean up the plantation, in the meantime following behind with the coffee pickers. The coffee crop comes on about the 1st of November and lasts until March. Before the 1st of November a plantation should be cleaned and ready to be picked. I knew that it would be impossible to pick the crop on account of the fact of our getting possession of the plantation so late in the season. However, I thought that I might be able to get some of it to help to pay for at least part of the expenses of the weeding of the plantation. We cropped in the spring of 1916, 107,456 kilos, whereas in 1917, owing to the fact that the rebels had my plantation in their possession and had run off all of my workmen, we were

only able to crop 18,446 kilos, thereby losing 89,100 kilos. I have stated that the 1916 crop was 107,456 kilos.

As a fact, we were unable to crop all of it, being disturbed so much by those roving, armed bands, so that we lost about 23,000 kilos, which dropped from the trees and could not be recovered. I make a claim for the loss of the crop this 1917 season and base the loss on the difference between what was actually picked in 1916 and in 1917. All taxes have been paid by me to the Mexican Government up to January 1, 1917. My ranch is still in the power of the rebels. They have an officer living on my plantation. I make a claim for the deterioration of the value of the plantations through being left abandoned. A plantation so left in the Tropics reverts in a short time to a wilderness of growth, killing off all artificial plantings and ruining the labor of years. I have claimed 15 per cent of the total plantings. In my itemized account I have called the total planting only 255,000 trees, whereas I have stated in this report that I had planted 300,000. This is owing to the fact that 45,000 trees had been abandoned because they had been planted in badly exposed places. I make a claim for the damage done to the houses. These left open to the wind, rain, animals, for any length of time soon go to pieces. This damage is considerable, and I have placed a conservative amount for which I believe they can be replaced or patched up as good as they were. I make claims for articles stolen; also horses, mules, cattle, coffee; for the destruction of contents of my residence and garden. All this is shown by affidavits made by one who was living on the place and filed herewith. I submit some receipts for a portion of the stolen property, as we secured all of these we possibly could. In all cases the amounts representing costs are set down with strict justice, and the amounts claimed are less rather than more than the actual damage sustained. The Mexican Federal Government has collected taxes, but has failed to afford me protection. The damages I now claim are what I have suffered up to May, 1917.

The conditions in the district have continued about the same since that time. The rebels are still in possession of my ranch; they dominate the neighborhood and the Government has failed to suppress them. I have spent large sums of money in attempting to regain and operate my ranch. A German living on adjoining property has never been molested. The policy of our Government has been misunderstood by the Mexican people and the American subjects have suffered in consequence. My house was completely furnished for occupation by myself and family, consisting of my wife and three children. The furniture included my silverware, cut glass, china, general furniture, rugs, a valuable library, pictures, bric-a-brac, etc., all of which was taken away or destroyed. I attach hereto as Exhibit A a rough itemized account of my property destroyed and damaged, together with the fair cash value thereof, also incidental expenses incurred by me. Such account is correct according to my best knowledge and belief.

I also file herewith as Exhibit B inventory, with affidavit, of the contents of my house and other property made by Phelipe Diaz and Candido Carretero; one original in Spanish with translation in triplicate; also as Exhibit C affidavit of Felipe Diaz, showing coffee and articles stolen; one original in Spanish with translation in triplicate; also as Exhibit D affidavit of Felix Diaz as to property on Rincon Negros at that time and comparison of coffee crops of 1916 and 1917; one original in Spanish with translation in triplicate. Also as Exhibit E sundry receipts in Spanish given for some of the property taken referred to above, together with translations in triplicate.

On account of conditions existing since May, 1917, I have been unable to visit my ranch or to operate it successfully. I have suffered many losses since May, 1917, but shall ask leave to submit proof of same later. My property is practically ruined and I am debarred from the country.

I make this claim in behalf of myself as owner of the property referred to in this memorial. I am and was when this claim originated a citizen of the United States. At the present time I am domiciled in the city of New York. When this claim originated, I was domiciled in the city of Jalapa, Mexico. I was never a subject of the Republic of Mexico, and never took an oath of allegiance to the Government thereof. The entire amount of this claim belongs to me and did when it had its origin. I have never received any sum of money or other quivalent or indemnification for the whole or any part of the loss and injury upon which this claim is founded. I am 56 years old.

At present I am engaged in business at 225 Fifth Avenue, in New York City, having been compelled to abandon my Mexican property as stated above, with no prospect of being able to rescue and restore it.

The accompanying affidavits of Philipe Diaz and Candido Carretero were prepared in ignorance of the rules of the Department of State. They lack some of the information called for by those rules. They were not executed in triplicate. I,

however, file translations in triplicate. It is impossible to get new affidavits at this time. I can not go to Mexico, nor could I find the parties if I did go, nor can I send papers there under present conditions.

I can say of my own knowledge that neither the said Philipe Diaz nor Candido Carretero has any interest, financial or otherwise, in this claim. The said Diaz was for many years my faithful ranch foreman and the said Carretero was my storekeeper at the time of the events which they desribe in their affidavits. They resided on my ranch. They are both reputable men of mature age. I do not know their present location.

I file this memorial in triplicate, together with single copies of the original affidavits of Philipe Diaz and Candido Carretero in Spanish with translations in triplicate; also original receipts in Spanish for a portion of property taken by the rebels, with triplicate translation.

I am a loyal American citizen. I invested my all and devoted 20 years of my life in this coffee plantation with the encouragement of the Mexican Government. That Government failed to protect me and my property. I now invoke the aid of the American Government in securing compensation from the Mexican Government.

I have retained as counsel Mr. Franklin Ferris, Third National Bank Building, St. Louis, Mo.

Itemized statement of damages to property of C. F. Simon.

	United States currency.
1. Destruction of contents of residence in "Clarin" (see inventory), including library of some 1,800 books, many of rare editions and value. A large collection of fine tableware and cut glasses and bowls, linen (bed and table), furniture and pictures, oriental rugs, fully equipped kitchen, large range with hot and cold waterworks, clothing, etc...	$9,500.00
2. Complete destruction of garden of several acres, full of rare plants from foreign countries	1,500.00
3. The taking by various armed bands of men at different dates, 600 hundredweight of coffee, ready for shipment, at 10 cents per pound.... See affidavit of Felipe Diaz. This coffee was contracted to William Schotten of St. Louis, Mo., at 14½ cents per pound, less cost of shipping in 1916, 4½ cents.	6,000
4. The taking by various armed bands of men on different dates, 68 hundredweight of coffee, at 10 cents per pound.... While on the road between the plantation and Jalapa. See affidavit of Felipe Diaz.	680.00
5. The taking by force sacks, value 150 pesos; 11 mules, value 1,870 pesos; two horses, 550 pesos; 17 head of cattle, value 1190 pesos; various articles, value 660½ pesos; total 4,426½ pesos, at exchange rate of 2 for 1	2,213.25
6. The taking by force by different armed bands on different dates the sum of 3,364 pesos in paper money. This money was of depreciated value and for the purpose of making this account, I assume it to be on basis of exchange of 5 for 1	672.80
7. The difference between the crop of coffee in 1916 and that of 1917 is 89,010 kilos, or 1,935 hundredweight. These above figures are sworn to in affidavit of Felipe Diaz. The costs of producing the coffee is $4.25 on the plantation and sending to Jalapa and from Jalapa to St. Louis $3.50 per hundredweight more. In claims 3 and 4, you will note that the shipping expenses were put at $4.50 from Jalapa to St. Luois, but that was in 1916, whereas this is in 1917 and the export duties are now lower. I sold coffee this year to James H. Forbes Tea & Coffee Co. at 13 cents, and claim on the 1,935 hundredweight the difference which is $5.25 hundredweight	10,158.75
8. The loss of 15 per cent of the coffee trees planted, owing to the fact that they were abandoned and left to the mercy of tropical growth, 15 per cent of 255,000 trees equals 38,250 trees, at value of 25 cents United States currency per tree	9,550.00
9. The actual damage done to artificial pastures, fences, and houses	3,000.00
10. For feeding of various bands at different times	1,500.00
11. For personal expenses incident to foregoing, traveling expenses and expense of living in Vera Cruz and Jalapa for many months, extra expense of foremen and other men	5,000.00
Total	49,774.80

IN THE MATTER OF THE DEATH OF WILFORD O. ROBERTSON—COPY OF AFFIDAVIT OF MRS. R. L. FISHER.

STATE OF CALIFORNIA,
Coutny of San Diego, ss:

I, Esther Fisher, of lawful age, being first duly sworn, on my oath say:

On September 3, 1913, a party consisting of James Stempfle, William Brown, Wilford O. Robertson, my husband, R. S. Fisher, my daughter, Eloise Fisher, aged 6 years, and myself, also four Mexicans whose names are unknown to me, were traveling from the city of Durango, in the State of Durango, Republic of Mexico, on a journey to Mazatalan, in the State of Sinaloa, in the Republic of Mexico, having first obtained from the lawfully constituted authorities in the city of Durango proper passports for all the party for said journey. We traveled on horseback, and arrived at El Lobo in the State of Sinaloa about 4 o'clock p. m., on September 10, 1913.

At this place a Mexican by the name of Jesus Madrigal, a captain in charge of a number of soldiers, halted our party and demanded to see our passports; the passports were exhibited to him and he ordered us to pass on. We immediately resumed our journey and came to a certain place about one-half mile distant from El Lobo, where the road on which we were traveling turned sharply around a huge rock; at this point the said Jesus Madrigal and five armed soldiers stopped our entire party and took away by force from each one of the men in the party the rifles which they carried; after the rifles were taken from each man he was ordered to proceed. The captain fired several shots, two of which entered the body of Wilford O. Robertson, one of our party; one of the bullets taking effect in his neck and one in his shoulder, while one bullet passed through the hat of my husband, R. L. Fisher; neither he nor Mr. Robertson had fired. I was about 25 feet from Mr. Robertson at the time he was shot and reached him just as he fell to the ground; he said nothing other than "I am dying" and he died almost immediately. The captain and his soldiers immediately came up and robbed the body of a revolver, a rifle, a silver watch, field glasses, and cartridge belt.

I heard my husband ask the captain why he did not take the rifles from us at El Lobo, and the captain replied that he not did dare attack our party in the open, but had to wait until he could ambush them, as the Americans were dangerous people and he was afraid of them.

We buried Mr. Robertson on the same day, about 100 feet from the roadside. The captain and his armed soldiers left immediately after taking away Mr. Robertson's possessions, but came back again in about one and one-half hours later with a statement written in Spanish and which the captain and his five armed soldiers demanded should be signed by all of our party; I did not know what was in the statement, but with the others I was afraid to refuse to sign it, fearing bodily harm; I have understood later, however, that it contained a statement that Mr. Robertson shot first, which statement is not true.

My husband asked the captain for a written statement about the shooting of Mr. Robertson and some statement was given by the captain; I did not read it and do not know what it contained; I understand that is was forwarded to the American consul at Mazatalan.

MRS. R. L. FISHER.

Subscribed and sworn to before me this September 24, 1914.

[SEAL.]

JEFFERSON K. STICKNEY,
Notary Public, San Diego County, Calif.

My term expires March 18, 1918.

IN THE MATTER OF THE DEATH OF WILFORD O. ROBERTSON; COPY OF AFFIDAVIT OF B. H. BROWN.

STATE OF TEXAS,
County of Bexar.

I, B. H. Brown, at present temporarily in San Antonio, do solemnly swear that I am a citizen of the United States. I was born 59 years ago in the State of Wisconsin, but I claim Kingston, Ill., as my home. I am a miner, and for a number of years I have followed my occupation in the vicinity of Durango, Mexico. I have always registered with the American consul at Durango as an American citizen. I have known Wilford O. Robertson about 20 years and have worked in the gold mines about 150 miles a little southwest of Durango, known as the Joquixtle Gold Co., since February, 1913. Wilford O. Robertson was president of said company when I begun working for the company and up to the time of his death, which occurred on September 10, 1913, at a place called El Lobo.

On September 2, 1913, Wilford O. Robertson procured from the secretary of the governor of Durango one joint pass for himself and myself and two mozos to go to Mazatalan. We started on the next day. With us on our trip was Joe Stempfle, R. L. Fisher, and Mrs. Esther Fisher, wife of R. L. Fisher, and a child of about 5 years of age, of Mr. and Mrs. Fisher's. Accompanying us were four Mexicans—Joe Alvarado, Francisco Alvarado, Accencion Castro—and another Mexican by the name of Juan Martinez. The two last named Mexicans were our mozos. The other two Mexicans named were companions of Fisher's, that is they accompanied Fisher without being employees of his. The distance from Durango to Mazatalan is about 200 miles. Mr. Fisher and Mr. Stempfle also had passes for themselves and their equipments, but their passes were issued by the Gen. Domingo Arrieta, the person who had control of the Mexican constitutional forces at Durango. We traveled on horse and mule back, and our equipments were carried on horse back. The condition of the roads over which we had to travel was such that our mode of travel was generally single file.

On September 10, I was leading the "train" and Wilford O. Robertson was bringing up the rear. Mrs. Fisher and her little girl was either with Mr. Robertson or very close to him. Fisher was somewhere near in the center of the "train." I say the "train" was about 300 yards long. At a point near El Lobo two Mexicans presented themselves at the side of the road and asked me about our passports. The Mexican who appeared to have authority stated that he was Jesus Madrigal. He inspected our passes and pronounced them all right, and we were permitted to proceed, at the same time he showed his commission from Domingo Arrieta. About three-quarters of a mile from this point at a rocky, hilly place in the trail, I found myself suddenly covered by five rifles in the hands of Mexican revolutionary soldiers who demanded that I give up my gun. They stated that they wanted our guns. They were informed that Madrigal who had just inspected our passes said they were all right. Then one of the party pointed to his breast and said, "I am Madrigal, and we have got to have your guns. Your passes are all right but they do not mention your guns, and if they did I would be compelled to take them as I have a lot of soldiers without guns." I asked then why they did not take our guns when they first halted us, and Madrigal said that the ground was open there and he saw that we would not be inclined to give up our guns, as he was afraid some one would get hurt if he attempted to take the guns then, and that he came to this ambuscade where the guns could be taken without danger. He and his men were behind rocks when I first saw them. Madrigal said there were a lot of other soldiers up at the house who did not have guns. They held their guns upon me continually and threatened me until I was compelled to drop my gun, I then hollowed back to the balance of the party to look out that they had taken our guns. They insisted that we immediately proceed which we finally did, and we did not proceed but a short distance when we heard a number of shots fired, I should say four or five. They appeared to come from Mauzer rifles. I have heard these guns fired a great many times and I think I recognized the report of all of these guns, I then stopped and in a few minutes one of our mozos came riding up and said that they had killed "Don Guellermo" which in English means "Mr. William."

I then went back and found Mr. Robertson dead. From the time I was halted until the shots were fired I only saw Robertson once. Robertson was on his horse at that time, and seemed to be trying to get out at the side of the road. Robertson was at the time he was killed armed with a gun and a .45-caliber automatic revolver. Madrigal claimed that Robertson fired first with his revolver. I am satisfied that none of the reports that I heard came from his revolver, as I could easily distinguish the difference between the reports of this pistol and the Mauser rifle, which were the guns that Madrigal and his men had. Madrigal took all of our guns, cartridges, and Robertson's revolver. They also took Robertson's field glasses, gun, and silver watch. These field glasses I should judge to be worth about $40 in gold. Robertson's revolver would cost about $40 in the United States; it was worth more in Mexico; his rifle was worth about $20 in gold. Robertson also had about $50 worth of cartridges, which they took. The silver watch that Robertson had was worth about $25 in gold. Mr. Fisher's gun that they took was worth about $20 gold; Stempfle's gun was worth about $20 gold. My gun was worth $20 gold. We buried Robertson near the spot where he was killed and camped a short distance away that night. After Robertson was killed we requested of Madrigal a statement as to the cause of his death. Madrigal went up to a little house near by and brought back a statement. We told him that he would drive all sympathy of the Americans away by this kind of conduct, and he said it made no difference, "there will be intervention anyway." Madrigal demanded that we also make a statement in regard to Robertson's death. He prepared it without consulting us as to what it should contain and demanded that we sign it. My recollection is that in this statement it was stated that Robertson fired first. We considered that we were under duress, and so far as I am concerned, I did

not see Robertson fire a shot, and I am satisfied that he did not fire. Robertson was hit twice. One shot entered at the base of the right side of his neck and passed out under the left arm and the other entered the right shoulder lower down in the breast and passed out. The shots seemed to have been fired from rocks above, judging from the course of the bullets. Mrs. Fisher claimed at the time to have seen Robertson when he was shot, and that he did not fire a shot, but that he had his pistol in his hand and was off his horse. She said that she was the first to reach him, and that she asked him if he was hurt, and he told her he was dying; she protested to him, and she almost immediately heard the rattle in his throat, and he never spoke again. All of the conversation that we had with Madrigal on both occasions that I am testifying about were conducted in Spanish, but I am familiar with the language, and thoroughly understood what was said. Our passports and the statement that we signed, as well as the statement that he made, were also in Spanish. Madrigal gave his name as Jesus Madrigal. The general who issued Mr. Fisher's passes, and who was in control of the revolutionists at Durango was Domingo Arrieta. Madrigal told us that Domingo Arrieta told him to take all arms; that was in response to our statement that Domingo Arrieta had told us not to give up anything. We first reported the killing of Robertson to the Federal commander at Panuco, we next reported to the American consul at Mazatlan, and then we reported to the Red Cross authorities out at sea. I have been informed that Mr. and Mrs. Fisher's present address is 3804 Eighth Street, San Diego, Calif. I took possession of Robertson's watch, money, and papers, and delivered them to the American consul at Mazatlan. He turned them over to me, took a receipt for them, and instructed me to take them to the Rev. T. V. Neal at San Antonio, Tex., which I did.

B. H. BROWN.

STATE OF TEXAS,
County of Bexar:

The above affidavit was subscribed and sworn to before me this November 1, 1913.

[SEAL.] T. J. MURRAY,
Notary Public, Bexar County, Tex.

IN THE MATTER OF THE DEATH OF WILFORD O. ROBERTSON, COPY OF AFFIDAVIT OF JOE STEMPFLE.

STATE OF TEXAS,
County of Bexar.

I, Joe Stempfle, at present temporarily in San Antonio, Tex., do solemnly swear that I am a citizen of the United States. I was born in Germany November 16, 1864, and was naturalized in 1886. I claim San Antonio as my home. I am a ranchman, followed my occupation in the vicinity of Durango, Mexico, about 12 or 13 years. I have known Wilford O. Robertson about 14 years and was with him at the time of his death, which occurred on September 10, 1913, at a place called El Lobo.

On September 2, 1913, I procured from Gen. Domingo Arrieta a pass for myself to go to Mazatlan. We started on the next day. With us on our trip was Wilford O. Robertson, B. H. Brown, R. L. Fisher, and Mrs. Fsther Fisher, wife of R. L. Fisher, and a child, about 5 years of age, of Mr. and Mrs. Fisher's. Accompanying us were four Mexicans—Joe Alvarado, Francisco Alvarado, Accension Castro, and another Mexican by the name of Juan Martinez. The two last named Mexicans were mozos. The other two Mexicans named were companions of Fisher's, that is they accompanied Fisher without being employees of his. The distance from Durango to Mazatlan is about 200 miles. Wilford O. Robertson, Mr. Fisher, and B. H. Brown also had passes for themselves and their equipments. We traveled on horses and mule back and our equipments were carried on horseback. The condition of the road over which we had to travel was such that our mode of travel was generally single file. On September 10 Brown was leading "train." I came next and Wilford O. Robertson was bringing up the rear. Mrs. Fisher and her little girl were either with Mr. Robertson or very close to him. Fisher was somewhere in the center of the "train." The "train" was about 300 yards long. At a point near El Lobo two Mexicans presented themselves at the side of the road and asked about our passports. The Mexican who appeared to have the authority stated that he was Jesus Madrigal. He inspected our passes and pronounced them all right, and we were permitted to proceed, at the same time he showed his commission from Domingo Arrieta. About three-quarters of a mile from this point at a rocky, hilly place in the trail, Brown was suddenly covered by five rifles in the hands of Mexican revolutionary soldiers who demanded that we give up our guns. They stated that they wanted our guns. They were informed that Madrigal

who had just inspected our passes said they were all right. Then one of the party pointed to his breast and said "I am Madrigal and we have got to have your guns. Your passes are all right, but they do not mention your guns, and if they did, I would be compelled to take them as I have a lot of soldiers without guns." They were asked then why they did not take our guns when they first halted us, and Madrigal said that the ground was open there and he saw that we would not be inclined to give up our guns, and he was afraid some one would get hurt if he attempted to take the guns there and that he came to this ambuscade where the guns could be taken without danger. He and his men were behind rocks when we saw them. Madrigal said that there were a lot of soldiers up at the house who did not have guns. They held their guns upon our party continually and threatened us until we were compelled to drop our guns. They insisted that we immediately proceed which we finally did and we did not proceed but a short distance when we heard a number of shots fired, I should say four or five. They appeared to come from mazur rifles. I have heard these guns fired a great many times and think I recognize the report of all of these guns, I then stopped and in a few minutes one of the mozos came riding up and said they have killed "Don Guellermo" which in English means "Mr. William." I then went back and found Robertson dead. Robertson was at the time he was killed armed with a gun and a .45 caliber automatic revolver. Madrigal claimed that Robertson fired first with his revolver. I am satisfied that none of the reports that I heard came from his revolver, as I could easily distinguish the difference between the reports of this pistol and the mazur rifle which were the guns that Madrigal and his men had. Madrigal took all of our guns, cartridges and Robertson's revolver. They also took Robertson's field glasses, gun and silver watch. These field glasses I should judge to be worth about $40 in gold. Robertson's revolver would cost about $40 in the United States; it was worth more in Mexico; his rifle was worth about $20 in gold. Robertson also had about $50 worth of cartridges which they took. The silver watch that Robertson had was worth about $25 in gold. Mr. Fisher's gun that they took was worth about $20 in gold and Stempfle's gun that they took was worth about $20 in gold; Brown's gun was worth about $20 in gold.

We buried Robertson near the spot where he was killed, and camped a short distance away that night. After Robertson was killed we requested of Madrigal a statement as to the cause of his death. Madrigal went up to a little house near by and brought back a statement. We told him that he would drive all of the sympathy of the Americans away by this kind of conduct and he said it made no difference, there would be intervention anyway. Madrigal demanded that we also make a statement in regard to Robertson's death. He prepared it without consulting us as to what it should contain and demanded that we sign it. I refused to sign. My recollection is that in the statement, it was stated that Robertson fired first. So far as I am concerned, I did not see Robertson fire a shot, and I am satisfied that he did not fire. Robertson was hit twice. One shot entered at the base of the right side of his neck and passed out under the left arm, and the other in the right shoulder and passed out lower down in the breast. The shots seem to have been fired from rocks above, judging from course of the bullets. Mrs. Fisher claimed at the time to have seen Mr. Robertson when he was shot; and that he did not fire a shot, but that he had his pistol in his hand and was off of his horse. She said that she was the first to reach him, and she asked him if he was hurt, and he told her that he was dying, she protested to him and she almost immediately heard the rattle in his throat, and he never spoke again. All of the conversation that we had with Madrigal on both occasions that I am testifying about were conducted in Spanish, but I am familiar with the language and thoroughly understood what was said, our passports and the statement that some of the party signed, as well as the statement that he made were also in Spanish. Madrigal gave his name as Jesus Madrigal, the general who issued Mr. Fisher's passport and who was in control of the revolutionists at Durango was Domingo Arrieta. Madrigal told Brown that Domingo Arrieta told him to take all arms, that was in response to our statement that Domingo had told us not to give up anything. I did not hear this. We first reported the killing of Robertson to the Federal commander at Panuco, we next reported to the American consul at Mazatalan, and then we reported to the Red Cross authorities at sea. I have been informed that Mr. and Mrs. Fisher's present address is 3894 Eighth Street, San Diego, Calif.

JOE STEMPFLE.

Subscribed and sworn to before me this 1st day of November, 1913.

[SEAL.] T. J. MURRAY,
Notary Public, Bexar County, Tex.

OFFICIAL CONFIDENTIAL REPORT.

Radical socialism movement in Mexico: Evidently strong efforts are being made throughout Mexico to incite the labor elements to adopt a more radical policy toward destruction of all property and property rights. It seems that these movements are more or less openly propitiated by officials appointed by Carranza.

Conditions in Yucatan: Socialism of a more radical character has invaded the State of Yucatan and is destroying order, law, and wealth. The authorities now controlling the situation in Yucatan are carrying their radical campaign in the name of the Mexican Government, but it is in reality they themselves who are looking for their own interests. The abuses have assumed such a degree of violence that the Federal Government of Mexico is considering the federalization of the port of Progreso in order to close up that source of infection. Luis Cabrera has been sent by the Government of Carranza to Yucatan to improve the situation there. Robert Habermann is a prominent Socialist worker of Merida, Yucatan.

Conditions in Vera Cruz: The activities of I. W. W. in the State of Vera Cruz are taking remarkable impetus. The leaders, Pedro O. Pantoja, Julio Cadenas, Vicente Cana, and Espigmencio Ocampo, have formed several committees to spread bolshevist theories and to induce workmen to strike.

I. W. W. activities in Mexico: Propaganda is spreading in Mexico to precipitate strikes in that Republic, and also in other Latin-American countries. Mexican workmen in Tampico, following suggestions from I. W .W. organizations in New York, have appointed a committee to plan out strikes in the various oil-producing camps.

Information has been received from Mexican labor headquarters that they have received requests from various American labor groups asking the moral support of Mexican labor unions to aid in securing freedom of Socialists held in prison in the United States for opposing the draft and obstructing military operations of the United States.

Influence of the Rand school of bolshevism: The workers proamnesty committee of United States has asked funds from Mexico labor committees with the purpose of continuing their propaganda to obtain the freedom of the socialistic leaders now in prison in the United States. The Mexico labor committees, following suggestions from above-mentioned American labor organization, have named a commission to organize sympathetic strikes in the petroleum camps. The petroleum companies have refused to pay workers according to the new labor law. The labor unions of Vera Cruz, Tamaulipas, Orizaba, etc., are in sympathy with the intended strike movements.

The above mentioned workers pro-amnesty committee is really an I.W.W. defense union, constituted of 170 union committees under the auspices of the Rand School, 5 East Fifteenth Street, New York, in December, 1918. This sympathy of Tampico workers is illustrative of the influence of the Rand School of Bolshevism.

Lynn A. E. Gale: It seems that this American writer, now in Mexico City actively working in radical socialistic propaganda, has lately got in trouble, as it can be inferred from the leaflets that he has distributed refuting accusation made against him. Previously to his coming to Mexico City, he worked for several years for Martin H. Glynn, in the capitol and on Glynn's newspaper in Albany, and also wrote for the American of New York. When called by his draft board, he fled to Mexico. He claims to have the support and personal friendship of President Carranza.

Gale is openly teaching the tenets of bolshevism, and by means of his magazine is particularly dangerous. He expects to spread the doctrines of bolshevism from one end of the Americas to the other. He is a strong internationalist beside making his living by the practice of occultism in various forms, including some form of mental healing, for which his wife, who seems to be ably seconding him, requests that people send their incurable cases that they may be treated.

Gale is looking forward to the lifting of the censorship that he may obtain close communication with friends of his own belief here in the United States.

The connection of the Bolshevist propaganda with the German is perhaps shown more clearly in the case of this man than in any other. For Gale is a confessed pro-German, and is connected with the Servicio Aleman.

Some people in Mexico recognize in Gale a slacker, Bolshevist and blackmailer, who may soon be deported from Mexico. Gale is well known as running a pro-Bolshevist magazine in Mexico City. His future deportation has already been announced.

In an intercepted letter from Gale to his parents Gale says that he has recently won two law-suits against persons who tried to damage his business, getting $75 damages in the first case and $375 in the second case. He states his intention of suing a leading newspaper of Mexico City (El Universal) which recently exposed him, and states that he expects to recover heavy damages. The writer adds that the publicity did

him no harm and was a good advertisement. He finishes his letter with the following statement: "My relations are so cordial with the Government that I don't care what soreheads say or do. Besides having the personal audience with President Carranza which I mentioned to you, I have seen the secretary of state several times and have established very close connections with several members of the Government. They all give me the most respectful and friendly consideration.

In an intercepted letter Gale informs his father and mother that "Business is good and things are progressing nicely." The writer adds: "A newspaper has been attacking me and published a malicious letter from George Stafford of the Times (Times Review of Oxford, N. Y.), and I am suing the paper (El Universal) for $100,000 damages."

El Universal, F. F. Palavicini, editor, announced the probable deportation of Gale, according to the famous article 33 of the new Mexican constitution, which gives the executive the authority to expel any pernicious foreigner or any one interfering in the political affairs of the country.

Bolsheviki propaganda: Socialist propaganda of the most radical character is steadily increasing in Mexico. Among the men who are spreading revolutionary propaganda the following are widely known: Ezequiel Salcedo, Ignacio Rodriguez, Juan Rico, Rosendo Salazar, Sr. Decuina, Ricardo Trevino, P. Nacho, and Tomas Valenzuela.

The special report on "Social Unrest in Mexico," states: "It is positively known that at the opening of the last session of the congress in Mexico City, Bolsheviki literature has been distributed in the government building, such distribution being sanctioned by President Carranza."

There is a continuous stream of dangerous literature being sent from Mexico to South American countries. It usually comes into this country through the ports of Eagle Pass and Laredo, some little amount coming through El Paso, and is intended to proceed to New Orleans or New York for transmittal to destination. Apparently there is a close tie binding the agitators in the Latin American countries with these in Mexico, and they are all united in their conclusions that the Government and the people of the United States have decided to exploit the peoples of the Latin American countries for their own use and profit, and that therefore it is the clear duty of all Latin Americans to fight the activities of the United States with all their strength.

El Democrata of Mexico City, published a cartoon of a great American octopus seated at the Capital of Washington and stretching its tentacles throughout all the Americas, and an article, by Ramon Sanchez Arreola, of the Mexican consulate, at Los Angeles, Calif., containing a hymn to La Raza, explaining that La Raza (The Race) represents the Spanish and twenty Latin American countries all joined together in opposition to the United States. They intend to oppose a Spanish-American solidarity against Pan Americanism of the Monroe doctrine. It is stated that President Carranza is at the head of the organization.

There is a propaganda that comes from Europe, both from German sources and Spanish, the German propaganda seeming to come through Spanish means and dealing principally with anti-American ideas at the present time. The strictly Spanish propaganda seems to be the Pan-Spanish ideal as opposed to the Pan-American.

Besides this there is the propaganda originating in Mexico itself which is disseminated throughout all the Spanish-American countries. This propaganda is both anti-American and Bolshevist.

The press in Mexico City published a cablegram from Geneva, Switzerland, dated March 28, 1918, stating that the meeting in Moscow of the Communist International Congress is trying to formulate a general project for bolshevik movements simultaneously in Europe and America and that in a scrcet meeting it was resolved to postpone the realization of their purposes until the signing of peace.

It is stated that the members of the congress believe that the revolutionary efforts will meet with great success as soon as the censorship will be removed in all countries.

The special report on "Pan-Socialism in Spanish-Speaking Countries" states: "In Mexico the situation is of especial interest to the United States, since there is a constant Socialist exchange between them, and there are American agitators in Mexico. It has been stated that bolshevism in Mexico is inevitable. A working socialist system has been established in Yucatan, which the Government seems to be trying to control. Gen. Salvador Alvarado and Luis Cabrera seem to have some control of both labor and capital; the supposed control by other factions seems purely revolutionary. Here also it is often said that Germans are furthering the bolshevik propaganda; it is known that the German periodicals are currying favor with the labor element. The I. W. W. is organized in Mexico, Jose Angel Hernandez being the leading spirit and Pedro Corria, or Coria, an active agent; Habermann, an Ameri-

can, is leading in Yucatan, and Lynn Gale, an American, is making active bolshevik press propaganda. There are movements afoot to unite all factions, both political and socialistic."

In the States of Tamaulipas, Vera Cruz, Tabasco, Chiapas, Campeche, and Yucatan legislative measures of decided radical nature are being imposed or are in way of being imposed.

It is apparent that the drift in Mexico is toward radical legislation, the confiscation of property, and the repudiation of foreign debts.

The repudiation of the Mexican foreign debt was openly discussed by Mexican Government officials, and it seems that such proceeding would undoubtedly please quite a number of Mexicans, among them leading officials of the actual Government.

Lately reports state that Luis Cabrera, speaking in regard to the payment of the Mexican foreign debt, gave the following public statement:

"If we had the cash in our treasury to resume payments on the national debt to-day we should prefer to wait. Our creditors have waited patiently and they will continue patient. We prefer to await the outcome of adjustments of problems of world-wide importance that may affect us directly. We must know what the world in general will do with its obligations, how many nations will repudiate their debts, and how many will trim their obligations to figures compatible with their income."

OFFICIAL REPORT TO ADJUTANT GENERAL OF TEXAS AND THIS COMMITTEE BY CAPT. HANSON.

A society for the furtherance of their political influence called the "Verband Deutscher Reichsangeboriger" (Union of Subjects of the German Empire). It has headquarters in the Boker Building in Mexico City and branches in 31 Mexican cities and towns. Its first chief is R. Von Lubek who lives at 28 Calle Berlin, and offices in the Boker Building. He was formerly a merchant of the firm of Boker & Co. Fritz Sommer, son of a leading jeweler of Mexico City, is the official organizer; travels around the country perfecting the work. This society is closely working with the 50 German officers in the Mexican army; they are also closely associated with Col. del Campo of the Corps of Engineers and with an anti-American Spaniard named Guardiola, the editor of La Regeneration of Satillo. Other German or pro-German Mexican papers are Boletin de Guerra, Informaciones Inalambricos, Cronica Alemania, Deutsch Zeitung von Mexico, and El Democrata and El Defensa, and in Monterey the El Heraldo Europeo.

Manuel Ugarte, who is a Portuguese mulatto, is exceptionally anti-American. There is only about 50 German officers in the Carranza army, the most prominent is Gen. Maximiliano Klos, of the Artillery. Carranza's nephew, Col. Salinas, chief of aviation and ammunition, is also strong anti-American; this man bought 6,000.000 cartridges from Salvador in May, 1917; he is a graduate of St. John Manilaus of New York and Troy Poletec, and only about 26 years old. There are now two members of this society in San Antonio; one is Dr. Boese, who was at one time connected with the State University and who is married to a Mexican woman in Monterey, and who the United States Government will not give a passport to; also he lives at ————; and a German named Buschard, who lives at ————. Buschard is a brother of the Mexican consul at Monterey; is a great friend of a Mexican named Ornelas, who lives at ————. These people are closely hooked up with De La Pena, ex-governor of Coahuila, who lives at 317 Nacodoches Street, and his son-in-law, who is a German, Oscar Francke, lives at 325 Madison Street, and a lawyer named ———, who lives at 418 West Elmira Street, and a Gen. Villareal, who lives at 306 North Flores; and a Gen. Alvarado, who lives at 317 Nacodoches. I am sending you herewith a photo of this bunch. Please return same when it has served your purpose. ———— is an American and Pena's mozo, who is on the extreme right and who lives at 306 Cass Avenue; his name is Torre. Pena has an office at room 71, Menger Hotel. The United States Government has also refused Buschard a passport. Buschard made inquiries about explosives, Hercules Powder Co., and same was referred to Peden I. & S. Co. here in October; there is also a Santos Boreno, of San Luis Potosi, and a Gen. Borellas.

MAY 24, 1920.

The chairman directed that there be printed in the record at this point a letter under date of May 18, 1920, signed Robert H. Murray, inclosing an affidavit of same date made by said Robert H. Murray

before the vice-consul of the United States at Mexico City. Said letter and affidavit follows, viz:

MAY 18, 1920.

MY DEAR SENATOR: It looks now as if it would be impossible for me to go north, or rather, get to Washington before you finish up with your committee work. So I am sending the inclosed affidavit, which I ask you to be good enough to incorporate in the proceedings of the committee. You will appreciate my reluctance to have the books closed without something going on record to offset Buckley's attack upon me.

I took off a carbon of a letter which I have just finished, and send it on. There may be something in it to interest you. Kindly treat it and its contents as confidential to yourself.

With kindest regards, believe me,

Always, sincerely, yours,

ROBERT H. MURRAY.

Hon. ALBERT B. FALL,
Washington, D. C.

P. S.—If you communicate with me, please do so in care of the embassy here, via the Department of State's weekly sealed pouch; not in the open mail.

* * * * * * *

MAY 18, 1920.

Before me this 18th day of May, in the year 1920, appeared the deponent, Robert H. Murray, who being duly sworn deposes and says:

That he is an American citizen by birth, residing at present at la Jalapa, 8, in the city of Mexico, Mexico; that on or about December 6, in the year 1919, one William Frank Buckley, appeared before the subcommittee on investigation of Mexican affairs of the United States Senate, and under oath uttered certain malicious and untruthful statements concerning the deponent, which statements are reported in part 6 of the proceedings of said subcommittee, on pages 773–774 and 829–830, stigmatizing the deponent as an "unscrupulous American—and an interested propagandist of the Carranza government;" and also in connection with a statement relating to the Carranza government of Mexico, as being one of the "provokers of intervention;" that at various times, notably on February 15, February 18, and February 21, in the year 1920, the deponent in writing entered a general and specific denial of all of the false and malicious statements of the said Buckley, demanded that the said Buckley be summoned immediately to appear before the said subcommittee and submit any and all evidence in support of his allegations against the deponent; that the said Buckley be required to furnish the said subcommittee with the name or names of any persons, or person whom he might know to be in possession of any evidence in support of his false and malicious statements; that unless the said Buckley succeeded in proving his allegations that such portions of his testimony containing them be stricken out of and expunged from the record, and that the said Buckley be disciplined by the said subcommittee for supplying it under oath with false, libelous, malicious, and perjurous testimony; that for reasons well understood by the said subcommittee, which reasons are due to no fault or lack of diligence on the part of the deponent, up to the 11th day of April last, when the deponent through urgent necessity was compelled temporarily to leave the United States and return to Mexico, it had not seemed possible for the subcommittee to accede to the deponent's requests; that owing to what now seems to be the impossibility that the deponent will be able to return to the United States before the said subcommittee closes its sessions and appear personally before it, he takes this means of formally and under oath denying wholly and without reservation all of the false, malicious, libelous, and perjurous statements herein quoted which were uttered by the said Buckley concerning him and all other statements of similar character which may have been or may be uttered by the said Buckley, or by any other person; that the deponent takes this method of formally presenting his denial in order that it may be entered on the records of the said subcommittee, and also of respectfully requesting as a measure of fairness and justice, that unless Buckley offers adequate proof of his false, malicious, libelous, and perjurous statements the deponent, said statements be ordered stricken out of and expunged from the record of the said subcommittee.

ROBERT H. MURRAY.

Subscribed and sworn to before me on this the 18th day of May, 1920, at Mexico City, Mexico.

[SEAL.] C. C. SHANKS,
Vice Consul of the United States of America at Mexico City, Mexico.

Service No. 3449.

The committee regret that any controversy should have arisen before this committee touching a personal matter and have heretofore excluded such personalties.

On February 27, 1920, the chairman of the committee, answering a communication from Mr. Murray, through a letter addressed to that gentleman at New York City, used the following language:

> I regret that Mr. Buckley should have made a statement against you or affecting your character in any way or your conduct in such a way that you think it necessary to have Mr. Buckley brought back before the committee to confront you.
>
> You may rest assured, however, that as soon as it is reasonably possible for me to get around to it, you shall have every opportunity to take exactly such action as you care to take, either by coming before the committee and testifying or having Mr. Buckley questioned by yourself or your attorney as to the foundation for the statements which he made.

It did not suit the convenience of, nor was it possible for, Mr. Murray on one hand to meet the committee at Los Angeles, or other points along the border, nor to be present at any hearing of the full committee in the city of Washington after the date of Mr. Buckley's testimony.

Neither did it suit the convenience of, nor was it possible for, the committee to hold a hearing aside from the hearings arranged in their regular itinerary at which Mr. Murray could be present.

For the above reasons, and as it has been the intention of the committee to give every person an opportunity to testify or make a statement before it, we have decided to print Mr. Murray's letter and affidavit.

The committee are thoroughly impressed with the value of the general testimony of Mr. Buckley, and with the care and painstaking effort which he has displayed in accumulating the vast amount of valuable data upon events, facts, etc., as given by him in his testimony in part 6 of these hearings.

The committee is aware, however, that differences have arisen between Americans with reference to acts of Americans in Mexico, and it has not been concerned with such differences in conducting its hearings.

We can readily understand that Mr. Buckley, testifying truthfully and at the same time judging individuals and their acts from his point of view, may have inadvertently done injury to Mr. Murray in the testimony which he gave. Mr. Murray was, of course, entitled to his day in court, and while the committee do not care to give publicity to the expressions used by either in criticism of the other, it would have given Mr. Murray the opportunity asked to testify concerning the matter in controversy in open hearing, and as this has so far been impossible without expression from the committee, which is entirely unnecessary, further than above set forth, it has taken the action indicated in printing Mr. Murray's letter and affidavit.

Senate Report 645, 66th Cong., 2d sess.

PARTIAL REPORT OF COMMITTEE.

The committee was appointed under Senate resolution 106, for the purpose of investigating and reporting upon certain facts, matters, and suggestions with reference to *Mexican affairs* as affecting American citizens and American property rights; the relations between the two countries, etc.

[Senate resolution 106.]

Resolved, That the Committee on Foreign Relations, or any subcommittee thereof, is authorized and directed to investigate the matter of damages and outrages suffered by citizens of the United States in the Republic of Mexico, including the number of citizens of the United States who have been killed or have suffered personal outrages in Mexico, and the amount of proper indemnities for such murders and outrages; the quantity of damages suffered on account of the destruction, confiscation, and larceny of personal property and the confiscation and deprivation of the use of lands and the destruction of improvements thereon; the number of citizens of the United States residing in Mexico at the time Porfirio Diaz retired from the Presidency of Mexico, and the number of citizens of the United States at present residing in Mexico, and the nature and amount of their present holdings and properties in said country; and in general any and all acts of the Government of Mexico and its citizens in derogation of the rights of the United States or of its citizens; and for this purpose to sit at any time or place during the sessions of Congress or during recess and with authority to subpœna such witnesses and documents as may be necessary, and to make a report of its findings in the premises to the Senate; and the said committee shall further investigate and report to the Senate what if any, measures should be taken to prevent a recurrence of such outrages.

The subcommittee appointed under this resolution consists of Senators Albert B. Fall, of New Mexico, chairman; Frank B. Brandegee, of Connecticut; and Marcus A. Smith, of Arizona.

The committee organized in the city of Washington on the 8th day of August, 1919.

Among its assistants and employees, appointed by the committee, were the following:

Francis J. Kearful, ex-Assistant Attorney General of the United States.

Maj. Dan M. Jackson, clerk, resigned from the office of the Judge Advocate General to serve with the committee.

Mr. Henry O. Flipper, Spanish translator, historian, and thoroughly familiar with Mexican law, residence, El Paso, Tex., as translator and interpreter.

Capt. W. M. Hanson, investigator, captain of senior company Texas Rangers, furloughed by Gov. Hobby, of Texas, in order to serve with the committee.

Gus T. Jones, investigator, special agent Department of Justice, El Paso district, given furlough in order to assist the committee.

Capt. George E. Hyde, investigator, assigned by the Chief of Military Intelligence, War Department, to assist the committee.

Estelle Stewart, stenographer and clerk.

Harry G. Clunn, stenographer and clerk.

Later, Mary C. Early, clerk to committee, in place of Maj. Dan M. Jackson.

In addition to the above regular employees, special confidential investigators were in the employ of the committee.

The clerical force of the chairman also gave a great deal of time to the affairs of the committee.

The committee held its first hearing in Washington on Monday, September 8, 1919.

Hearings have been held in Washington, New York, El Paso, Laredo, Brownsville, and San Antonio, Tex.; Tucson and Nogales, Ariz.; and Los Angeles and San Diego, Calif.

The committee in its investigations have had hearings at the places aforesaid, and at its first meeting authorized its assistant, Judge Francis J. Kearful, to examine witnesses and take evidence in behalf of the committee, and the same authority was conferred upon Investigators Capt. W. M. Hanson and Gus T. Jones.

By resolution it was agreed that either member of the committee might act for the committee wherever he should be from time to time in conducting hearings, etc.

TRAVEL.

One member of the committee in the conduct of the investigations, accompanied by one or more other members and also by one or more of the investigators and assistants, has traveled in taking testimony, etc., more than 12,000 miles.

STATE DEPARTMENT.

Immediately after the appointment of the committee the Secretary of State of the United States was notified by the chairman of such appointment and the general objects of the investigation and was requested to cooperate with the committee in such investigation.

From time to time special requests were made of the Secretary of State for specific papers, data, and information, and it is with great pleasure that the committee reports cheerful cooperation between the Department of State and the committee and expresses its appreciation of the courtesy with which the requests of the committee have been treated, and gratitude for the very great assistance rendered the committee by the department.

MILITARY INTELLIGENCE.

Following a request of the committee the Chief of Military Intelligence, United States Army, designated Capt. George E. Hyde to assist the committee in its investigation, and Capt. Hyde accompanied the committee to various border points, attending hearings and rendering assistance in its investigation.

To the local intelligence officers along the border at San Antonio, El Paso, Nogales, and other points the committee is especially indebted for their very efficient cooperation, advice, and assistance.

TREASURY DEPARTMENT.

In response to requests made by the committee upon the Treasury Department for permission to examine records in the office of different collectors, etc., such permission was immediately granted, and through same valuable data and information was obtained.

DEPARTMENT OF JUSTICE.

Not alone through the courtesy of the department through the Chief of the Bureau of Investigation and district representative, Charles E. Brenniman, in furnishing Gus T. Jones, but through many other evidences of cooperation, this department rendered most efficient service to the committee.

IMMIGRATION DEPARTMENT.

Officers of the Immigration Department along the border cooperated with the committee and rendered it very material aid in its work.

Francis J. Kearful severed his connection with the committee by presenting his resignation to the chairman on April 14, effective May 6, 1920, to attend to personal business.

Maj. Dan M. Jackson resigned as clerk on April 1, effective May 1, 1920, to resume the practice of law.

While the services of these gentlemen were of very great benefit to the committee, in the taking of testimony, it was deprived of their assistance in the compilation of this report.

TESTIMONY.

The committee has examined and taken the evidence of 257 witnesses, of which number the evidence of 52 was taken in executive session; the record of which, together with the documentary proof, embraces approximately 5,000 pages of the report.

REPORT.

The CHAIRMAN COMMITTEE ON FOREIGN RELATIONS,
United States Senate:

Your committee heretofore appointed under Senate resolution 106, for the purpose of conducting certain investigations more specifically set forth in the resolution itself, beg leave at this time to make a report of their labors, investigations, and conclusions based thereupon.

You are respectfully referred to the preliminary statement preceding this report, and made a portion of same, as to the organization and method of operation of the committee.

Under the resolution as drawn, the committee proceeded with its investigations, construing the duties imposed upon it to be embraced generally under the following specific heads:

I. Number of American citizens who have been killed.

II. Number of American citizens who have suffered personal outrages.

III. Amount of proper indemnity for such murders.

IV. Amount of proper indemnity for outrages.

V. Quantity of damages suffered on account of the destruction, confiscation, and larceny of personal property and the confiscation and deprivation of the use of lands and the destruction of improvements thereon.

VI. Number of American citizens residing in Mexico at the time Porfirio Diaz retired from the Presidency of Mexico.

VII. Number of American citizens residing in Mexico at present.

VIII. Nature and amount of present holdings and properties in Mexico of citizens of the United States.

IX. Generally, any and all acts of the Government of Mexico and its citizens in derogation of the rights of the United States or of its citizens.

X. What, if any, measures should be taken to prevent a recurrence of such outrages, etc.

In presenting a detailed report, however, the committee have thought best to transpose the subjects as set out in the foregoing list, and report first upon Nos. VII and VIII, to wit:

(A) Number of American citizens residing in Mexico at the time Porfirio Diaz retired from the presidency of Mexico.

(B) Number of American citizens at present residing in Mexico.

At the outset of its investigation as to the number of Americans residing in Mexico at the period of the overthrow of the Diaz government, the committee was confronted with the difficulty of obtaining any reliable data whatsoever from Mexican sources because of the very well recognized fact that no correct census of the Mexican, Indian, or any other population has ever been taken by the Mexican Government. Of course, attempts to take a census have been made from time to time, but the results of such attempts have generally been recognized as of little or no value by those acquainted with Mexico and its population. From no Mexican data obtainable has it been possible even to estimate the number of Americans reported in Mexico.

Consular offices have made more or less full reports from time to time upon various matters connected with American investments in Mexico, and incidentally from some particular locality there have been attempts to estimate the number of Americans in such consular district.

The general opinion of Americans who had been in Mexico prior to 1911 and who are best acquainted with the country, has been to the effect that there were, at the time of the overthrow of Diaz, 60,000 Americans in the entire Republic. Of course this would not include those merely visiting Mexico or some State or city therein from time to time and remaining a few days or a few months, but this general estimate would be that of the actual resident American population in the Republic.

The testimony in this case shows through the estimate of those who should be best informed (for instance, that of Mr. Henry Lane Wilson, United States ambassador to Mexico at the period mentioned, pt. 15, p. 2249), that there were then 75,000 Americans, including transients, in the Republic of Mexico.

Mr. Wilson, referring to such population and to the occupation of Americans in Mexico, estimates that there were then 2,000 Americans on the railways; probably 5,000 engaged in mining, and possibly 8,000 engaged in educational work and residing in the country for reasons of health, diversion, or investment, etc.

The investigation conducted by this committee would indicate that there were very many more farmers in the Republic of Mexico than estimated by Mr. Wilson; in fact, it is shown by such testimony, from those entirely familiar with the particular subject, that in certain agricultural colonies alone, in the States of Chihuahua and Sonora in the north, to wit:

The Colonies of Dublan,
Juarez,
Pacheco,
Garcia,
Chuichupa,
Diaz,
Morelos, etc.

There were more than four thousand (4,000) Americans engaged in agriculture at the time referred to.

In addition to the foregoing are the American colonies of—

Atascador,
Camacho,
Columbus,
Chemal,
Colonia,
Medina,
Manuel,
Rio Verde,
San Dieguito,
Santa Lucrecia,
San Pedro,
Sinaloa-Sonora,
Valles,
Victoria,

or a total number of families in all colonies at the date mentioned of approximately three thousand (3,000), averaging five (5) persons each.

The evidence would also show that aside from those mentioned as engaged in agriculture in the colonies or groups of families, Americans were settled in practically every State in the Republic, in larger or smaller numbers, engaged in sheep, cattle, and horse raising; and in agriculture, and agriculture in connection with stock raising; in plantations and ranches and small farms throughout the different valleys and agricultural districts, raising sugar, coffee, tropical fruits of all kinds, and, in the higher altitudes, in raising potatoes, wheat, and crops of like character.

The evidence shows that these Americans had taken into the Republic of Mexico, in practically every instance testified to, improved breeds of stock, improved and up-to-date agricultural implements of all kinds, and also that they were engaged not only in farming by their own labor and that of their own families, but that they were employing large numbers of Mexicans in such labor. From the evidence before us, the committee deem themselves justified in venturing the assertion that for every American engaged in agriculture and stock raising in Mexico, there were on an average at least five Mexicans employed by such Americans.

The committee from the evidence which they have obtained, such information being embraced in the testimony herewith reported, estimates that at the time of the overthrow of Diaz there were more than 15,000 Americans residing permanently and cultivating lands on small holdings, as distinguished from plantations and grazing-stock ranches, producing crops and raising stock in Mexico.

INDIVIDUAL AMERICANS IN OTHER OCCUPATIONS.

The Americans in Mexico, in addition to the occupations mentioned—that is to say, those engaged in agriculture, mining, and railroading—were engaged in the development of the other resources of Mexico in every State in the Republic.

They were engaged in the construction of irrigation enterprises upon a small scale and of a private character; some upon a much larger, and some upon an enormous scale, endeavoring to put in cultivation hundreds of thousands of acres of land which could not

be cultivated except by the construction of dams, canals, locks, or other irrigation works, including reservoirs for the storage of water, etc.

Not only hundreds, but thousands, of Americans were employed in such work, both skilled and common labor, in construction and working for wages; others in overseeing and teaching the ignorant Mexican laborers; others, of course, in keeping accounts, commissaries, etc. Other Americans were engaged in developing water power; developing electric lighting plants furnishing power to the mines, mills, and for other purposes throughout the Republic; and those engaged in this work were not only employing and teaching vast numbers of Mexican laborers but were also employing Americans both as workmen and as foremen in all such enterprises.

Americans from 1906 to 1910 had carried the first sawmills into the northern portion of Mexico, packing same over the mountain trails upon mule back, and later constructing roads over which to transport heavier and better machinery; establishing up-to-date band mills, dry kilns, etc., with a daily capacity running into the hundreds of thousands of feet of lumber.

In these enterprises, likewise, large numbers of Mexicans were employed under the direction of a very large number of skilled American workmen, and working with them were Americans engaged in common labor.

American oil drillers had drilled every well producing oil in Mexico; had set up every rig; had put together every piece of machinery; had set up practically every hoist upon every mine, and erected the boilers for the making of steam.

It is needless to attempt to describe here the various enterprises in which Americans were engaged, except to convey some proper idea of the total number of Americans residing in Mexico at the time of the Diaz overthrow.

Again, to sum up; the committee think it safe to say that the aggregate of American population in Mexico in 1910–11 was fully that fixed by ex-Ambassador Wilson, that is to say, 75,000.

The investigation by the committee and the testimony taken, justify the committee in saying that there are not more than 12,000 at the present time in all these enterprises.

In answer to a request for specific information upon this subject, the State Department recently handed the committee a report from American consuls, of date September 16, 1919, by which it appears that there were at that date 11,864 Americans in the different consular districts in Mexico.

Of this number 4,000 are reported in the Tampico district, while in 1910 it is well known that there were not more than 1,200 Americans in the same district.

AMERICANS DID NOT REGISTER AT CONSULATES.

Prior to 1910, or to the overthrow of Diaz, not one American in three, operating or residing in the Republic of Mexico, ever recorded himself at the American consulate or was known to the American consul unless he became acquainted with him socially or called upon the consul for the verification of a deed or an instrument executed in Mexico concerning interests or property in the United States.

Americans going into Mexico across the border sought no passports and exhibited none, but traveled back and forth as freely as if the boundary line did not exist, except as they came in contact with the customs officers on either side of the line.

The consequence was that, however efficient the consul, in no single consulate in the Republic from the years, at least, 1884 to 1910 was it possible for the consul to have knowledge of the number of Americans in his district unless that number was very few and he was brought in personal contact with them.

When Americans were ordered out from time to time, from the year 1912 down to the present, at intervals of a few months, by their benevolent and protective Government at home, it has been suggested to them that they could go to the consul and leave a list of their property.

INCREASE OF POPULATION, TAMPICO DISTRICT.

It will be remembered that oil development in Mexico dates from about the year 1910, and, as hereinbefore stated, by paying taxes to the Carranza Government, however so often the amount of such taxes might be illegally raised, and by paying for protection to "Pelaez" or some other patriotic collector in the outlying districts, American oil companies at and around Tampico have been enabled to furnish approximately one-third of the oil used by the Allies in winning the war, and by extraordinary efforts in the face of most stupendous difficulties and at enormous additional expense are continuing, to some extent, to meet the increased needs for gasoline and oils in the economic development of this country.

Thus by their efforts they have been able to secure the services of additional Americans and have thus increased the American population of the Tampico consular district from 1,200 to 4,000.

An American who knows Mexico, and has known it for 20 years or more, when asked how many Americans he thinks remain in Mexico, will almost invariably reply, "Not more than 8,000." Such American has not considered the increase in the American population at Tampico, due to the causes just stated, and therefore when such increase in population is added to his figures his guess or estimate is approximately correct.

(A) NUMBER OF AMERICAN CITIZENS WHO HAVE BEEN KILLED IN MEXICO.
(B) NUMBER WHO HAVE BEEN KILLED IN THE UNITED STATES THROUGH ATTACKS OF RAIDING PARTIES FROM MEXICO OR THROUGH SHOTS FIRED ACROSS THE BORDER INTO THE UNITED STATES.

Again the committee were compelled to attempt to overcome difficulties, which can not readily be imagined by those not familiar with occurrences in Mexico during the last 10 years, in attempting to obtain entirely definite and reliable information upon which to report the number of Americans who have been killed in Mexico during the period mentioned; that is to say, from 1910 to the date of this report.

On September 9, 1919, after the appointment of your committee, and in answer to its request, the State Department furnished us with the number of "Claims filed for the alleged killing of American citizens, 73."

The committee, after devoting several months to the taking of individual testimony and to the comparison of same, together with the data furnished by the State Department and such other reliable data, documentary and otherwise, as it has been able to procure, can finally report definitely that not fewer than 461 Americans (see pp. A, B–I, this report) have been killed in Mexico owing to revolutionary disturbances in that country or during the period of such revolutionary disturbances, which, it is unnecessary to say here, have been continuous since 1910–11 to the present time.

You are respectfully referred to pages B–I of this report for an itemized list containing names and other data concerning said deaths and in confirmation of this report.

(B) NUMBER OF AMERICAN CITIZENS KILLED ON AMERICAN SOIL THROUGH ATTACKS BY RAIDING MEXICANS

Or by shots fired across the international boundary by Mexicans from Mexico, number, 126; as will be seen by the summary accompanying this report on page A.

A large number of Americans who lost their lives within the State of Texas, as herein reported and more specifically set forth on pages A, J, K, were killed in the carrying out of what is known as the "plan of San Diego," which will be hereafter referred to, and during the period which was declared by the Supreme Court of the State of Texas, in the Arce case, on April 17, 1918, to be a period of war between the Carranza recognized de facto government of Mexico, and the United States of America.

Through the decision rendered in this case it became necessary for officers in charge of prisoners convicted of murder in the lower courts, to turn such prisoners loose and allow them to find their way back, or to escort them in safety, to the international boundary and to seek sanctuary for their crimes in the Republic of Mexico.

The large number of those killed in New Mexico, were killed during the Columbus raid in March, 1916, when followers of Pancho Villa led, as the evidence in the trial of some of his associates shows, by that redoubtable chieftain in person, in the dead hours of night, attacked American citizens in their homes in a town situated 3 miles from the international boundary and supposed to be guarded from danger by American troops encamped at the town.

The greater number of those citizens reported as killed in the State of Arizona, were killed during supposed battles between the contending forces upon Mexican soil, by shots fired from the Mexican side, while pursuing their peaceful avocations in the streets of their own cities, in a State of the American Union.

Of those so killed in the State of Arizona, the larger number were killed and wounded in the streets of Naco, where a street of ordinary width marks the dividing line between Sonora and Arizona.

American troops were stationed in and around the American town, for what purpose is not shown in the evidence except by the sworn testimony of Capt. Wheeler, sheriff of Cochise County, Ariz., and others. (See pt. 12, p. 1873.) This evidence discloses the fact that Wheeler was informed by the officer in command of American troops that should there be an attempt by himself or his posse or by the use of State troops to interfere with either or both Mexican

factions for the purpose of saving lives of American citizens on American soil that, much to the regret of such officer, who delivered this ultimatum with tears running down his cheeks, he, the sheriff and his posse, or State troops to be sent at his request when attempting such purpose, would be arrested by the United States troops under command of the American officer in pursuance of his orders to that effect.

NUMBER OF AMERICAN CITIZENS WHO HAVE SUFFERED PERSONAL OUTRAGES IN MEXICO DURING THE PERIOD 1910 TO DATE.

Again, the difficulties which confronted the committee in the attempt to secure data of a reliable character which it might be justified in presenting in answer to the last above direction were almost insurmountable. As some of these difficulties will be hereafter more fully referred to only a few may now be necessarily mentioned, to wit:

First. Americans who have been humiliated and insulted and assaulted in a very large number of cases have continued to reside in Mexico, or having removed therefrom, have been so overwhelmed by loss of their life's savings that a more or less slight personal injury has never been referred to, and after a short period of time has come to be considered an entirely unimportant matter.

Second. As will hereafter be shown, the Mexican Government, through all its consuls and the embassy and by proclamation both in Mexico and the United States, warned all persons who might expect or desire to volunteer testimony before the committee, or whom the committee might desire to summon, that no such witness testifying before this committee would be allowed to return to the Republic of Mexico.

These instructions were of an official character (see pt. 12, p. 1837, of testimony) issued by the foreign office of Mexico and were observed by Mexican consuls located in all the cities of the United States, and particularly those along the border line between Mexico and this country.

All Mexican citizens or former Mexicans, fugitives or otherwise, in this country were by proclamations (see p. 1185 of testimony) coming from Mexico warned that should they give evidence before this committee they would be regarded as traitors to their own country.

In the statement furnished us on September 9, 1919, by the Department of State, and heretofore referred to and printed as a part of this report (p. 90), it will be seen that "Claims filed for all injuries to the person number 97."

From the evidence taken by the committee, documentary and by way of sworn testimony of witnesses, the committee are enabled to report, as will be seen by the summary (p. A in this report), 198 cases of personal injury.

AMOUNT OF PROPER INDEMNITY FOR MURDERS.

Of course it has been impossible for the committee to arrive at an amount which might be considered by a court, or by a claims commission, as the proper or just amount of compensation for the death of any individual.

The report of the State Department (p. 90 herein) shows that as before stated, 73 claims for damages for killing American citizens, have been filed with that department in 48 of which the amount of damages is set forth and the total amount of damage in said 48 cases is $2,317,375.

A simple calculation will show that the average amount of damage claimed in each case would approximate $50,000.

Under a joint resolution of Congress, approved August 9, 1912, a committee of United States Army officers was appointed to ascertain and report among other things the amount of damages for the killing of Americans on American soil by firing across the international line at Douglas, Ariz., and El Paso, Tex., in April and May, 1911.

Among those claiming damages were many who were not American citizens and many of the claims were for personal injuries not resulting in death.

Of the three American citizens killed, claims of whose heirs were proved up, were those of Celia Griffiths, for death of husband; A. R. Chandler, for death of son; and Joseph W. Harrington, for death of brother.

In the Griffiths case the commission assessed the damages at $15,000. One of the commissioners, however, recommended the amount of $32,000.

In the Chandler case the commission recommended $12,000, one of the members recommending $22,000.

In the Harrington case the commission recommended $15,000, one of the members recommending $25,000.

It may be interesting to note here that concerning the cases just referred to the Government of the United States declined to make diplomatic representations or other demands for the payment of damages, but did notify the claimants that their claims might be filed with the State Department or ambassador in Mexico City, who would transmit them to the foreign office in Mexico City to be dealt with as the Mexicans saw fit, at least for the time being.

Claimants were later notified that Mexico had appointed a consul, a Mr. Llorente, and a counsel, Mr. Richardson, to consider these claims at El Paso, Tex., and Douglas, Ariz., and that such claimants might present their claims, if they so desired, at such points.

That claimants did submit their claims to the parties mentioned, although doing so under strong protest filed with our State Department.

The result was, in the Griffiths case, for example, that the consul, Llorente, announced that Mexico would recommend damage in the amount of $2,000 and no more; that his reason for figuring this sum was the precedent established by the United States in the case of a Mexican killed while fleeing from an officer who had him under arrest on American soil, with proper warrant charging him with a felony and who, in the endeavor to recapture his escaped prisoner, was compelled to kill him. Claimants were politely informed that no more would be paid for an innocent American going about his business in the streets of his own city on American soil than had been received by Mexico for the death of a Mexican criminal fleeing from an officer who had arrested him.

It may also be interesting to note that neither Mr. Llorente nor the Mexican Government ever offered to pay the sum of $2,000 for the death of Griffiths.

Very recently the Congress of the United States has appropriated the sum of $71,000 for the payment of injury and death claims as assessed by this commission and the amounts so appropriated have been distributed to the proper parties.

Thus by the action of this commission in two cases $15,000 was assessed in each for death, and $12,000 in the third, or an average of $14,000. However, sums of $22,000, $25,000, and $32,000 were recommended by some members of the commission, or an average of $26,500 in each case.

To your committee it would appear that the maximum amount payable under any circumstances should be accorded the heirs and representatives of those Americans residing or being in Mexico conducting themselves as peaceful, law-abiding citizens, who without provocation or cause were murdered.

Thus the committee feel justified in stating that the aggregate amount of damage for the death of Americans, both those in Mexico and those who lost their lives on American soil under the circumstances described, should be in each case not less than $25,000, or a total of $14,675,000.

DAMAGES FOR PERSONAL INJURIES.

It will be discovered by reference to page 90, containing the data furnished by the State Department, that 97 claims in which damages have been fixed are on file with that department and that the total of such damages claimed is $1,476,629, or an average of approximately $17,000 in each case.

None of these personal injury cases have been paid except by the United States Government through the appropriation of $71,000 above referred to and with the further exception of one claim which was sued upon and paid in the amount of $4,000 by the Mexican consul, the attorney for the claimant in this case being at that time an assistant United States district attorney.

In so far as the committee is informed no death claim has been paid nor presented by this Government with demand for payment except the

CLAIM OF THE HEIRS OF JOHN B. MACMANUS, PRESENTED BY WILLIAM J. BRYAN AND PAID BY PANCHO VILLA AND ZAPATA WHILE IN POWER IN MEXICO CITY.

NOT PURPOSE OF COMMITTEE TO DETAIL INDIVIDUAL HORRORS.

It is not the purpose of this committee to recite individual cases of outrage nor through any other method to attempt to arouse the passion of the American people, but we suggest that in the quiet and peace of their own domicile members of the committee and others should take part 7, page 956, and read the story of Mrs. Susan Moore and her experience at Columbus, N. Mex.

Here this fine American woman, her house raided at night by the Villa bandits was held by two of them and surrounded by a mob of

jeering, yelling villains while she saw her husband shot to death in her presence and within 3 feet of her person, her rings torn from her fingers and herself wounded.

Read the testimony of Miss Anita Whatley (part 8, p. 1083), a delicate little American girl helping to support her invalid father and family, dragged from her bed in the city of Parral in the dead hours of night and threatened with death unless she disclosed the hiding place of money; carried to the street and surrounded by brutes, one of whom sawed at her toes in the endeavor to compel her to disclose where the money was. Identifying the leader of the band, she says he was turned loose without any punishment. She remained in Mexico only to witness the loss of everything which represented the savings of her family, some of whom she is now attempting to support through a position which she holds with the department of education of the State of Texas.

Read the testimony of Mrs. Sturgis, to be found in part 7, page 919 of the record, and imagine how you would feel were this one of the women of your family who endured the dreadful experiences related in this simple tale.

Read the experience of Mrs. James Carney, part 10, page 1506, and picture to yourself a little woman accustomed to all the luxury which wealth might give her and later to the comforts of the salary earned by her husband as superintendent of large constructions at Durango; she now earning a living for herself delivering messages for the Western Union Telegraph Co. on the streets of El Paso, Tex., while her husband is among those who have disappeared from off the face of the earth and nothing known of the circumstances except that he left Durango, with other Americans, in attempting to make his escape from the bandits by endeavoring to reach the coast, 150 kilometers distant.

Now, remember that for years American Army and American officers have been placed along the border under strict orders to prevent any American going across the line into Mexico with arms of any character, and picture to yourself the following occurrences:

A brilliantly lighted banquet hall in a great hotel in the city of El Paso, Tex.; an assembly of gentlemen met to do honor to a great Mexican hero, Gen. Alvaro Obregon; compliments exchanged and assurances of renewed esteem and affection given; among the guests several mining men, including Charles R. Watson, superintendent of the Cusi Mining Co., who is desirous of returning to Chihuahua to reopen his mines.

Gen. Obregon urged Americans to go back and "gave the Americans very warm invitations to return to Mexico and open their industries there, stating that it was necessary for the peace of the country that workmen be given work" and he "reiterated a number of times the invitation that Americans go and open up mines, smelters, and other interests."

Then follow Watson and his 16 companions as they seek assurances of protection from their own Government and secure "salvo con-

ductos," or safe conducts, from the Mexican authorities. They proceed to Chihuahua where, upon the insistence of some of the members of the expedition, an armed guard is requested of the commanding general, who informs them that 1,000 soldiers have been sent out ahead and that there is no possibility of danger.

Of course, they are not armed, because their country would not allow them, even if the Mexicans permitted it, to carry arms into Mexico.

Their train is stopped within a few miles of Chihuahua and these men are slaughtered like cattle and their naked bodies placed upon or strewn along the railroad right of way for American friends to seek out and identify a few days later.

Then to see what one American citizen not compelled to trust to the protection of his country nor to that of Mexicans, but relying upon himself can do, read the story of the fight at Brite's ranch on Christmas Eve, 1917.

See an old Texas ranger and a grandfather with his wife and daughters preparing a Christmas tree for his grandchildren; see the old frontiersman next morning attacked by Mexican bandits, first outside the house, with his Winchester killing two officers, and then with the assistance of his son, armed only with a shotgun loaded with bird shot, account for five more Mexicans and compel them to sue for terms of peace that they might escape his deadly fire and return without further fatalities to the Mexican side of the river.

QUANTITY OF DAMAGES SUFFERED ON ACCOUNT OF THE DESTRUCTION, CONFISCATION, AND LARCENY OF PERSONAL PROPERTY AND THE CONFISCATION AND DEPRIVATION OF THE USE OF LANDS AND THE DESTRUCTION OF IMPROVEMENTS THEREON.

Before endeavoring to answer the above question it will be well enough to review as briefly as possible, the activities of Americans in the Republic of Mexico prior to the year 1910, from such official and other data as the committee have been able to secure upon the subject.

The great period of development in Mexico began with the years 1880–1882, and the period of American investment might be said to date subsequent to the year 1885.

In 1902 Consul General Andrew D. Barlow made a report to the State Department, in which among other things he said:

> Five hundred million dollars gold is, in round figures, the amount of American capital invested in Mexico by 1,117 American companies, firms and individuals.
>
> This amount has practically all been invested in the past quarter of a century, and about one-half of it has been invested within the past five years.
>
> The impetus given to Mexico's industries by this enormous augmentation of the Nation's working capital accounts in no small degree for the great industrial progress which it has made during the past 25 years. With Mexico buying 56 per cent of all her imports from the United States and selling 80 per cent of all her exports to the United States, and with this enormous investment of American capital in Mexico, the commercial bond between the sister Republics is one that can hardly be broken. It is one, too, that is constantly growing in strength. The flow of American capital into this Republic has apparently only begun. Each year, Mexico buys more from, and sells more to, the United States. The community of interest is growing daily, and certainly makes for harmony between the two nations.

Gen. Barlow states that he was assisted in making his report by 38 consular officers of the United States in Mexico outside of the city; by 5 consular officers of Great Britain, and 5 consular officers of Germany in places where the United States had no consular representatives, and by a score of well informed individuals throughout the Republic.

Among other things it appears from this report that about 70 per cent of the total American investment of Mexico is in railroads.

He states that all of the important railroads in Mexico with the exception of the Interoceanic, running between Mexico City and Vera Cruz; the Mexican Railway, also running between the City of Mexico and Vera Cruz which is controlled by English capital; and the National Tehuantepec Railway, then under reconstruction by S. Pearson & Son, were owned by American capital.

He calls attention to the fact that $158,999,979.45 represents the amount which had actually been paid out up to date of his report, for the construction and equipment of the Mexican Central Railroad alone, and this by American capital.

He reports that in haciendas, ranches, and farms American capital was then invested to the extent of $28,000,000.

That $80,000,000 of American money was invested in mines.

That the fourth heaviest investment of American capital was then in manufactories and foundries.

Next in importance was the investment in banks, trust companies, investment companies, and money exchanges.

Next in order came assay offices, chemical laboratories, ore buyers, ore testers, smelters, and refiners.

He calls attention to the fact that all of Mexico's large smelters are operated by American capital.

He states that Americans have "of late" been building many electric light and power plants, gas plants, waterworks plants, telephone systems, and similar plants.

Gen. Barlow goes fully into the investments in the different States of the Republic, and his report is a very interesting one. It may be found commencing on page 433, Commercial Relations of the United States, volume 1, 1902.

At about the date of the outbreak of the Madero revolution a statement of the wealth of Mexico and the ownership of property therein was prepared by Marion Letcher, American consul at Chihuahua. and filed with our State Department. This statement was known to Mr. Letcher and is well known to others not to be correct, but will give some idea of the situation, and it is mainly correct as to percentages:

Valuations.

Class.	American.	English.	French.	Mexican.	All other.
Railway stocks	$235,464,000	$81,237,800		$125,440,000	$75,000
Railway bonds	408,926,000	87,680,000	$17,000,000	12,275,000	38,535,380
Bank stocks	7,850,000	5,000,000	31,000,000	31,950,000	3,250,000
Bank deposits	22,700,000			161,963,042	18,560,000
Mines	223,000,000	43,600,000	5,000,000	7,500,000	7,830,000
Smelters	26,500,000			7,200,000	3,000,000
National bonds	52,000,000	67,000,000	60,000,000	21,000,000	
Timberlands	8,100,000	10,300,000		5,600,000	750,000
Ranches	3,150,000	2,700,000		14,000,000	
Farms	960,000	760,000		47,000,000	1,250,000
Live stock	9,000,000			47,450,000	3,800,000
Houses and personal	4,500,000	680,000		127,020,000	2,760,000
Cotton mills		450,000	19,000,000	6,000,000	4,750,000
Soap factories	1,200,000			2,780,000	3,600,000
Tobacco factories			3,238,000	4,712,000	895,000
Breweries	600,000		178,000	2,822,000	1,250,000
Factories	9,600,000	2,780,000		3,270,200	3,000,000
Public utilities	760,000	8,000,000		5,155,000	275,000
Stores:					
Wholesale	2,700,000	110,000	7,000,000	2,800,000	14,270,000
Retail	1,780,000	30,000	680,000	71,235,000	2,175,000
Oil business	15,000,000	10,000,000		650,000	
Rubber industry	15,000,000			4,500,000	2,500,000
Professional	3,600,000	850,000		1,560,000	1,100,000
Insurance	4,000,000			2,000,000	3,500,000
Theaters	20,000			1,575,000	500,000
Hotels	260,000			1,730,000	710,000
Institutions	1,200,000	125,000	350,000	74,000,000	200,000
Total	1,057,770,000	321,302,800	143,446,000	792,187,242	118,535,380

NOTE.—From the testimony taken and other evidence in the possession of the committee, the committee reports that the total amount of American investments in Mexico in 1911 were more nearly $1,500,000,000 than the total set forth in the column above, $1,057,770,000.

TOTAL WEALTH AND APPROXIMATE PROPORTIONS, AMERICAN, BRITISH, MEXICAN.

The total wealth of Mexico as it appears in this table was $2,434,241,422, of which Americans owned $1,057,770,000; English, $321,302,800; and the Mexicans, $793,187,242. The figures given in the table as to British ownership should, from the best information in my possession, be increased from $321,000,000 to at least $800,000,000. The figures for American investment in mines should be increased very largely.

Mexican, largely in lands, town lots, etc.—Of the Mexican ownership over one-half was in lands, town lots, bank deposits, and bank stocks.

American investments are in tax-paying, labor-employing operations.—American investments in individual agriculture holdings are hereinafter set forth. The balance of the American investments was in railroads, mines, factories, oil, rubber, and property of this class, i. e., producing and labor-employing, tax-paying business—with the exception of about $50,000,000 in national bonds.

The Americans owned 78 per cent of the mines, 72 per cent of the smelters, 58 per cent of the oil, 68 per cent of the rubber business.

Railroads—American and English capital—Eighty-eight per cent are railroads.—The total railroad mileage was about 16,000 miles, in which American and English capital was invested (to extent about 88 per cent) and which their capitalists had constructed to that extent.

The Letcher table shows only an investment of about $3,150,000 in ranches and about $13,000,000 in timberlands, farms, houses and lots, and personal property.

This statement is entirely incorrect as specific testimony before this committee shows that more than 3,000 American families of an average of five persons each owned their own homes either in colonies or in separate locations, all of whom were engaged in agriculture and that the actual average loss to such families has been approximately $10,000 each, or a total in this one item of $30,000,000, not taking into consideration the value of the land nor of the houses and other improvements which could not or have not been destroyed.

In this connection we are not considering the very large amounts invested in cattle ranches devoted purely to stock raising, nor in estimating this loss have we included the loss upon rubber, coffee, sugar, and other like large plantations.

ADDITIONAL LOSSES IN RAILROADS, ETC.

The testimony will show that in addition to the $30,000,000 lost by these smaller agriculturists who have been driven out of Mexico and a comparatively few of whom have been able to return, the loss to the national railroads of Mexico have been, at a conservative estimate, $80,000,000 through destruction not only of rolling stock but through the destruction of the actual corpus of the property itself by the burning of the bridges, destruction of railroad stations, sidings, etc., the tearing up of steel and burning it, so that when straightened for temporary use it is unsafe for traffic.

The total mileage of the railroads in Mexico in 1910–11 was approximately 24,600 kilometers, of which a little less than 14,000 kilometers, is included in the national roads, as to the loss upon which direct testimony was given, showing as just stated, damage to the amount of $80,000,000. Other testimony shows that the remaining 10,000 kilometers not known as the national roads have suffered at least an equal amount of damage per kilometer; that is to say, approximately $60,000,000 to such roads, or a total of railroad loss alone in the amount of $140,000,000; that is to say, that it would require at least $140,000,000 now to place the twenty-four thousand plus kilometers of railways in Mexico in the condition in which they were found in 1910–11.

DAMAGES TO OIL AND MINING COMPANIES ONLY ESTIMATED.

In so far as the testimony adduced before the committee is concerned, we have little or none and have sought none concerning the actual loss to oil companies through confiscation of their properties; through damage to their business; through destruction of their wells and consequent loss of oil, nor upon any other account whatsoever; except that the testimony shows the cash loss to pay rolls and by virtue of robberies of actual cash to these companies within the last few years, has amounted to more than $233,833.

The mining companies, in so far as the committee knows, have made no claims for damages through the State Department and few of their representatives have come before the committee except as upon page 1429, part 9, testified to.

Through other evidence the committee has knowledge not only of the closing down of producing mines due to revolutionary acts and

nability to get supplies, etc., but of the further fact that smelters, reduction works, improvements upon and around mines, mining machinery of all classes, etc., have been destroyed all over the Republic.

The closing down of an operating mine means not only loss of time and interest upon the investment, but aside from any actual destruction by vandalism means the filling of shafts with water, the caving in of underground works, decay of mine timbers, etc.

The committee are privately informed by one of the officials of a great American company engaged in mining and other development of like character in Mexico, that its losses have amounted to approximately $25,000,000 during the last 10 years.

Another mining company in which more than 8,000 Americans are interested, has, we are informed, paid out approximately $1,500,000 in blackmail or bribes to prevent destruction of millions of dollars worth of property invested in improvements, etc., in connection with its work.

DAMAGES OTHER PROPERTY.

Power lines have been cut; power plants destroyed; irrigation works dynamited; canals cut; factories burned; railroad and mining contractors and subcontractors' supplies, tools, stock, and equipment, etc., destroyed; banks, trust companies, investment companies, money exchanges, etc., looted of cash and put out of business; brokers, commission men, general agents, dentists, wholesale and retail merchants have lost their investments and as well their books of trade, implements of their profession, their stocks of merchandise, etc.

Those who have attempted to continue business by going back to their locations when temporary peace appeared to justify their return, have been held up and compelled to pay blackmail to every new bandit and tribute to every old one in their community.

The committee, however, have been particularly interested in and have largely confined their investigation to the losses of the individual American, which losses, in proportion to those of the large corporations or large capitalists, have been as 100 to 1.

The larger corporations, as shown by the evidence in the case, have been able, through the employment of Mexican officials, to secure even the use of an army for the protection of their properties, while the individuals or colonists located in an outlying district have been compelled to lose a life's savings and to witness the murder or outrage of their friends or their families.

Oil companies have been obliged to pay to Candido Aguilar, son-in-law of Carranza, first, ransom or blackmail or exactions for the protection of their properties, and when he was driven off have, through payments to Pelaez amounting to $30,000 per month, been able to secure his protection against other bands as well as against Carranza.

American railroad conductors; firemen; locomotive engineers; brakemen and other railroad employees, in one instance alone to the number of 500, have been run out of Mexico never to return, with the total loss of all they might have invested in their homes in Guadalajara or elsewhere.

CORPORATIONS PAYING FOR PROTECTION TO PROPERTY NOT ALWAYS ABLE TO SECURE SAME FOR THEIR EMPLOYEES.

Individuals in the employ of corporations have been robbed, mistreated, and murdered because protection extended to the corporation property proper was by the bandits not always extended to the individual in the employ of the corporation; and this notwithstanding the established fact that our corporations have done everything in their power to protect their employees, and to ransom them when seized by bandits.

MEXICAN PROPAGANDA.

Carranza propagandists in this country have filled the papers with attacks upon "predatory interests" who were seeking intervention in Mexico for selfish purposes.

Churches have resounded with denunciation from the pulpits of the same "predatory interests" who—

> Desired to have not only the treasure of the United States poured out, but the blood of its sons spilled for the protection and accretion of their ill-gotten "dirty dollars" in the Republic of Mexico.

THIS COMMITTEE PRESENTS CASE OF INDIVIDUAL AMERICAN.

Where has the voice been lifted in behalf of the common, every day, homemaking, honest, industrious American with his family, teaching the Mexican modern methods of agriculture and handicraft, who has, while tied to a tree, seen his daughter raped and his wife disemboweled in his presence?

The country and the Congress of the United States having heard from those American interests who have been able to secure a hearing through the press and having heard from those good friends of Carranza who have been conscientiously or unconscientiously, sincerely or hypocritically, directing his propaganda and assisting in the expenditure of his funds set aside for propaganda purposes, this committee determined to present, as it is endeavoring to present, the case of the individual American who has received no protection from his Government and only through this medium can make his loss and his sufferings known to the public.

The summary of losses under this heading may be found by reference to page 89 of this report. The total thereof, as found in the evidence, is $50,481,133. (See p. 89, summary total losses.)

NATURE AND AMOUNT OF PRESENT HOLDINGS AND PROPERTIES IN MEXICO OF CITIZENS OF THE UNITED STATES.

The nature and amount of the present holdings of American citizens in Mexico can only be ascertained by reference to the facts hereinbefore submitted and by deducting the losses herein set forth, except in that, under the Mexican mining law, taxes upon mining property are payable every three months and same must be paid by the owner or his attorney in fact, in person, either in the City of Mexico or in the headquarters of the district in which his mine is situated.

Failing payment of such taxes within three months after same are due, title to the property is forfeited and anyone else whosoever can relocate same and take it over, together with any improvements of whatever kind or character attached to any portion of the property, including, of course, all development work, etc.

The law as to real estate in the different States provides also for the forfeiture of property for nonpayment of taxes.

The person who, or corporation which, has been able to secure an attorney, could change him whenever the Government changed, or secure a new attorney with every change of Government and thus have re-presentation before the tax office, and being financially able to make the payments have been able to prevent legal forfeiture.

The individual prospector and small mine owner, living himself probably upon his mine in an inaccessible district in Mexico, if he lived to reach the coast or border, has been compelled to leave Mexico and lose his life's savings and work invested in his property, not having the money with which to employ an attorney on the ground; and not able to pay over and over, again and again, the amount of taxes claimed to be due as the tax collector came in or faded out of office every few days, has lost forever the title to his property.

Of course, it may be possible that if the American lives long enough to see some responsible government established in Mexico and to see an administration here in power which will endeavor to assist in enforcing his legal claims, some of these forfeitures may be set aside.

Of course, if the real estate owner enjoys the same good fortune, he may, before the weight of years has bowed his head too low—or possibly some heir to his misfortunes may—regain right to the possession of what was once an orange grove or a beautiful wheat field—not recognizable now because the orange trees have been chopped and burned, and its location, as well as that of the wheat field, grown up in cactus, cat claw, and mesquite.

GENERALLY ANY AND ALL ACTS OF THE GOVERNMENT OF MEXICO AND ITS CITIZENS IN DEROGATION OF THE RIGHTS OF THE UNITED STATES OR OF ITS CITIZENS.

In considering the above question it is necessary to separate the propositions and discuss the same under different heads:

First. The acts of the citizens of Mexico in "derogation" of the rights of citizens of the United States.

Second. The acts of the Mexican Government in "derogation" of the rights of American citizens.

Third. The acts of the Mexican Government in "derogation" of the rights of the Government of the United States.

Fourth. Where the fault lies, i. e., whether with the Mexican people or the Mexican Government, or with the American people or their Government, or with both the Mexican people and their Government and the American people and their Government, or either.

THE PEOPLE OF MEXICO AND THEIR GOVERNMENT.

We must first have a background before the detail of the picture can be made to stand out clearly.

Mexico is an Indian empire and not properly a Latin American country—although the Spanish, in one form or another, is the common language.

We are attaching hereto a copy of the "Orozco y Berra Tribal (Indian) map of Mexico." [See Map opposite page 2811.]

At first view this map would appear as though it were simply a map of the present political subdivisions of the so-called Mexican Republic. Closer inspection will show that it is intended to represent the territory of separate and distinct Indian families, with the name of each in Spanish, given in the proper geographical location.

Now, imagine a greater or lesser percentage of foreign blood, principally Spanish, mixed with this original 57 varieties of Indian blood, the Spanish blood not being renewed or restrengthened, but growing weaker from generation to generation, and one may dimly perceive the outlines of the racial problems of Mexico.

We urge you to read the following from "Mexico in 1827" by H. G. Ward, chargé d'affaires Great Britain in Mexico, 1825–1827; two volumes, London, 1828 (pp. 28 et seq.).

Before the revolution this population was divided into seven distinct castes.

1. The old Spaniards, designated as Gachupines, in the history of the civil wars.
2. The Creoles, or whites of pure European race, born in America, and regarded by the old Spaniards as natives.
3. The Indians, or indigenous copper-colored race.
4. The Mestizos, or mixed breed of whites and Indians, gradually merging into Creoles, as the cross with the Indian race became more remote.

5. The mulattoes, or descendants of whites and Negroes.
6. The Zambos, or Chinos, descendants of Negroes and Indians.
7. The African Negroes, either manumitted or slaves.

Of these castes, the three first and the last were pure, and gave rise, in their various combinations, to the others; which again were subdivided, ad infinitum, by names expressing the relation borne by each generation of its descendants to the white (quarteroons, quinteroons, etc.), to which, as the ruling color, any approximation was desirable.

The principal seat of the white population of Mexico is the table land, toward the center of which the Indian race is likewise concentrated (in the intendancies of La Puebla, Mexico, Guanajuato, Oaxaca, and Valladolid) while the northern frontier is inhabited almost entirely by whites, and descendants of whites, before whom it is supposed that the Indian population must have retired, at the time of the conquest. In Durango, N. Mex., and the provincias internas, the pure Indian breed is almost unknown; in Sonora it is again found, because the conquerors there overtook the last tribes of the original inhabitants, who had not yet placed the River Gila (lat. 33 N.) between themselves and the Spanish arms. The coasts are inhabited, both to the east and west, by mulattoes and Zambos, or at least, by a race in which a mixture of African blood prevails. It was in these unhealthy regions that the slaves formerly imported into Mexico were principally employed, the natives of the table land being unable to resist the extreme heat of the climate.

They have multiplied there in an extraordinary manner, by intermarriage with the Indian race, and now form a mixed breed, admirably adapted to the *tierra caliente*, but not possessing, in appearance, the characteristics either of the New World, or of the Old.

The Mestizos (descendants of natives and Indians) are found in every part of the country; indeed, from the very small number of Spanish women who at first visited the New World, the great mass of the population has some mixture of Indian blood. Few of the middle classes (the lawyers, the Curas, or parochial clergy, the artisans, the smaller landed proprietors, and the soldiers) could prove themselves exempt from it; and now that a connection with the aborigines has ceased to be disadvantageous few attempt to deny it. In my sketch of the revolution, I always include this class under the denomination of Creoles; as sharing with the whites of pure Spanish descent the disadvantages of that privation of political rights, to which all natives were condemned, and feeling, in common with them, that enmity to the Gachupines (or old Spaniards) which the preference constantly accorded to them could not fail to excite.

Next to the pure Indians, whose number in 1803, was supposed to exceed two millions and a half, the Mestizos are the most numerous caste; it is, however, impossible to ascertain the exact proportion which they bear to the whole population, many of them being, as I have already stated, included amongst the pure whites, who were estimated, before the revolution, at 1,200,000, including from seventy to eighty thousand Europeans established in different parts of the country.

Of the mulattos, Zambos, and other mixed breeds, nothing certain is known.

It will be seen by this sketch that the population of New Spain is composed of very heterogeneous elements; indeed, the numberless shades of difference which exist amongst its inhabitants are not yet by any means correctly ascertained.

The Indians, for instance, who appear at first sight to form one great mass, comprising nearly two-fifths of the whole population, are divided and subdivided amongst themselves, in the most extraordinary manner.

They consist of various tribes, resembling each other in color and in some general characteristics, which seem to announce a common origin, but differing entirely in language, custom, and dress. No less than 20 different languages are known to be spoken in the Mexican territory, and many of these are not dialects, which may be traced to the same root, but differ as entirely as languages of Slavonic and Teutonic origin in Europe. Some possess letters which do not exist in others, and in most there is a difference of sound, which strikes even the most unpracticed ear. The low, guttural pronunciation of the Mexican or Aztec contrasts singularly with the sonorous Otomi,[1] which prevails in the neighboring State of Valladolid, and this again is said

[1] Wherever the Aztec tongue is in use the letter "r" is unknown, while in the Otomi dialect it occurs almost in every word. Thus we have Popocatepetl, Istaccihuatl, Tenochtitlan, and that unpronounceable word given by Humboldt and signifying "venerable priest, whom I cherish as a father," Notlazomahuizteopixcatatzin, all Aztec, and all without an "r;" while in Valladolid the prevailing names are Ocambaro, Puruundiro, Zitacuaro, and Cinapecuaro, in all of which "r" bears a prominent part.

to be totally unlike the dialect of some of the northern tribes. There is not, perhaps, a question better worthy of the consideration of philosophers than the elucidation of this extraordinary anomaly in the history of the Indian race; nothing is known of the mode in which America was peopled, except the fact that the tide of population has set constantly from north to south.

In Bulletin 44, United States Bureau of American Ethnology, "Indian Languages of Mexcio and Central America," the map hereto attached is used as a basis, with the remark:

For Mexico, Orozco y Berra's map and conclusions are used as a basis, and it will be found, though the original authorities so far as accessible have been examined, that there has been occasion for but few and comparatively slight changes.

An examination of the map accompanying this bulletin will show 30 different distinct linguistic families of Indians, as established to the satisfaction of Thomas and Swanton, while perusal of the contents will disclose that approximately 20 to 30 more are in doubt as to whether they are distinct languages spoken by distinct and different races or tribes or whether they are mixtures of some of the other languages or offshoots or derivatives from same.

The index of linguistic families, tribes and settlements number approximately 850, as set forth on pages 101–108.

It is not necessary to cite other authorities here, but one of the most interesting works upon the subject is "The History of Mexico" by Francisco B. Clavigero, in two volumes, published in London, 1777. (English translation by Charles Cullen.)

Speaking generally, it is sufficient, as an illustration to call attention in passing to the great distinctive difference between the original Indian tribes of Chihuahua and Sonora to the Concho River, with those of the west coast through the State of Sinaloa, and to the Indians of the east coast and those of central and southern Mexico.

The Indians of the north and northwest were those of the Opata, Pima, "Tarahumar" families; of the Yaqui, Mayo families, and were as different and distinct from the Mayas of the south, the Mexicans of the valley, and others of central and eastern Mexico in everything except color, as are Negroes from whites, or, at the very least, as are the Japanese from the Chinese.

Very interesting testimony along this line has been offered by William Gates (part 19) and others.

A comparison of the political map of Mexico showing the different subdivisions as recognized to-day, and of the racial-tribal map of Orozco y Berra, will at once prove interesting as establishing the fact that the political subdivisions, although differing greatly in some respects, yet, in general, have followed very nearly the racial-tribal geographical divisions as agreed upon by ethnologists, linguists, and historians.

That this discussion is of more than general interest will be appreciated when present conditions in Mexico are considered and it is learned that the Army Intelligence Department of the United States War Department are constantly making such reports as of November 8, 15, 22, 29, December 13, 1919, etc., setting out in detail information as to the movements of the Yaqui Indians of Sonora and Sinaloa.

By reference to these reports it may be seen that a large percentage of the women and children of Yaquis are in the United States, and that on November 18 it was estimated that almost the entire force of 4,000 Yaqui Indians, reported at that date, might be converted into a fighting body if they possessed the necessary arms and ammunition.

That they were a constant menace to the Mexican Federal forces, who were concentrating around Nacozari, Moctezuma, and other places.

That at least 400 Yaquis were scattered in small bands in the neighborhood of these last-mentioned places.

That approximately 800 were under arms near Esperanza.

That it is necessary to carry heavier train guards on the Southern Pacific from Esperanza to Guaymas.

That altogether there were over 2,000 armed Yaquis in the State.

That in the latter part of November the Federal Government moved between 1,000 and 1,500 Federal Yaqui soldiers out of the State fearing they would join their tribesmen in attacks upon Federal forces.

That Mayo Indian soldiers were sent in to take the place of their cousins, the Yaquis, but that little confidence could be placed upon them in a campaign against the Yaquis.

That the Yaquis were constantly passing from the United States into Mexico with ammunition purchased at the various mining camps where they had been at work.

That Federal forces in the State on November 22 were inadequate to cope with the situation.

That on December 13 a large body of several hundred were said to be a short distance south of the international line and east of Nogales, while another large body was reported near Ajo, Ariz., both believed to be anxious to get into the United States for the purpose of securing ammunition, etc.

That for the first time in the history of Sonora Yaquis, as reported on November 29, had invaded the territory east of the Bavispe River in northeast Sonora.

That southwest of La Colorada region 500 Yaquis, under Chief Mori, were on the same date killing and robbing everywhere.

That Buenavista, formerly Sonoran capital; Cumaripa, Realito, and most of La Dura were on November 29 deserted and in ashes.

And most significant is the statement of November 22, and the statement of December 13, the former—

That the Yaquis seldom bother Americans when they can be distinguished from Mexicans, and the latter—

That since the increase of intervention talk, many Yaquis, well acquainted with Americans, have reiterated previous statements to the effect that, in the event of intervention, they may be counted on as friends of the United States; that, upon due official notice of intervention, they would lend the invading troops any assistance of which they were capable. They intimate that all they would ask in return for this assistance would be reasonable recognition of their claims to the Yaqui Valley territory and freedom from persecution by the Mexicans.

YAQUI PRONUNCIAMENTO.

In the Army Intelligence daily report of May * * * 1920, is included as an appendix an appeal signed by Genls. Julian Cosari, Manuel Periac; First Capt. Victoriano Azul, Second Capt. Pipachola (chiefs of "bronco" Yaquis) to the townspeople of "Rio Chico" and "Movas."

This appeal recites among other things that "The Yaqui tribe informs you that"—

"Poor descendants of our kindred tribes, the Pimas, the Papagoes, and the Opatas are miserable and afflicted, oppressed by the tyrannical Government which is compelling us to kill one another. * * * These are men without an atom of conscience or the laws of humanity * * * This tribe must remain in revolt. If you wish peace with us, we also wish peace with you. * * * You must not hurt the Yaquis; then the Yaquis will not injure anyone, and so peace and tranquility will reign.

As long as the Government continues selling our race * * * and insists upon withholding our lands, the struggle will continue relentless and bitter. The Government is to blame for the men who take us by force to war, and it must be punished. * * * We seek an agreement only with all the poor who live by their daily toil here and outside the Government (as outlaws), formerly, in the time of Refugio Tanori, the leaders of the Pimas and Opatas in those times came, those people respected us and helped us to fight the invaders of our river as far as the Mayo River, and we did the same for them. Remembering these days, we invite you, if you so desire, to join with us, * * * and if you accept our humble proposition you will not need to flee when you see our people. * * * No confidence can be put in the Government, because the Government in the year 1916 past offered us peace and the restoration of our lands. We in all good faith believed that promise * * * and traveled to Lencho * * * and there we were awaiting the realization of this promise. While we slept the Government fell upon our camp, killing children, women, and old men. Such cruelty had never even been experienced in the time of Porfirio Diaz."

The date of this occurrence was May 25, 1917, at 4 o'clock in the morning.

"Now we are convinced that the Government has no word. * * * With such proofs, we care for no further arrangement with the Government, but with you, the poor of these towns, who always keep your word."

And this is the period, November and December, 1919, when the press of Mexico and its able assistants in this country were proclaiming that peace and order and law and prosperity prevailed over Mexico, and that Carranza had "made good."

SHORT SKETCH OF HISTORY OF MEXICO.

With this preliminary sketch of the population of Mexico, let us glance now at the history of that so-called Republic, or rather, at the chronological history of Mexico from the year 1810 down to the present year.

NORMAL MEXICO.

1810: September 15. Miguel Hidalgo y Costilla, together with Allende, Aldama, Abasolo, and other officers raised the "Grito," and proclaimed independence at Dolores, State of Guanajuato.

1811: May 21. Hidalgo captured at Acatita de Berjan. July 31. Shot at Chihuahua. Jose Maria Morelos y Pavon, a priest, took up the work of Hidalgo; defeated the Spaniards in numerous engagements and made much headway against them, capturing various cities and overran a large portion of the country.

1812: September 14. First Mexican Congress organized at Chilpancingo, State of Guerrero, with Morelos y Pavon as guiding spirit.

November 6. Declaration of independence issued and a constitution later adopted.

1813: Revolution continued, but Morelos finally captured.

1814: Fighting continues.

1815: December 22. Morelos shot by Spaniards in the City of Mexico.

1816 to 1821: Fighting continues with varying fortunes. Gens. Mina, Guerrero, and Bravo being the leading spirits among the revolutionists.

1821: January 10. Guerrero, chief of the revolutionary forces, and Gen. Agustin Iturbide, commanding the royalist forces, had conference and joined forces.

February 24. "Plan of Iguala" promulgated; Iturbide taking command of the joint forces and capturing Morelia, Puebla, Queretaro, and other towns.

September 27. Iturbide entered Mexico in triumph after treaty with viceroy Don Juan O'Donoju at Cordoba. A government was established consisting of a regency of three members with Iturbide as President.

1822: February 24. Congress met in the City of Mexico and elected Iturbide Emperor of Mexico. He was crowned on July 21 in the cathedral, with the title "Agustin I."

December 22. Santa Anna raised revolt at Veracruz and declared a republic. Desperate internecine war ensued, followed by anarchy and desolation, which, as historians say, continued for 50 years (until the period of Porfirio Diaz).

1823: May. Emperor Iturbide abdicated after his armies were defeated. A provisional government was established.

1824: Iturbide returned to Mexico, arrested, and on July 19 shot by order of the Tamaulipas Legislature, at the town of Padilla.

October 10. Gen. Guadalupe Victoria (real name Fernandez) became President of Mexico with a constitution. Victoria was really Mexico's first President.

1825: January 1. Congress met under the new constitution and England and the United States recognized the independence of Mexico.

1828 to 1830: Continued conflicts and contests, Pedraza, Guerrero, and Bustamente each claiming to be President. Santa Anna most prominent figure in all schemes and uprisings.

1833 to 1835: Civil war raged and anarchy reigning.

1835: Gen. Antonio Lopez de Santa Anna became dictator and abolished the constitution.

1936: Texas secedes and captures Santa Anna.

1837: Santa Anna returned to Mexico and resumed dictatorship.

1839: Bravo became President. Civil war, accompanied by anarchy.

1841 to 1844: Santa Anna again dictator.

1844: Santa Anna banished and Canalizo took his place.

1845: Herrera became President. Revolutions continued.

1846: January 2. Paredes became President by election of a Junta in Mexico City and left the government in the hands of Gen. Bravo in July, while he proceeded to lead the army against the United States.

1846: July. Paredes and Bravo overthrown and Mariano Salas becomes President and the constitution of 1824 reestablished.

1846: September 15. Santa Anna becomes President.

1847: War with the United States. Gomez Farias in charge of Government, Santa Anna leading the army. Santa Anna resigned office. Gomez Farias appointed Pedro Anaya acting President and again headed the army against United States forces. After defeat at Cerro Gordo, Santa Anna resumed control, later resigning the Presidency, and was succeeded—

1847: By Gen. Anaya, under election by Congress, holding office from November until

1848: January. Manuel de la Pena y Pena, president of the supreme court, became President.

1848: June 3. Gen. Jose Joaquin Herrera became President the second time.

1848: Treaty of peace, etc., signed. California and New Mexico ceded to the United States, in payment Mexico receiving $15,000,000.

1850 to 1851: Gen. Mariano Arista elected President and installed—

1851: January 1.

1852: Juan Bautista Ceballos becomes President by congressional election following the exit of Arista. Ceballos dissolves Congress and elected Juan Mugica y Osorio, who declined to qualify, and Ceballos resigned the Presidency; Manuel Maria Lombardini was seated as acting President. Lombardini called an election for the purposes and

1853: April 15. Santa Anna again become President.

1853: Santa Anna, by proclamation, becomes perpetual dictator, December 16. Gen. Juan Alvarez immediately raised a revolution. Alvarez was a full-blood Indian and a patriot. The revolution continued, and Santa Anna escaped, leaving—

1855: August 9. A triumvirate government composed of the president of the supreme court and two generals. A few days later Gen. Romulo Diaz de la Vega became acting President by coup d'état and consent of the governing triumvirate.

1855: Gen. Martin Carrera became President, resigning within a month.

1855: Gen. Diaz de la Vega again became President.

1855: November 1. Representatives convened in Cuernavaca and elected Gen. Juan Alvarez, who became President. Alvarez reached the capital with a bodyguard of pure-blood Indians and retained them around him for protection.

1855: December. Alvarez resigned and Comonfort became President.

1856: Rupture with Spain.

1857: February 5. Gen. Comonfort again elected and declared President.

1857: December 11. Comonfort proclaimed himself dictator.

1858: Benito Juarez revolted. Revolution reigned supreme.

1858 to 1859: Zuloaga overthrew Comonfort and became President.

1858 to 1859: Miramon took Zuloaga's place and became President. Miramon overthrown and Zuloaga again became President.

1858: Juarez Government recognized by the United States.

1860: Benito Juarez captures capital and declares himself President.

1861: May. Benito Juarez elected and took office as constitutional President.

1861: October. Treaty between England, France, and Spain, known as the "Treaty of London," signed, under the provisions of which the three nations were to send naval and military forces to Mexico to seize ports and military positions on the coast, etc. The Government at Washington, being invited to take part, positively declined on the ground that it would pursue its usual policy of refraining from alliances with foreign powers.

1862: England and Spain withdrew their forces, but France continued the war.

1863: The French captured the City of Mexico and Maximilian accepted the offer of the Crown of Mexico.

1864: June. Maximilian crowned Emperor at Mexico City.

1865–1867: Juarez in revolution, but defeated on all sides. United States demanded the withdrawal of the French Army.

1867: Maximilian captured and shot at Queretaro by Juarez.

1868: Juarez proclaimed himself President.

1868–69: Revolutions followed pronunciamento by Santa Anna and others.

1872: July 18. Sebastian Lerdo de Tejada succeeded Juarez, who died.

1873: New constitution adopted practically following the constitution of 1857.

1873–1875: Revolutions in various parts of the country.

1876: Sebastian Lerdo de Tejada overthrown.

ABNORMAL MEXICO.

1877: Gen. Porfirio Diaz became President.

In 1905, or just shortly prior thereto, William Jennings Bryan, recently Secretary of State of the United States, in a book published by him bearing the title Under Other Flags, page 202, referring to the administration of Porfirio Diaz, and to that great man, says:

The third great man produced by the Mexican Republic is the president. With the exception of one term he has been president since 1876, during which time he has shown wonderful ability, and it is doubtful if there is in the world to-day a chief executive of greater relative progress than the Mexican people have made under the administration of Porfirio Diaz.

Education has been promoted, law and order established, agriculture developed, commerce stimulated, and nearly every section of the country connected by railroad with the capital. While there are many able and strong men upon whom the mantle of President might worthily fall, he has been so remarkably successful and has such a hold upon all classes of people that he will doubtless remain at the head of the Government as long as he lives—the people would hardly consent to his withdrawal even if he desired to lay down the responsibilities of the position.

On pages 181–183 Mr. Bryan says:

I found * * * Fifth. That President Diaz is entirely deserving of the encomiums bestowed upon him by his own people, by resident Americans, and by visitors. He has a genius for public affairs, understands the conditions and needs of his people, and has their confidence to a degree seldom enjoyed by an executive, either hereditary or elective.

On page 184, referring to education, he says:

"Mexico is making substantial progress in education. The public schools are free and attendance is compulsory. * * * In the State of Mexico the number of schools has increased more than 100 per cent within the last 10 years, and the number of pupils in attendance shows an equal increase. * * * It was our good fortune to be invited to witness the distribution of prizes for the schools of the Federal district. Nothing impressed me more than the scene here presented. President Diaz delivered the awards to several hundred boys and girls. The Indian and the Spaniard, the rich and the poor, all mingle together in the public schools and vie with each other for the prizes. The State not only furnishes instruction in the elementary branches, but provides industrial training for both boys and girls, normal schools for teachers, and professional schools for students of law and medicine. President Diaz recently quoted a remark by Von Moltke in praise of the German school-teacher and also pointed out the necessity for educated mothers. He recognizes, as did Jefferson, that popular education is vital in a republic, and largely through his efforts Mexico sees a yearly increase in the number of those who are capable of intelligent participation in government."

We are constantly being informed by recognized prorevolutionists, or pro-Carranza propagandists, that Diaz did nothing for education and left his people in the ignorance which he apparently wished them to remain in, the inference being that so long as they were without education they would be subservient to his will.

However mistaken Mr. Bryan may have been while Secretary of State, when endeavoring to deal, or to refrain from dealing with Mexico, statistics will prove the correctness of his statement made in 1905 as to education under Diaz. If the American people would think or read for themselves and refuse to permit ignorant or biased propagandists to misinform them, they would readily understand that the public-school system of Mexico was upon practically the same basis as that of the United States and of the different States of this Union, to wit, the National Government in Mexico had nothing more to do with the primary public schools in the States of Mexico than has the National Government of the United States at Washington to do with the primary public schools of the States of this Union. The Central Government of Mexico under Diaz dealt directly with the national schools, universities, etc., and dealt directly, more or less, with the schools in the territories and in the District of Mexico, which district corresponds exactly to our District of Columbia. The States each dealt with its own school problems and each established and maintained and assisted in maintaining not only the public schools in the public-school districts throughout such State, but also the State normal, agricultural, and other institutions. As early as 1865 colleges of law, medicine, and engineering were created in Mexico City and were successful from the beginning. Professional schools were also established in the more important provincial capitals. In 1874 there were 8,226 primary schools in Mexico, with an attendance of 360,000 pupils; 603 of these schools were supported by the National Government, 5,240 by municipalities, 2,260 by private enterprises, etc. The committee is here referring to an article in the Encyclopedia Britannica for the purpose of condensing

these statements. Reference to the testimony offered in this case will substantiate the statements contained in said articles, which, for the sake of brevity, we will further refer to. In 1889 recommendations were made by the National Congress for public education and were followed by congressional action requiring free and compulsory education in the Federal district and national territory. On the 19th day of May, 1896, a general public educational law was promulgated which provided further regulations and outlined a comprehensive system. Compulsory attendance was a feature of this law of 1896. The law provides for uniform free and nonsectarian primary institutions with compulsory attendance of children 6 to 12 years of age; preparatory course for professional training in the Government schools were also made free.

The State school system was gradually made to conform to this national system. In 1904 the number of public schools was returned at 9,194 with an enrollment of 620,476. Of these 6,488 were supported by the National and State governments, and 2,706 by the municipalities. The number of provincial, religious, etc., schools was 2,281, with 135,838 pupils. The secondary national and State schools number 36, with 4,642 pupils, and schools for professional instruction numbered 65, with 9,018 students, of whom 3,790 were women. Normal schools were also maintained at public expense. The Government maintained schools of law, medicine, agriculture and veterinary practice, engineering, mining, commercial and administrative, music and fine arts, also a mechanic's training school for men and one for women and schools for the blind and deaf mutes, reform schools, and garrison schools for soldiers. The National Library of Mexico contained 250,000 volumes, and in 1904 there were 138 public libraries, 34 museums for scientific and similar purposes, and 11 meteorological observatories. Statistics with reference to matters of public interest in Mexico are very meager. Bringing the matter down to date: Just prior to the revolution, it may be noted that in the State of Chihuahua alone there was a public school in session during the year 1909–10 in every school district in the entire State, including purely Indian districts. Out of a total population, including Indians, of approximately 327,000, more than 22,000 were in daily attendance upon these public schools which were supported by the State and local municipal governments; there were supported by the State of Chihuahua at this time two normal schools, and 60 graduates of these schools were then in Europe at the State's expense taking postgraduate courses; that there were also two agricultural schools supported by the State; one or more schools of art and science; that in addition there were private schools conducted by protestants of different denominations, private schools of nonsectarian character, and one or two private schools conducted by Catholic sisters. As will be shown by the testimony of such witnesses as Mr. E. L. Doheny (pt. 1, p. 207), and many other witnesses, Porfirio Diaz was sincerely interested not only in the uplift and welfare of his people, but also in seeing education, and particularly technical education, spread among the inhabitants of the Republic of Mexico.

Railroads.—Prior to 1878 there was a road constructed from the City of Mexico to Vera Cruz, and about that date 58 miles of branches from this road, a total of 321 miles of railroad in Mexico in operation

prior to 1878. When Diaz went out in 1910–11 the railroad mileage of Mexico was more than 16,000 miles, and of this three-fifths or more belonged to, or was controlled by, the Mexican Government itself.

In the last official report prior to the incumbency of De la Barra, the total mileage as shown was 14,857 miles with the Southern Pacific of Mexico and what is now the Mexico Northwestern system yet constructing, bringing the mileage up to a little more than 16,000 miles at about the date when Diaz was overthrown. In 1878, when Diaz was recognized by the United States, the only bank in Mexico was a branch of the Bank of London, Mexico and the South, known as the "Banco de Londres, Mexico y Sud America," and a small private bank in the city of Chihuahua, later merged into a State institution, but conducted in the year mentioned by the MacManus family. In the year 1909–10, prior to the overthrow of Diaz, the banks of issue of Mexico had assets of 736,191,398 pesos: They had a capital of 118,800,000 pesos and deposits of 71,910,424 pesos. Auxiliary banks had a capital of 47,800,000 pesos; assets, 128,375,032 pesos; mortgage banks had a capital of 10,000,000 pesos; resources, 51,934,102 pesos.

In 1914, after Madero went out and before Carranza's recognition, the total capitalization and surplus of all banks was 205,194,287 pesos. In 1918, under the Carranza government, the then only recognized banks in Mexico had a nominal capital and surplus of 148,197,409 pesos, while the metal reserve and actual convertible assets, as shown by the evidence, possibly amounted to 30 cents on the dollar. In other words, in 1909 banks, counting capital, had approximately 1,150,000,000 pesos assets and in 1918–19, 148,197,000 pesos nominal assets. (See testimony McCaleb, pt. 5, pp. 728, et seq.; also same part, pp. 686 et seq.) The State banks, such as the great Bank of Sonora, Miner's Bank of Chihuahua, and all other banks in the States, are practically wiped out. (See testimony Bracey Curtis, pt. 12, pp. 1833, et seq., and other testimony.)

We will not endeavor to give statistics on the general increase of Mexican trade with other nations of the world as shown by imports and exports, but content ourselves with the statement of fact that in the year 1878, when we recognized Diaz, imports into the United States through border custom districts was $1,585,368; for the year 1910 these imports through the same districts were $22,911,198, while for the same years the exports to Mexico through such border districts were respectively $3,391,787 and $29,106,100. Through all the Mexican ports there were imported into Mexico in 1911 approximately $100,000,000 of goods of which the United States sold $60,000,000; in the same year there were exported by Mexico goods to the value of approximately $150,000,000, about 77 per cent of which the United States purchased. During the entire period of the Diaz régime there were no revolutions except two incipient disturbances occurring on the border and engineered from the United States. Neither of these were of the slightest importance and each was immediately suppressed. After Diaz succeeded Gonzalez in 1884, a traveler was safe in the innermost recesses of the Sierra Madres or in the tropical regions of the south; in the State of Sonora in the north or in the State of Chiapas in the south; Sinaloa of the west, or Tamaulipas on the east coast. No guards were necessary on trains which were run without interference and on schedule time

In the Mexican army, on paper, were 25,000 men. As a matter of fact, the total number of men in the Mexican army in 1909–10, as was later discovered, was less than 13,000. A force of "rurales," comparable with the Texas Ranger force or mounted police of Pennsylvania, maintained law and order throughout the Republic, while their number did not exceed 1,200 at any one time. Americans were welcome wherever they went in Mexico and their financial assistance was sought in opening up all the resources of the country; and during their visits they were welcomed with equal hospitality at the palace of the rich "hacendado" or hut of the humblest peon. In short there was no such thing dreamed of as an anti-American feeling of Mexicans toward Americans. Over the world, in every civilized country, Porfirio Diaz was regarded as an honorable, honest, patriotic, upright ruler, practically an autocrat or dictator, but devoted to his country and his people; in fact his character was that of the man of whom Mr. Bryan writes in the quotation given from his book.

NORMAL MEXICO; RESUMED.

1910–11: Mexican I. W. W. Junta. Orozco Madero revolution.

1911: May 10. Juarez captured by the forces of the "Red Flaggers" and followers of Madero. Diaz resigns and Francisco de la Barra becomes President.

1911: Under the Mexican constitution the secretary of state succeeds to the Presidency in event of a vacancy, and De la Barra was also agreed to by Madero.

1911–12: Elections held and Madero declared President.

1911–12: Revolutionists, particularly Zapatistas, continue operations.

1912: March 1. Orozco revolution against Madero. Chihuahua secedes. Orozco military commander. Zapata revolution continues and revolutionary activities all over the Republic.

1913: February. "Cuartelazo" City of Mexico. Felix Diaz delivered from imprisonment. Madero and Pino Suarez arrested. Both resign.

1913: March. Lascurain, foreign minister, becomes President for 28 minutes; resigns and—

1913: Victoriano Huerta declared President and confirmed by the Mexican Congress. Madero and Suarez assassinated. Revolutionary activities continue all over the Republic. United States refuses to recognize Huerta.

1914: Veracruz seized by United States forces. Carranza, Villa, Obregon, Zapata, and others continue revolution in all States.

1914: July. Huerta resigns and leaves Mexico. Carbajal takes oath of office as President. United States does not recognize and insists upon Carranza or some one agreeable to him at Niagara conference. Carbajal insists upon amnesty before surrendering Mexico City, and Carranza refuses August 5. August 9, Secretary Bryan announces that Carranza has given this Government assurances that Carrancistas will commit no excesses. Carbajal yields to Carranza's demand as Obregon's army threatens the city. August 12, Carbajal leaves the capital. Obregon's troops enter city about August 17. Villa and Carranza have therefore split. Provisional

President to be chosen by convention. Carranza agrees to resign as first chief and submit to convention. Villa and Carranza each bluffing at resigning and getting out of the country.

1914: October 22–23. Convention names cabinet. Carranza claims right to pass upon all matters and convention agrees to accept Carranza's resignation and that both he and Villa get out of the country.

1914: November 3. Gen. Eulalio Gutierrez chosen provisional President for 20-day term. Carranza refuses to abide by action of convention and he and Gutierrez set up rival governments; Carranza in Puebla, and Gutierrez in Aguascalientes. Obregon loyal to Carranza. Revolutions continue.

1915: January 16. Gutierrez named provisional President to serve until April, 1916.

1915: January 18. Gutierrez deposed by convention and Roque Gonzalez Garza elected provisional President. Convention adjourns to meet in Mexico City. February 4. Villa announces he is in charge of Presidency and appoints three ministers, January 28. Villa forces leave Mexico City. January 29. Carranza forces enter city, Obregon in command. United States protests Obregon's incendiary statements March 4. March 10. Carranza forces under Obregon evacuate city. Zapata in charge of city; and

1915: March 18. Garza reported back in Mexico City. Revolutions continue. Gutierrez leading one faction; Garza pretending to lead another; Carranza heading a third, and generals, colonels, etc., each man for himself.

1915: About April 1 Carranza forces under Obregon enter city, but again evacuate it and other forces occupy it.

1915: June 20. Carranza retires to San Juan de Ulua Castle.

1915: United States calls meeting Central American and other States and military leaders to consider government for Mexico. All leaders opposed to Carranza agree to attend meeting and abide by results. Carranza, with Obregon, Pablo Gonzales, and others refuse and demand recognition of Carranza alone.

1915: October 6. Carranza recognized de facto head of Mexican Government by United States.

1915: October–November. American Red Cross, serving 23,000 soups per day in Mexico City and feeding starving there and other locations, ordered out of Mexico by our Government upon insistence of Carranza.

1916: Revolutions continue. Pretended elections called, but elective franchise restricted to those on date of election actively supporting Carranza. No elections held except where Carranza garrisons are in control. Same qualifications for election at constitutional convention.

1916: Five States with no representation whatsoever; others represented by delegates elected from Carranza garrison locations without opposition. Constitution convention meets at Queretaro.

1917: January 31. New constitution signed over opposition United States Government. February 5. Constitution promulgated. February 11. Ambassador Fletcher, United States, leaves United States, arriving Mexico City February 19. Wires

United States Government assured by Mexican State Department confiscation clauses Mexican constitution will not be put in effect against Americans; Fletcher presents credentials to Carranza at Queretaro.

1917: On March 3, and thus Carranza is recog- as "de jure" President. Revolutions continue all over Republic. Zapata assembled his forces, dividing into smaller bands under various leaders, continue struggle. No peace in any State in Mexico. Carranza government recognized where it has armed control.

1918–19: Same.

1919: August. United States Senate appoints committee to investigate Mexican matters. Committee opens hearings Washington, New York, and Mexican-American border.

1920: Opposition to Carranza quietly drawing; Gen. Felipe Angeles organizes Liberal Alliance, and Angeles enters Mexico. Arrested, court-martialed, and shot.

1920: March. Dieguez undertakes remove De la Huerta, governor Sonora. Obregon-Gonzales rival military candidates. Carranza attempts take advantage Liberal Alliance and other civil movements and presents Bonillas as candidate for Presidency.

1920: April. Sonora Legislature passes secession ordinance; Obregon recalled to Mexico City and, under arrest, escapes. De la Huerta, Calles, Salvador Alvarado take charge Sonora movement and issue "Plan of Agua Prieta," April 9, declaring for 1917 constitution. Revolution in City of Mexico and all over Republic. Carranza compelled to abdicate and supposed to leave Mexico May 9. De la Huerta supposed to call Mexican Congress together to name President pro tempore. Congress reported to meet on Friday to have adjourned until May 24.

1920: May 22. Carranza reported to be killed, together with members of his cabinet, while in fight by "bandits."

PRESIDENTS.

1911 to 1920: Diaz, De la Barra, Madero, Huerta, Carbajal, Gutierrez, Garza, Villa (by his own declaration), Vasquez Gomez (1912 by State of Chihuahua through Orozco), Carranza, De la Huerta.

In discussing more fully what we have called the "normal" condition of Mexico after the years 1910 and 1911 (the chronological sequence of which we have hurriedly referred to) let us return for a moment to the "abnormal" Mexico of 1876 to 1910.

In 1876 Gen. Porfirio Diaz issued a proclamation announcing himself as provisional President of the Republic under the plan of Tuxtepec.

Upon being informed of the circumstances in January, 1877, this Government took the matter of recognition under consideration and stated that although it was "accustomed to accept and recognize the results of a popular choice in Mexico and not to scrutinize closely the regularity or irregularity of the methods," nevertheless we would

wait in this particular instance "before recognizing Gen. Diaz as President of Mexico until it shall be assured that his election is approved by the Mexican people, and that his administration is possessed of stability to endure and of disposition to comply with the rules of international comity and the obligations of treaties."

Disturbed conditions continuing along the border finally Evarts wrote to Minister Foster as follows:

"The first duty of a Government is to protect life and property. This is a paramount obligation. For this governments are instituted, and governments neglecting or failing to perform it become worse than useless. This duty the Government of the United States has determined to perform to the extent of its power toward its citizens on the border. It is not solicitous, it never has been, about the methods or ways in which that protection shall be accomplished, whether by formal treaty stipulation or by informal convention; whether by the action of judicial tribunals or that of military forces. Protection in fact to American lives and property is the sole point upon which the United States are tenacious."

This note of itself inaugurated a new era in Mexico and was of itself, as used by President Diaz, largely responsible for the long period of peace and consequent prosperity reigning in Mexico.

As the story is told by his son, Diaz was upon first impression intensely angered when the contents of this note were communicated to him.

Wise old Indian that he was, however, upon second thought he determined that he would use this note to compel observance of his orders and loyalty to his plans and purposes by the constant threat that unless his plans were carried out and his government respected and armed resistance or opposition ceased, that the "Colossus of the North," simply awaiting a favorable occasion, would avail itself of the first opportunity to take over Mexico.

Thus was raised through the deliberate purpose of Diaz "El Fantasma," that is, "The Specter," which is yet so often alluded to by Latin-Americans and particularly by Mexicans in speaking of the United States.

From time to time as opposition threatened the Diaz government or his plans, he would call attention of those offering such opposition to the Evarts note and was thus largely able to overcome such opposition in its incipiency.

Finally he was recognized by this Government in 1878, when a formal reception was accorded the minister from Mexico.

Then ensued the great era of prosperity which we have rapidly sketched, and we shall now refer shortly to the political conditions under Diaz's administration.

The Diaz administration was an autocracy with the "Strong man of Chapultepec" as a practical dictator, supported by, and in turn supporting, certain families or persons in each of the different States of the Republic. His army was at the command of such governors, and in turn their support was extended the central government through Diaz whenever same was necessary or called for.

Necessarily the younger generation of those who were "out" and did not belong to the "reigning families" in the different States were opposed to this autocracy, but generally entirely loyal to Diaz personally, and all recognized, or thought they recognized, not only the futility of using force against him, but also the possible consequence to their country and its sovereignty as they viewed "El Fantasma" constantly projected before their eyes.

Diaz grew old and weak and sought to assure continued prosperity through peace and order, for his loved country by preparing beforehand for the perpetuation of his plan of government.

He finally forced the adoption of an amendment providing for the election of a vice president, and as his plan grew was instrumental in forcing the election of Ramon Corral, of Sonora, as vice president.

Each of the prominent supporters in each of the States, or at least the majority of these autocrats, imagined that he should fall heir to the mantle of the old soldier and, of course, objected to the selection of a Sonoranian rather than himself as the successor to power.

Meantime, largely because of the autocratic and arbitrary rule and acts of the family, or person, of authority in the State, the opposition to this form of government had grown stronger and stronger with the years.

THE "RED FLAGGERS."

In 1905 there was organized in the United States by a few radical Mexicans what was known as the "Organizing Committee" of the Liberal Party of Mexico. These men carried on propaganda throughout the Republic through which they appealed to the ignorant masses of the Mexican people; to the Indian tribes by name and collectively; and to all the dissatisfied elements, to rise against the power of Diaz and overthrow the Government.

They issued their plans at first of a milder radical type but rapidly more and more anarchistical in character.

Not content with their appeal through propaganda, through proclamation, through letters and organizing committees; they established a periodical published in various States of the United States from time to time and known as La Regeneracion Publica.

Their proposed plan was that of the extreme French syndicalist and of the radical I. W. W. which latter was just making itself known in the United States through the writings of Vincent St. John and others; the "junta" or committee, proposed not only to overthrow the Government of Diaz but to confiscate all property including real estate and divide the same among the population of Mexico "without discrimination as to sex"; they admitted it to be true that many large estates had been bought, but claimed that the purchasers themselves had stolen their money or achieved their wealth by bribery, corruption, etc., and that therefore they were not entitled to payment for the properties which were to be taken from them; they appealed to the Indian particularly upon the ground that his territory had formerly extended from one mountain top in sight of his little settlement to another to be seen at a different point of the compass, and told him that all that was necessary was for him to rise and take his property back; they appealed by name to the Yaquis and the other tribes with these and similar statements; not content with this propaganda they endeavored to secure recruits for armed intervention in Mexico in different sections, and finally, coming in contact with the neutrality laws of the United States, were arrested.

The organizers of this "junta" or committee of the so-called revolutionary "Liberal Party" were:

Ricardo Flores Magon, Juan Sarabia, Librado Rivera, Enrique Flores Magon, Antonio I. Villarreal, and Anselmo L. Figueroa.

In 1908 the American Federation of Labor then in session at Denver telegraphed these gentlemen the sympathy of "our" organization in their troubles.

Some of the parties were convicted; but their activities did not cease.

Later the committee was reorganized and found in active business again at Los Angeles, Calif.

Their propaganda at this time consisted not only of similar appeals to the population of Mexico and particularly to the Indians, but of appeals for assistance to the radical labor element of the United States.

The Orozco revolution having broken out in Chihuahua and that leader having been pursuaded to declare for Francisco I. Madero as President of Mexico, the Magon-Villarreal junta called upon all of their followers to assist in the overthrow of Diaz; but as will be seen by reference to the testimony in part 17, page 2506, their stated purpose was not the overthrow of Diaz to assist in "forming a bourgeois republic" such as that of the United States, by the seating of Madero in power, but to use the Madero-Orozco assistance to overthrow the then existing government, which done—as they insisted—the overthrow of the Madero government could be completed without difficulty.

The representatives of this "Flores Magon-Villarreal" I. W. W. anarchistical party or junta, who took active part in the fighting prior to the resignation of Diaz, were Jose Inez Salazar, Emilio Campa, and like gentry, who were known as the "Red Flaggers." (See testimony Inez Salazar, pt. 17, p. 2591, and also testimony Mrs. Carlin and others, pt. 17, p. 2593, Judge Bartch, pt. 18.)

After the overthrow of Diaz these gentlemen continued their activities not only by propaganda but by the organization of armed forces led by "generals" Pryce, Stanley, and others, with recruits from the active membership of I. W. W. local organizations in southern California, those around Los Angeles, San Diego, and other California towns, joined by radicals of different races and soldiers of fortune who flocked like vultures around the corpse of bleeding Mexico.

R. Flores Magon testified in the extradition cases of Pryce and others, and admitted the activities of the Liberal Party along these lines as well as their propaganda endeavors in the Republic of Mexico, showing their organization throughout 18 States of that Republic, etc. (See part 17, p. 2514.)

They were again arrested for violation of the neutrality laws, and President Madero sent Jesus Flores Magon to attend the trial and assist in the conviction of these men, four of whom were convicted and sentenced to San Quentin.

Of course, the sympathy of the American Federation of Labor with these men, who proclaimed themselves patriots, and revolutionists against the horrible rule of a tyrant, can well be understood; but the consequences possibly were not foreseen, and could not be foreseen by those who understood as little of the Mexican population as did Mr. Gompers and his associates.

These conservative labor men of the United States could not realize that to the great majority of the population of Mexico, "liberty" merely meant "license" to work individual sweet will

not only with the property but with the body and person of any other, whether man or woman.

The fact is as disclosed by the evidence in this case that through the assistance of many sincere and good people in this country and through the financial and other assistance of the extreme radical elements the only invasion of Mexico, by arms, which has occurred from this side of the border (except the landing at Veracruz under orders of our President, the Pershing Expedition under similar orders, and the military expeditions in following the "hot trail" of marauders), was inaugurated, brought about, and supported by the elements in the United States which have been among those most loud in protesting against "armed intervention" in Mexican affairs and insisting most strenuously that the Mexican people should not be interfered with in the spilling of their blood and the establishment of even such condition of affairs as was advocated by the Magon-Villareal propagandists.

MADERO-VASQUEZ GOMEZ PARTY.

The "Anti-Reelection Party," organized largely through the efforts of Francisco and Emilio Vasquez Gomez, with the cooperation of Francisco I. Madero (as will be seen by reference to their "plan" as set forth in the evidence), advocated a reform of the constitution of 1857, to prohibit the reelection of a president or other officers; and also to provide for a commission who should investigate and ascertain the ownership, value, and amount, of the unoccupied lands withheld by the owners from development by individuals, with the object of purchasing such land, by payment to the owner, and the sale thereafter to those needing homes.

The success of Madero was an accident not due to his own following nor to the strength of his army movement and not due to the strength of the Flores Magon-Villarreal movement, but to an uprising of the Mexican and Indian population of the mountain districts of Chihuahua against State taxation and against the Creel-Terrazas families and their domination.

Orozco, the leader of this movement, having been brought in conflict with national forces, was approached by Madero emissaries with the proffer of money and assistance should he declare for Madero for President, which he promptly did. Madero, leading a few followers of his own and some "Red Flaggers," declined to await Orozco's assistance, and brought on the battle of Casas Grandes, in which he was most thoroughly whipped and his followers driven away. A few days later they joined Orozco with his command and were led to the border, where, despite the orders of Madero to the contrary, Orozco and Villa captured the city of Juarez and compelled the resignation of Diaz.

By agreement, or rather by acquiescence of Madero, as the leader of the revolutionary forces, Francisco de la Barra, under the form of the constitution of the Republic, became president ad interim pending an election. At this election Madero, having "changed partners" just prior to the final result, had Pino Suarez declared elected Vice President (with himself as President), in lieu of Vazquez Gomez, who was his running mate on the antireelection ticket. This result was easily brought about, because, following the usual custom which he had so strenuously denounced, Madero insisted upon his right to ap-

point governors over the people in the different States in Mexico, and through such appointees declared the results of the election.

Prior to this time the old treaty of amnesty and commerce with the United States had lapsed and had never been renewed, which is the condition existing to-day.

The Government of the United States, not being informed, of course, as to the true conditions among the rank and file of the Mexican people, followed the ordinary procedure, and without hesitation recognized first De la Barra and later Madero through the ambassador of the United States already in Mexico City, requiring no security for the protection of Americans.

The so-called Madero revolution had the sympathy of the majority of the Americans along the border in a general way; that is to say; supposed, as it really was, to represent a revolt against autocracy, it had the good will of American Democrats. Through this good will, and by virtue of the then lax laws with reference to the exportation of arms and ammunition, the Madero-Orozco-Flores-Magon armed forces were enabled to secure supplies, arms, and ammunition with which to carry on the revolution (of course, it must be understood that had Diaz been a few years younger, this revolutionary movement at that time, only numbering in men under arms at most 1,000 or 2,000 all combined, would have been crushed in its incipiency and with little or no effort).

But again, "The Spectre," "El Fantasma," which had been presented to him in 1878, could be seen across the border, where 20,000 American troops had been hurried by our Government.

Zapata continued the revolution, as did various bands under different leaders, and finally in March, 1912, the State of Chihuahua seceded and Pascual Orozco, the former successful leader of the Madero forces, was placed in military command of the anti-Madero movement. Successful in the preliminary skirmishes and in the first battle of Rellano, Orozco, far from his base of supplies, awaiting shipments of arms and ammunition over the Mexican Central Road, which was under his control to the American border, failing to receive such shipments was compelled to fall back, and finally after a futile struggle of months, to abandon the military field to the armed forces of the Mexican Madero Government.

The so-called amendment to the neutrality laws of the United States (in fact, an amendment to the Spanish-American War legislation, prohibiting shipments of war supplies which might fall into the hands of Cervera's fleet) had been adopted and under it the President of the United States had prohibited the shipment of arms and ammunitions to anyone in Mexico except to the regularly recognized Madero government.

During the few months of the Madero revolution against Diaz many Americans lost their lives, almost invariably at the hands of the "Red Flaggers." In the Orozco revolt or the Chihuahua secession again these "Red Flaggers," following the original "grito" (cry) as outlined in 1906 and constantly pursued, "that the people of Mexico needed no government" flocked around Orozco. Upon the defeat of these forces and Orozco's men (or upon their being driven back for want of arms and ammunition) under the leadership of the same Jose Inez Salazar and others, bands of from 35 to 400 each, devastated the northern portion of Mexico and principally

the State of Chihuahua. Revolutionary activity of the same character broke out with renewed fury all over the Republic, and during this period and up to the overthrow of the Madero government and the incoming of Huerta approximately 200 Americans lost their lives in Mexico.

ANTI-AMERICAN AGITATION AND OUTRAGE PRIOR TO 1913.

Examination of the evidence will disclose that the reason offered by these Mexican revolutionary leaders for holding Americans to ransom, robbing them of their property, driving them out in herds from their homes and farms, and assaulting them even to the point of death, was that the United States Government had taken part in purely domestic troubles in Mexico and was actively assisting the Madero government with arms and ammunition, while refusing to allow the purchase of elements and instruments of warfare by the very man who had placed Madero in power. Complaints were made that Madero forces were allowed to use American soil for refuge, and that Madero troops were allowed to travel over American railroads to escape from or to attack at some other place, those in revolution against the Madero government.

Wordy protests were made by our Government in one or two instances against outrages upon Americans and destruction of American property, only to be answered, of course, by Madero to the effect that he could not control the bandits. The American Government interposed no force for the protection of its citizens in Mexico even near its own borders. The consequence of this later policy was, of course, to confirm the bandits, legitimate or anti-Madero, in the belief that Americans were left alone and would not under any circumstances be protected by their own Government.

Agitators among the Mexican demagogues proclaimed against the United States and the citizens of the United States, and were successful, of course, in arousing feeling against us and our citizens and securing recruits for themselves and justifying to their followers and thousands of good people in Mexico outrages which were perpetrated upon individual Americans who had theretofore lived for years in amity, peace, and good fellowship with the people of Mexico.

Shortly prior to July 29, 1912, approximately 4,000 American citizens had been driven out of the States of Chihuahua and Sonora by armed bands under Salazar and other "Red Flaggers"; their lives threatened; their property destroyed; large numbers of them killed (see testimony of Ella Stevens, pt. 17, p. 2602; testimony of Mrs. Carlin and others, pt. 17, p. 2593; testimony of Judge Bartch, pt. 18, p. 2727.) and these people, including more than 1,200 children, the majority born in Mexico, had taken refuge on the American side of the line, and being destitute, were fed by the people of El Paso, Douglas, and other American towns.

A joint resolution introduced in the Senate on July 29, 1912, "authorized the Secretary of War to supply tents and rations to American citizens compelled to leave Mexico."

This resolution (S. J. Res. 127) was immediately adopted and its provisions were carried out by the Army of the United States.

On August 2, 1912, there was introduced in the Senate a joint resolution "to provide transportation for American citizens fleeing from threatened danger in the Republic of Mexico."

By the terms of this resolution the Secretary of War was authorized and directed "to furnish transportation from El Paso, Tex., to such place in the United States as each shall elect, to those American citizens fleeing from the Republic of Mexico who are now or may be hereafter temporarily supplied with shelter and sustenance in whole or in part by the Government of the United States in or near El Paso, Tex."

One hundred thousand dollars was appropriated for this purpose and same was applied as directed.

On August 10, 1912, there was introduced in the Senate a joint resolution (S. J. Res. 133) appropriating $20,000 out of the $100,000 appropriated under the resolution of August 2, for the subsistence of American citizens now in Arizona fleeing from threatened danger in the Republic of Mexico, and same was adopted and its provisions carried out.

It will thus be seen that the acts of citizens of Mexico in derogation of the rights of the citizens of the United States were, in the eyes of the Mexicans, justified, and have to this day been justified by the attitude of the American Government toward its own citizens and toward the Mexican Government.

The American Government had not intervened for the protection of its citizens in the Republic of Mexico, but had left them at the mercy of the bandits, and Congress was compelled to take care of such of them as managed to reach the border.

Meantime, on March 2, 1912, cable instructions had been issued by the State Department to the Ambassador in Mexico City, as follows:

"Paraphrase. Embassy is instructed in its discretion to inform Americans that the embassy deemed it its duty to advise them to withdraw from any particular localities where conditions of lawlessness so threatened their personal safety as to make withdrawal the part of common prudence. The embassy is further instructed to specify the localities, if any, from which withdrawal might at any time seem advisable, and state that in any such cases consuls could take charge of abandoned effects as might be possible under the circumstances.

"The department stated that it was sending a copy of this telegram to all consular officers in Mexico, merely for their information and for the information of Americans in their districts."

Under the wording of this cablegram, and particularly that portion of it which instructed the embassy "to specify the localities, if any, from which withdrawal might at any time seem advisable," Americans in Mexico to whom the order was directed or indirectly communicated through the embassy or consular agencies, or through other persons, construed it to mean that the Government at Washington and the embassy at Mexico City knew something concerning Mexico, or intended to take some action with reference to Mexico, which individuals located or residing in Mexico should be warned of; and the majority of Americans in Mexico (at least throughout the rural districts and apart from those in the City of Mexico who had or might have the advantage of personal consultation with the ambassador) imagined that finally the Government of the United States intended to protect Americans wherever they were or where it might be able to reach them; and so a great exodus of American citizens immediately commenced.

The effect upon the minds of Mexicans in different localities who had continued to work at their employment under Americans—

who had been loyal and faithful, and had announced themselves willing to protect the property and lives of their American employers—was to open their ears to the appeals of demagogues that they should join bands of bandits, or revolutionists or some one else, and prepare to defend their country against the United States.

In many localities those ignorant people were told that slavery existed in the United States; that the slave States of the South had always wanted to take over more Mexican territory than had been acquired in 1848; and that the purpose of the Government of the United States now was to withdraw Americans so that Mexicans could not hold them as hostages or mete out retribution to them for assaults upon Mexicans; that the real purpose of the United States was to take over Mexico and enslave the Mexican people.

This was the effect of the ill-advised, but of course well-meant cablegram to the embassy, sent out under conditions existing as they were, and at a time when Americans had not yet been convinced that their Government at home would no longer protect Americans abroad.

At least however, the Government of the United States up to this time, while failing to protect its citizens, had not intervened in the internal affairs of Mexico in the effort to change their officials or their form of government.

HUERTA-CARRANZA PERIOD.

The resignation of Madero and Pino Suarez was forced, following the "cuartelazo" in the early part of 1913, and Lascurain, taking over the Presidency under the form of the constitution, resigned the office, and under this same constitution Huerta was immediately declared elected President.

The Government of the United States through the President refused to acknowledge the Huerta government and sent John Lind to Veracruz and Mexico City, followed by other personal representatives of the President, among whom were the Hon. William Bayard Hale, Mr. George Carothers, then recent consular agent at Torreon, etc.

The Congress of the United States was not consulted with reference to these quasi ambassadors or personal representatives, nor was the Congress of the United States even notified of their missions or the purport thereof, except as in the message of the President of the United States to the Congress of August 27, 1913.

The correspondence between the polished, suave, and learned diplomat, Gamboa, and the Hon. John Lind is interesting and instructive.

Under date of August 16, 1913, Gamboa says among other things:

> "Fortunately * * * your character as confidential agent of your Government was fully established."

Mr. Gamboa, in the same letter, states that "the Government of Mexico has paid due attention to the advice and considerations expressed by the Government of the United States" as contained in the note of the President of the United States presented to Gamboa by Lind at their second interview.

Gamboa says the Government of Mexico "has paid due attention to the advice and considerations" for several reasons:

"First. Because Mexico entertains the highest respect for the personality of His Excellency Woodrow Wilson.

"Second. Because certain European and American Governments with which Mexico cultivates the closest relations of international amity, having in a most delicate, respectful way, highly gratifying to us, made use of their good offices to the end that Mexico should accord you a hearing, inasmuch as you were the bearer of a private mission from the President of the United States."

We will not attempt to quote all this communication, which so carefully reviews and comments upon the Lind mission and note of the President, but one or two additional quotations here require repetition:

"The request that Gen. Victoriano Huerta should agree not to appear as a candidate for the presidency of the Republic in the coming elections can not be taken into consideration, because, aside from its strange and unwarranted character, there is a risk that the same might be interpreted as a matter of personal dislike. This point can only be decided by Mexican public opinion when it may be expressed at the polls.

The confidential agent may believe that solely because of the sincere esteem in which the people and the Government of the United States of America are held by the people and Government of Mexico, and because of the consideration which it has for all friendly nations (and especially in this case for those which have offered their good offices), my Government consented to take into consideration and to answer as briefly as the matter permits the representations of which you are the bearer. Otherwise it would have rejected them immediately because of their humiliating and unusual character, hardly admissible even in a treaty of peace after a victory, inasmuch as in a like case any nation which in the least respects itself would do likewise."

In another communication the Mexican minister rather indignantly repudiates the suggestion that compliance with the requirements of the President of the United States communicated through Lind might be followed by financial favors extended through the influence of our Government.

The committee will not endeavor to follow seriatum the acts of this Government with reference to Huerta nor those leading up to the recognition of the Carranza as the de facto Government in October, 1915. A reference to the testimony of W. F. Buckley, part 6, pages 767 et seq., is hereby made, as well as to other evidence in the case and to the public records.

Meantime revolution continues, accompanied, as usual, by outrages of every character upon American citizens.

At the very time that the message of August 27 was in preparation for communication to the Congress of the United States, and telegrams following same were being prepared for forwarding to the consuls and other officials in Mexico, Matthew Gourd's nieces were being outraged in his presence while he was tied to a limb with a rope around his neck.

We were informed in this message, among other things, that:

We should earnestly urge all Americans to leave Mexico at once and should assist them to get away in every way possible—not because we would mean to slacken in the least our efforts to safeguard their lives and their interests, but because it is imperative that they should take no unnecessary risks when it is physically possible for them to leave the country.

On the same date, that is, August 27, the consul general at Mexico City was notified "to warn Americans to leave Mexico," and

The consul general was instructed to notify all officials, military or civil, exercising authority that they would be held strictly responsible for any harm done to Americans or for injury to their property.

The consul general was instructed to furnish a copy to the embassy at Mexico City, and the State Department here had the same telegram repeated to all American consuls in Mexico.

This first telegram was followed by another of the same date, embracing extracts from the President's message to Congress, and (paraphrase):

It is further stated that the advice to leave Mexico did not indicate that the Government of the United States would slacken in the least its efforts to safeguard the lives and interests of Americans, but that they should take no unnecessary risks when it was physically possible for them to leave the country.

On April 20, 1914, the following telegram was sent (paraphrase):

It was stated in this telegram that Gen. Huerta had refused to salute the flag; that the President would lay the matter before Congress that day; that Americans and other foreigners should be notified of the critical situation; and that Americans should be reminded of the President's advice to leave Mexico until order was restored.

On April 22, 1914 (paraphrase):

The consuls were advised of the results following the landing of American forces at Vera Cruz, and were instructed to urge all Americans to leave Mexico as soon as possible.

On September 11, 1915 (paraphrase):

It was stated that, as a precautionary measure, it was of the utmost importance, in view of the particularly dangerous conditions arising from the revolutionary crisis, that all Americans, and incidentally other foreigners, be induced to leave Mexico immediately. The consular officers were authorized to abandon Mexico, bringing their records with them, if conditions were such as to justify their departure.

TAMPICO—VERACRUZ INCIDENT APRIL 20, 1914.

The Tampico incident of April 20, 1914, constituting what has generally been called the "Insult to our flag" brought a message from the President of the United States, giving his reason for landing armed forces at Veracruz and requesting ratification of the Congress of the United States for his acts. This incident and the message concerning same will be more fully referred to a little later.

A reference to the chronological events hereinbefore set forth will disclose that Huerta left Mexico City in July, 1914, and that after several so-called presidents had been named by one self-constituted authority or another, the President of the United States called upon the warring forces in Mexico to get together or this country would be compelled to take steps to pacify Mexico.

CARRANZA PERIOD.

Senate Document No. 324, Sixty-fourth Congress, first session, contains the answer of the President to the request for information as to why this Government had finally decided to recognize Carranza in October, 1915. In short, the reasons given were: That while the convention itself, which was yet in session, and while Villa, Zapata, and other independent leaders agreed to meet with the United States and representatives of other countries and abide by the decision of such representatives in the settlement of Mexican affairs; that Carranza declined, and that Obregon, Gonzales, and Carranza's appointed cabinet officers and appointed governors and other appointed officials agreed to leave the decision as to taking part in this

meeting to Carranza himself; that it appeared that Carranza was the only one man whose domination was acceptable to any number of others and that therefore this Government should recognize him as head of the de facto government of Mexico.

BRYAN'S OPINION OF OBREGON.

Prior to this time the Brazilian minister was representing the interests of the United States in the Republic of Mexico, and through this minister the Department of State of the United States communicated directly to Obregon and to Carranza separately, among other things using the following language:

The Government of the United States has noted with increasing concern the reports of Gen. Obregon's utterances to the residents of Mexico City. The Government believes they tend to incite the populace to commit outrages in which innocent foreigners within Mexican territory, particularly in the City of Mexico, may be involved. This Government is particularly impressed with Gen. Obregon's suggestions that he would refuse to protect not only Mexicans but foreigners in case of violence, and that his present manifesto is a forerunner of others more disastrous in effect. In this condition of affairs the Government of the United States is informed that the City of Mexico may soon be evacuated by the Constitutionalist forces, leaving the populace without protection against whatever faction may choose to occupy it, thus shirking the responsibility which may happen as a result of the instigation to lawlessness before and after the evacuation of the city.

The Government of the United States is led to believe that a deplorable situation has been willfully brought about by Constitutionalist leaders and forces upon a populace submissive to their incredible demands, and to punish the city on account of refusal to comply with them. When a factional leader preys upon a starving city to compel obedience to his decrees by inciting outlawry, and at the same time uses means to prevent the city from being supplied with food, a situation is created which it is impossible for the United States to contemplate longer with patience. Conditions have become intolerable and can no longer be endured.

On May 7, 1915, the Brazilian minister, under No. 174, cabled the Secretary of State at Washington, his opening sentence being:

I have been requested by the American Society of Mexico and International Committee to transmit to you the following document * * *:

The capital (Mexico City) is suffering a lingering death * * *.

The Washington Government two months ago renewed its advice that its residents leave Mexico, with the suggestion from Gen. Carranza that other foreigners also leave Mexico City; unfortunately there has been no way open to act upon the advice since it was given * * *. Three travelers were shot last week while trying to get from this city to Pachuca, 50 miles away * * *. Censorship of commercial and private telegrams by the conventionalist authorities here and also the Carrancistas at Vera Cruz is so strong that residents can not explain to relatives or correspondents abroad either their situation or their actions * * * and this interference with cablegrams renders difficult or impossible the arrangement of maturing obligations such as life insurance premiums. * * *

Hope is expressed among foreigners here that special representatives from the United States who are attached to particular chiefs, may not be deterred by excessive desires to maintain agreeable relations with these leaders from furnishing the Washington Government with complete occurrences and impartial reports of what actually transpires in their locality.

CARRANZA AND THE RED CROSS.

Practically the first act of Carranza after his recognition in October, 1915, was the demand by him, acceded to by the United States, that the American Red Cross should get out of Mexico. (See The American Red Cross Magazine, November, 1915, issue, pp. 349 et seq.)

SECOND AND THIRD ATTACK ON FLAG. COMPARE WITH HUERTA INCIDENT.

In the early part of 1916, Americans were ordered to leave Tampico, the instructions being transmitted through Claude I. Dawson, American consul:

AMERICAN CONSULAR SERVICE,
Tampico, Mexico, June 24, 1916.

To whom it may concern:

American citizens are hereby urged to leave for the United States without any further delay, and to this end they should heed the suggestions to be made by the bearer hereof.

CLAUDE I. DAWSON,
American Consul.

[Instruction.

Advise people American consul has ordered all Americans to leave immediately, and state that you think no protection will be accorded those who remain. This includes men, women, and children.

In carrying out these instructions the U. S. S. *Marietta*, under command of Capt. Scott, had its boat and also a boat secured from a civilian vessel, but manned by sailors of the *Marietta*, assisting in the removal of imperiled American citizens.

This boat was fired upon by Carranza soldiers under Gen. Nafarrate and the sailors returned the fire. This was about June 24.

On June 15, at Mazatlan, on the west coast; the U. S. S. *Annapolis* sent her boat to the wharf at Mazatlan for the purpose of reaching the American consul with a message; there were no arms in sight but the boat was flying the American flag, the men were in uniform, and accompanied by two officers. When the boat ran alongside the pier the officers were met by Mexicans, one of them in uniform, and were invited to land. Upon stepping ashore they were immediately seized, conducted to a jail and imprisoned; the Mexican officer ordered the boat to land, but one of the American officers directed the sailors to "push off," which was done, but it was fired upon and one of the sailors was killed.

The sailors "broke out" their arms, which were concealed in the boat, and returned the fire. The officers were later released through the intercession of, and were guided on their way to the wharf by, a native Mexican woman who was married to an American.

The commanding officer of the *Annapolis* "in view of the policy of noninterference on shore," withheld the fire of his battery from protecting his boat.

A report of the matter was made by Admiral Winslow to the department.

The admiral made no protest nor requested any apology or explanation, but the entire matter was referred to the department.

In view of Admiral Mayo's experience acquired when his boat was insulted at Tampico * * * it was considered proper to leave that to the department.

See testimony of Admiral William B. Caperton and testimony of Commander A. T. Beauregard, part 22, pages 3203 and 3216.

In his message to the Congress of the United States concerning the Admiral Mayo-Tampico incident of April 20, which incident is referred to in the testimony cited, the President refers to Gen. Huerta's apology and to his explanation that "Martial law obtained

at the time at Tampico; that orders had been issued that no one should be allowed to land at Iturbide bridge." The President says:

Our naval commanders at the port had not been notified of any such prohibition; and, even if they had been, the only justifiable course open to the local authorities would have been to request the paymaster and his crew to withdraw and to lodge a protest with the commanding officer of the fleet.

Again, in the same message, "If we are to accept the tests of its own constitution it [Mexico] has no government." (Exactly the same constitution (if any) existed in April, 1914, as existed in June, 1916, and except by totally unconstitutional decree of Carranza no effort was made to change this constitution until January, 1917.)

It is true that we had not recognized and declined to recognize the government of Huerta when the first Tampico incident occurred; it is also true that we had granted de facto recognition to Carranza prior to June, 1916.

The facts are that we demanded a salute to our flag by Huerta, whom we had not recognized, and failed to demand a salute or apology from Carranza whom we had recognized.

MEXICAN ELECTIONS.

So-called elections were held in municipalities and in some portions of some of the States of Mexico after Carranza was recognized, and among others an election for constitutional delegates or "a congress to adopt a constitution," was held.

Among those who were excluded from voting at any elections were (and are):

I. Those who by any means undertook the overthrow of the lawful Government of the Republic, emanated from the elections of 1911. (Madero election.)

II. Those who carried out the barrack uprising (cuartelazo) in 1913, or in any manner contributed to its realization.

III. The functionaries, authorities, and public employees emanated from the usurping government; and those who, having emanated from the lawful Government sanctioned and collaborated, in an effective manner, in sustaining the usurper.

IV. Those who have figured actively in any of the factions opposing the constitutionalist government, or who continue to be hostile to the present Government of the Republic.

V. Those who economically, through the press or in any other manner duly verified aided or have stated their adhesion or sympathy with the usurping government or factions hostile to the present Government.

It may be interesting to recite here that the so-called Carranza revolution received its support from Villa, Zapata, Obregon, Pablo Gonzalez, Eulalio Gutierrez, Antonio I. Villarreal, etc.

That later a convention was held for the selection of a President under an agreement solemnly entered into by Carranza himself.

That the convention elected Gutierrez, and that in the fighting which inevitably followed Carranza's refusal to abide by the results, Obregon and Gonzalez sided with Carranza, while others claiming themselves to be original Constitutionalists, fought under the banner of the convention.

That therefore in all elections there were excluded from voting those who had supported the Diaz government.

Those who had supported the Madero government; those who had supported Huerta; those who had supported Carranza himself.

Those who had upheld the convention decision; and all those who had had nothing to do with politics in any form or manner, unless

at the particular time of each election the particular voter or candidate could prove to the satisfaction of a Carranza election official that said voter or candidate was at that moment an unqualified supporter of Carranza and ready to bear or bearing arms in defense of his so-called government.

In view of the fact that of a population of 15,000,000 never more than 200,000 have taken active interest in the affairs of Mexico since the overthrow of Diaz, it can readily be seen that those who are entitled to and allowed to vote constitute rather a small number.

In this connection it might be of interest to recall that in the split between Carranza personally with his immediate followers and the convention and its followers, the Madero family opposed Carranza and upheld the convention, and that Raul Madero, brother of the deceased President, was a general in Villa's army fighting Carranza, while another brother, Emilio, was an officer in the same army.

PRESIDENT'S STATEMENT OF SATISFACTORY ASSURANCES OF PROTECTION OF AMERICANS.

In the message of the President of the United States of February 17, 1916, the President states to the Congress that satisfactory assurances have been received from Carranza that he would protect American citizens, pay American claims for damages, and recognize American rights and protect American property.

In addition to protesting against the actions of Obregon, Carranza followers, and others in the City of Mexico, Veracruz, and at other places, it immediately became necessary for this Government to continue the protests after the recognition of Carranza, as it had made protests prior to his recognition, against arbitrary decisions and acts affecting the property rights of American citizens.

For example, on June 29, 1914, Secretary Bryan cabled a protest against the refusal of Carranza, whose forces were then in charge at Tampico, to accept constitutional currency, that is, his own currency, and in any event against his refusal to accept New York exchange at prevailing rates, for bar dues, etc. (See Department of State records, pt. 21, pp. 3119.)

On July 10, 1914, Secretary Bryan called attention to Carranza's own decree "making it obligatory upon officials as well as the public to accept constitutionalist currency," and insisting that Carranza should accept currency tendered him in payment of dues, etc. The Carranza authorities continued to refuse, and apparently had their way.

On January 19, 1916, Lansing protested against the proposed confiscation decree—

> providing for the nationalization of petroleum, which * * * would affect most seriously the interests of numerous American citizens and other foreigners who have heretofore engaged in the business of producing and selling petroleum in Mexico.
>
> Point out to Gen. Carranza in unequivocal terms the dangerous situation which might result from the issuance of any decree of a confiscatory nature.

This is the first of the series of protests against confiscatory decrees, which protests, as will be disclosed by reference to copies of the official documents published in connection with this report, it has been necessary to reiterate in one form or another to the very day of the recent overthrow of the Carranza Government.

PROTESTS AGAINST MEXICAN CONSTITUTION, 1917.

In January, 1917, the so-called constitutional convention, or congress for the drawing of a constitution, was in session in Queretaro, Mexico.

The delegates to this convention had been selected under the system of free and universal suffrage just hereinbefore described.

The constitution which they adopted, or formulated, was pretended to be submitted to and has been pretended to have been adopted by the different States of the Union.

Except as this constitution was submitted to Carranza appointees and officials, and adopted by certain Carranza adherents under threat of Carranza guns in some particular districts in some particular States of the Union, such pretension of ratification was a fraud upon its face, as established by uncontrovertible evidence in these hearings and is a notorious fact to all Mexicans.

This constitution so illegally formulated was signed on January 31, 1917, and promulgated on February 5 of that year.

On January 22, 1917, Charles Parker, Esq., "representing American interests," Queretaro, Mexico, was addressed an official communication, signed "L," and bearing No. 621. (See pt. 21, pp. 3121.)

Among other things, the Secretary of State of the United States calls attention to the provisions of article 27 of the proposed constitution and criticizes same by paragraphs; he also refers to article 28, article 33, and to the proposed constitution generally.

At the time of this particular protest, strenuous and imperative as it was, article 27 of the constitution, in all its naked and anarchistic provisions, had not been agreed to and was not before the Secretary of State. The protest of that official representing the United States Government did not even receive the courtesy of an answer from Carranza, in so far as our records show, and in the face of the protest article 27 was amended by making it very much more objectionable than was the form before the Secretary when he cabled.

Among other things the Secretary in this protest says:

> The Government of the United States has in the past made clear, as doubtless have other nations, that it can not concede the right of Mexico to limit, by its municipal law, this Government's rights of intervention to protect the rights of its citizens residing or sojourning in that country, nor concede that waivers such as those referred to in this provision can annul the relations of citizens to their own government and extinguish the obligations of this Government to protect its citizens in Mexico. In so far as the proposed provision would hamper the transfer to another foreigner of foreign-owned lands, it would apparently in a sense be confiscatory of rights enjoyed by the foreign owner from the time of his acquisition of the property.

Paraphrase:

> You are instructed to bring the foregoing immediately to the attention of Gen. Carranza and state that the provisions above mentioned seem to indicate a proposed policy toward foreigners which is fraught with possible grave consequences affecting the commercial and political relations of Mexico with other nations. Further, that the American Government can not acquiesce in any direct confiscation of foreign-owned properties in Mexico or indirect confiscation. You will bring to the attention of Gen. Carranza the department's earnest desire that he give these matters his careful consideration with a view to avoiding the possibility of the disturbance of hitherto pleasant relations existing between the two Governments, and with a view to avoiding future serious difficulties under the proposed constitution with any government organized under it.

Following this protest Ambassador Fletcher left the United States and arrived in Mexico City on February 19. He at once proceeded to the Mexican foreign office before presenting his credentials to Carranza at Queretaro, and following his visit cabled, answering the department's telegram of February 19:

Minister for foreign affairs stated that he has no knowledge of any decree affecting the rights of foreigners to real estate or mines to which such foreigners already have clear title * * *. He further stated that the legislation emanating from the new constitution with respect to property rights would, in his opinion, in no wise prejudice present property rights and at the same time called attention to article of new constitution which provides that no laws may be made retroactive.

Fletcher then proceeded to Queretaro and presented his credentials to Carranza on March 3.

The Mexican Congress has never yet, up to the present date, passed legislation carrying out the provisions of the constitution of Mexico with reference to oil properties or other properties of foreigners—that is, article 27 or what we know as the confiscatory clauses of the constitution.

Carranza from time to time issued decrees of infinite variety, threatening and attempting to confiscate American properties; but yet, on August 2, 1917, Fletcher wires that American companies need have no uneasiness, "that it is not the intention of the Mexican Government to take over properties now in exploitation," and distinctly stated that there would be no confiscation of these properties. Again followed protests from the United States concerning different decrees, as, for instance, January 23, 1918, and January 27, 1918.

On April 4, 1918, our department was compelled to say:

This Government, acting on behalf of American citizens who have expended large sums of money in securing petroleum lands in Mexico, and who placed their reliance, as they were justified in doing, on the Mexican laws granting ownership of deposits under the surface to the owners of the surface, protests emphatically and solemnly against the petroleum decree, declaring it to be an act of despoliation and confiscation, and in the premises reserves all rights.

On April 2, 1918, Fletcher, in obedience to instructions, had already entered "this formal and solemn protest of the Government of the United States against the violation or infringement of legitimately acquired American private property rights involved in the enforcement of said decree."

A year and ten days after Fletcher's cablegram to the department of Carranza's assurance that no confiscation would be attempted, Lansing, among other things, cabled:

And to further direct Your Excellency's attention to the necessity which may arise, in order to protect the property of its citizens in Mexico, divested or injuriously affected by the said decrees, to impel the United States to protect the property of its citizens.

Fletcher under date of August 3, 1918, conveyed to the Secretary of State Mr. Carranza's claim that his decrees were only fiscal and temporary, later to be followed by legislation which was in the province of Congress.

Carranza stated that if the difficulty could not be settled except by war or intervention, he was sorry but was prepared to confront this alternative.

We, of course, "backed off" and continued to talk.

On August 14 Carranza refused to postpone his decrees.

On August 17, 1918, Mr. E. Garza Perez, subsecretary "by reason of the illness of the secretary of state for foreign affairs," to Henry P. Fletcher, American ambassador, stated:

> The Mexican Government believes it necessary to state that it will not accept the interference of any foreign power * * * and that it will not admit any proceeding which under the pretext of protection to foreign interests wounds the national decorum or impairs the exercise of its sovereignty.

On March 18, 1919, the secretary again protested "against Mexican petroleum decrees."

April 16, 1919, another protest, and on the same date another, and in answer to these latter protests the Mexican Government among other things curtly announced that the "protests of foreign nations can not suspend the effects of laws issued by the Government of another nation."

On June 18, 1919, another protest was forwarded entering "a vigorous protest as threatening to confiscate rights which its citizens have legally acquired," and—

> You will simultaneously make reservation of rights for damages in behalf of American citizens whose interests are jeopardized by said decrees.

On October 1, 1919, again protesting, our State Department cabled Mexico:

> In this view of the matter the Government of the United States, owing as it does, to its citizens the duty of protecting them in foreign lands, both in their persons and their property rights, must strongly protest against the action of the Mexican Government as outlined above and characterize it as threatening confiscation and a denial of justice.

The State Department expresses the hope that, pending the general settlement of this question and specific legislation by the Mexican Congress, the administrative authorities of Mexico will respect the rights of American citizens and will withdraw its insistence that they comply with the provisions of the decrees.

It must be again emphasized that no legislation has as yet been enacted by the Mexican Congress, but that all these protests are brought forth by insistence upon Carranza's decrees.

On January 9, 1917, we protested against a "further decree" requiring renouncement of citizenship by foreigners acquiring property in Mexico.

On January 31 we again announced the same position.

On December 5, 1918, the acting American consul at Nogales, Ariz., forwarded the department a copy of the proposed agrarian law for the State of Sonora, and on the 24th we protested that there was no provision for compensation for the taking over of American property under this law.

The American consul at Nogales was notified of this protest to Mexico.

We again protested on March 21, 1919.

On July 16, 1919, we learned that the legislature of Sonora had adopted the law, and earnestly protested and urged that prompt action be taken to prevent the coming into force of this measure threatening American interests.

The law was adopted and promulgated on July 3, 1919, to be effective July 27, 1919.

On August 14, we protested on the ground that the law was ambiguous; that the provisions fixing value violates article 117 of

the Mexican constitution; that the measure provides for the taking of property "by purely arbitrary administrative action"; * * * "which violates article 14 of the Mexican constitution"; etc., and we said in closing:

> That the Mexican Government is hereby advised that the American Government will be forced to take up this question with the Mexican Government, * * * in the event that absolute and even-handed justice is denied American citizens.

We also protested directly through the consul to the governor of the State of Sonora, and this gentleman delivered us an answer covering 11 typewritten pages.

The evidence of Bracey Curtis and others, part 12, page 1833, is to the effect that in a personal interview with the governor of Sonora, the latter stated in effect that: "I have not put the law in effect. How are you hurt?"

This governor of the State of Sonora, to whom we have addressed these protests, is Adolfo de la Huerta, now, on the 25th day of May, by virtue of a declaration of some of the members of the Mexican Congress, announced to the world as the President of the Republic of Mexico.

The official notes of the United States Government to Mexico, with reference to all these matters, as well as to the Jenkins case, are printed in part 21 of the evidence, etc., taken by this committee.

JENKINS CASE.

With reference to the Jenkins case it can not be too strongly emphasized to your committee and through you to the American people, that the statement of Carranza that the Jenkins case is in the hands of the State authorities and that his government could not interfere, is a statement not only calculated but deliberately intended to mislead the American people.

Of course, taking the statement as true and at its face value, Americans respecting our form of government thought that possibly Mexico might be correct in the position which she assumed.

Carranza knew all the facts, as did every one of his sympathizers and supporters, including those who have recently overthrown him.

The governor of the State of Puebla is the brother of Luis Cabrera, recently secretary of the treasury of Mexico. He was appointed as governor and later came to be "elected" through the farcical returns made by his own officials and under the "free suffrage" proclamation heretofore referred to.

The State of Puebla had and yet has a constitution, safely laid away, and by Mr. Cabrera never lugged into sight.

By the provisions of this constitution judges must be elected; Cabrera had so little regard for even the forms of the constitution that he did not attempt to have the judge declared elected, but simply appointed one himself.

The constitution provides that no judge shall hold office who is not a citizen or resident of the State of Puebla. "Gov." Cabrera appointed a citizen and resident of the State of Jalisco.

In answer to a question as to this procedure, he justified his actions by stating that the legislature had suspended the constitution and laws and vested him with all power. And this is the man behind

whom Carranza has hidden and chuckled, while defying the United States and sending us communications calculated and intended to deceive the American people; meanwhile he worked his sweet will with an American citizen whom the testimony in the case shows to be of the highest character, and whose property the wolves of Carranza and Cabrera's selection and appointment are seeking to, and devouring.

CARRANZA PRO-GERMAN AND CENTRAL AMERICAN PLOTS.

As disclosed by the evidence in these hearings, Carranza and all his followers were pro-German during the war, and he directly, with certain of his followers, including Obregon, were interested in stirring up strife, trouble, and revolution in the countries to the south of Mexico; seeking to overthrow the established Governments of Nicaragua, Honduras, Guatemala, and through the assistance of one or two other States form a Latin-American Union with Mexico against the United States of America. (See testimony of C. E. Jones, Admiral Caperton, Commander Beauregard, and other evidence, pts. 20 and 22, pp. 2889, 3203 and 3216.)

The Carranza government was prosecuting a war against the United States during the period immediately prior and subsequent to Carranza's recognition by this country.

In pursuing the "plan of San Diego," American men, women, and children were killed in Texas inside the international boundary, American citizens driven from home, and American soldiers attacked and murdered at night. (See the testimony taken at San Antonio, Tex., pt. 8 of these hearings; also see note of Secretary Lansing, June 20, 1916, printed in pt. 8, pp. 1215 et seq., with note, "The report of the Secretary of State has my approval," signed "Woodrow Wilson.")

INTERFERENCE BY DEPARTMENTS THIS GOVERNMENT TRIAL VILLA—COLUMBUS MURDERERS.

The Pershing expedition went into Mexico with the announced and sole purpose of the capture of Pancho Villa and his fiends who were engaged with him in the massacre of Americans on American soil in the State of New Mexico, on March 9, 1916. Some of those engaged with Villa in this massacre were wounded and captured at Columbus; they were indicted in Luna County, N. Mex., for murder, and when ready to be tried a representative of the Department of Justice presented to the presiding judge a telegraphic request or suggestion from the War Department and Department of Justice of the United States that such trial should be postponed upon the ground that it might cause complications with Mexico.

The Supreme Court of Texas decided that Carranza was at war with the United States at this time, while this judge ruled against the contention of these murderers at Columbus, and that there was no state of war existing. (See testimony of Judge E. L. Medler, pt. 10, pp. 1647 et seq.)

CARRIZAL MASSACRE AND WITHDRAWAL AMERICAN FORCES THERE.

About the middle of June, 1916, while Pershing was yet in Mexico, a message was received by that general from Gen. Jacinto Trevino, of the Mexcian Army, notifying Pershing to the effect that he should not move his troops south, east, or west.

Gen. Pershing immediately replied to the effect that he would move his troops in whatsoever direction pleased him and would only take orders from his own Government and that if he were attacked by Gen. Trevino's forces he would immediately attack Trevino with his entire military strength.

Within a day or two Pershing's expedition at Carrizal, under command of Capts. Boyd and Morey, and Lieut. Adair, were attacked by Trevino's forces at that place; Boyd and Adair were killed; about 15 colored troopers were killed, and several made prisoners.

Maj. Gen. Robert L. Howze, United States Army, in command of about 300 mounted troops, made his way to Santo Domingo Ranch within 9 miles of the battlefield at Carrizal, and rescued Capt. Morey and several of the troopers who had been wounded in the fight.

Testifying before this committee, Gen. Howze states that he then had 300 mounted troops within 9 miles of the battlefield, and, in answer to the question "Did you feel competent to deal with the situation as it existed at and around Carrizal with the troops you then had?" he answered "Yes."

Without being allowed to go to Carrizal he returned to Casas Grandes under orders. The bodies of the dead at Carrizal were recovered by civilians sent down from El Paso by Gen. Bell. (See testimony George Turner, colored trooper, pt. 12, p. 1561; testimony of Maj. Gen. Howze, pt. 12, p. 1568.)

Following this Carrizal massacre Secretary Lansing addressed his note to Carranza criticizing him in the severest terms. (See pt. 8, p. 1215.)

We attempted to adjust matters with Mexico through a conference between Gen. Hugh Scott and Gen. Obregon at El Paso. The result was "nil."

We agreed then to the appointment of a committee with three Mexicans and three Americans to discuss matters of difference. This committee met and conferred for some time. The Mexican members refused positively to discuss any differences until American troops were removed from Mexican soil.

Pershing was ordered out and—the committee adjourned without settling any differences.

Von Eckhardt was on such terms with Carranza that he could convey the Zimmerman note to Mexico, suggesting that Mexico should secure the assistance of the Japanese in a coalition against the United States, and should take over by conquest Texas, New Mexico, and Arizona.

This was exactly the old "plan of San Diego."

MEXICAN I. W. W. AGITATION IN THE UNITED STATES.

Under this plan Mexican laborers and others at Bisbee, Ariz., and at different points along the border of the United States and in different mining camps were stating to other Mexicans upon this

side that sooner or later they would take over the border States and return them to Mexico. (See testimony of Capt. Harry Wheeler, pt. 12, p. 1873, et seq.)

Thus agitations developing along radical lines in Bisbee continued and are yet continuing.

On December 13, 1919, the Army Intelligence reported that:

The radical movement reported last week as being fostered in northern Sonora by Juan Farrel, Jesus Palma, and Arnulfo Cardenas, is said to be extending north of the international line into the United States. Delegates from this organization have been preaching communism and Bolshevism among the miners on properties in Arizona. At one mine, the Tres de Mayo, situated 13 miles northeast of Nogales, Ariz., and 5 or 6 miles north of the international line, the appearance of these agitators resulted in such intolerable insolence on the part of the miners, and such threats of invasion from the Mexican side of the border, that the subdistrict commander at Nogales posted a Cavalry patrol in the neighborhood. This action quieted the agitation materially.

Another hot-bed of radicalism is said to be in northern Coahuila. Bolshevist agitators operating in that region have made the Sabinas mines their headquarters; laborers there do not deny their Bolsheviki affiliations. This organization is said to have sent delegates to a number of Texas towns, notably El Paso, Marfa, Alpine, Del Rio, Eagle Pass, San Antonio, Laredo, Brownsville, and Galveston.

The committee, from evidence in its possession, some of which has been given publicity, are convinced that Mr. Carranza and some of his advisers sought to take advantage of the recent strike of coal miners in the United States following the labor troubles in the steel industry; and the correspondence and papers, while they may be found in other portions of the printed testimony, are again set forth here as follows, to wit:

[Translation.]

V. C. MEXICO, *June 14, 1919.*

Senor Lic. MANUEL AGUIRRE BERLANGA.

ESTEEMED FRIEND: Senor Lino Caballo, bearer of this letter, is the person who, in company with two friends, will bring to you the manifestos and the plan which they desire to put into practice in the State of Texas.

This plan being very favorable for Mexico, please aid them in every way and give the necessary instructions in the frontier States.

I remain, your affectionate friend,

V. CARRANZA.

[Translation.]

V. C. MEXICO, *August 19, 1919.*

Licentiate MANUEL AGUIRRE BERLANGA.

ESTEEMED FRIEND: The present (letter) will be handed you by Mr. Juan N. Garcia and the two friends from Texas who accompany him and, in accordance with our conversation, please give them the guaranties they request as well as the pecuniary elements they desire.

I remain, affectionately, your friend,

V. CARRANZA.

Num. 975, Words 20, Charges official. H. D. 9.30 a. m.
From Mexico, F. D., National Palace, July 5, 1919.
To Nuevo Laredo, Tamaulipas, via Federal (lines).
Mr. Melquiades Garcia, consul of Mexico; residence, Mexican Consulate, Laredo, Tex.

Chapultepec 3. Please deliver to Mr. Lino Caballo the sum of HGVRO. PNFTS dollars, according to credentials he will present to you. I greet you.

V. CARRANZA.

No. 975. 10.40 a. m. F. R. C.

No. 1269. Words 25. Charges official H. D. 10.15 a. m.
From Mexico, F. D., National Palace, July 5, 1919.
To Nuevo Laredo Tamaulipas, via Federal (lines). Urgent.
Mr. Lino Caballo, residence, Hotel Vega.

Your telegram No. 25 dated in Lampasas to the President. Mexican consul in Laredo, Tex., already has orders to furnish you amount you indicate. I salute you affectionately.

BARAGAN.

No. 1269, 11.45 a. m. F. R. C.

MEXICO CITY, *Dispatch No. 5.*

Inclosure No. 1.

MY DEAR * * *: Notwithstanding the extravagant and unrestrained character of my information I have pleasure in sending you, in accordance with your desire expressed during our recent conversation, the notes taken by a secret agent at a meeting held here on the 15th instant by Lodge 23 of the agitators and extremists who, including several I. W. W. agents, form in this city their plans of bolshevik character.

It seems that three delegates, two Americans and one Mexican, having arrived from the United States and presented themselves at the meeting, claimed that "the society" would be able at the beginning of next November to call a general strike of all miners and metal workers in the United States, that they have 3,000,000 adherents in that country where they will be able to seize one western and two Atlantic ports. They declare that a large number of American soldiers are preparing to take sides with them, that in a town of Colorado they will establish the capital of the reformed Government of the United States. It was stated further that handbills printed in Spanish would be sent from New York to Laredo by special carrier, announcing to Mexicans that the territory taken by the United States would be returned if the Mexican people agreed to join them. It was also stated that the strike, with many inducements, will be extended later to Mexico by those who join in the revolution in the United States.

As I have mentioned to you, the preposterous character of these statements does not appear to recommend credence.

I am, my dear * * *

Yours, very sincerely,

[Translated copy of telegrams.]

Number 958. Words, 28. Value, official. Time, 9.45 a. m.
From Mexico, D. F., National Palace, Dec. 14, 1919.
To Nuevo Laredo, Tamps., via Federal.
Mr. Augustin Garza Peres; residence, Hotel Vega.

Contents your telegram No. 215 dated Monterrey noted. President states awaiting there arrival of Luis N. Morrones, who will give you instructions appropriate actual circumstances. Greet you affectionately.

P. G. FARIAS,
Private Secretary of the President.

No. 958, 11.45 a. m. J. F.

Number 75. Words, 54. Value, official. Pass No. 1367. Time, 1.20 p. m.
From Nuevo Laredo, Tamps., December 14, 1919.
To Mexico, D. F., National Palace, via Federal.
Mr. Pedro Gil Farias, private secretary to the President.

Your superior telegram No. 958. I have talked with Morrones here. He states does not deem trip convenient (or proper). Am leaving Tampico, where await instructions. Caballo will stop at Monterrey for few days with his family (or friends). Greet you respectfully.

AGUSTIN GARZA PEREZ.

No. 76. 1.20 p. m. F. J.

[From private report to committee.]

SAN ANTONIO, TEX., *December 22, 1919.*

Senator ALBERT B. FALL.

MY DEAR SENATOR: On December 14, 1919, Lino Caballo, Augustin Garza Perez, and D. H. Holguin arrived in Nuevo Laredo, Mexico, and registered at Hotel Vega from Monterrey, and were assigned to room No. 1. Their business was supposed to have been to confer with Luis N. Morrones, who arrived at Nuevo Laredo, Mexico,

on December 12, 1919, and registered at the Vega Hotel and was assigned to room No. 7. Morrones departed for Mexico City on December 17, 1919.

On November 8, 1919, Agustin Garza Perez and Antonio Villarreal arrived in Laredo, Texas, from El Paso and registered at the Pena Hotel, and left there on November 19 for Mexico City.

Sincerely,

——— ———.

One of these men, Garcia and various other Mexican agents, have been under observation for two years by United States officers and reports show the intimate connection of some of them with Mexican officials. (See Appendix in Gates testimony, pt. 19, p. 2846.)

Fantastic and ridiculous as the "Plan of San Diego," the Zimmerman proposition, the notes of the meeting of Lodge 23 in the city of Mexico, Carranza letters referring to the proposed revolution, may appear to the sober people of the United States; to the Mexican agents and I. W. W., they are yet schemes and plans which have been seriously contemplated and which we are justified in saying have not been abandoned.

The Mexican Government, as shown by the testimony of Admiral Caperton, has received material for munitions factory from Japan and, as is well known, has for years been seeking a more or less close alliance with that country.

The committee, of course, do not credit the suggestion that Japan itself contemplates any further alliance with Mexico at this time, than close trade relations, to secure which she may be willing to listen to wild suggestions from some enthusiastic hot-blooded Mexican. Nevertheless official reports of one of the departments of this Government contain some interesting suggestions which may justify consideration in connection with other matters contained in the present report.

JAPANESE.

Information has been received that there are more than 300 Japanese families established on the Limon Ranch, the million-acre property in the Xicotencatl district of Tamaulipas, reported some months ago as having been bought with a view to Japanese colonization. Much corn and sugar cane is raised on this land, and traces of oil are apparent.

It is reliably reported that Japanese liners arrive at the port of Salina Cruz, Oaxaca, every 10 days; that the Japs enter Mexico through that port in increasing numbers every year; that they practically control commerce on the Isthmus of Tehuantepec. It is further intimated that much of the anti-Chinese propaganda so widely disseminated along the west coast may be traced to Japanese sources; that they are largely responsible for government deportation of Chinese from Oaxaca to Chiapas and into Guatemala.

The Mexican Government has granted a concession to a Japanese concern known as the Matsumato Trading Co. of Japan for the exploitation of all oil land on either side of the Tamesi River. Two representatives of this company, D. K. Komitte and T. A. Iskawa, have been in the region for some time inspecting the territory between Tampico and Tuxpam. They were also provided with safe conducts to go under cover into the Pelaez district with a view to purchasing some oil wells controlled by a Spanish company there. It is further reported that this Japanese concern is to finance the construction of a railroad between Tampico and Tuxpam.

Japanese interests are said to be planning to lay a cable from Salina Cruz, Oaxaca, to South American ports. In this connection attention is called to the information in the weekly report of November 8, 1919, regarding the virtual Japanese absorption of the Isthmus of Tehauntepec country; also reported concessions by the Mexican Government to Japanese concerns for the construction of three railroad lines across the isthmus.

There are also to be found, if necessary, a series of letters and correspondence between the Mexican foreign office and one of its ministers, one of which is as follows:

[Translation—Excerpts from letters.]

Eliseo Arredondo, from minister of foreign affairs.

MEXICO CITY, *July 20, 1919.*

There is much commercial activity in prospect and great manufacturing movement due to the initiative of rich Germans, to whom the government has the intention of lending its decided support.

Aguilar will advise you how the treaty with Japan is coming along and I remain convinced of the great advantage it will bring us for our national integrity.

MEXICAN ATTACKS ON PRESIDENT WILSON.

The committee has given publicity heretofore, through a report made to the President of the United States and otherwise, to certain documents the authenticity of which can not be disputed, showing the attitude of Carranza toward the President of the United States of America, as, for instance:

[Translation.

MINISTRY OF FOREIGN AFFAIRS,
Mexico City, July 6, 1919.

To His Excellency ELISEO ARREDONDO,
Envoy Extraordinary and Minister Plenipotentiary of Mexico in Madrid:

Your note dated the 4th of the past month received. In view of the internal crisis which the United States are experiencing, Wilson's policy is provoking indignation among the parties and the press is attacking the President severely. He goes from one blunder to another and shows each day more clearly that he is a perfectly incompetent person.

If the failure in Europe were not sufficient, it would be corroborated by the inexpedient notes that we have received from Washington and which President Carranza has answered with the impertinence those Yankees merit. I see in all this a criminal intention to intervene in our country. Time will show me to be right.

AGUILAR.

[Private correspondence of the President of the United Mexican States.]

MEXICO, D. F., *June 29, 1919.*

Miss HERMILA GALINDO,
Ignacio Ramirez Street, No. 6, City.

ESTEEMED YOUNG LADY: It is necessary that your book the Carranza Doctrine, be finished in a short time, since I desire that you immediately proceed to write a second part of it, for which purpose I shall shortly send you a "bluebook," which we are about to publish and which will serve to justify the attitude of my Government in its systematic hostility toward foreign speculators, especially Americans and English.

Do not forget my injunction to describe in lively colors the tortuosity of the American policy with relation to our country, causing the figure of Wilson to stand well out as the director of that policy. I also enjoin you to be very careful about the corrections which I have made in the original (manuscript) which you brought me.

I salute you affectionately,

V. CARRANZA.

These documents are only set forth herein as evidence of the treatment of this Government and its officials by the Mexican Government and its officials.

During all the years which we have just been discussing—that is, from prior to the recognition of Carranza in 1915 to and including the present period—American property owners and American citizens have been suffering indignities at the hands of Mexicans, while the loss of life has reached such proportions finally that the list of innocent American dead in Mexico, as shown on page A of this report, is appalling.

Your committee have endeavored under the ninth head in this general discussion, as shortly as possible, to convey some information as directed as to—

ANY AND ALL ACTS OF THE GOVERNMENT OF MEXICO AND ITS CITIZENS IN DEROGATION OF THE RIGHTS OF THE UNITED STATES OR OF ITS CITIZENS.

SUFFERING, STARVATION, DISEASE, AND ANARCHY THROUGHOUT MEXICO.

We will only direct your attention for a few moments in closing to conditions as existing among the people of Mexico themselves. We have referred to the loss of property and hope that we have shed some light upon physical conditions of the so-called Republic.

A reference to the report of Mr.——— (Exhibit 1), whose name must necessarily be suppressed, attached to and made a part of this report, will be found not only enlightening but instructive. The witness making this report has been known to the chairman of the committee for approximately 30 years. He is thoroughly familiar with Mexico, having operated and mined in that country for a great many years and speaks Spanish with great fluency.

This report was made at the request of the committee that we might have the latest information based upon actual investigation extending from the Texas line over the National lines of Mexico to the City of Mexico, and back over the Central line and again to the American border, with side trips into the different States along the route.

Some of the statements may be considered of such an extravagant character as to need corroboration. For instance, Mr. ——— makes certain statements with reference to the prevalence of venereal diseases among the population of Mexico at this time.

The testimony of Miss Agnes C. Laut, part 2, page 370, will, while more specific in its character, merely serve to corroborate the statements made in the report referred to. Miss Laut is a writer of experience and a cultivated lady, who visited hospitals in the poorer districts, slums, and byways of Mexico, for the purpose of ascertaining and reporting to the Christian people of this country true conditions in Mexico as she found them.

At best, the population of Mexico is of slow growth as compared with that of other nations, largely because of the character of the different populations of the country and the fact that in the outlying districts there is little sanitation and are to be found but few physicians. The consequence is that while the estimated population in 1827 was approximately 7,500,000, the largest estimate which has ever been placed upon it since has been only 15,000,000. Of course it is impossible to say definitely now, as it always has been, what the population of Mexico really is.

From the testimony of various witnesses, as well as that of Mr. Henry Lane Wilson and Mr. ———, it is undoubtedly the fact that since 1910 the total population of Mexico, as of that date, has very materially decreased. Mr. ———'s estimate of that decrease at 5,000,000 out of the total may be exaggerated, but to those who know Mexico as he does, few would dare to contradict his statement.

For 10 years a new generation of boys has been reaching the age of 18 each year; each of those boys of the first period, that is to say, 1911, would now be 27 years of age and for 9 years will have known nothing but force and license and outlawry and robbery and violence and rape and rapine.

It was said 8 years ago that in the rural districts of practically every State in the Union, there remained not a girl over the age of 10 years, who had not been ravished by some marauder or bandit or soldier.

Thousands of Mexicans among the poorer classes have sought refuge in the United States for the past 10 years, for the purpose of gaining a livelihood and escaping starvation in their own country.

Within 60 days prior to the middle of March of this year, 1920, there crossed the river at the international boundary line between Eagle Pass and Brownsville, Tex., such large numbers of Mexicans that it was impossible for the immigration and custom officials, aided by the State officials, to keep accurate account of their number. From the best evidence obtainable by the committee (see pt. 14, pp. 2142 to 2164, testimony of various witnesses) the estimate upon this number, placed by those who were accustomed to, and whose business it was to handle Mexican labor, was that during this period 75,000 Mexicans from the central Mexican States of Michoacan, Guanajuato, and Jalisco, with some from Guerrero, came into the United States between the points mentioned.

The committee had the assistance of Government border officials, inspectors, etc.; of the Texas Rangers and of employment agents in interviewing these Mexicans, in the endeavor to ascertain the cause of their immigration from Mexico.

The universal story was that of famine, starvation, robbery, and outrage at the hands of their own people, both of Carrancistas and of those in revolution, who are always denominated by the Mexican poorer class as the "Villistas." The only difference, in so far as the testimony shows, in the treatment received by the poor of Mexico is that the "Villistas" left them a little something to eat while the Carrancistas took it all.

Rumblings of the present revolution also had evidently been heard by these people and many of them state they were tired of fighting and gave this as one reason for their immigration. All, however, had one story in common: Crops attempted to be raised were seized by bandits, and in many instances, wantonly destroyed by turning horses or other animals into the field, or even by burning the crops upon the ground.

This is hard for civilized people to realize, but yet if you turn to the testimony of one of your committees, taken in 1912, reincorporated part 17, page 2616, these hearings (testimony of Charles Smith), you will find evidence that even at that date different bands going through the country did not attempt to discriminate between fighting men and noncombatants, and that every little village was considered

a fair object of loot, the women the playthings to be taken to camp and dropped by the roadside as another little village is reached, where another supply of women and loot might be obtained.

Again this condition throws light upon the interesting subject of Mexico's population; that it is a fact that it is not a homogeneous people and Mexico not a nation but a population of different tribes with nothing, or little, in common between the different localities.

Again as to this and other like conditions, refer to the testimony of Harry C. Donoho, part 14, page 2130.

This is the story of June, 1919; a two days' trip horseback from San Fernando to Tuxpam, the richest agricultural district in southern Mexico:

We rode for two days through absolutely the richest agricultural district in Mexico, with the prettiest little farms one could imagine, and passed village after village and corn fields where everything had been burned, and every time we would come to a little farm house or little village I would go up and try to arouse some one, and during that entire two days ride we didn't see a single solitary soul. * * *

In the Balcazar district, over near Tanhuijo, I found the Government had posted notices, adopting the plan of Weyler in Cuba, a concentration camp. Balcazar is also a rich agricultural district, * * * orders were that if the men were found outside the camp of Balcazar they would be hunted down and shot as rebels and they were not even permitted to plant their corn and their people were on the verge of starvation. * * *

I saw three women killed at El Hijo when the Carrancistas came in there. At the town of Anona the Carrancistas gathered all the old women and little children and told them to leave the city, to go into the mountains, that they were going to burn the city; they gathered the young women and girls up in a group, between 120 and 130, and took these girls and young women and delivered them over to the Carranza garrison at Los Naranjos, and the town was burned.

This witness is testifying as an eyewitness.

Again to the testimony of Mr. ———, part 16, page 2459:

We rode up * * * and called for some water. A woman answered that they had water but had no clothes and could not bring it out to us.

During the same trip we saw a dozen people waiting around a sick cow until she died, and the owner skinned her; then they cut up and ate the meat. I asked them if they were not afraid to do it and they answered that they had as well die from bad meat as to starve to death. The people away from mining camps eat lizards, toads, burro meat, and anything they can get.

Reports in the State Department will verify the evidence of eyewitnesses as reported by your committee.

Mexico is without a government except as the form changes and one person or another, by force of arms, claims to represent a government.

The people of Mexico, that is, that great voiceless, submerged, inarticulate mass, the "80 per cent" whom President Wilson saw from the platform at Indianapolis several years since, are inarticulate except when they reach civilization on this side of the line and seek work from supposedly despised Americans, that they may live and hope to send back a few dollars with which to rescue their families from starvation.

Their condition has grown worse from day to day, month to month, and year to year, and for 10 years the United States of America, that great Christian civilized Nation of the world, has stood by "fiddling" while Mexico burned.

WHAT, IF ANY, MEASURES SHOULD BE TAKEN TO PREVENT A RECURRENCE OF SUCH OUTRAGES, ETC.

When this committee was appointed—and until it was completing its investigations along the international border, March 29—Carranza was the President of Mexico.

Since that time Carranza has been overthrown, by an armed revolution during which he is reported to have met his death.

Carranza had been recognized by our Government as de jure President of Mexico, March 3, 1917, or a little later.

This was a "conditional" recognition, as will be seen by reference to the note of this Government through "Representative" Parker at Queretaro, January 22, 1917.

Recognition is, as a general rule, absolute and irrevocable.

Nevertheless, it may happen, by way of exception, that the recognition is conditional or is given sub modo. Such is the case when certain charges or restrictions are imposed on a new state at the time when its independent existence is recognized, such as an obligatory neutrality, commercial liberty, or religious liberty. If the restriction constitutes a condition, the powers which have subjected their recognition to it have the right to insist upon the new State's conforming itself to the condition imposed, and if it fails, to consider their recognition as not given.

Examples of the restrictions imposed on the independence of a new State are the permanent neutrality of Belgium; the restrictions safeguarding religious liberty, imposed not only on Bulgaria, a semisovereign State, by Article V of the Treaty of Berlin, but also on Montenegro by Article XXVII of the same treaty; on Serbia by Article XXXV, and on Roumania by Article XLIV; the restrictions imposed on the independent State of the Congo, in favor of commercial freedom, by the general act of the Congress of Berlin of February 26, 1885.

So says John Bassett Moore.

That an opportunity might be made peaceably to secure redress for the wrongs which American citizens and the American Government had suffered for so many years at the hands of Mexico and Carranza, one of the members of this committee upon his personal initiative, offered a resolution on December 3, 1919, requesting the President to withdraw recognition of the Carranza government.

Had the President pursued the course suggested, we (the United States) would have been in a position to follow a course which might have resulted in an understanding with that Government as a prerequisite to again recognizing it, or left us free to pursue any other course.

Through the revolution and the death of Carranza we again have the opportunity heretofore presented upon several different occasions: To demand and secure assurances for the protection of our citizens in Mexico and upon her borders; for the performance by Mexico of her national and international obligations; for offering our effective assistance to the starving, downtrodden, bandit-ridden, and harassed people of Mexico, and for restoring the status of peace to our own continent.

We are informed that a new "government" is being formed in Mexico. In the ordinary course we would be called upon to deal with this new condition.

OUR COURSE SHOULD BE CLEAR.

We should first follow one policy, viz:

(a) Wait before recognizing Gov. de la Huerta as President of Mexico until it shall be assured that his election is approved by the Mexican people and that his administration is possessed of stability to endure and of the disposition to comply with the rules of international comity and the obligations of treaties. (See Seward to Foster, May 16, 1877.)

(b) We should let everyone who assumes to exercise authority in any part of Mexico know in the most unequivocal way that we shall vigilantly watch the fortunes of those Americans who can not get away, and shall hold those responsible for their sufferings and losses to a definite reckoning. That can be and will be made plain beyond the possibility of a misunderstanding. (President Wilson's address to Congress on Mexican conditions, Aug. 27, 1913.)

(c) Repeat to the Mexicans now what Evarts said in 1878:

"The first duty of a government is to protect life and property. This is a paramount obligation. For this governments are instituted, and governments neglecting or failing to perform it become worse than useless. This duty the Government of the United States has determined to perform to the extent of its power toward its citizens on the border. It is not solicitous; it never has been, about the methods or ways in which that protection shall be accomplished, whether by formal treaty stipulation or by informal convention; whether by the action of judicial tribunals or that of military forces. Protection in fact to American lives and property is the sole point upon which the United States are tenacious."

Then, if satisfied as to (*a*) recognize De la Huerta (or successor) upon conditions plainly expressed and affirmatively accepted, that—

Article 130 of the constitution of 1917 shall not apply to American missionaries, preachers, ministers, teachers, or American schools, nor to American periodicals, but that American missionaries, ministers, and teachers shall be allowed freely to enter, pass through, and reside in Mexico, there to freely reside, preach, teach, and write, and hold property and conduct schools without interference by the authorities so long as such ministers, teachers, or missionaries do not participate in Mexican politics or revolutions.

This clause of the constitution provides that no one except a Mexican by birth, may be a minister of any religious creed in Mexico; that neither in public or private shall such minister criticize the fundamental laws of the country, the authorities in particular or the Government in general.

That no periodical of a religious character shall comment upon any political affairs of the Nation, nor publish any information regarding the acts of the authorities or of private individuals in so far as the latter have to do with public affairs.

That ministers are incapable legally of inheriting by will from ministers of the same creed, or from any private individuals to whom they are not related by blood within the fourth degree, etc.

That article 3 shall not apply to any American teaching or conducting primary schools.

This article prohibits any minister or any religious corporation establishing or directing schools of primary instruction.

That none of the provisions of article 27 of said constitution with reference to limitations upon rights of property heretofore acquired by Americans, or which may hereafter be acquired, shall apply to Americans except where the limitation is written in the deed, lease, or other instrument of title, and particularly:

The provision of said article to the effect that the subsoil products other than of metalliferous minerals shall be the property of the National Government of Mexico, to be disposed of by decree or by law, shall not apply to the property of American citizens purchasing from other individuals or from State, national, or municipal authorities of Mexico, unless the limitation or reservation with reference to such subsoil products shall be written in the original deed or other instrument of conveyance transferring the surface of the property to such American purchaser.

That the prohibition against the ownership of property in lands, waters, or their appurtenances, or against the concessions for the development of mines, waters, or mineral fuels in the Republic to foreigners, shall not apply to American citizens.

That subsection 2 of said article 27 shall not apply to church properties or Episcopal residences, rectories, seminaries, orphan asylums, or collegiate establishments of religious institutions or schools held or owned by Americans.

(This clause operates without condemnation or other process to confiscate the property above mentioned.)

That the subdivisions of subsection 7 of article 27 described as a, b, c, d, and e shall not apply to the property of any Americans now owned under whatsoever title or which may hereafter be acquired, except where distinct reservations and limitations covering such provisions are affirmatively set out in the documents or evidences of title or transfer of such property.

(This is the provision under which the State governments are directed to and under which Sonora, through De la Huerta as governor, attempted to subdivide purely grazing pastures, positively unfitted for cultivation, owned by American citizens and others, without judicial process, but by mere administrative action, both as to survey and as to fixing the value, and in payment for which the owners are forced to accept what is known as an agrarian bond of the State of Sonora over our protests and as a matter of fact known to be entirely worthless.)

That article 33 of said constitution, providing that "The Executive shall have the exclusive right to expel from the Republic forthwith and without judicial process any foreigner whose presence he may deem inexpedient," shall not apply to American citizens who shall, when they so demand, have access to their consulate or consular agent or diplomatic representative and have the right to avail themselves of the assistance of such officials, and until after due judicial proceedings upon application of such American.

That such agreement should provide for the immediate appointment of a claims commission to pass on all claims for damage to Americans in Mexico, or upon its boundaries, the committee to be composed of American citizens appointed by the President of the United States, and a like number of Mexican citizens to be appointed as that Government may in said agreement provide, and that the decision of this commission shall be binding upon the respective governments and shall be immediately carried out by the payment of the damages adjudged.

That a like commission should be in such agreement provided for the settlement of disputes concerning the international boundary and waters of the Rio Grande River and of the Colorado River, and particularly the Chamizal dispute and the Colorado River irrigation complication, with power to such commission to render a decision for the payment of money and transfer of property, if any, necessary in the final settlement of such dispute.

It is not necessary to attempt here to point out all the provisions of this constitution of a similar character to those above referred to.

Having recognized any Mexican government upon the conditions as above set forth, then not only the moral support but financial aid without stint in so far as same is necessary for the refunding of all Mexican bonds, including external as well as the internal debt, with additional funds in sufficient amounts to rehabilitate all Mexican railroads and to maintain same, and also sufficient amounts to enable the recognized government to reestablish, organize, and thoroughly equip a purely national army not belonging to any particular chief, chieftain, or general, but operating solely under the national government, which shall immediately proceed where necessary to disarm all other armed forces or individuals in the Republic; together with sufficient funds to enable the Mexican Government to buy and pay for all arms and equipment which may be brought in and surrendered by individuals or armed bands or so-called armies.

Preferably this aid should be extended by the people of the United States as a national loan from them to the people of Mexico, upon long time and with moderate rates of interest, so that Mexico may not be compelled to refund her debt and finance her necessities through appeal to individuals and by granting special privileges or *concessions to such individuals.*

We have the *legal right* and it is *our duty* to refuse to recognize any government in Mexico which will not agree by way of a treaty *to the foregoing conditions of recognition.*

Should any government proposing to be recognized refuse to accede to the foregoing conditions of recognition, immediate renewed notice should be given *as suggested under b and c,* with the statement to the de facto officials wherever found:

That action would follow the warning in each and every case where action was necessary to preserve life or the property of an American citizen.

Following such warnings and statements, should such government not theretofore have restored order and peace in the Republic of Mexico and effectively extended protection to our citizens *after due notice to the Mexican people that we would not war with them but in the words of McKinley that—*

"First. In the cause of humanity and to put an end to the barbarities, bloodshed, starvation, and horrible miseries now existing there, and which the parties to the conflict are either unable or unwilling to stop or mitigate"

That we will send a police force consisting of the naval and military forces of our Government into the Republic of Mexico to open and maintain open every line of communication between the City of Mexico and every seaport and every border port of Mexico.

And that we owe to our citizens in Mexico and those who have been driven out of that country, the duty, as McKinley said:

"To afford them that protection and indemnity for life and property which no government there can or will afford and to that end to terminate the conditions that deprive them of legal protection."

In the giving notice that we are not warring upon the Mexican people, we should request their assistance; or at least that they refrain from joining any armed bands in any attacks upon our troops or forces, whose purpose would simply be the restoration of peace and order; protection of our own citizens; protection of Mexican citizens; restoration of American citizens to their properties; the affording of opportunity for the opening of mines, fields, and factories; and last, to afford the opportunity for the Mexican people themselves, in whatsoever manner they desire, to constitute a Mexican government of serious, competent, honest, and honorable men who will meet the civilized world upon a friendly ground and bind themselves to deal with other people as they themselves would be dealt with.

Respectfully submitted.

ALBERT B. FALL,
Chairman.
FRANK B. BRANDEGEE,
M. A. SMITH,
Subcommittee.

WASHINGTON, D. C., *May 28, 1920.*

Exhibit 1.

[Confidential.]

SAN ANTONIO, TEX., *April 17, 1920.*

Senator ALBERT FALL,
Senate Chamber, Washington, D. C.

MY DEAR SENATOR: After a four weeks' trip into Mexico, I have returned home unharmed and without meeting with any accident. Thinking that perhaps you would be interested to learn my impression of things Mexican as they appeared to me, with an outline of present conditions and tendencies from my point of view, I am writing this letter.

It is needless to inform you that although the entire committees elected to investigate Mexican affairs are censured, as busybodies, upon your head as chairman of the committee is concentrated the hatred and curses of the Carranza tribe. I found, however, amongst a certain class approval of the committee's work. The opinion of this class is that conditions continue to grow worse and there is no way to improve them without the aid and assistance of the American Government.

On March 15 I crossed the Rio Grande into Laredo, Mexico, and immediately the destruction and ruin wrought by the revolution became evident on every side in the shape of burned and dynamited houses and other properties, only a few of which have been repaired. Along the railroad line between Laredo and Monterey, capital of the State of Nuevo Leon, all section houses, stations, water tanks, and much private property presented a scene of ruin and desolation that can only be appreciated by seeing it. Upon our arrival at Monterrey, we found the fine depot there in ruins, and although this happened several years ago, there is no sign of restoration, which hardly agrees with the claim that Mexico is again enjoying peace and prosperity. At 8.30 p. m. we arrived at Saltillo where we were sidetracked till 3.30 a. m. of the 16th, in order to avoid passing through a certain stretch of country regarded as a danger zone between Saltillo and San Luis Potosi, in the night. And the same ruin of railroad and private property was noticeable here as on the previous day.

I spent the 17th, 18th, and 19th at San Luis Potosi, and although I saw some wreckage in the city, upon the whole it had suffered the least of all cities I visited. I found the magnificent depot, which was finished in 1910, in ruins, but it perhaps was an accident and not mere vandalism which produced most of the wreckage wrought by the revolution. I was informed by creditable witnesses that there are points less than 50 miles from the city which it would be very unsafe for anyone who wore even respectable clothes, to venture. Most of the large haciendas are deserted with all their improvements in a state of absolute ruin and unfortunately this applies to the whole State as well as adjoining States.

On the 19th, continuing south, I found the 326 miles of railroad which connects San Luis Potosi and Mexico City with its stations, section houses, water tanks and many of the private properties adjacent to the road, in the same state of ruin and abandonment as marked the 477 miles between Laredo and San Luis Potosi. It is well known that the physical condition of this road was exceptionally fine prior to the present revolution, and few roads anywhere were better administered.

I tarried eight days in Mexico City, and while there I visited many of the suburbs and although I found the city congested by a large increase of population, the result of the country people seeking safety, I found everywhere signs of decadence without being able to observe any return to that appearance of prosperity and progress so noticeable in the years just preceding the revolution begun by Madero.

In talking with people in the city I found a universal cord of distrust and anxiety, fearful that another period of revolution was approaching. And this feeling was little less noticeable among the supporters of Carranza than the other factions. Among the "gente decente" I found no rainbow of promise, no star of hope, through the election of any of the candidates now aspiring for the presidency: they regard them all as men who have already been tried and found wanting, and believe nothing good can spring from a source so vile.

I saw Mr. Bonillas's entrance into the City of Mexico on March 21. Mr. ——— and myself went to the Alameda to see the promised parade, and while waiting there we saw several hundred soldiers and many thousands of civilians—among whom were the different guilds of laborers—pass by on their way to the depot, and we felt justi-

fied in expecting to see a large and, to us, interesting parade, in which perhaps would be Mr. Carranza, or at least most of his cabinet. But to our utter astonishment, Mr. Bonillas, like a flash of lightning from a clear sky, suddenly darted past us in an auto surrounded by an escort of horsemen, at the highest rate of speed possible, as if afraid of an ambush. And it is probable that such a precaution on his part was prudent, as about 300 yards before he reached us in the vicinity of the Iron Horse, a demonstration was made against him by the followers of Obregon, so it was said. And this was the signal for an onslaught by the police, which resulted in the arrest of about 147 persons, among them 5 deputies, partisans of Obregon. It was claimed that the laborers that went to the depot to welcome Bonillas were each paid 1 peso for such a spontaneous display of patriotism. Although I do not know, yet from inquiry I believe this charge was true, in part at least.

I was unable to learn anything of interest about the status of Mr. Jenkins. Most of the Americans with whom I talked think he has been very shabbily treated by our Government. While I was there the papers of the city had very conspicuous headlines saying that Mr. Jenkins had renounced his American citizenship. However, in reading the news article, it was clear that he had done nothing of the kind. He had, however, agreed to comply with that article in the new constitution which permitted an American citizen to hold property if he promises not to appeal to his country for protection for said property. Mr Jenkins, according to this article, in order to save a certain water right he claimed, submitted to this demand of the Government, which seemed to regard it as a great victory. In spite of the fact that our Government has stated that such renunciation on the part of an American citizen under duress could not operate.

On the 28th I left Mexico City over the old Mexican Central line, and the same signs of decadence and ruin were observable there that was seen on the line between Laredo and Mexico City in the shape of skeletons of trains burned, depots wrecked, section houses destroyed, and water tanks in ruin, with gnarled rails so twisted by heating them with burning ties as to render them useless, visible all along the line. I will give you as a concrete example of travel over this line the time required to reach Juarez, when reached at all, and the prior-war time. Prior to the revolution it took two days and nights, whereas now it takes five days and four nights, with a very inferior train service.

The 29th and 30th I spent in Zacatecas, a mere wreck of its prerevolutionary status. The census of 1910 showed a population of 28,000, whereas now the consensus of opinion of those living there is that there are not more than 9,000 inhabitants there. While only a few of the large buildings in the center of the city have been destroyed, thousands of houses on the outskirts are tumbling down from mere neglect and abandonment. The large building that housed most of the state offices, with the post office and several of the federal offices, was blown down and no effort to rebuild it has ever been made.

There is an incipient mining revival at Zacatecas, but it has not yet gone far enough to tell how it will end. Several large English concerns, already heavily interested in mining in the country, but with increased capital from home, have taken options on several of the old historic mines of the camp, besides making many denouncements of abandoned ground. This activity of the English extends to a large part of the Republic, and only the future can tell what the results will be. One of these same English concerns have leased a large mine at Fresnillo from the Robert Towne interests and are busily engaged in enlarging a 700-ton mill to a capacity to treat 2,000 tons a day.

On the 31st I continued my trail north and found the same wreckage and ruin everywhere. At Calera, 20 miles north of Zacatecas, long an important place with offices and large station buildings, etc., we found nothing but standing walls, with, if possible, a more desolate and ruined appearance greeting us farther north. At Canitas, where you have doubtless been many times, when you were at Nieves (1883-84)—as it was the station for that camp—I took the short cut route to Durango City, built since the revolution began. And although this seems to be about the most dilapidated and abandoned region I saw, presenting the appearance of the mouth of a volcano when compared with the more distant regions affected by it, but the depots, section houses, and water tanks all being of stone and new, presented a nice appearance when compared to some other stretches over which I had passed. But upon visiting the pueblos and the country districts the reverse is true, as it is the worst I saw on my entire trip.

I made a side trip to Sombrerete, which prior to the revolution was a very important mining camp, as well as the headquarters for large stock growing, especially sheep. This place itself—although I was informed there are other places yet worse in the same region—but here I saw the worst vandalism I met with anywhere. Hundreds of houses have been wrecked on the main streets of the pueblo during the battle that was fought

there on the 8th, 9th, and 10th of May, 1911, when the Madero forces captured it, and they remain now just as they were left then, outside of removing some of the débris from the streets. Due to the bad conditions prevailing there and the impossibility of living there, other hundreds of houses were abandoned and the pueblo is now only a shade of its prerevolutionary size and importance. It then had a population of over 10,000 souls, now it has less than 3,000. The Zaragoza Hacienda, owned by Elorduy brothers, large stockmen, consisting of 433,000 acres, stocked with 200,000 head of sheep, 10,000 cattle, and 8,000 horses and mules, situated about 20 miles north of Sombrerete, is now entirely denuded of all its stock and the fences and all other improvements are completely ruined except some of the walls to their houses. This was a model ranch, and besides the stock, 21,000 acres was cultivated in corn, wheat, beans, and barley. This is but a sample of what has happened to all the ranches in that part of the country, and will with equal fidelity apply to the majority of the ranches in all parts of the Republic.

These men tell me that as full-handed as they were when the revolution came, it will be absolutely impossible for them to restock their place, and they propose to ask the aid of American capital to join them and furnish the capital to restock it, taking one-half interest in the business with them. These same men insist that a large part of the large ranches of Mexico will inevitably fall into the hands of Americans because the owners in many cases not only lack funds to rehabilitate their properties, but many of them have large mortgages hanging over them, preventing them absolutely from any hope of reestablishing their business.

April 1 I continued my trip to Durango City and found the decay and ruin no less pronounced here than between Canitas and Sombrerete. I was engaged in conversation by an apparently educated and fairly decent looking fellow from San Luis Potosi and the burden of his conversation was politics. He was a very strong Obregonist and openly avowed that if Mr. Obregon failed of election that his partisans were determined to put him in the chair even though it required war to do it. I found another party in Durango City expressing himself in the same manner, and in fact I found considerable numbers of that opinion and unafraid to express their opinions.

Many of the very best buildings of Durango City were dynamited and burned after they had been looted, and the reconstruction there is insignificant to date. They even carried their destruction so far that some overzealous general cut down the great shade trees in the main plaza of the city and made a desert of what had formerly been a pleasant oasis in which the weary traveler rested in Durango.

I remained three days and during that time I learned that business was at a very low ebb. I soon discovered—what I had been told and observed in several other cities—that the stocks of goods were very short and that stores that in prewar days had carried a stock of 500,000 pesos were now carrying nearer 50,000 stock, and the same applies to lesser stocks, and is very general throughout the country. I was there Holy Week, and the streets were lighted up, but I was told by residents that was only a gala day event and not an everyday occurrence. I found many of the ranchers living in the city and afraid to even visit their places for more than a few hours, if at all. The State and city treasuries are fundless and the governor has attempted to impose a half per cent on all sales, and there is a fight on about it now, the merchants claiming that they are paying every cent of taxes that they possibly can.

A railroad is being slowly extended into the timber region of the State west from the city. I am told there has been no trouble in the Sierra Madres for a long time, the poverty of the region in eatables, etc., prevents them from remaining there. The bandits or patriots, just as one chooses to dub them, stay in the mountains close to the plains or large centers of population, since it is in such places they can secure something to live on. In the mountain ranges between Durango City and Torreon these bandits live and prey upon the people living there. A common idea among Americans is that if we had war with Mexico guerrilla bands would go to the mountains, and there play havoc with our soldiers. Nothing is more unlikely than this, since it would be absolutely impossible for them to live in that region a large part of the year.

On the 5th I continued my trip to Torreon, and found the wreckage and ruin little less accentuated than in other parts of the trip. I found that considerable vandalism had been committed at Villa Lerdo, Gomez Palacios, and Torreon, the last named the least damaged. Although Torreon was very dirty and far from prepossessing as a place to live, yet I easily observed a vigor and energy that I had not encountered elsewhere. Torreon has been blessed with a very fine cotton crop. for which a very high price was obtained. This brought to that city a large amount of new capital far beyond the usual lot of such things. The cotton crop I was informed must have averaged at least 1½ bales to the acre, and this was sold at about 40 cents a pound, an unusual yield which was sold at an unusual price.

There is some activity among the mines, with many, owing to the high price of the metals, anxious to start operations, but they are laboring under many difficulties and beset with many obstacles in the shape of lack of supplies of all kinds, shortness of labor and the dilapidated condition of the transportation business of the country. The smelter at Velardena is going ahead slowly, the Mapimi is running fairly well, and the Torreon smelter is preparing to start up soon. With the present political unrest and a universal fear of a new revolution it is difficult to make a guess that is worthy of consideration of what will be the result of the present attempt to open the mines in so many regions at once.

I visited Mr. ———, who as you know was a forced guest of Gen. Villa for 15 days during the month of February. He says of his capture that: "I was awakened about 2 a. m. by my mozo ushering two or three men into my bedroom. My first thought was that it was an attempt to rob me, and I grabbed my pistol, but, seeing the house full of men, I gave it up. I was commanded to get up and dress, which I did. I was permitted to carry a great coat with me, which I found to be convenient as well as great comfort, as the nights were cold.

I was put on a horse that was not overly prepossessing, dressed with a saddle a little worse than the horse, and without stirrups. We rode all that day toward the mountains. I soon understood that Villa had about 80 men in this bodyguard of his, as he called it. This band was well armed and well mounted and carried about 250 cartridges each. The living was rather hard, consisting mostly of tortillas and beans, since, due to the lack of stock in the region through which we traveled, it was impossible to have meat. From time to time we ran onto some small ranchito where a chicken or two was found, and I was always invited on those gala occasions.

Villa told ——— that there would be a united effort made against Carranza some time during the summer, and he thought it would not be until after the presidential election had taken place, as he thought that would furnish a new issue for patriots to rally around.

He says that Villa was shot twice, once above and once below the right knee, but that now he is just as well as he ever was and presents the appearance of a man of steel. He says that while riding along one day Villa came up behind him and told him that he could run two leagues, and he replied that he did not doubt it. A few hours later he came up by his side, jumped off his horse and struck a run, and he kept it up for about 5 miles and forced him to prod his horse into a gallop most of the time.

On the 8th I traveled from Torreon to Saltillo, over the Coahuila Pacific, 191 miles, and found the wreckage and destruction no less pronounced than on the rest of my trip to that point. I wired Mr. ——— to meet me, if convenient, at the station of Parras. He, without any questioning on my part, at once told me that any one who believed that conditions in Mexico were improving were simply mistaken. His opinion is that there is no improvement at all, but there is a gradual decay and disintegration in everything and in all directions. He is working a ranch about four miles from the pueblo, but will not live there, fearful that some freebooters who have long made their home in a mountain range about 10 miles north of the place, might seize him and hold him for ransom. This band that has made those mountains their home for a long time are immune from harm at the hands of Carranza's forces, and this, according to his way of thinking, is conclusive proof that Carranza's crowd do not want them lest their calling as generals might end and leave them without a job.

Upon arriving at Saltillo we found the streets that approached the railroad stations brilliantly lighted, but upon more careful examination we saw that all others were conspicuous for lack of lights. Saltilllo suffered some in the way of vandalism but less than most other cities of the Republic. With the exception of a very small area lying adjacent to the city all the surrounding country is laying fallow and the owners of most of the ranches are afraid to even visit them, let alone try to live on them and work them. All the region to the east of the city, which is by far the best part of that State, is nonproductive, hence as a natural consequence the city is cut off from most of its support and business is very dull. As in Durango I noticed that the stocks of goods were very reduced compared to those carried before the revolution began. Here, as elsewhere, I found much discussion of politics with considerable bitterness displayed in many instances. There is much fear of a revolution as soon as the election is over, as most of the people believe it is a foregone thing that Bonillas will either be made the President or that Mr. Carranza will use Bonillas to create a wrangle, and he will thereupon ask Congress to declare the election illegal and be asked to remain till a new election can be held.

On the 10th I returned to Laredo, and crossed over the bridge the next morning, without other incident than being asked if I had any gold on my person. I replied

by opening my purse, I showed 35 pesos Mexican gold and $10 American gold piece, and offered them the Mexican while I retained the American gold, but they said that I could not take any gold out with me. I received American bills for it. I thought it rather exacting that I was asked to give up our own national coin, but made no objection as it was of no importance to me. American gold goes there everywhere and in most places paper money goes also, but gold is preferred by a large part of the people, and some refuse to accept our paper money at all.

I will say that prior to the revolution I was a frequent traveler over the same route I was traveling on my recent trip, and in those days everything looked new, well preserved, and the people all prosperous, with plenty of food even for the poorest to eat. The railroads were all in good shape, with fine trains always on hand to accommodate any demand that might be made upon them, and at a very cheap rate. As with the passenger, so with the freight, which was both cheap and well served. I sometimes fear that the so-called progressives and the would-be reformers may in time bring our country to just such a state as now exists there. I have concluded that the words "progressive" and "reformer" are merely used by most people to give to airy nothingness a local habitation and a name, and are nothing more than an incipient socialism that gradually grades into anarchism.

The finances of the country are in a deplorable condition. Many imagine that cash is very bountiful in Mexico now, deceived by a mere appearance as seen in the hands of individuals. They do not stop to consider that there are no banks, hence no checks or other evidences of liquidation that usually enter so largely into circulation. With 100 pesos of Mexican gold one seems to be loaded down with cash, whereas in case of a check even for 10,000 pesos we see little evidence of the transaction. So, with bills, one carries 500 or 1,000 pesos in bills, in his vest pocket and it attracts no attention, but with the same amount of gold he has all his pockets full.

The States, cities, and Federal treasuries are all bankrupt, and they are trying to raise a higher tax on unused properties and unproductive business, which sooner or later will put them all in the mundial pawnshop. There are no funds to pay teachers, to meet the governmental obligations, or to keep the public utilities in working order. The report from the City of Mexico shows that the impoverished people are called upon to raise for the Federal Government nearly double what it did during the prosperous years under Diaz. If such a policy is followed instead of using the surplus or the productive energy of the people it is like a bear hibernating, which is consuming its surplus of fat—a course that if continued long enough will ultimately bring on death by starvation. The 109,000,000 or 110,000,000 pesos raised by Diaz in 1909 and 1910 left a surplus of 29,000,000 pesos, and it came from business transacted and not as a direct tax upon all property.

There is a dearth of change in Mexico now that renders all business troublesome and expensive. One seldom sees any silver change, and while this applies to the whole country it is absolutely so with reference to the City of Mexico, being a little less pronounced in the States. The change in the city consists of the 50 centavos and 1 peso bills; the 1, 2, 5, 10, and 20 centavos copper coins, with an occasional nickel; and besides, and the most convenient elements as they are more plentiful, are the 5 and 10 centavos street car tickets, which are redeemable in gold coin. It is impossible to understand why the Government does not coin plenty of small silver change, as there is an abundance of silver being produced there to quickly supply any deficiency that could exist for small change in business transactions. There has been a bitter fight made against the new paper money, and the laborers when they accept it do so with the proviso that it must be redeemed by those who issue it upon demand, and those companies that use it have regular days for redemption.

It is very harmful and renders small business, which represents a large part of the business, as the poor people of Mexico buy in extremely small quantities, and to try to make these deals without plenty of small change is costly and troublesome. Recently the Government has bought a large lot of copper which it intends to coin for change, and although this would be very burdensome for large transactions, it will facilitate the smaller ones. To give you an idea how lack of change affects business, it is sufficient to inform you that often to secure change costs from 4 to 10 per cent. In buying a paper which costs 6 cents in the city it is very seldom that the exact change can be made, and hence the paper usually costs from 1 to 4 cents more than its price, and the same is true when paying for a shave or a shoe shine. On the street cars one is easily accommodated, as the price is either 5 or 10 centavos, and one hands over a 50-centavo bill, and he gets back the exact change in street-car tickets, which furnish him ready change for some other transaction. American change is being used largely in the northern States and this relieves the situation there.

Transportation difficulties and handicaps would, were there no other obstacles to combat, render business very difficult and place upon it such a burden that it would

not thrive as we now find it in Mexico. I will cite two or three instances that merely show the rates paid without mention of the delay and other burdens that oppress it. Mr. Carlos Bently, of Zacatecas, had an auto shipped from Piedras Negras to Zacatecas, and as nothing less than a carload would be received as freight he was compelled to pay 425 pesos, the minimum charge for express between those two points. Had he shipped a full carload he would have had to pay the 425 minimum charge with the express at the usual rate on the other three cars. It seems that the Government will not accept any freight, but has turned everything to express. This hardly agrees with the saying that there is nothing in a name. It is a case in which by a play upon words a maximum of cost is made for a minimum of performance. I saw a waybill on a carload of oranges from Guadalajara to Saltillo, about 600 miles, showing a charge of 898 pesos for that service. This, too, was express.

This does not apply to many private companies and individuals who are operating trains over the Government lines. They ship heavy stuff as freight and in order to facilitate their own business they are forced to grant the best rates they can. These concerns are badly handicapped, too, as they are compelled to keep up and run their own trains and pay the Government the regular freight rates as though it had been done by the Government.

The labor situation is in a bad way just now, and to the man who uses his common sense, it is distressingly difficult to figure out either an antidote or a remedy. The laborers are restless, dissatisfied, and unreliable, accompanied with an apparent scarcity even though business and industry of all kinds are at almost a standstill. This condition certainly forecasts a tremendous scarcity should the country again enter upon an era of reconstruction relieved of the incubus of revolution.

I saw where Mr. ——— in his testimony before your committee seems to imagine that Mexico has not lost more than 2,000,000 people since the revolution began, but I have talked and figured on that question and feel that I am within the truth when I say that Mexico has lost not less than one-third of all her population. I figure that from 200,000 to 300,000 have perished directly from fighting in the war, nearer the former than the latter number, 300,000 have left the country permanently, and 400,000 temporarily.

But the great losses have been from death, from starvation and sickness. Doctors whom I know well and who have kept in touch with the situation through the entire duration of the revolution, all agree that the deaths have been alarming at some periods. For a long time at Zacatecas there was a death rate of from 40 to 50 a day from starvation and sickness, largely due to malnutrition, and the same was true of almost every town and all over the country at different periods since the devastation began. I was talking with * * * a few days ago in Torreon, and he told me he had seen them die there by the thousands from starvation. Then we have had two or three periods in which the whole country was ravaged by tifo and other scourges. Then the flu during the last two years has killed off not less than 300,000. Reports coming from all parts of the country in 1918 showed a frightful death rate, and it extended all over the country.

I have asked the opinion of some of the most intelligent Mexicans that I know of, having 15,000,000 inhabitants at the beginning of the revolution, what is the number there now, and most of them have replied less than 10,000,000, and I believe that if one would investigate the matter carefully from every angle that he will conclude that fully 5,000,000 have disappeared from the country. At Cuencame I was told by an American friend who had lived there about 25 years, working mines, about three years ago that he counted over 900 new made graves in the graveyard, none of whom were killed in battle. The same comes from all directions.

While I was in Mexico in March I saw it published, as coming from one of the bureaus of public health, that 77 per cent of the people were infected with venereal diseases. This notice advised them to send some of their blood to the department that they might be instructed how to treat it. I have since talked with several doctors, and they have placed the percentage much higher, ranging from 85 per cent to 99 percent. If these statements are approximately correct, it means that the physical fiber of those people must be far from sound, and therefore incapable of reproducing offspring other than physically weak and morally base. It is easy for a close observer to see in the very looks of a large number of Mexican women the photograph of the hell through which they have passed engraved upon their countenances. And what ideals the man who was instrumental in bringing about such a social state possesses is beyond the ken of mortal mind to understand.

The political situation in Mexico is neither promising nor hopeful, although it is easily understood so far as the aspirants for the Presidency is concerned. Carranza evidently has two strings to his bow, one is to make Bonillas his heir and successor with him perhaps the lawgiver and his chief director, the other is to, if trouble comes, have his Congress declare the election null and void and appoint him as Presi-

dent till a new election can be held, but with the country in a state of revolution that must be deferred.

Obregon seems to be willing to spend a fortune he accumulated by grafting while a general to become President, and we find him preaching and advocating any policy that may advance his cause. He is telling the miners that the mines by right belong to them, and that if he is elected they will have them. He tells the would-be landowners that if he is elected they shall be given the land without price or effort—a very similar tune sung by Madero when he was seeking the Presidency, and it was this tune that so infatuated Madero with the populace, and, perhaps, Obregon remembers the lesson and hopes to gain by repeating it.

What is called "the gente decente" in Mexico—the element that possess a large part of the wealth and a larger part of the intelligence of the nation, although greatly inferior in numbers—are all opposed to either of the three candidates now aspiring to be president. They are convinced and insist that the Mexicans themselves can not restore order and peace to the distracted country. They declare that it lies in the hands of either Mr. Wilson or his successor, and that whenever it is undertaken with the right spirit and with that resolution that produces results it can be easily settled without any war. They laugh at the idea of war, and ask with whom and with what can the Mexican forces fight, and how can they fight without guns, ammunition, clothes, food, transport, and even without men of ordinary discipline and training. They say that a large part of the Mexican people will stand at the gates and welcome our soldiers if they will only come, and that if necessary they will assist them in every way they can and make their self-imposed and unpleasant task as light as possible.

What a self-complacency or what visions those good souls must possess who find a happy, contented people in Mexico, or who see plenty and abundance everywhere. While on my trip I endeavored to learn as much as I could about the stock interests of the country, and it is certainly no exaggeration to place the loss at 85 per cent, taking the country as a whole. It will require several years under the most favorable conditions to get that country stocked up again. Cattle are very scarce outside of a few sections in the hot country. Where we formerly saw great herds we now see only a small town herd as we approach some village or city. I was informed that in Mexico the present supply of meat is coming from the hot country, largely from Colima and Guerrero. I was informed at Torreon that the supply of meat for that place was coming from wild cattle hunted out of the mountains of Chihuahua.

At no time since the revolution began in 1910 has the fear that a new revolution is incubating been more persistent than right now. It seems to be epizootic and has gripped all classes and all factions, and many consider the tremendous exodus of laborers now leaving the country as one of the strongest symptoms of the manifestation of this common fear. The consensus of opinion is that it is fear of being drafted into the army that is actuating these emigrants. This feeling of anxiety is no less pronounced in one faction than the others, as it hangs like a pall over them all.

So far as the fight between Carranza's man Friday (Bonillas) is concerned, Bonillas has already won, as Carranza is rapidly removing Obregonistas from the army or civil employment with the Government. He is taking precaution to insure the selection of a Congress that he can control, in order that Congress, which has the power to declare the results of an election can, if desired, declare him as his own successor. Now, there may be a slip in this arrangement, but it will hardly happen till after the result of the election has been declared. This will, as Villa told ———, furnish Carranza's opponents with a new issue. This will bring on the tug of war with the ultimate result dependent upon the unanimity with which his opponents act and their disposition to play fair with the "gente decente."

There is one thing certain, that is if a fight does come, as now seems almost assured, whichever side wins, the war as an organized body must inevitably be short-lived, since the lack of resources will impose this natural restriction on its duration. If it does not terminate soon it will again become stalemate, and the present reign of chaos and anarchy will continue indefinitely unless stopped by outside pressure. It seems that it is very important to our own country that the present anarchial state be ended in Mexico, as it is producing a gangrene which is infecting this country by contact and example.

While there is much poverty in Mexico, no one is starving for the mere necessities of life. Last year's crops were exceptionally good, and although the wheat is about all used up, the present harvest is about ready to gather, and from my observations along the railroads, there is a large acreage planted in those districts where the people are permitted to live, but the crop was badly damaged by a freeze that occurred the last days of March, and it is probable that little, if any, more than a 50 per cent crop will be raised. Last year's corn and bean crops were exceptionally good, and I am informed there is a large surplus, which assures plenty of those primary food products

for next year. Of course, it is too early to make any estimate of this year's corn and bean crops, as they have not yet been planted. It is very dry in a large section of the country, but that is not unusual there at this season of the year.

In any discussion of the Mexican situation it is very important that we impress upon our hearers the truth about the personnel of the present Mexican Government. Those who know their past antecedents readily understand that a large part of them are unqualified for the positions they occupy, lacking as they do the necessary training or experience, and another large part of them is disqualified by a moral taint that renders them unfit for any position of trust. It is well known that many of these were criminals liberated by the exigencies of war, and this of itself creates a distrust of any government that is influenced by them.

Mr. ———, whom you met here, informs me over the phone that many deserting officials from Carranza's army have reached here at Obregon's expense and are anxious to get on to Sonora. These men are patriotic because their pay has stopped and they have been shorn of the power to prey upon the country and are willing to unite with any faction that will furnish them their daily bread.

Instead of a proof of the formidableness of the Sonora revolt, I am inclined to believe it shows a weakness. It will result in an army of men "too proud to fight" instead of a fighting machine.

About 25 years ago there was at El Paso a mirth-making club called McGinty, and I remember amongst its different features was the McGinty Guards. At the roll call of officers 8 or 10 huskies appeared upon the stage, but at the roll call of privates one lone, one-legged man stood forth and went through all the evolutions.

I have met many persons conversant with the Mexican situation and familiar with Mr. Wilson's genius for muddling everything he touches who think that it might be unwise to urge any interference in Mexico by him. They imagine it would be better to await the coming of a practical, common-sense man who accepts things as he finds them and acts accordingly than to invoke action by one who sees visions and hears voices—products of his own selfish arrogance.

I hope that you may receive some ideas from this long letter that may be of benefit to you. I have tried to set forth things as I found them at this time without bias in favor of any faction. In writing this letter I have endeavored to set forth the Mexican situation in a way that even those unfamiliar with it may be induced to look at it from a practical standpoint, which seeks to do justice toward all, with malice toward none.

With kindest wishes for your continued health and prosperity, I remain,

Very truly, yours,

——— ———.

A.

SUMMARY.

List of Americans killed and wounded in Mexico and on border in United States, 1910 to May 20, 1920, as testified to before the Subcommittee of the Foreign Relations Committee, investigating Mexican Affairs.

1. Civilians killed in Mexico	397
2. United States soldiers killed in Mexico	64
	461
3. American civilians killed along border in United States	58
4. United States soldiers killed along border in United States	68
	126
5. American civilians outraged or wounded in Mexico	32
6. United States soldiers outraged or wounded in Mexico	29
	61
7. American civilians wounded on border in United States	90
8. United States soldiers wounded on border in United States	47
	137
Total killed, wounded, and outraged	785

B.

American civilians killed in Mexico.

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1	Anderson, Mrs	7	848-862
2	Anderson, baby	7	848-862
3	Adams, William	7	848-862
4	Ayers, Bowan	7	848-862
5	Alamia, Juan B	7	848-862
6	Allen, Oscar	7	848-862
7	Akard, Hugh	7	848-862
8	Atwater, Hubert	7	848-862
9	Akers, James Bert	7	848-862
10	Anton, George	7	848-862
11	Anderson, Maurice	7	848-862
12	Austin, Earl G	7	848-862
13	Austin, S	7	848-862
14	Bartholdt, ———	7	848-862
15	Bishop, ———	7	848-862
16	Brooks, John F	7	848-862
17	Buckerdike, ———	7	848-862
18	Bishop, Mrs. W. I	7	848-862
19	Bowles, Earl	12	24-862
20	Breckenridge, ———	7	848-862
21	Baird, ———	7	848-862
22	Byrd, William, jr	7	848-862
23	Bushnell, L	7	848-862
24	Burton, Henry Knox	7	848-862
25	Barrett, Thomas	7	848-862
26	Bausche, Gustave	7	848-862
27	Brown, William	7	848-862
28	Baker, E. P	7	848-862
29	Bishop, William	7	848-862
30	Baughman, Lee	7	848-862
31	Batania, Juan	7	848-862
32	Billings, Roscoe	7	848-862
33	Brown, Cassie N	7	848-862
34	Burwell, Weston	7	848-862
35	Beard, James S	7	848-862
36	Bennett, J. N	7	848-862
37	Boone, Charles	7	848-862
38	Bean, Edgar B	7	848-862
39	Burk, Frank	7	848-862
40	Bruce, Donald	7	848-862
41	Bayles, Curtis	7	848-862
42	Bartuing, Henry	7	848-862
43	Brooks, Samuel	7	848-862
44	Blood, William W	7	848-862
45	Compton, Harry	7	848-862
46	Coy, John P	7	848-862
47	Chapel, F. C	7	848-862
48	Camara, Eugene	7	848-862
49	Cervantes, J	7	848-862
50	Crawford, James	7	848-862
51	Camp, Robert	7	848-862
52	Cramer, John	7	848-862
53	Couch, Avery H	7	848-862
54	Corbet, William	7	848-862
55	Comption (Chihuahua)	7	848-862
56	Collins, Hiram	7	848-862

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58	Correll, John W	7	848-862
59	Catron, Peter	7	848-862
60	Chritchfield, George	7	848-862
61	Cummings, ——	7	848-862
62	Clarks, Dr. R. G	7	848-862
63	Carroll, John G	7	848-862
64	Cromley, Henry	7	848-862
65	Cooper, Clarence	7	848-862
66	Carruth, Mrs. Lee	7	848-862
67	Carruth, child	7	848-862
68	Do	7	848-862
69	Do	7	848-862
70	Do	7	848-862
71	Do	7	848-862
72	Crawford, ——	7	848-862
73	Cain, ——	10	1489
74	Carney, James	10	1507
75	Delham, Oscar M	7	848-862
76	Dexter, Edward G	7	848-862
77	Dingwell, Wm. B. A	7	848-862
78	Dalrymple, Charles	7	848-862
79	Doster, Edward D	7	848-862
80	Donovan, J. J	7	848-862
81	Diepert, George A	7	848-862
82	Dubose, Constantine	7	848-862
83	Davidson, Roderick	7	848-862
84	Dixon, A. R	7	848-862
85	D'Austin, Louis	7	848-862
86	Davies, Albert J	7	848-862
87	Davidson, W. A	7	848-862
88	Davis, Harry G	7	848-862
89	Dean, J. S	7	848-862
90	Dollar, M. P	7	848-862
91	Dunn, L. A	7	848-862
92	Defourcg, Edward L	7	848-862
93	DeVate, William	7	848-862
94	DeFabio, G. A	7	848-862
95	Darrow, Beris	7	848-862
96	DeFabir, C. G	7	848-862
97	Edward, J. C	7	848-862
98	East, Victor W	7	848-862
99	Edson, John	7	848-862
100	Edson, Mrs. John	7	848-862
101	Eck, Carl	7	848-862
102	Ely, Isaac R	7	848-862
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104	Elton, Howard L	7	848-862
105	Esparola, Alfred E	7	848-862
106	Eckles, ——	7	848-862
107	Fowler, William E	7	848-862
108	France, Wenceslau	7	848-862
109	Fountain, Thomas A. O	7	848-862
110	Frendenstein, James	7	848-862
111	Farrell, Thomas	7	848-862
112	Fay, W. A	7	848-862
113	Fisher, Clarence	7	848-862

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115	Fisher, Dr. Chas. P	7	848-862
116	Foster, Dr. Allen L	7	848-862
117	Franklin, John M	7	848-862
118	Green, ———	7	848-862
119	Godman, R. Roy M	7	848-862
120	Garcia, Antonio	7	848-862
121	Glennon, Patrick	7	848-862
122	Gillette, Chas. W	7	848-862
123	Griffith, Mrs. Joseph P	7	848-862
124	Gorow, Boris	7	848-862
125	Griffin, Benjamin	7	848-862
126	Gilmartin, Martin J	7	848-862
127	Grijalva, Reyes	7	848-862
128	Goldsborough, Chas	7	848-862
129	Galeana, Francisco	7	848-862
130	Gorman, Frank P	7	848-862
131	Goodman (child)	7	848-862
132	Do	7	848-862
133	Do	7	848-862
134	Gillett, Frank	7	848-862
135	Gonzales, ———	8	1320
136	Gourd, Frank	8	993
137	Hughes, ———	7	848-862
138	Huntington, Robert	7	848-862
139	Heidy, Samuel	7	848-862
140	Harvey, James	7	848-862
141	Hertling, John	7	848-862
142	Haigler, ———	7	848-862
143	Holmes, Mrs. Minnie L	7	848-862
144	Howard, Frank	7	848-862
145	Hayes, Edward, jr	7	848-862
146	Harwood, Robert W	7	848-862
147	Hatfield, K. L	7	848-862
148	Harmon, E. L	7	848-862
149	Hadley, C. B	7	848-862
150	Hernandez, Gustavo	7	848-862
151	Higgenberger, Peter	7	848-862
152	Howard, Jack	7	848-862
153	Harper, A. N	7	848-862
154	Hartman, G. L	7	848-862
155	Hall, Alexander	7	848-862
156	Hase, Herman C	7	848-862
157	Hamilton, Victor	7	848-862
158	Hayden, Frank	7	848-862
159	Harris, Edward H	7	848-862
160	Howell, Ernest	7	848-862
161	Hally, P. H	5	848-862
162	Hart, Dr. H. M	7	848-862
163	House, Edward	7	848-862
164	Heimsath, Christian	7	848-862
165	Hughes, Hiram	7	848-862
166	Hennessey, A. P	7	848-862
167	Hayes, ———	10	1489
168	Iture, Francisco	7	848-862

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171	Johnson, F. V	7	848-862
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173	Johnson, Thomas	7	848-862
174	James, Mrs. Milton	7	848-862
175	James, Byron E	7	848-862
176	Johnson, Guy	7	848-862
177	Krause, Emil	7	848-862
178	Kane, Thomas C	7	848-862
179	Kelly, Patrick J	7	848-862
180	Kendall, William	7	848-862
181	Kelly, Thomas	7	848-862
182	Kelly, Dr. E. E	7	848-862
183	King, ——	7	848-862
184	Kitchen, H. S	7	848-862
185	Kingsbury, Tom	7	848-862
186	Keenright, Mrs. W. H	7	848-862
187	Kirby, H. E	7	848-862
188	Keane, Peter	7	848-862
189	Keene, ——	12	567
190	Lockhart, John R	7	848-862
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192	Lescher, ——	7	848-862
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195	Laurell, Porfirio	7	848-862
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197	Loris, Leonard	7	848-862
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199	Lindley, Lee	7	848-862
200	McLaughlin, ——	7	848-862
201	Maxwell, ——	7	848-862
202	McDonald, W. H	7	848-862
203	McClelland, Jas. B	7	848-862
204	McKinsea, ——	7	848-862
205	Mathewson, A	7	848-862
206	Martinson, Mrs	7	848-862
207	Meyers, Jake	7	848-862
208	McCoy, J. P	7	848-862
209	Meredith, Norwell R	7	848-862
210	Miller, Morton	7	848-862
211	McCutcheon, Edward	7	848-862
212	Marders, C. H	7	848-862
213	Moreys, J. I	7	848-862
214	Milton, Chas	7	848-862
215	McDonald, Morris	7	848-862
216	McKinney, Patrick	7	848-862
217	McIntosh, Walter	7	848-862
218	McManus, John B	7	848-862
219	McHatton, Richard P	7	848-862
220	McKinney, Arthur	7	848-862
221	Martin, G. W	7	848-862
222	McGregor, Don	7	848-862
223	Martinez, Miguel	7	848-862
224	Millard, L. R	7	848-862
225	McLeod, Harlow C	7	848-862
226	Morgan, Edward E	7	848-862
227	McClaren, Edward F	7	848-862
228	Moye, Leroy	7	848-862
229	McGill, H. S	7	848-862
230	Meek, Ulysses	7	848-862

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232	Martinetto, A	7	848-862
233	Morris, J. L	7	848-862
234	Meese, ———	12	27
235	McCuistian, ———	8	993
236	Morgan, ———	8	1057
237	Nixon, Edward L	7	848-862
238	Newman, George W	7	848-862
239	Olsen, Dr. Seffer	7	848-862
240	O'Neil, James	7	848-862
241	Otto, Meguil	7	848-862
242	Passon, ———	7	848-862
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246	Peterson, A. P	7	848-862
247	Pottinger, C. C	7	848-862
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250	Pearce, W. D	7	848-862
251	Pringle, Chas. A	7	848-862
252	Parsons, George F	7	848-862
253	Parks, James	7	848-862
254	Pilgrim, J. D	7	848-862
255	Pearson, George F	7	848-862
256	Pellham, Oscar	7	848-862
257	Price, Scott	7	848-862
258	Porter, Tom	8	1011
259	Penix, Bon	8	991
260	Reid, James M	7	848-862
261	Royer, ———	7	848-862
262	Russell, Hubert	7	848-862
263	Reterman, ———	7	848-862
264	Reynolds, W. L	7	848-862
265	Ross, Mrs. Charlie E	7	848-862
266	Root, Morris P	7	848-862
267	Robertson, William C	7	848-862
268	Roth, ———	7	848-862
269	Reed, William M., jr	7	848-862
270	Robinson, Ernest L	7	848-862
271	Romero, M. B	7	848-862
272	Robertson, William C	7	848-862
273	Robertson, Robert W	7	848-862
274	Rasmunssen, Lee	7	848-862
275	Rose, W. H	7	848-862
276	Rushworth, Richard	7	848-862
277	Reddock, Gaston	7	848-862
278	Rodriguez, Toribio	7	848-862
279	Rooney, F. P	12	24
280	Redd, George	10	1489
281	Shope, William H	7	848-862
282	Swazay, ———	7	848-862
283	Stepp, H. W	7	848-862
284	Schubert, Gindo	7	848-862
285	Shephard, John W	7	848-862
286	Strauss, H. L	7	848-862
287	Stevens, Joshua	7	848-862
288	Slate, Henry	7	848-862

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290	Scott, Peter	7	848-862
291	Simmons, R. H.	7	848-862
292	Simmons, Albert F	7	848-862
293	Stovall, A. J	7	848-862
294	Snyder, Tom	7	848-862
295	Sharp, Lee	7	848-862
296	Sellers, Clarence	7	848-862
297	Snovall, Ralph H	7	848-862
298	Stevenson, Albert A	7	848-862
299	Skinner, George	7	848-862
300	Schaefer, Adam	7	848-862
301	Spillsbury, Ernest	7	848-862
302	Soto, Pablo	7	848-862
303	Seggerson, Charles	7	848-862
304	Sanchez, Encarnacion	7	848-862
305	Stowe, B	7	848-862
306	Smith, Frank	7	848-862
307	Schofield, Henry	7	848-862
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309	Smith, Joseph	7	848-862
310	Smith, ———	7	848-862
311	Squires, C. A. L	7	848-862
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314	Smith, J. P	7	848-862
315	Saunders, George	7	848-862
316	Smith, V. M	7	848-862
317	Smith, J	7	848-862
318	Smith, John	7	848-862
319	Stacker, William	7	848-862
320	Snell, Benjamin	7	848-862
321	Stell, Dr. A. T	7	848-862
322	Stevens, William J	7	848-862
323	Smith, Baron	7	848-862
324	Smith, ———	8	1095
325	Thomas, A. E	7	848-862
326	Thompson, ———	7	848-862
327	Thomas, John Henry	7	848-862
328	Teanhl, Gilbert	7	848-862
329	Taylor, James E	7	848-862
330	Tayes, Joseph	7	848-862
331	Taylor, S. E	7	848-862
332	Thomas, Robert	7	848-862
333	Urban, Richard	7	848-862
334	Unknown woman	7	848-862
335	Unknown	7	848-862
336	Do	7	848-862
337	Do	7	848-862
338	Do	7	848-862
339	Do	7	848-862
340	Do	7	848-862
341	Do	7	848-862
342	Do	7	848-862
343	Do	7	848-862
344	Do	7	848-862
345	Do	7	848-862
346	Do	7	848-862
347	Do	7	848-862
348	Do	7	848-862
349	Do	7	848-862
350	Do	7	848-862

H.

No.	Name.	Book.	Page.
351	Unknown	7	848-862
352	Do	7	848-862
353	Do	7	848-862
354	Unknown woman	13	1998
355	Unknown teamster	9	1469
356	Unknown civilian	15	22
357	Do	15	22
358	Do	2	380
359	Unknown cowboy	L	34
360	Do	L	34
361	Vergara, Clemente	7	848-862
362	Volner, ———	7	848-862
363	Varn, ———	7	848-862
364	Valencia, Jose	7	848-862
365	Willis, Milton K	7	848-862
366	Waite, W. H	7	848-862
367	Ward, Frank	7	848-862
368	Weiniger, R	7	848-862
369	Webster, John E	7	848-862
370	Williams, Lee	7	848-862
371	Williams, John	7	848-862
372	Warner, Mel	7	848-862
373	Wood, ———	7	848-862
374	White, ———	7	848-862
375	Willis, Antonio James	7	848-862
376	Wilson, John P	7	848-862
377	Wells, Edward F	7	848-862
378	Windham, Charles S	7	848-862
379	Warren, James L	7	848-862
380	Wadleigh, Charles	7	848-862
381	Wallace, W. J	7	848-862
382	Watson, Charles R	7	848-862
383	Woon, J. W	7	848-862
384	Wallace, Walter	7	848-862
385	Weeks, James Juan	7	848-862
386	Williams, Mrs. Arthur	7	848-862
387	Williams, ———	7	848-862
388	Williams, baby	7	848-862
389	Wright, E. J	7	848-862
390	Winn, C. A	7	848-862
391	Walker, Walter J	7	848-862
392	Weider, Linden L	7	848-862
393	Whiteford, Gustave A	7	848-862
394	Weller, Benjamin B	7	848-862
395	Wallace, Oscar	7	848-862
396	White, H. S	7	848-862
397	Woolf, U. G	7	848-862

I.

American soldiers killed in Mexico.

No.	Name.	Book.	Page.
1	Adair, Lieut. H. A.	7	848-862
2	Albert, T. R.	7	848-862
3	Bosswell, I. F.	7	848-862
4	Boyd, Capt. C. T.	7	848-862
5	Butler, Tom	7	848-862
6	Bouche, O.	7	848-862
7	Blount, J. D.	7	848-862
8	Corrie, William W.	7	848-862
9	Chaille, Lieut. J. B.	7	848-862
10	Connelly, Lieut. C. H.	7	848-862
11	D'Lowry, Francis	7	848-862
12	Devorick, Frank	7	848-862
13	Day, James E.	7	848-862
14	Fabbio, G. A.	7	848-862
15	Fisher, Elzie C.	7	848-862
16	Fried, Louis Oscar	7	848-862
17	Frohlichstein, E. H.	7	848-862
18	Furman, H.	7	848-862
19	Gleaton, W. C.	7	848-862
20	Gingan, ———	7	848-862
21	Herschberger, C. R.	7	848-862
22	Haggerty, D. A. (marine)	7	848-862
23	Hines, Will	7	848-862
24	Kleson, John C. (marine)	7	848-862
25	Lane, Denis	7	848-862
26	Ledford, R.	7	848-862
27	Laughter, I. M.	7	848-862
28	Martin, Samuel (marine)	7	848-862
29	Meisenberg, S.	7	848-862
30	McGhee, Ben	7	848-862
31	Marksbery, D.	7	848-862
32	Moses, T. C.	7	848-862
33	Mathiews, C.	7	848-862
34	McGregor, ———	7	848-862
35	Poinsetts, George	7	848-862
36	Pullman, Henry	7	848-862
37	Parks, Samuel	7	848-862
38	Percy, R. E.	7	848-862
39	Robinson, W. A.	7	848-862
40	Richly, Jay	7	848-862
41	Roberts, W. F.	7	848-862
42	Rucker, DeWitt	7	848-862
43	Ray, R. A.	7	848-862
44	Riggs, A. A.	7	848-862
45	Schumacher, John F.	7	848-862
46	Smith, Charles Allen	7	848-862
47	Stream, Allen E.	7	848-862
48	Summerlin, R.	7	848-862
49	Unknown	7	848-862
50	Do	7	848-862
51	Do	7	848-862
52	Do	7	848-862
53	Do	7	848-862
54	Do	7	848-862
55	Do	7	848-862
56	Talbot, Lee	7	848-862
57	Troib, David	7	848-862
58	Watson, Walter L.	7	848-862
59	Ware, William	7	848-862
60	Winrow, William	7	848-862
61	Watson, A. J.	7	848-862
62	Wisewall, ———	7	848-862
63	Waterhouse, Lieut. F. B.	7	848-862
64	Zeigler, Lon	7	848-862

J.

American civilians killed along United States border in United States.

No.	Name.	Book.	Page.
1	Austin, A. L.	7	848-862
2	Austin, Charles	7	848-862
3	Byrd, Williams, sr	8	(1)
4	Boley, Bernard	7	848-862
5	Benavides, Jose Maria	7	848-862
6	Chandler, ———	7	848-862
7	Camp, John	7	848-862
8	Creighton, Oscar	7	848-862
9	Charlott, Robert	7	848-862
10	Castillo, Claro	7	848-862
11	Cunningham, R. A	7	848-862
12	Chelders, Clarence	7	848-862
13	Doyle, Byron	7	848-862
14	Donaldson, E. R	7	848-862
15	Griffith, ———	7	848-862
16	Garcia, Maximiano	8	1320
17	Hulen, Eugene	7	848-862
18	Howard, John S	7	848-862
19	Hill, Ira W	7	848-862
20	Hopkins, Chas. L	7	848-862
21	Hinton, Floyd	7	848-862
22	Kendall, H. H	7	848-862
23	McCain, Dr. E. S	7	848-862
24	Madrid, John	7	848-862
25	Miller, C. C	7	848-862
26	Moore, A. J	7	848-862
27	Miller, Charles DeWitt	7	848-862
28	Nevill, Glen	7	848-862
29	Neivergalt, J. G	7	848-862
30	Parker, William	7	848-862
31	Parker, Mrs. Wm	7	848-862
32	Perkins, Jim	7	848-862
33	Parmalee, F. M	7	848-862
34	Riche, A. C	7	848-862
35	Randall, W. L	7	848-862
36	Sitters, Joseph	7	848-862
37	Smith, J. S	7	848-862
38	Scott, Price	7	848-862
39	Soto, Pablo	7	848-862
40	Sandoval, Jesus	7	848-862
41	Schrivner, ———	12	1,095
42	Shaw, Jos. R., War Department	.....	.....
43	Tate, Fred	7	848-862
44	Timberlake, ———	7	848-862
45	Tusco, Sam	7	848-862
46	Unknown civilian	7	848-862
47	Do	7	848-862
48	Unknown civilian (Naco)	L	18
49	Do	L	18
50	Do	L	18
51	Do	L	18
52	Do	L	18
53	Do	L	18
54	Do	L	18
55	Do	L	18
56	Do	L	18
57	Wood, Robert	7	848-862
58	Welsh, Michael	7	848-862

[1] 991 Book E; 695 to 708.

K.

United States soldiers killed along border in United States.

No.	Name.	Book.	Page.
1	Atchison, T. F	7	848-862
2	Cohen, William	7	848-862
3	Caloe, J. S	7	848-862
4	Cunningham, Anthony, War Department		
5	Dobbs, M. A	7	848-862
6	Forney, H. T	7	848-862
7	Ferguson, R. H	7	848-862
8	Flowers, C	7	848-862
9	Griffin, F. A	7	848-862
10	Hobbs, M. A	7	848-862
11	Hungerford, J. D	7	848-862
12	Johnson, R. J	7	848-862
13	Joyce, Martin	7	848-862
14	Jones, H. J	7	848-862
15	Kraft, Anthony	7	848-862
16	Kalonah, E. C	7	848-862
17	Kindwall, F. A	7	848-862
18	Little, S	7	848-862
19	Loftis, Luke W	7	848-862
20	Lotts, Bernard	7	848-862
21	McBee, A. T	7	848-862
22	McConnell, H	7	848-862
23	Moore, H. C	7	848-862
24	McGuire, ——	7	848-862
25	Minaden, James	7	848-862
26	Oberlies, Wm	7	848-862
27	Rogers, H	7	848-862
28	Stubblefield, H. W	7	848-862
29	Schaefer, E	7	848-862
30	Simon, Paul	7	848-862
31	Taylor, J. P	7	848-862
32	Twomey, J. J	7	848-862
33	Tusco, Sam	7	848-862
34	Ulrich, Sergeant, War Department		
62	Unknown, total 28	7	848-862
63	Wilson, H	7	848-862
64	Watson, R. B	7	848-862
65	White, Worth	7	848-862
66	Warwick, William	7	848-862
67	Windhaus, L. C	7	848-862
68	Williams, John	7	848-862

L.

Outrages—American civilians wounded in Mexico.

No.	Name.	Book.	Page.
1	Brown, Mrs. O. P	9	632
2	Bishop, R. A	2	450
3	Bell, William	2	450
4	Carroll, Mrs. J. W	2	649
5	Clayson, Ed	7	[1] 701
6	Cobler, J W	7	[1] 711
7	Dixon, Charles B. (immigration inspector in Juarez)		
8	Dunn, H. H	7	[1] 716
9	Eads, John	F	732
10	Gourd, Miss	8	1041
11	Harris, Allen G		[1] 49
12	Harris, H. O		[1] 663
13	Jones, Albert	10	670
14	Jones, Mrs. Albert	10	670
15	Kirkland, Frank		[1] 140
16	Kennedy, J. D		[1] 713
17	Kerr, J. (War Department)		
18	Metzenthin, Miss	8	1109
19	Mortensen, ——	10	648
20	Negro woman	8	1041
21	Whitehead, Bert (War Department)		
	HELD FOR RANSOM.		
22	Fink, W. N	10	689
23	Jenkins (consular agent), Puebla		
24	Knotts, Frank, Chihuahua		
25	Ledwidge, A	10	690
26	McCormick, John (twice)	10	689
27	Malone, Pat	8	1,138
28	Solis, A	10	690
29	Spencer, Bunk	10	689
30	Stevenson, H. S	10	690
31	Sutton, R. B	3	15
32	Smith, D. B		

[1] Old book.

M.

Outrages—United States soldiers wounded in Mexico.

No.	Name.	Book.	Page.
1	Armstrong, Louis E	10	1570
2	Baird, Neil	8	1150
3	Bolinger, D. B	8	1074
4	Caron, Henry C	L	27
5	Clint, William H	L	29
6	Clayton, U. S	L	31
7	Ceasecke, Stanly	L	30
8	Cooley, E. E	L	37
9	Coyne, Pat	2	530
10	Chegas, Peter	10	1570
11	Deppy, Paul	L	29
12	Durley, Lyle	L	34
13	Fronterak, Stanley	L	29
14	Frahm, Elmuth	L	30
15	Flore, Alfonso	10	1570
16	Green, Arthur O	L	31
17	Gibson, Vann	L	31
18	Hendricks, Emil F	L	30
19	Johnson, Charles F	L	32
20	Keist, C. L. (War Department)	.....	.....
21	Kelley, J. F. (War Department)	.....	.....
22	Linberg, Arthur A	10	1570
23	Morozney, Lawrence	L	29
24	Morgan, Charles	L	35
25	Minton, J. G	D	560
26	Minette (wounded twice)	2	530
27	Marks, Capt	10	1570
28	McDonald, W. M	N	5
29	Noriel, William (War Department)	.....	.....

N.

American civilians wounded on border in United States.

No.	Name.	Book.	Page.
1	Dunnaway, Jim (War Department)		
2	Frost, Archibald	10	1604
3	Forbes, Henry	8	1243
4	Garrett, William C	13	1962
5	Gleaves, Jefferson (War Department)		
6	Huff, Sony	8	1243
7	Jenson, Chas	8	1243
8	Longorio, Joe	8	1243
9	Longorio, Damasio (War Department)		
10	Monahan, Mike	8	1243
11	Martin, Frank	8	1243
12	Metherill, Mrs. Lucille	11	1687
13	Moore, Mrs. J. J	7	[1] 957
14	Parker, Mrs. Emma	10	1570
15	Reynolds, R. H	L	6
16	Riche, Mrs. Laura	10	1604
17	Unknown woman	13	1988
18	Unknown woman (Naco)	7	[1] 18
19	Wallace, Harry	8	1243
20	Woodal, R	8	1243
90	Unknown (Naco), total 70	L	18

[1] Old book.

O.

United States soldiers wounded on border in United States.

No.	Name.	Book.	Page.
1	Arana, Victor D	L	32
2	Anderson, Capt	8	1243
3	Butler, Fred J	L	28
4	Bilek, Joe	L	29
5	Buckles, Roscoe	10	1570
6	Brasher, C. J	8	1243
7	Behr, Fred	8	1243
8	Coleman, Wm. P	10	1570
9	Casey, Burchard	10	1570
10	Coomer, Wm. M	10	1570
11	Candela, Louis	8	1243
12	Donville, Raymond J	L	30
13	Friedman, Alfred	10	1570
14	Herman, Fred J	L	27
15	Harris, James E	L	31
16	Henry, Lieut	8	1243
17	Hallenbeck, Ben	8	1243
18	Havela, Tony	8	1243
19	Harris, Allen G	.....	[1] 49
20	Harris, H. O	.....	[1] 663
21	Jackson, ———	8	1243
22	Kennedy, Pvt	8	1243
23	Laymond, C. H	8	1243
24	Langland, Paul	8	1243
25	Love, Calvin	10	1570
26	Lytle, Archibald	L	30
27	Lynn, Fred	10	1570
28	Minette, P. W	8	1243
29	Malasoff, Henry	8	1243
30	Moore, Ernest W	L	28
31	McDonald, Alf. J. (War Department)	.....	.....
32	McNabb, David, Capt. (War Department)	.....	.....
33	McGoigan, Pvt. (War Department)	.....	.....
34	Oberlies, William	8	1243
35	Price, Victor	L	30
36	Reynolds, Wallace	L	31
37	Rouch, J. E	8	1243
38	Riley, Ed. C	10	1570
39	Smith, Earl C	10	1570
40	Scheve, Edward	L	28
41	Sweroznski, James	L	29
42	Sanches, Viviano	L	31
43	Smith, H. R	8	1243
44	Stewart, L. T	8	1243
45	Swing, T. H	8	1243
46	Walls, David	L	32
47	Wilson, Capt	L	32

[1] Old book.

MEMORANDUM.

FOREIGNERS OTHER THAN AMERICANS KILLED IN MEXICO.

With the exception of the Torreon massacre of 303 Chinese citizens, the evidence before this committee shows 46 Americans were killed to 1 of other nationalities.

PARTIAL PROPERTY LOSS IN MEXICO, AS TESTIFIED TO BEFORE COMMITTEE.

Name.	Reference.		Amount.	Number, estimated, families.
	Book.	Page.		
Associated Tropical Land Co	9	1374	$1,000,000	
Almoloya Mining Co	9	1429	450,000	
Americans—robbed cash, Monterrey	8	1003	84,000	
Alvin, A. D	8	1090	25,000	
Bailey, Lola C	8	1028	15,000	
Bedwell, J. W	8	1076	20,000	
Blocker, Jno. R	8	1177	100,000	
Blankinship, A. R	D	484	259,000	
Byrd, W. S	E	794	100,000	
Brewer, Arthur	5	527	256,000	
Birchfield, S	9	525	12,500	
Bowman & Larson	17	2596	70,000	
Bowman, H. E	17	2599	25,000	
Booker & Co	17	2603	207,000	
Catron, Hirman	H	16	100,000	
Carrol, Mrs. J. W	2	449	10,000	
Cameron, Dr	13	1970	50,000	
Church, E. G	8	1071		
Colonies:				
Atascador	8	1036	3,000,000	300
Camacho	10	1496	900,000	90
Columbus	11	1709	1,000,000	100
Chamal	8	979	920,000	92
Colonia	8	1,166	150,000	150
Chuichupa	10	1,481	1,500,000	150
Dublan	10	1,481	3,000,000	300
Diaz	10	1,481	3,000,000	300
Garcia	10	1,481	1,500,000	150
Juarez	10	1,481	3,000,000	300
Medina	15	2,170	150,000	15
Morelos			3,000,000	300
Manuel			100,000	10
Pacheco	10	1,481	1,500,000	150
San Dieguito	N	2	1,500,000	150
Santa Lucrecia	8	1,052	1,000,000	100
San Pedro	13	1,977	3,000,000	300
Sinaloa-Sonora	8	1,160	2,900,000	290
Rio Verde			200,000	20
Valles			500,000	50
Victoria			200,000	20
Dunn, E. S	N	2	20,000	
Duff, D. E	N	2	12,000	
Dolley, Dr. Chas. S			680,000	
Enders, C. W	E	687	224,500	
Ellis, James E	8	1,093	7,000	
Erwin, Thos			342,518	
Garrett, W. C	13	1,962	60,000	
Gurley, W. W	8	1,086	50,000	
Gunter, L			8,640	
Glaze, Jno. W			3,531	
Hornbeack, T. R		84	41,000	
Heckle, Ernest	8	1,162	1,600	
Hess, Louis	I	[1] 134	50,000	
Jackson, Cora H	N	9	10,000	
Kolklozch, L. J			89,800	
Luckett, R. H	I	[1] 38	30,000	
Loughborough, S. F	I	[1] 79	15,000	
Lyon, W. A			2,128	
Moorehead, Don D	N	2	10,000	
Mexico Land Co	10	1,502	400,000	
Manley, Paul	15	2,200	20,000	
Metzenthin, Paul	8	1,109	20,000	
McBee, F. M	8	1,014	20,000	
Miller, W. W	8	1,074	70,000	
National Mine Smelting Co	8	1,014	[2] 500,000	
Oil companies	N	([3])	[4] 233,833	
Padillo, Jesus B	I	[1] 709	66,767	
Rathbone, C. H	2	550	40,000	
Rio Verde Agricultural Co	11	1,667	50,000	
Renard, Paul	8	1,082	500	

[1] Testimony of 1912. [2] Partial. [3] Insert 1. [4] Cash.

Partial property loss in Mexico, as testified to before committee--Continued.

Name.	Reference.		Amount.	Number, estimated, families.
	Book.	Page.		
Sutton, R. B	3	15-E	$2,400	.....
Sutton, D. C	I	[1] 705	21,500	.....
Sugar Co., Michoacan	5	5-E	25,000	.....
Simon, Chas. F	.....	.....	49,774	.....
Tabasco Plantation Co	9	1,378	2,000,000	.....
Union Mercantile Co	I	[1] 335	250,000	.....
Veator, S. H	10	1,481	40,000	.....
Vista Hermosa Co	15	2,203	500,000	.....
Warner, E. R	H	95	50,000	.....
Wieder, L. L	N	([2])	20,000	.....
Wetherell, Lucille	11	1,687	7,000	.....
Whatley, Anita	8	1,084	60,000	.....
Wright, Mrs. Mary	8	1,027	13,000	.....
Willis, Felicitas	8	1,030	15,000	.....
Welsh, Fred	8	1,140	700	.....
Yaqui Delta Land Co	2	429	2,000,000	.....
Executive session	12	13	75,000	.....
Do	9	567	2,000,000	.....
Do	9	504	17,000	.....
Do	8	819	1,161,000	.....
Do	.....	184	500,000	.....
Do	I	[1] 310	600,000	.....
Do	L	18	20,000	.....
Do	N	7	1,600,000	.....
Do	L	18	75,000	.....
Do	10	593	996,442	.....
Do	M	26	500,000	.....
Total	.....	.....	50,481,133	.....

[1] Testimony of 1912. [2] Insert 2.

RECAPITULATION.

	Families.	Losses.
Colonists and families outside of colonies, engaged in agricultural pursuits, including some plantation companies	3,400	$38,119,774
Miscellaneous individuals engaged in business on small scale	.....	4,273,084
Miscellaneous companies engaged in business on small scale	.....	8,088,275
Total	.....	50,481,133

Damage to oil companies, other than loss of pay rolls, not included in this list.
Damage to mining companies, other than dynamiting of one plant, not included in this list.
Damage to railroads not included in this list. Is specifically referred to in chairman's remarks.

In addition to the property losses enumerated herein, the committee is in receipt of letters from the following persons who suffered property loss in Mexico:

Brackett, F. S.
Bumgardner, Edward.
Beaty, W. L.
Colver, Walter.
Collins, E. W.
Coon, Jas. T.
Carney, Peter.
Corscadden, Jno. E.
Cunningham Inv. Co.
Garrett, James E.
Houghton, E. L.
Hale, W. P.
Hadsell, S. G.
Hartley, Geo. S.
Mountjoy, Jno. H.
Metnzer, F. C.
Papet, R. N.
Page, Mrs. W. R.
Preston, J. W.
Sullivan, Jackson W.
Scheuer, Miss Lucitta.
Synder, O. J.
Sanger, Chas. W.
Thoreson, I. C.
Tull, A. O.
United States Development Co.
Van de Bogert, D. E.
Wilson, J. H.
Windham, Mrs. Mabell.
Windham, Jno. J.

In view of the fact that their losses were not enumerated and certified to, it is impossible to set out the amounts in this record.

DEPARTMENT OF STATE,
Washington, September 9, 1919.

DEAR SENATOR FALL:

* * * * * * *

So far as concerns the quantity of damages sustained by American citizens in Mexico during the period mentioned, I may say that the department's information on this point is derived from the claims against the Mexican Government which have been filed with it, the facts regarding which are set forth in the following tabulation:

Claims filed alleging damages to property	772	Number of such claims in which amount of damages is not stated	118	Total amount of damages set forth in remainder of property claims	$22,835,592.83
Claims filed for alleged killing of American citizens	73	Number of such claims in which amount of damages is not stated	25	Total amount of damages set forth in remainder of the death cases	2,317,375.00
Claims filed for alleged injuries to the person	97	Number of such claims in which the amount of damages is not stated	10	Total amount of damages set forth in remainder of personal injuries claims	1,476,629.78
Whole number of claims filed during the period specified	942	Whole number of cases in which no specified amount is stated	153	Total amount claimed in cases where amounts are specified	26,629,597.61

It will be observed that the amounts of the claims given above are those alleged by the claimants in their statements of claim, and are not the estimates of the Department of State.

* * * * * * *

Sincerely, yours,

WILLIAM PHILLIPS,
Acting Secretary of State.

Summary of losses—American.

Deaths	$14,675,000
Personal injuries	2,846,301
Property, individual	50,481,133
Railroad, American (estimated)	112,000,000
Mining (estimated)	125,000,000
Oil; stock ranches; coffee, sugar, and other plantations; factories; banks; city residences; power plants; irrigation systems, etc	200,000,000
Total	505,002,434

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Organized holding company and became general counsel	18	2719
Was sent to purchase Oaxaca & Ejutla R. R	18	2720
Met President Diaz, Senator Tomacho, Senator Jose Castelasos, and Gen. Aguilar, chief of staff to Diaz	18	2720
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Silliman said if Carranza lost he would lose his fine home in Saltillo; if he won he could keep it; indications were Silliman received more pay from Carranza than from the United States; often requested telegraphic reports be held up; Silliman conveyed confidential matter to Carranza; considered Weeks and Dr. Tupper also in pay of Carranza, and were Silliman's advisers 16 2428
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An American killed near Palm Garden few days later; three bridges burned above Brownsville; attack of Fresno pump, 12 miles from Brownsville; burned construction works and bridges; execution of John Smith and Donaldson near Los Fresnos, Tex 8 1258
Attack on Galveston ranch; soldiers killed and wounded; attack on American girl near Harlingen; derailing of train near Brownsville; passengers shot; killing of Dr. McCain and wounding of Harry Wallace on train 8 1259
District Attorney Kleiber robbed; Corp. McBee killed; Brasher and engineer killed (Kendall); killing of Juan Garcia 8 1260
Captured arms and equipment; Lieut. Newman crossed into Mexico; relates occurrences across river 8 1261
Americans leaving for interior; loss about half million 8 1262
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Instructions not to kill Germans or molest them; had officers named when they took part of Texas; Germans were to furnish arms and ammunition, etc 8 1264
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Bandits killed Mexican woman, and rangers killed four of attacking party; mentions killing of two Americans, Smith and Donaldson, also the two Austins 8 1310
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German flag, owner said Mexicans told him it would save him from the raiders 8 1311
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Conditions good while Diaz was President 8 1182
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Mentions bandit raids; two Mexicans killed and two American officers wounded in first fight 8 1182
Bands organized on Mexican side of river 8 1183
Reign of terror on Texas side during raids 8 1183
No farms under cultivation that year 8 1183
Hundreds of American families had to leave their Texas homes on account of conditions along the Texas side of Rio Grande 8 1183
Very little property taken in raids, mostly by stealing; raids were for the purpose of killing Americans 8 1184
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Was attorney for Carranza between April 1, 1913, to September 15, 1914; was at Niagara conference June, 1914, at which it was agreed on embargo of arms to Mexico; subsequently a shipment of arms and ammunition was made on Antilla, New York to Tampico 16 2411

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Carrancistas understood they would be allowed by United States Government to ship arms and ammunition to Cuba, but they would see that ship did not proceed to Cuba, but to Tampico instead; that vessels so engaged would be subject to fines; several cargoes were shipped in this manner and vessels fined, but remitted by order of the Secretary of the Treasury; Lind go-between Carranza junta and department while still representative of Wilson and in his pay..... 16 2412
Quotes Buckley as to shipment of 6,000,000 cartridges on Sunshine, Grampas, and Susan, six trips from Galveston to Tampico; correct statement..... 16 2412
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Identifies extract letter witness to Carranza May 10, 1914, reference Wilson's opinion; Carranza should not consent to mediation, but for complete triumph of revolution..... 16 2414
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Gives reasons why he severed relations with Carranza government September, 1914, on account of disagreement as to future policy of Carranza government..... 16 241
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Visited Mexico June 1, 1911, after triumph of Madero; summoned to confer settlement of certain affairs; familiar with National lines of Mexico..... 17 2521
Consulted afterwards replacing of loans; Diaz appointed de la Barra in order that he might succeed him, agreed to by Madero; Ernesto Madero appointed minister of finance..... 17 2522
Know Gustavo Madero; in constant consultation with him..... 17 2523
Claims consulted about for secret service, etc.; employed men in charge of secret service; Sommerfeld representative Madero in El Paso; never was counsel for Standard Oil Co., never employed by them... 17 2524
Had relations with Waters-Pierce Oil Co., employed by them in January, 1912; employed once prior to 1912 for six months; did not secure for Waters-Pierce Oil Co. or personal concession; Waters-Pierce Oil Co. never had concession; have large interests in Mexico, oil interests; had no interest in revolution, was neutral; suffered great loss by revolution..... 17 2525
Waters-Pierce Oil Co. had no relation events 1910–11 in Mexico; Diario Oficial of Mexico shows no concessions to witness; made it hot for El Aguila Oil Co., thought them dishonest, but knows nothing of dissolution of that company; did not represent Speyer & Co.; did not receive any money from anyone to pay off a loan..... 17 2526
De la Barra government reimbursed Gustavo Madero $300,000 gold for advances made by him in revolution; thinks he received a fee of $50,000 from this fund for services rendered from November 1, 1910, to June 1, 1911; knows of no loans to revolutionary factions from Americans or American companies..... 17 2527
Employed by Gustavo Madero; did not act in a dual capacity; gives idea of legal advice furnished..... 17 2528
Azcona, member of revolutionary committee in Washington, arrested on trumped-up charges; released; here to create public sentiment.. 17 2529

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Does not think Madero borrowed any money; had it; suit against Madero brought by Diaz Government to harass Madero; was not connected with Waters-Pierce Oil Co. when Limantour was in New York; employed by Henry C. Pierce in Mexico July, 1911; later, January, 1912; consulted by Pierce one month after fall of Juarez, first time 17 2531
Pierce employed witness to expose certain crooked people, so-called Cientificos; they had secured concessions from Government, so-called Pearson concessions; Aguila Oil Co. deals in refined product of oil; Pearson Oil Co. deals in crude oil, in competition with Waters-Pierce Co.; Waters-Pierce Oil Co. operating under great disadvantage on account of Diaz Government granting vast oil concessions to competitors; had been going on for long while 17 2532
Members of Aguila Oil Co., Landa y Escandon, Enrique Creel, Porfirio Diaz, jr., Luis Riba, Pablo Macedo, Luis Elguero; had important concessions; Waters-Pierce Oil Co. status not changed by result of revolution; reason for employment 17 2533
Reason Pierce had private person to expose Aguila Oil Co. transaction because Government would not; willing to tell all he knows; Pierce desired decent business to prevail; to even up conditions 17 2534
Paid about $1,000 for services; no retainer from; advice given to revolutionists to get rid of Diaz Government; war material from United States; does not know firms 17 2535
Principally from St. Louis and New York; Bannerman, Broadway, New York, furnished rifles, cartridges, and machine guns; dealers .. 17 2536
Gustavo Madero brought a large lot beginning of revolution, about three carloads equipment; does not know cost of revolution; funds advanced entirely from Mexico; knows Didapp, formerly consul at Santander, Spain, and Turkey; Syrian; did not have conversation with him as quoted 17 2537
Didapp dismissed twice from Mexican Government; wrote articles against Madero 17 2538
Had conversation with Mr. Dawson, of State Department, only to post him on general matters 17 2539
Money, as fee, sent to Hopkins and Hopkins 17 2539
Madero kept his money in San Antonio and New York 17 2540
Details how $300,000 was deposited; Mexican Government approved fee 17 2540
Gave witness check for his fee; does not know what became of balance of money; had not loaned them any money; had a conference with French banker about loan; met Charles R. Flint, William M. Ivins; nothing came of it; knows of no drafts being drawn on Madero 17 2542
Does not think revolution cost Madero over $400,000 ..... 17 2543
Others helped buy arms and ammunition; total cost of revolution over $1,500,000 gold 17 2543
Does not believe Limantour told Diaz American capital was backing Madero 17 2544
Madero, sr., wanted to see revolution terminated 17 2545
Services for which fee was paid and how; received telegram at Veracruz that Mr. Root had offered resolution 17 2547
Resolution good for Mexico and proper for United States, bad for Orozco 17 2548
Stock given to Diaz people, $1,500,000 while they held public office; understood Standard owns Cowdray or Pierson interests 17 2549
Knows it from papers shown witness by J. N. Galbreath of Waters-Pierce Oil Co 17 2550
Knows no loan was made to Maderos in United States 17 2551
Discussions; Cientificos connection with the national lines of Mexico; Madero wanted them out; Speyer & Co., Ladenburg, Thalman & Co., and Mr. Pierce hold securities; Pierce largest individual holder; Loeb & Co. and English and French banks also own a lot 17 2553
Security holders know of plans to oust directorate; Lord Cowdray had contract with Government for managing Tehuantepec Railroad; Cientificos were directors; mismanaged; cost twice what it should; afraid same condition would be practiced on national lines, inasmuch as same people were directors 17 2555

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Americans ran off national lines	17	2556
Object to rumor directors who were directors of Aguila Oil Co.; plan between witness and Gustavo Madero only	17	2557
Madero actuated only by patriotic motives as a Mexican, not for the purpose of turning railroads over to stockholders	17	2558
Directors friends of Cowdray feared their influence in management of national lines; Pierce effected consolidation of Mexican contract with national lines	17	2559
Cowdray considered the one partner of Diaz	17	2560
Directors forced out; new ones favorable to Madero; Pierce not consulted; Madero and Pierce had ideas in common	17	2561
Special appointment between Madero, sr., and Limantour in New York	17	2562
Quotes newspapers; Limantour said Diaz should get out, denied by Creel; Dr. F. Gomez and Vazconcelos told witness; arrangement between Limantour and Madero, sr., in New York cause of Francisco I. Madero ordering Orozco not to attack Juarez; Madero feared shot falling on United States soil might cause intervention; negotiations were to compromise	17	2563
Knows nothing of financial conditions of Maderos; suit against them annoying, not fictitious	17	2564
Does not know whether Continental Rubber Co. advanced $150,000 to Madero; knew Zelaya was to be put out as President of Nicaragua before it occurred; notified Otto Fuerth, who had large interests there	17	2565
Discusses pipe-line concessions in Mexico; Madero said no good, but pipe-line concessions confirmed under Madero	17	2566
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About 100 Americans, heads of families, not speculators	11	1709
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Went to Galveston on cattle boat	11	1711
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Had all they owned in those places 11 1718
Never asked United States for protection; was told Americans remaining or returning to Mexico not to look for protection 11 1718
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Related dynamiting houses 8 1150
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Americans protected by British; heads shaved; British citizen; Americans claimed to be British subjects for protection 8 1154
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Ex-Assistant Department of Justice; newspaper man; explains connection and work with Department of Justice, reference Mexican Government, Central American countries, etc	20	2890
Letter Chief Bielaski to Charles E. Jones, value of services, June 28, 1916; letter from Bielaski to Mr. Winslow re Jones, June 16, 1919, addressed Capt. Hanson under name of "Creese"; letter from Forest C. Pendleton "To whom it may concern," recommending Jones, reference to introduction letters (see appendix)	20	2894
Adam Leckie one source of information, inside man with Carranza; United States ambassador would not act on direct information; Leckie partner with Assistant United States Attorney General	20	2895
Andres Garcia letters (see appendix)	20	3000
Report to Department of Justice	20	2896
Quotes extract letter Garcia re remittance; commissioned by secretary of foreign relations by Mexican Government satisfactory to United States Government	20	2897
Offered by Mexican Government $40,000 for reports; activities of Mexican Government through Carranza; Obregon to bring on revolutions in Central American countries who were friendly to United States in order to unite against Allies	20	2898
Cabrera friendly to United States; Salvador pro-Mexican; intrigue Wm. J. Bryan with Nicaragua; Mexican Government employed by Von Eckhardt, German ambassador, to unite Central America against United States and make it pro-German	20	2899
Refers to various letters and documents to be filed in appendix re De Negri, etc	20	2900
Refers to various letters and documents to be filed in appendix re Peralta, etc	20	2901
Quotations letters and documents for appendix high officials re Central American plans	20	2902
Carranza to offset bad impression in United States as to their pro-German activity	20	2903
Liberal Party of Central America under orders of Carranza to fight the United States; Carranza to furnish fund for movement; refers to correspondence in appendix	20	2904
Red Cross with Mexican doctors only to be established for use in Honduras and Guatemala; Obregon thanked; did more for establishment Liberal cause than any other; Obregon's connection arms and munitions out of Veracruz to Honduras	20	2906
Agents Carranza and Von Eckhardt in United States to further plans; proposition Carranza to Antonio Mendez Montoroso re revolutions in Central America against Allies and United States	20	2907
Ernest Racca, M. D., offers to sell Carranza-Obregon, etc., letters	20	2908
Peralta; Rosales allowed to leave United States at New Orleans by district attorney feared to antagonize Central America by prosecution; Carranza had three well-known Central American propositions broken up; third plan was known as "Plot of Morazan" by Carranza and Von Eckhardt	20	2909
Pan American "United Latin Race" *v.* United States	20	2910
Obregon et al., present friendship for United States not accordance previous activities	20	2910
All leading Mexicans now in power unfriendly to United States	20	2910
Alvarado's record line of blood	20	2911
Obregon's the same	20	2911
Should not be recognized	20	2911
Obregon book seized by Department of Justice anti-American	20	2911
His change of heart false	20	2911
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Alvarado says Carranza a liar and dishonest 20 2915
Quotes Lansing letter from Arredondo to protect American life 20 2915
Quotes Lansing to Arredondo recognizing Carranza de facto, October 19, 1915 ..... 20 2915
Quotation Alvarado showing Carranza did not mean to comply with promises to United States 20 2916
Alvarado showing graft in Carranza government by officials 20 2916
Alvarado to "ditch" Obregon 20 2916
Alvarado head of Sonora revolution 20 2916
Alvarado, Carranza general when atrocities committed on Americans in Mexico 20 2917
Alvarado in New York to finance revolution 20 2918
Spreading anti-Carranza propaganda 20 2918
Re written proposition to act as publicity agent for Alvarado and Sonora revolution 20 2918
Hopkins and Alvarado 20 2918
Witness goes with Sergeant at Arms to summon Alvarado as witness before this committee in Hopkins's office 20 2919
Alvarado says he is honest, living in misery, but has costly apartment in New York, $100 to $150 per week; supposed to be worth $5,000,000. 20 2920
Alvarado shows clippings, 37 defaulting paymasters in Mexico, $500 to $400,000 each 20 2920
Quotes Carranza's theft from Mexican Government 20 2920
One hundred and eighty-two army officers arrested for theft released by Carranza, hence his power 20 2920
Quotes Alvarado, Carranza could have eliminated Villa if he wanted to 20 2920
Gives reasons why Carranza wanted bandits to operate 20 2921
Explains Carranza's plan to remain in power 20 2921
Carranza took 2,000 Mexican soldiers from Sonora, left families, later ravished and murdered 20 2921
Carranza allows atrocities to keep in power 20 2921
Alvarado says worst revolution in history of Mexico approaching; explains 20 2922
Predicts intervention will be sure 20 2922
Says Carranza will be killed when he attempts to flee country 20 2922
Carrancistas responsible for 90 per cent of all outrages in Mexico 20 2922
Carranza displeased receptions in Michoacan to Obregon 20 2923
Explains Carranza methods to steal election and remain in power 20 2923
Bonillas to be running for Carranza 20 2924
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Hinojosa Obregonista 20 2925
Hinojosa statement that Carranza sent him on mission to weaken Obregon 20 2925
Andres Garcia strong Obregonista 20 2926
Secret police system of Carranza 20 2926
Alvarado discusses Carranza's political plans 20 2926
Alvarado discusses Sonora revolution 20 2926
Obregon camouflaging 20 2927
Plan that Obregon will not be head of revolution at first 20 2927
Alvarado to back revolution 20 2927
Mexico not safe for Mexicans; they are leaving Mexico in countless numbers 20 2927
Alvarado describes Luis Cabrera hatred of Americans, etc 20 2928
Manuel Aguirre Berlanga servile agent of Carranza 20 2928
Alvarado describes Bonillas 20 2928
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Bonillas attempts to interfere with legislation United States Senate 20 2928
Manuel Calero lied to United States for 10 months 20 2929
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Alvarado describes Pastor Rouaix, Secretary Public Instruction 20 2929
Alvarado describes Candido Aguilar 20 2929
Alvarado describes Manuel Rodriguez Gutierrez 20 2929
Alvarado describes Pablo Gonzalez 20 2929

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Gonzalez manifesto in Pachuca to protect; soldiers raped, murdered, and robbed own people... 20 2930
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Gonzalez intrigues propaganda United States to fool them, etc... 20 2931
Alvarado gives biography of Obregon, shows he was with Carranza plot against United States... 20 2931
Obregon troops robbed, ravished, murdered, desecrated churches; thousands of girls ravished... 20 2932
Obregon was extremely pro-German... 20 2932
Obregon celebrated American hater... 20 2932
Obregon flew red flag in Mexico City... 20 2932
Obregon made contract with I. W. W.'s... 20 2932
Obregon wrote book favoring Prussian cause... 20 2932
Obregon appoints publicity agent... 20 2932
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Alvarado describes Carranza... 20 2933
Alvarado says Carranza revolted against Madero... 20 2933
Took advantage of American opinion, death of Madero, and declared against Huerta... 20 2933
Alvardao further describes Carranza, lunatic, etc... 20 2934
Alvarado further describes Carranza... 20 2935
Alvarado to form publicity bureau in United States to further his candidacy for President of Mexico... 20 2937
Takes oath to capture or kill Felix Diaz and Gen. Pelaez... 20 2937
Defeat his forces March, 1918, by Diaz and Pelaez; quotes report to Department of Justice... 20 2938
Typewritten statement prepared by Alvarado... 20 2938
Alvarado before revolution very poor, now millionaire... 20 2938
Alvarado record in Yucatan robber... 20 2939
Witness Jones tells of conferences with De Negri in New York October 22, 1919... 20 2943
Introduced to Secret Agent Seguin... 20 2944
Quotes report to Department of Justice May 13, 1918, re M. G. Seguin, Mexican consul, arms and ammunition... 20 2945
Offer, De Negri to Jones, to make public information he had against National Association for the Protection of American Rights in Mexico; Mr. Fall, chairman and committee, Capt. Hanson, Buckley, et al. in order to disgrace and ruin them... 20 2945
De Negri offers $40,000 for documents and $2,000 per month to Jones . 20 2946
To increase to $100,000 if above mentioned are ruined... 20 2946
Describes De Negri's feelings toward above parties... 20 2946
Seguin and Jones brothers arrived Laredo November 7, 1919, 3 p. m.. 20 2947
To meet representatives from Mexican foreign office... 20 2947
Quotes Charles A. Douglas as telling De Negri that United States State Department very anxious to discredit Fall Committee... 20 2947
Something to drop soon to cause a sensation, to involve Congressmen and Senators, also various parties connected with Department of Justice cooperating with enemies of Mexico... 20 2947
Activities at Laredo interesting... 20 2948
Pena and Seguin make threats against Trout-Rumsey et al., United States officers, also Fall, Hanson, et al... 20 2949
Work in Laredo... 20 2951
Seguin received from De Negri confidential information to ruin Fall, Hanson et al... 20 2951
To be used by Carranza's American friends to ruin them... 20 2951
Left Laredo November 12, 1919; had conversation with Hanson; tipped scheme off to him... 20 2951
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Scheme to murder Fall and Hanson... 20 2952
De Negri criticizes Senator Fall on exposing him on I. W. W. connection... 20 2952
Abuses newspapers... 20 2953

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Acknowledges letter to New York Herald all "bunk"	20	2953
De Negri to make fool out of newspapers	20	2953
De Negri securing clipping of "Outrageous atrocities and murders, etc., United States on Mexicans by Americans	20	2953
Mexican booklet v. Americans	20	2954
Met Seguin consular office, New York, November 24, 1919	20	2955
Mexican messenger en route to New York; sealed instructions	20	2955
Very bitter against Fall and Hanson; positive threat by De Negri they to be assassinated	20	2956
November 28, 1919, warned Hanson through Department of Justice	20	2956
December 1, 1919, Hanson warned Fall	20	2956
Maj. Pullman, superintendent of police, had Senator Fall looked after	20	2956
Two Mexicans endeavored to enter Fall's room	20	2956
Wrote Sullivan, Department of Justice, that Fall and Hanson marked for assassination and to notify Capt. Hanson; quotes telegram to Hanson	20	2956
Telegram from Hanson	20	2957
Visited Mexican consular office, New York; informed of message from Bonillas calling Jones to Washington that night	20	2957
Relates interview with Bonillas reference to ruining Fall committee, etc	20	2958
Scared over Fall resolution	20	2959
Friends of Bonillas had worked on members of Foreign Relations Committee to prevent	20	2959
Their friends Bernard B. Baruch, Attorney General Palmer, and Joseph Tumulty	20	2959
Col. House and Lansing in bad with Wilson	20	2959
Judge Douglas gave strong letter to Gen. Pablo Gonzalez	20	2960
Mr. Lincoln Colcord, friend of Bonillas, had seen Senators Johnson, Borah, and Knox	20	2960
Colcord to have parties over to Washington to tell truth about Mexico; De Bekker, McDonald, et al., to talk privately with Senator Borah	20	2961
Bonillas to have other powerful friends to see Congressmen and Senators	20	2961
Knows Robert Murray	20	2961
Called John S. Weller, 915 Park Building, Pittsburgh, Pa., to work on Senators against Fall resolution	20	2961
Colcord, their friend, "radical"	20	2962
Martens was secreted in Colcord's house when United States officers were seeking him	20	2962
Subpoena served on Martens in Colcord's apartments	20	2962
Bonillas suggests that Jones Bros. appear before the Foreign Relations Committee to discredit the subcommittee	20	2963
Bonillas could not produce any files against Fall and the committee	20	2963
Bonillas details method to discredit Senator Fall and Hanson	20	2964
Bonillas offers $100,000 to ruin them	20	2964
Threatens National Association for the Protection of American Rights in Mexico	20	2965
Bonillas offers $5,000 per month Chief of Secret Service for Mexico	20	2965
Bonillas to get Obregon and Gonzalez to withdraw his favor	20	2966
Bonillas bitter toward Lansing going to resign	20	2967
Fletcher hissed in Mexico; Von Eckhardt cheered	20	2967
Darger of Fall resolution passed	20	2967
Several Senators and others to be ruined by scheme	20	2968
Proposal to ruin Fall committee et al	20	2968
Carranza to spend $100,000 in propaganda in United States	20	2969
Javier Favela great friend and secret service agent Carranza, room 203, 79 Nassau Street, telephone 6068 Courtland, residence 265 West Twenty-second Street, New York	20	2969
Favela said plans were on foot to assassinate Fall and Hanson	20	2970
Jones and Seguin have words	20	2970
Copy of expense check for $920.60 filed	20	2970
Telegram to Hanson at El Paso, January 28, 1919, asking him to come to Washington	20	2971
Letter November 4, 1919, Charles A. Douglas to Gen. Pablo Gonzalez, introducing witness	20	2971

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Kept committee advised at all times through Hanson; never received a dollar from any source for information 20 2973
Favela a bad actor, dangerous 20 2974
Hanson found out from another source that Favela was to do the assassination 20 2974
Favela to burn oil fields if there is intervention 20 2974
Favela a German spy, speaks 8 or 10 different languages 20 2975
Representatives of new Mexican Government goes fully into assassination plot 20 2976
Kept Hanson posted 20 2977
Refers to various letters and documents to go into index reports to Department of Justice 20 2977
Felix Diaz and Japan 20 2978
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England and Felicista movement 20 2978
Diaz correspondence and codes 20 2979
President Wilson code name "Meddler," Bryan's "Mr. Chump," Carranza's "Mr. Foxy" 20 2979
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Written agreement between Rosales, Peralta and Gavin to loot Honduras 20 3071
Written contract of de la Rosa to furnish expedition to Honduras 20 3072
Carranza supplies arms and ammunition 20 3072
Peralta and Rosales code 20 3073
Carranza, Peralta, and Rosales combination Central America 20 3078
Letter Rosales to Secretary Lansing December 26, 1916 re conditions Honduras 20 3081
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Letter Julian Irias to Rosales November 26, 1916 re arms and ammunition 20 3089
Letter Contreras, Mexico City, to Julian Irias, Washington, re Central American revolution 20 3090
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Agreement signed by Rosales and Jones re arms and ammunition 20 3099
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Arrest of all Central American plotters New Orleans, La., August, 1917. 20 3100
Peralta confessed to Government officers 20 3100
Evidence complete 20 3100

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All deported	20	3100
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Santos states Obregon and others will still assist revolution	20	3102
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Report Creese to Department of Justice re interview with Ignacio Bonillas re German activity in Mexico	20	3108
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Jones, Gus T., American	10	1622
List of United States soldiers killed in the Columbus, N. Mex., raid	10	1622
Joyce, Father Francis P., chaplain, United States Army:		
Six or seven hundred sisters in Veracruz, 1914, many in disguise and in want	18	2656
Many priests serve bishops and archbishops there; same working as waiters in restaurants; Father Kelley gave some assistance; United States Consul Silliman, personal representative of President Wilson, said, when appealed to for aid to sisters and priests, "It is generally admitted by everybody that the worst thing in Mexico, next to prostitution, is the Catholic Church, and both must go;" Mexican woman offered gold to an American officer to marry her daughter to save her from Candido Aguilar; refused, later Aguilar ruined her, then married Miss Carranza	18	2657
Consul Canada tried to help; some sisters became mothers; many were diseased; Funston sympathetic but failed to get boat from United States departments for them	18	2658
Mistake in not recognizing Huerta; untrue Huerta was a bad man, not guilty of killing Madero; received very discourteous treatment by United States; taken sick; bond $38,000; Dubose, United States officer, tried to graft on him	18	2659
Moved back to prison; operation on Huerta wrongfully done, caused his death; firm of lawyers in El Paso got $7,500; Hattner, $17,400, $13,000 lost to widow in favor of United States Government	18	2660
John Lind against Catholic Church in Mexico, said at Veracruz, "The thing wrong with Mexico is the Catholic Church, and they should keep the Catholic schools and churches closed for a generation, and they will then be rid of the church in Mexico;" quotes time of Juarez; despoiled church; influence of priests on natives good; 400 sisters left in Veracruz when Americans evacuated city, reported Villa and Carranza tried to have one prostitute to every four soldiers; Catholic Church failed to render aid to their people at first	18	2661
Carranza at banquet board supplied each guest with a "chalice" for a wine cup; many American sisters taken off train near Veracruz by soldiers	18	2662
Karns, H. J., American	12	1899
Merchant, export trade with Mexico, 1899; has had no difficulty in commercial relations with Mexico and has operated during all revolutionary period, 1899; business occasionally suspended, 1900; conflicts on border at Nogales, 1900; traffic south of Nogales interrupted, 1900; railroads running south of Nogales in hands of owners and factions, 1900; experience with local authorities pleasant, 1900; Yaquis trying to make treaty, 1901; soldiers in Sonora mostly Mayos and Yaquis, 1901; Americans put to no inconvenience by Federal troops, 1902; collectors of customs and consuls of Mexico always pleasant in relations with Americans, 1902; consuls at Nogales not always friendly inclined, 1902; removal of consul at Nogales for participation in theft of an automobile, 1902; Gen. Obregon had consul removed, 1902; implicated by letter found on Mexican killed by Americans, 1903; substance of letter, 1904; Obregon friendly to Americans, 1904; business on west coast of Mexico, 1904; railroad south of Nogales out of commission, 1905; slight interruption of traffic, 1906.		

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Exiled nuns and clergymen at Veracruz	18	2665
Part received at Castroville, Tex.; tried to tell American people about Mexico; priests penniless; disguised as peons to get out; assisted by him	18	2666
Method of ransom for priests; how and why exodus of Catholics	18	2667
Corroborates Mother Elias, former witness: her return to Mexico to help nuns; trouble with Mexico "anticlericalism"	18	2668
Mexico only a democracy and republic in name; Catholic candidate for vice president received more votes for vice president than Madero candidate, but counted out; quotes extract from Bryan letter of March 20, 1915 "Flower of democracy lies religious freedom"; criticizes constitution of 1857; sentiment of Mexican Catholic; Luis Cabrera no friend; politicians Mexico adopted principles French revolution; antireligious	18	2669
People of Mexico do not hate church, only politicians; church against looting, atrocities, therefore politicians hate church; wants religious freedom in Mexico similar to United States	18	2670
Quotes number of Catholics and makes comparisons	18	2671
Quotes Eber Cole Byam on Catholic Church, Mexico	18	2672
Quotes figures and makes comparisons of Catholic and Protestants, worship, etc	18	2674
Education in Mexico among Indian tribes	18	2676
Quotes ancient history of Mexico and work of Catholic Church, Mexico	18	2678
Only union of church and state Spanish régime in Mexico; Catholic political party formed just before Madero took office, object to reform constitution of 1857, reference church; similar to the United States; disagrees with Lind statement about schools in Mexico; "ignorant or an intentional prevaricator;" believe what Mr. Frisbee said about Lind conversation re Catholic Church; not a Jesuit	18	2682
Kellogg, Frederick R.	16	2380
Contradicted John Lind on Mexican and American mining laws	16	2380
Spanish law issued ..... Brief on	16	2381
Minerals issued to crown	16	2381
Ownership minerals restricted	16	2381
Cites decrees and orders	16	2382
Minerals, how acquired	16	2382
Decree 1892 expresses recognition private ownership coal, etc	16	2383
Previous interpretation, decrees, etc., beginning 1387, laws 1559, and ordinance 1783; law of Mexico after Revolution 1821; treaty between Mexico and Spain conformed to above laws to Mexico and endured until 1857; amendment to constitution of 1857 authorizing mining codes, 1884	16	2384
Then follows extracts from mining laws of November 22, 1884, where foreigners may acquire mining property; Lind statement on mining quoted, denied	16	2385
Further refutes Lind	16	2387
American owners of oil lands actually confiscated; law of 1884 to remain in force until January 4, 1892, which granted private ownership to private individuals of oil, etc	16	2389
Three provisions of mining code do not admit change of individual rights to subsoil rights to individuals; all in accordance with laws of 1559 and 1884; constitution 1917, articles 14, 27, 126 not retroactive and might be construed not depriving owner of subsoil rights, but Carranza decrees beginning February, 1918, eliminates private ownership of petroleum beneath surface	16	2390
Arredondo pledged protection, rights, lives, and property; foreigners not made good	16	2391
Discusses damage to oil company affected by Carranza decrees	16	2392
Quotes Lind, reference to statement of Cabrera; foreigner not to seek avoidance of taxes; performance of duties, etc.; explains unjust taxation Carranza government to foreigners	16	2393
Oil companies records clear in Mexico	16	2394
Kennedy, J. D.	17	2630
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King, Wiley	13	1949
Went to Mexico, left in October, 1917; farming and stock raising. On Atascador Colony, 100 families at that time; 425 acres owned, Americans owned small tracts each, poor people; 192,000 acres in ranch before being subdivided for colonization by E. H. Campbell & Co., of Tampico; had schools and church, maintained by Americans; conditions ideal up to time of revolution; trouble began in earnest when we went into Veracruz; colonists good, honest, law-abiding citizens; treated well by Mexicans until break came; relates ravishing girls of Mr. Gourd, sent for soldiers, did not come, ordered to leave station (Huerta soldiers)	13	1950
Later Huerta soldiers executed eight men, Javala family and another Mexican, for above crime; so reported; went to jungle, built camp, remained there 22 days; went to jungle again when Pershing went to Mexico	13	1952
Actual facts; Ebano occupied by Huertistas, Villistas, laying siege; Villistas robbed Bird and Zigler, and Mexican ranchmen and Americans took charge of Dunheim, Limmerfall, Morehead, and young King; killed Bird; the two Germans, Dunheim and Limmerfall, had accused Bird and Zigler of stealing, but they only took their own cattle back that the two Germans had stolen from them (Hanson)	13	1952
Carrancistas began stealing and robbing; Weder robbed of cattle, protested, was killed by Gen. Larraga, 24th of October, 1917; no protection from Carrancistas; boy punched with a gun in back and robbed of horses; Carranza general in league with thieves	13	1954
Two German families remained there, well treated by Carrancistas; American colonists lost all, scattered all over world; no help from American Government, only to assist some to get out of country; no concessions; American enterprise had wonderful good effect on laborers	13	1956
Mentions murders of L. A. Dunn and three other Americans and one Mexican with pay roll; Franklin, Pilgrim, on Chamal, mentions San Dieguito colony losing several hundred head of cattle; ran away by Manuel Larraga; all farms grown up in brush; Germans to fight with Mexicans; depended on United States Government for protection, but received none	13	1954
Kirby, Thomas	9	1461
Mining engineer; authority on mining in Mexico; wrote review of mining in Mexico for the Mining World, of Chicago, in year 1905	9	1461
Mines in Mexico practically abandoned in 1880; when Americans started mining operations old mines were reclaimed and placed in operation with up to date machinery, etc.; in each instance the mines were bought and paid for when obtained from Mexican owners; mining flourished under Diaz	9	1463
Since revolution began mining has fallen off 90 per cent	9	1464
Testified re execution of American citizen, Howard L. Elton, a mining engineer, by rebels after guaranty to United States that it would not be done	9	1468
Testified to killing of Boris Gorow, an American citizen, in Jalisco by rebels; his gold teeth were beaten from his head before he died	9	1469
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Statement of Manuel Rincones, reference to raiders of Norias ranch, who was captured by raiders	13	1284
Nafarrate Carranza commander at Matamoros during raids	13	1286
Kleiber, J. I	8	1269
Conditions along the border good during Diaz régime; relates wrecking of train near Brownsville, in which he was robbed, engineer killed, also several soldiers, also Mr. Cain; State health officer and Wallace wounded	8	1270
Identifies De la Rosa past history; quotes Chino Flores confession about raid; show Nafarrate assisted in organization of raiders in Matamoros	8	1274

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Relates difficulties in extradition; De laRosa commissioned by Carranza; leaders indicted for murder in Texas; two men hung for murder of Austins. 8 1275
Relates conspiracy to raid on Texas side; formed in Matamoros; approximate number of Americans murdered by raiders. 8 1277
Gives ideas on Mexico and Mexicans. 8 1278
Propaganda from Mexico on Texas side. 8 1278
Discusses extradition; Alberto Cabrera, murderer of District Judge Welsh, now a captain in Carranza army; ex-convict escaped from Texas penitentiary. 8 1278
Knox, Henry Hobart, American. 9 1417
Consulting mining engineer. 9 1417
Conditions in Mexico under Diaz. 9 1417
Difficulties began with Orozco revolution. 9 1417
Mining properties in Chihuahua closed. 9 1418
Troops sent to mining camps, but recalled at request of operators because they robbed and looted. 9 1418
Attitude of Carranza generals to conditions. 9 1420
Gen. Murguia from humble origin became multimillionaire. 9 1419
No prospects for improvement in conditions. 9 1421
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Condition of railroads. 9 1421
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Have never denied American citizenship. 9 1423
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Armed intervention. 9 1425
Kile, Capt. S. C. 8 1242
Testimony of Capt. Kile, intelligence officer Fort Sam Houston; introduces a brief history of the lower Rio Grande Valley. 8 1242
Compared contents with reference to raids on Rio Grande with departmental records found correct in detail, in which are related detailed occurrences. 8 1243
King, A. J. 10 1535
Sergeant Texas Ranger force, Big Bend, Tex.; known that district since 1897; unsafe for many years on that border; reason, Mexican Government employs outlaws to represent them. 10 1535
Texas rangers not allowed to go to Mexico; only go with soldiers; gives account of robbery of T. D. Baldwin's store at Ruidosa, Tex., bank of river; Chico Cano, captain in Carranza army, and 35 outlaws do the depredating on Texas side principally; several days after the first robbery they returned; arrests by rangers; Dykes and Woodland arrested man trying to kill Baldwin; Cano and his gang rescued him in fight, 20th of January, 1920; also robbed a threshing machine and stripped it; no cooperation from Carranza, never delivered any murderers or thieves to us; efforts made with Carrancistas unavailing for cooperation. 10 1536
Krakauer, Adolph. 17 2590
Protection from Diaz. 17 2591
Surprised Madero won; criticizes United States for assisting Madero; relates Diaz's words; Orozco started his revolution against Chihuahua, not against Diaz; Madero later joined with him. 17 2591
Kritzberger, Peter. 13 1977
Farmer and laborer, manager of farm, Oaxaca and Chiapas, 1909; American colony; "San Pedro De Las Papas," two or three hundred Americans there, farmers, small; had all they possessed there, lost it all; good citizens, 63,000 acres; no concessions; absolutely safe prior to revolution; trouble began Veracruz incident. 13 1977
Details fight of Smith with bandits and escape, etc.; Smith in jail at Tonala, later marines came in and he was released; came to States; homes in ruins; took out to Guatemala line in box car 100 Americans; relates robbery by Villista company, Culebra. 13 1980

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Robbed by Carrancistas; had fight, wounded several, home destroyed and burned, robbed; all colonists same; ran away; killing of Jake Myers by two men who were tried and fined $300, turned loose; tried by Carranza judge at Tonala; relates murder of Mr. McGill and Morgan; murderer of Morgan arrested, turned loose at Tonala; relates incident of cow stealing, arrest made, turned loose; no attention paid to American consul, reason he had no backing..... 13 1984
General conditions detail dealings with United States and British consuls; robbed many times, etc.; Carrancistas all grafting..... 13 1986
Describes methods of graft in shipping stock; American woman, member of that American colony, with child, ravished, later died; several young girls and women ravished; perpetrator well known there now, nothing done with him; no colonists left there; trains and bridges burned; track grown up, limbs break windows in cars, very little to say; conditions worse below Mexico City..... 13 1988
Everyone wants intervention there; Mr. Summers held for $5,000 ransom; brother in Oklahoma paid it; details robbery by Carranza general; Germans own two-thirds of coffee plantations, well treated.... 13 1990
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Refutes Lind reference United States attitude toward oil rights Mexico. 16 2370
Explains concessions in Mexico; American not workingman..... 16 2371
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Congressional Record April 28, 1920, pages 6719, 6720, as to danger of England *v.* Oil business..... 16 2377
Langhorne, Col. Geo. T..... 10 1629
Commander Big Bend district two years prior to October, 1919; area Big Bend 14,000 square miles, 53 per cent canyons and mountains, 110 miles from railroad, rim rock 2,500 feet above valley on river.... 10 1629
Conditions bad, relates killing of Sitter and Hulen by Carrancistas; Glenn Springs raid by Carrancistas, relates incidents in chronological order, raids, murders, etc.; received no assistance from Carrancistas; in his opinion they committed all offenses; gives in detail aviator incident in which Capt. Matlack rescued them by paying half the ransom; report on Eighth Cavalry under witness, by Adjt. Gen. Gilmor to commanding general southern department..... 10 1629
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Journalist and farmer; traveled in Mexico to see conditions at first hand; mentions F. S. Pearson lumber interest in Chihuahua; Canadian interest..... 2 372
Association American Rights, etc., paid portion of her expense to Mexico, she paid balance..... 2 373
Gives detailed account of trip through Mexico, saw much suffering; brought back many pictures of young girls eaten up with disease, caused by Carrancistas..... 2 377
Tells of robberies; conferences with Mexican women who pleaded for relief from the United States..... 2 377
Carrancistas offered free loot and girls for or to recruits; gives many accounts of atrocities on women, tortured and murdered; many thousands actually starved to death; Weeks Carranza propagandist; refutes insinuation by Inman that she was pro-German..... 2 377
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Report to Senator Albert B. Fall, chairman; petition directed to the President of the United States under date of May 12, 1914, by a committee representing 3,000 Americans; shanghaied out of Tampico on April 22 and delivered at Galveston, Tex..... 16 2446
Navy Department Bulletin, May 23, 1914, granting in part petition.. 16 2448
Personal account given by one of the committee as to proceedings in Washington with department in behalf of "refugees" above mentioned and also incidents occurring previous to their departure at Tampico and acts of United States Government through Admiral Mayo..... 16 2448

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Statement of "Mr. D.," an American, robbed of cattle and money; ransom of stock from bandits; no protection given by Carranza governor, Osuna; bandits and Gen. Larraga, of the Carranza army, worked together to rob Americans 16 2453
Statement of "Mr. E.," an American; house destroyed by Carranza soldiers; reported to Osuna; nothing done 16 2453
Statement of "Mr. F.," an American, near Tampico; Gen. Aguilar took horses, soldiers beat him up with guns; "kill the Gringos" their cry; in jail 3 days, paid lawyer $200 to have him released, no charge; June, 1915, Gen. Nafarrate instructed his soldiers to arrest all Americans and compel them to leave property; cut down orange trees and pineapples and destroyed houses 16 2454
"Mr. G.," an American gives details of methods employed by Gen. Murguia and others to commandeer cars and force the Americans to sell their products to his agents or stand for extra graft in order to get products to market; letter from Col. F. Aguilar to "Mr. H.," Columbus colony, demanding $3,000; Sergt. Mateo Haro is accused of the murder of J. H. Correl and the rape of his wife; Henequen plantation destroyed; fences cut; robbed by Gov. Caballero on fiber deal; Mexican Government canceled concessions on two mines; Carranza domineered by his generals; Gen. Gonzales gave Antonio Acosta, his friend, $50,000 to buy mine; publicly stated he would spend $2,000,000 to defend Obregon 16 2456
Francisco Murguia purchased a large ranch in Coahuila and property in San Antonio, Tex 16 2457
Gen. Hasso robbed stores of $2,000; Gen. Isidro Cardona took mine from widow Norman; killed a Spaniard; took possession of several houses; Felipe Pescador, general manager of railroads, appointed friends who made out false vouchers and gave half to Pescador; 52 trains have been dynamited in this section; gives names of bandits and locations and how they get ammunition from Carrancistas; took manager of Agua Dulce ranch, held him for $30,000; many robberies noted 16 2458
Women naked, all clothes taken; people starving; people eat carrion, lizards, frogs, burro meat; railroad agents robbing Government out of half of the fares; 180 bandits in Mexico; horses and cattle all gone 16 2459
Mr. Barnes, 20 years in Mexico 16 2459
Gives account of experiences and robberies in Mexico; house burned; wrecking trains; carrying away young girls; hung and tortured old man 71 year of age 16 2460
Reference, John Lind, advice 16 2461
Hiram Catron: His statement in full in record testimony; ex-soldier; son killed; Peter Catron 16 2461
Statement of Virginia Villasana reference murder of Peter Catron by Eleno Zequera, officer under Gen. Larraga 16 2462
"Mr. L.," an American, gives account of death of L. L. Weider, November 27, 1917, at Atascador colony, near Tampico, by thieves under Gen. Larraga; cattle taken; names thieves, etc 16 2463
Gives several robberies of cattle, etc.; Atascador in ruins; protests against article 27 of new constitution 16 2464
"Mr. N.," an American, lived in Tamaulipas 25 years; good conditions under Diaz; visit from Lieut. Col. Nafarrate; robberies; battle of Victoria; execution of Lucas Haces, a Spaniard; robbery of train by Col. Jesus Agustin Castro; execution officials of Llera 16 2465
Hanged lineman; second battle of Victoria; car of corn burned; Saldivar loots; battle of Tampico, December 5, 1913; rebels repulsed; April 13, 1914, again attacked Tampico; successful in May; Zaragoza-Huertista evacuated city 16 2466
Loss to rebels, killed and wounded, total both battles, 1,000; wired President Wilson to recognize Carranza; gives account of murder of municipal president and officers of Llera and murder of several leading citizens of southern Tampico; stood in with rebels, only lost $17,000; Carranza officials allowed to pad pay rolls; natives hungry and have few clothes 16 2468
All Carrancistas bandits; "Mr. O.;" all Carrancistas bandits; no punishment; negroes to fight Gringos with Carrancistas 16 2468

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English boat picked up 125 Americans mouth of Panuco; came out on steamship Cyclops; returned, gives account of losses and mistreatment; shot at; no protection from officers; Carranza troops robbed oil companies; recognized 16 2469
Relates various robberies and outrages 16 2470
"Mr. P.," an American, relates robbery of "dead" as well as himself; Carrancistas rob bandits who have robbed Mexicans, who are allowed to buy back from them 16 2470
"Mr. Q," an American, robbed and wounded 16 2470
Blame placed on him because he was not armed; Americans receive no protection 16 2471
Statement of Mr. Don D. Morehead; conditions good under Diaz and Huerta troops; tried to protect us; all Americans to be killed; hid in mountains for 6 weeks; object of Carrancistas to run all Americans out of Mexico; Gen. Larraga responsible largely for atrocities 16 2471
Account of Weider murder; robberies and outrages, sugar plantation, 1917; Pelaez treats foreigners well; Carranza forces bad 16 2472
"Mr. R," an American; conditions good under Diaz, 1914; American women hid in mountains to escape Carrancistas 16 2472
Property confiscated; robberies by Fabian Aguilar, Carrancista; taken prisoner, stood up to be shot; took mules, whipped his men with ropes; Carranza officer tried to beat him with rope and sword 16 2473
"Mr. S," an American; Valles colony described, established 1748; Manuel Larraga, Maderista, killed; Severo Oyarvide to get protection; rose in arms against Huerta; robberies, burning of houses, and atrocities by Carrancistas detailed; judge of court Estevan Ruiz shot 16 2474
Two young boys murdered; two leading officers shot, one for not having good eyesight, the other too old to be a soldier; orders of Gen. Agustin Milan, now governor of State of Mexico; prisoners released; Venustiano Gonzalez released, made captain; Lieut. DeFoe murdered by Lucio Blanco 16 2475
Records burned; citizens held up for $16,000; widow threatened with being turned over to soldiers if she did not pay $1,000, by Gen. Galindo, a Carrancista; churches, schools, private residences, etc., converted into stables; fields of poor men destroyed; rifles supplied them at Matamoros from United States 16 2476
Murders by Larraga; robberies and looting of oil companies detailed 16 2478
Detailed list of robberies and atrocities on oil companies in Tampico district; murders, held for ransom, etc., by bandits and Carrancistas 16 2480
Lester, S. D., supplemental report 16 2485
Details attitude of Americans at Tampico as to their willingness to appear as witnesses, except managers of oil companies, and his labors along this line 16 2485
Judge Kearful and Judge Buckley confer with oil companies in New York about witnesses 16 2486
Efforts in Tampico with managers of oil companies; letter from chairman from Los Angeles, Calif., March 17, 1920, authorizing subpoena for witnesses in Mexico 16 2487
List of Americans summoned and their replies 16 2488
Reference made to adverse attitude toward committee by oil company officials; telegrams quoted 16 2492
Several managers of oil companies charged work of committee political and lack of good faith to alleviate conditions in Mexico; confirmed by conversation with high official of oil company who stated "certain members actuated by personal and political motives instead of desire to better conditions in Mexico" 16 2493
Lewis, W. J 14 2162
Labor agent, San Antonio, Tex., handled several hundred Mexican laborers from Mexico, in February, 1920; conditions bad, caused them to come to United States, low wages, no work, etc.; if crops were made would be taken from them; very little clothing, some nearly naked when they arrive here; did not advertise or offer any inducements for them to come here; handled them only after they arrive San Antonio 14 2162

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Certified public accountant, went to Mexico in May, 1917, with Henry Bruere to reorganize Mexican financial organization commission; Bruere returned, leaving Lill in charge; commission organized with Luis Cabrera as president; Lill remained in Mexico a year and a half, in which time he had Carranza carry out certain reforms; undertakes to justify Carranza administration in all financial matters; was in employ of Carranza all time in Mexico; ignorance of Mexican financial matters exposed by cross-examination by Senator Fall	3	612
Lind, John	16	2317
Went to Mexico 1913; left there 1914	16	2317
Had no previous knowledge of Mexico; sent to Mexico on special mission by President	16	2318
Object of visit to Mexico	16	2319
Proposition of President Wilson to Huerta, August 25, 1913	16	2320
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Conferred with Von Heintze	16	2324
Visited Emery hacienda, Veracruz	16	2325
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Compare Negro and Mexican educational	16	2331
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Captured recruits for Huerta army	16	2343
Believes Carranza régime to be success April 27, 1920; no faith in Villa	16	2345
Quotations Calero book on conditions in Mexico	16	2347
Defends Carrancistas commandeering residences, etc	16	2349
Book on Mexico not circulated; how it came to be printed	16	2350
Extract Shanklin secret code	16	2352
Charge Murray against H. Lane Wilson conspiring with Huerta	16	2356
Discusses export of arms and ammunition illegally to Constitutionalists with knowledge and assistance of United States officials; quotes extracts from Buckley	16	2358
Denies statement to Buckley with reference to Catholic Church	16	2360
Denies report to Wilson American invasion would be welcomed by Mexicans at Veracruz	16	2363
Reason for meeting Carranza on border	16	2365
Son employed in "Reguladora," Yucatan, 1916 or 1917	16	2366
Received expenses	16	2366
Compared robberies, etc., United States to Mexico favorably	16	2367
Loucks, W. B	9	1375
President of Tabasco Plantation Co., located in States of Tabasco and Veracruz; plantations San Miguel Juarez, State of Tabasco, and plantation La Oaxaquena, located in Veracruz, approximately 35,000 acres, devoted to raising and milling sugar; land purchased from original owners; had mills capable of handling 3,000 tons cane daily; modern machinery, 35 kilometers railway, and 4,000 acres under cultivation	9	1375
At time commenced operations Mexican scale of labor in their vicinity was from 17 to 37 centavos daily; increased their scale to $1.60 per day; established free hospital, schools, and built houses for laborers who lived in them rent free; did not operate under any special concession and did not ask any	9	1378
1917 was last year able to harvest any sugar, when got out 4,076 bags; this compared to 50,000 bags in 1912, 38,000 bags 1913, 38,000 bags 1914, 26,000 bags 1915, 17,000 bags 1916; this reduction was caused by continual harassing by Madero and Carranza governments; labor agents were sent to plantations by these governments, who took laborers away and forced them into army	9	1379
Had 38,000 bags of sugar stored in warehouse in 1914, when all employees were ordered out of Mexico by American Government; chief engineer managed to get back to plantation under British flag and save most of sugar	9	1380

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In year 1915 forced to pay tribute to bandits under Alor in amount several thousand dollars; during most of time was also forced to feed and house Carranza troops on plantation; was forced to turn company boats over to Col. Silva, of Carranza army, to use in clearing river of bandits as protection to plantations; later learned that Carrancistas and rebels were in accord; Col. Silva was using their boats in transporting loot being turned over to him by bandits who were working on 50–50 basis 9 1382
Luis Cabrera tried to force company to pay $2,500 export duty on consignment of sugar that had been shipped at time when no export was on sugar; amount not paid, matter dropped 9 1388
Carranza authorities tried to force payment of $300,000 for alleged use of 260 Yaqui prisoners of war in time of Diaz; prisoners had not been used and payment was refused; matter finally dropped 9 1388
In 1915 an embargo was placed on exportations of all foodstuffs, hides, etc.; knows personally of large shipments of beans, etc., allowed to go out by Candido Aguilar, commander of Veracruz; Aguilar and others collected large quantities of hides and when large shipment was ready the embargo would be suddenly raised for 10 days 9 1391
On August 13, 1915, E. F. Wells, auditor of the company, was murdered while coming from Veracruz to plantation with $10,000 pay roll; no one ever arrested and no attempt made by Carranza authorities to locate murderers 9 1383
While American Government was asking Americans in United States to send food to starving Mexico, Candido Aguilar and other officials were sending thousands of head of cattle and other foodstuffs out to markets in Cuba and elsewhere; American colony, city of Mexico, made up fund and brought into city a carload of corn for starving Mexicans and it was promptly seized by Obregon, who was in charge. 9 1391
Describes sisal monopoly and alleged connection of John Lind's son; company forced to cease operations in May, 1917; in September, 1918, Carranza government undertook to confiscate property 9 1386
Only advice received from John Lind while he was in Mexico was to support Carranza 9 1394
Believes that present administration policy is cause of trouble in Mexico; testified was willing to forfeit all holdings in Mexico if could be for betterment of common people of Mexico and assist in settling country 9 1398
Manley, Dr. Paul G 15 2194
Physician; resides Mount Carmel, Ill 15 2194
Went Mexico 1906, purchased 6,000 acres land, State of Oaxaca; cleared 800 acres; shipped in thoroughbred cattle and horses, hogs, chickens, household furniture, and agricultural implements 15 2195
No trouble under Diaz; went Mexico because understood that American investments were desired by Diaz Government 15 2196
Manager and overseer was ordered out in 1914 ..... 15 2199
Everything lost; houses burned, cattle stolen, fences destroyed; all since 1914 ..... 15 2196
Claim filed with State Department, $20,000 ..... 15 2200
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Captain Eighth Cavalry, Big Bend section, Texas; re crossing into United States of 17 Mexican women who had been raped; re raid on Tigner ranch, his troop ambushed by Mexicans, five horses killed .. 10 1648
December, 1917, patrol fired on by Mexicans; his troop crossed and had fight; same month Gen. Jose Murguia, Carranza commander, crossed and stole horses 10 1649
Tried to obtain assistance from Carranza garrison in running down Mexican raiders of Nevells ranch; assistance refused by Gen. Jose Murguia 10 1650
Found where Carranza military official had tapped American military telegraph line on American side of border 10 1651
Affidavits to this 10 1652
Found where notorious bandits, when captured, had exhibited commission in Carranza army 10 1654
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Further describes guns, belts, pistol, German cross, etc., taken from dead bandits	8	1292
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Efforts to have raiders captured and prosecuted without avail; raids planned by De la Rosa and Nafarrate	8	1294
Present when Forres passport was denied by De la Mata, Mexican consul; captured Basilio Ramos, signer of plan of San Diego; took original from his pocket; turned it over to United States officials; Ramos had pass through Carranza lines	8	1295
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Medler, Judge E. L.	10	1624
January, 1912, to January, 1919, judge of the third judicial district of New Mexico; prior to that date assistant United States district attorney in New Mexico; designated by Supreme Court of New Mexico to hold court in Deming, Luna County, N. Mex.; Luna County in district of United States Judge Colin Neblitt; Columbus raid came before him; raiders tried before him; seven and a little boy, Jesus Paiz; six were tried under one indictment and one and the boy under another; first-named six were tried and sentenced to be hung. which was done later; executions held up by President for investigation into facts in case; all took stand in own behalf, plead they were under military orders, therefore not guilty; evidence by them nature of confessions	10	1624
Attorney General of the United States, Secretary of War, Secretary of State, and Mr. Stone, Department of Justice, and Gen. Funston wired protesting against their trial for the reason it would cause complications with the Mexican Government; gives reasons to Stone why request would not be granted; Pershing in Mexico chasing Villa a co-defendant of these prisoners, etc., and that he would have no "watchful waiting" around his court, etc.; Summers Burkhart, United States attorney at Albuquerque, phoned witness he had received instructions from the Attorney General to go to Deming and protest, for the reason they could not get a fair trial there; ordered to come into court and repeat his message; he apologized and trial proceeded	10	1627
Metzinthin, Paul, American	8	1105
In Mexico, 1913, southern part Sonora; ranchman; irrigated farm; raided 6th of May, 1913, by Yaqui Indians; Lieut. Espinosa, of the Carranza government; held machetes to the throats of the three Americans; took hogs, stock; destroyed irrigation canals; took all clothing off family but underclothes; 30 days later burned house and barn; young sister not normal since assault; lapse of memory; 200 American families driven out; loss, $20,000, no reimbursement; sister assaulted 14 years of age	8	1105
Miller, W. W.	8	1069
Went to Mexico 1906; invited there; promised protection; lost all his investments; no protection under Taft or Wilson; investment, $70,000; all colonists with him lost all they had; damage claim denied, colonies; San Antonio plantation, Faulkner plantation; Boco de Copa	8	1069
Mitchell, William Bain	5	685
Banker in Mexico many years, different places, 1898 to 1917; exchange broke when Obregon entered Mexico City with worthless paper money in August, 1914	5	686
Huerta's loan; arbitrary	5	686
Witness and his attorney arrested when they went before De la Lama, secretary of finance	5	687
Later released when they agreed to comply with their part of the loan	5	687
Huerta did not personally benefit by it	5	687
Carranza remitted large sums of money to the United States and other countries, sometimes by special messengers	5	687
Carranza remittances began at once and continued to date	5	687
Witness then goes fully into different issues of money in detail	5	688
Worthless issues forced on laborers and small merchants who suffered thereby greatly	5	690
Any refusal was punished by fine and jail, which had to be paid in gold and silver; his bank forced to take this paper heavily	5	690
Sud Americanische, a German bank, had unusual protection and privileges, explains	5	690
Explains looting of the banks of Mexico by government	5	691
Explains suit filed in New York, for funds of Bank of London and Mexico	5	692
Luis Cabrera was minister of finance when banks were looted	5	692
Had conversation with Cabrera, protesting that action was against their laws; his reply was "Necessity knows no law, and we need the money"	5	693
Troops not paid yet; Government took large sums from all the banks daily	5	693

	Part.	Page.
Mitchell, William Bain—Continued.		
Mrs. Carranza crossed border October, 1916, with nine cases of gold and silver	5	693
Franklin K. Lane received notification of this while he was with delegation at Atlantic City by telegram from custom officer at Laredo; later witness was at Laredo and checked it up; true	5	693
New York bankers on lending money to Mexican Government dubbed them as "bunch of bandits"	5	694
Monohan, Mike	8	1265
Wounded in Los Tulitos fight	8	1265
Raiders came from Mexico	8	1265
Relates details as to fight, in which he and Sonny Huff were wounded	8	1266
Conditions bad on Texas side of border; Mexicans wore khaki clothes	8	1266
Nafarrate, Carranza general in charge Matamoros at that time, relates Galveston ranch fight, killed soldier Sergt. McGrath	8	1267
Moore, Mrs. Susan	7	956
Had been living Columbus, N. Mex., several years prior to March, 1916; husband and herself owned and operated general merchandise store, carrying stock approximately $12,000	7	962
Had built fine bungalow home on outskirts of town of Columbus	7	962
March 7 and 8 noticed many strange Mexicans in town of Columbus; one Mexican in particular came into store and bought suit overalls	7	957
Night of March 9 town was raided by approximately 700 Mexicans; store was ransacked, windows broken, and goods carried away; bandits entered their home; while two Mexicans held her others killed her husband before her eyes, laughing and joking while so doing; bandits tore rings from her fingers; robbed house of everything of value	7	959
In confusion managed to escape and ran toward town, which was on fire	7	959
Bandits shot her in the leg	7	959
Laid out in bushes until found by American soldiers next morning	7	959
Was in hospital several months from wound and is permanently crippled from wound and nervous wreck from treatment; financial loss, $10,000 in goods and damage to store and home; Mexican who tore rings from her finger recognized as one who had bought overalls day previous	7	962
Morrison, N. S., American	8	1116
Reporter San Antonio paper; reference to publications that members of committee were privately interested in Mexico; referred committee to Miss Smith, another reporter	8	1116
Murphy, W. S	10	1577
Telegraph operator, Columbus, N. Mex.; testified relative to Col. Slocum, commander at Columbus, receiving telegram from military headquarters at Douglas, Ariz., day or two before raid warning him that Villa was in vicinity, etc	10	1578
Relative to arrival in Columbus two days before the raid of George Sees, Associated Press correspondent, with telegraph operator	10	1579
Relative to Associated Press operator being in telegraph office trying to get wire connection hardly before Villistas were out of town	10	1580
Relative to signal fires and wire fence being cut night before raid	10	1581
Generally suspected by civilians that town might be raided for several days before actual raid	10	1582
Neill, Sam H	10	1540
Relates "Brite Ranch" raid; wounded	10	1541
Details fight, Mexican killed had on uniform coat, Carranza; raiders went back to Mexico, soldiers and officers in pursuit	10	1544
Robbery of Baldwin's store, Candelaria, Big Bend	10	1548
Carrancistas stationed across from place of robbery could see robbers from this side; no assistance from them	10	1548
Relates theft of cattle by Chico Cano bunch from Eulalio Nunez	10	1549
Testifies as to conditions before and after revolution; Mexican officer seen riding stolen horse from this side	10	1550
Relates fight with Mexicans Christmas night, 1919	10	1551
Nevill, E. W	10	1510
Details robbery of his ranch and murder of his son March 25, 1918, Texas soil	10	1511

Nevill, E. W.—Continued. Part. Page.
Details condition of house and murder of Mexican woman in his house during fight 10 1513
Bandits with Carrancistas guilty 10 1513
Col. Langhorne followed them into Mexico, two troops, killed several. 10 1514
November 12, 1917, Carranza officer sent 50 men over to Texas side to capture us, but did not do it; drove off seven head of cattle as they returned 10 1514
Carrancistas stole and killed all cattle and took off horses; ranch abandoned 10 1515
Ochs, Capt. William V., United States Army 10 1643
Big Bend district; no assistance from Carrancistas; raids and thefts too numerous to mention 10 1643
Took part in following Tigner raiders into Mexico with Capt. Matlack; Ricardo Flores and three soldiers killed, identified by Mexican officers and consul as Carrancistas, December 17, 1918, in Texas 10 1644
No discipline in Carrancista Army at Ojinaga 10 1644
Mexican consul admitted they were not able to cope with depredations; Col. Cevallos in charge under indictment for embezzlement 10 1645
Many deserters from Ojinaga in March came to this side; they made brick for United States officers; Carranza officers tried to get them back, but they refused; deported, went with them, watched over them, saw they were not punished; consul, Mexican, only promised cooperation; did not do anything 10 1645
Impossible for either Mexicans or Americans to remain in Big Bend if soldiers should be withdrawn 10 1647
Oliver, H. T. 4 679
President Oliver, American Trading Co., New York, has contract with Maj. R. B. Sutton, president American Gun Co., for 5,000 Mauser rifles for Carranza Government, under license, war trade, September 16, for 15,000 guns and 15,000,000 rounds of ammunition, 1919 ..... 4 679
Letter to Oliver American Trading Co, date October 14, 1919, showing Fletcher refused to allow arms and ammunition enter Mexico; Secretary Lansing states only temporary delay 4 680
Ortiz, Melquiades 14 2143
Labor Agency, San Antonio, Tex., shipped during February, Mexican laborers into interior of United States; many gave as their reason for coming here no work, small wages, etc., in Mexico; came of own accord 14 2143
Osborn, M. L. 14 2153
Labor Agency in San Antonio, Tex., handled about 400 in February for interior points, Mexican laborers from Mexico, furnished list; no solicitation, no advertising to get them 14 2153
Shipped six or seven thousand during war times; told him that corn was very high, also beans; no meat, starving, very little work, low wages; better prices here; one stole two burros and sold them to get here 14 2154
Children and women naked, some with paper around them, where they came from 14 2155
If they plant corn, Carrancistas or other bands take it; glad to escape with their lives; class ignorant but able-bodied men; approximately 75,000 came in the United States in February and March 14 2155
Waded the river, robbed on Mexican side by supposed Carranza officials. 14 2156
Laborers, principally from Michoacan, Jalisco, and Guanajuato, few from the border States 14 2156
O'Shaughnessy, Nelson 18 2705
Diplomat 18 2705
Madero analyzed: Procrastinator, did nothing; wanted division of land; not consummated; land situation Mexico exaggerated 18 2706
Gustavo Madero ran Government—Madero Government—similar to that of Diaz towards last; only way to rule Mexico; knew Huerta secured results through Huerta; Bryan instructed to make request of Huerta; Huerta strong character 18 2707
Liked Americans, as were all public men; always protected Americans, even protected them after Veracruz incident; pulled statue George Washington down; no Americans injured or killed; Huerta saved them by orders; Lind's mission to Mexico to force Huerta out; Lind favored Carranza 18 2708

O'Shaugnessy, Nelson—Continued. Part. Page.
Present conference with Huerta and Gamboa and Lind when presenting document from Wilson; relates Lind threat to Gamboa and Huerta; threatened with intervention; Lind knew nothing of conditions; Lind strong against English oil interests and oil companies and religious situation; against Catholic Church; relates conversation Lind about Carranza killing people; objected to United States alliance with him, defended by Lind; Americans high class in Mexico; disagrees with United States policy towards Huerta; gives reasons 18 2711
Discusses United States policy with Mexico; Carranza anti-American; State Department fully posted; relates Huerta statement reference to law and order, establishment of same; rebels, Carrancistas turned on United States 18 2712
Henry L. Wilson did not connive at overthrow of Madero; Americans in Mexico approved his work; compared attitude of Mexican Government and United States as to protection of Americans in Mexico; would not stop at letting them be good 18 2713
Advises intervention only as a last resort; detail of how; best men in Mexico exiled; discusses Catholic Church 18 2714
Discusses religious matters; Catholics always stood for law and order.. 18 2715
Discusses elections: substantiates Buckley as to conversation or statement re Catholic Church made by Lind 18 2716
Paiz, Jesus 10 1616
Carrancistas killed his three brothers, he and his father then joined Villa; relates Columbus raid by Villa outfit; his leg shot off; later testified several raiders hung 10 1618
Parmelee, Mrs. F. M. 8 1175
Murder of her husband, F. M. Parmelee, near Brownsville on Texas side of River, by Carrancistas under de la Rosa, furtherance of plan of San Diego, 1917 ..... 8 1175
Peterson, Mrs. Ethel 10 1665
Relates to killing of her husband, her brother, Mr. Akard, and Mr. Jenson, at Corner Ranch, on Mexican side; no one ever punished for murders 10 1665
Poorbaugh, P. F. 8 1050
Invited to invest in Mexico, assured of protection; bought 1,000 acres out of tract; colonized 162,000 acres, Santa Lucrecia, Isthmus 8 1050
Forced to leave for United States by representatives of this Government, only hand bags allowed to be taken 8 1052
Mentions killing of E. E. Morgan, April 8, 1920; warned by German Consul to claim to be an Englishman or German 8 1053
Described assault on Americans at ranch 8 1054
Conversation with John Lind about Huerta 8 1057
Confiscation of property 8 1059
Rathbone, C. H. 2 545
Controls about 30,000 acres; oil leases and fee simple, in Tampico oil fields; secured same from owners; Mexican citizen secured permits to drill on his land, legal proceedings followed; not decided; brought in 30,000-barrel well, drilling another; kept United States department fully advised 2 545
Corresponded with United States and British Government about it; Promised to file correspondence, not with him 2 547
Files copies of documents to British Embassy and State Department... 2 548
Depredated upon by Candido Aguilar, Carranza's son-in-law, and Pedro Rodriguez, Carranza official; sugar plantation robbed and damaged; account filed with consul, will get it for committee (Rathbone Appendix C, p. 580); related damage to ranch, 25,000 acres, manager ran away stock, and henequen complete loss 2 550
Rathbone Exhibit C—letter New York, August 16, 1919, to Rathbone, signed Burton W. Wilson, translation of amparo and papers; letter to Scottish Mexican Oil Co., 120 Broadway, New York, signed R. Pardo; legal opinion as to proceedings, reference circular November 15, 1915; commerce and labor as to permits to drill 2 580
Opinion rendered by Ignacio Rodriguez, against Scottish Mexican Oil Co., on amparo represented by Lic. Rafael Pardo, ... 2 581

Rathbone, C. H.—Continued. Part. Page.
Case of the Scottish Mexican Oil Co. with Commerce and Industry Department of Mexico; signed Scottish Mexican Oil Co., by C. H. Rathbone, attorney in fact, January 22, 1919 ..... 2 582
Case of the Scottish Mexican Oil Co. with Commerce and Industry Department in Mexico; translation No. 1 and translation No. 2, December 4 and December 28, 1918, signed Rafael Pardo 2 585
Renard, P. C 8 1080
Architect and engineer, in Mexico 1907 to 1913; relates Chinese massacre, Torreon, May, 1913 ..... 8 1080
Richards, Joseph Allen 7 967
Found bodies of Cecil Connolly and Frederick B. Waterhouse, September 21, in Bay of Los Angeles, Lower California; circumstances under which bodies were found; Italian William Rose present finding bodies, also Mexican captain, 11 Mexicans, and a prostitute; Mexican boat Navari, of Santa Rosalia, Alejandro Abaro, captain; exhibits snap shots marked "Exhibit Nos. 1, 2, 3" 7 969
Arrival Santa Rosalia on Navari, went to Providencia, made sworn affidavit as to finding of bodies; captain Navari threatened witness; later arrested by Abaro; arrived Nogales, conferred with Intelligence officers, later returned to get bodies on destroyer Aaron Ward 7 972
Arrived Port of Angeles October 19, 5 p. m.; recovered bodies, Mexican authorities examined first; went 20 miles up coast to get aeroplane 7 972
Crew of Navari stole property at near Angeles belonging to Mr. Thompson of Nogales; exhibits picture of recovered aeroplane, Exhibit 5; Exhibit 6 of engine 7 973
Recovered papers, but not personal effects 7 974
Mexicans took insignias from witness taken from bodies of dead men; telegram requesting witness to join expedition after bodies; Washington, D. C., October 11, 1919, Mr. Joe Allen Richards, signed Harris; special orders, No. 135, Nogales, Ariz., October 12, 1919, authority for transportation, signed by Fred L. Walker, lieutenant colonel, Twenty-fifth Infantry, United States Army adjutant 7 974
Germans strong in Santa Rosalia, treated well, quotes letters from Connelly and Waterhouse to their mothers 7 975
Descriptions of where they fell, signed Fred Waterhouse; bodies covered by human agency; Mexican made sworn statement that the Mexican boat Esperanza had picked up these men, landed them at Port of Angeles for water, Americans had money; Esperanza searched and found them; altitude, clock, compass, and chairs of aeroplane aboard this boat; claimed to have been given him by Mexican to keep; no representations made to Cantu 7 979
Riggs, Lee 10 1588
Deputy collector of customs, Columbus, N. Mex., interpreted for Col. Slocum, Juan Favela report on approach of Villa on Columbus 10 1589
Relates beginning of Columbus raid 10 1592
Statement of Bunk, a Negro, given to witness; saw bodies of murdered and burned Americans 10 1594
American reinforcements came from Deming, N. Mex.; called by Mrs. Parks, telephone operator; saw memorandum book found after raid 10 1595
Mexican Francisco Prado written in book; gives synopsis of contents of book 10 1596
Saw six prisoners after raid, relates trial, etc.; five hung; made confession to witness 10 1597
All prisoners wounded in raid; related raiding of Moody ranch; disappearance of Tom Kingsbury; relates killing of Andy Peterson, Jenson, and Hugh Akard on Corner ranch 10 1598
Gives names of Americans murdered at Columbus raid; N. T. Ritchie, H. H. Walker, Charles De Witt Miller, Dr. H. M. Hart, James T. Dean, J. J. Moore, Mrs. M. James, C. C. Miller, and Harry Davis; tells who each was; wounded; Mr. James, Mrs. J. J. Moore, A. D. Frost, and M. Puchi 10 1623
Ritchie, Mrs. Laura 10 1599
Relates murder of her husband in Columbus raid March 9, 1916; also description of attack, robbery of houses, and burning of same 10 1599
Saved, with three daughters, by Juan Favela, half-breed Mexican; Yaqui Indian; four escaped from hotel 10 1602

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Ritchie, Mrs. Laura—Continued.		
Saw no officers, but saw soldiers, five dead ones; did not see Col. Slocum until 10 o'clock; one soldier burned up in fire of hotel; only found buttons, etc.; relates Favela saving them; tells about hotel ownership and insurance; company refused to pay	10	1603
Romney, Junius	17	2574
Ecclesiastical representative of Mormon colonies in Mexico	17	2574
Four thousand and thirty Mormons went to Mexico; had shoe, harness, and saddle factory, canning factory, stores, grist mills, saw mills, etc.; went there to reside permanently; exodus began (back to United States) July 28, 1912; there since 1885; do not practice polygamy, only as in United States	17	2575
Excellent school system; about 1,500 Mormons in El Paso now (1912)	17	2576
On charity; came out penniless; all interests in Mexico; witness advised them to come out	17	2577
Ten Mormon colonies in Mexico; average from 250 to 1,100 in each colony	17	2578
Head Mormon church orders strict neutrality	17	2579
Atrocities began, second revolution, Orozco and Madero; some receipts given	17	2580
Explains in detail as to treatment and outrages; relates conversation with Orozco on train; wanted the United States to furnish arms and ammunition to him; accused United States of killing them off in assisting Madero and to force the United States to get out and fight	17	2581
Salazar demanded guns and ammunition	17	2583
Looted homes, ran people away, Chuichupa	17	2585
Same at Colonia Juarez; threatened Mormons	17	2586
Demands for money made	17	2587
Heard rumor that Standard Oil was backing Madero; knows of no Americans exempt from depredations	17	2588
Explains why they came out without a fight	17	2589
Requested by United States to remain neutral and not forget an order not to bring on complications	17	2590
Salazar, Inez	17	2591
Affidavit of Salazar showing he depredated on Americans by superior orders; details amounts and owners; signed Inez Salazar; jurat, notary public	17	2592
San Luis Potosi, plan of	17	2631
Sartwell, Edward R	7	845
Furnished map, murder map of Mexico; explains map	7	845
Americans killed along border and in Mexico indicated by four symbols	7	845
First period, November 20, 1910, to April 24, 1914, represents period under control of Madero and Huerta; second period, April 24, 1914, to October 19, 1915, covers dissolution of Huerta Government to date Carranza was recognized by United States as de facto head; third period, October 19, 1915, to April 7, 1917, Carranza régime prior to United States entering war; fourth period, April 7, 1917, to September 30, 1919; Carranza régime while United States was in World War; first period, 41 months, 147 American civilians and 2 United States military force killed in Mexico; 18 civilians killed in United States by Mexicans; second period, 17 civilians and 21 members United States military killed in Mexico, and 13 civilians and 15 United States military killed in United States by Mexicans; third period, 83 civilians and 28 United States military killed in Mexico, and 19 civilians and 33 United States military killed in United States by Mexicans; fourth period, 58 American civilians, 8 United States military killed in Mexico, and 12 civilians and 16 United States military killed in the United States by Mexicans; first three periods, 383 were killed, Carranza régime, how map was made and by whom	7	846
Formation of map, various authentic sources	7	847
Appears itemized list of Americans killed, location, by whom killed, etc., showing an aggregate of 550; note authorities	7	848
Murder of Eugene Lack; 3 cases shown where murderers were given six months, then released; 18 American women and 10 children in list; 8 women outraged in list	7	864

Sartwell, Edward R.—Continued. Part. Page.
Whitfield killed, planned by German agents, suppressed by United States departments 7 864
Great brutality, torture, and mutil ation, American soldier burned, passport pinned to breast of Mr. Beard for target; foreigners murdered; Lansing to Senate; Chinese, 471; Spanish, 209; Arabs, 111; British, 38; Italian, 16; French, 14; Japanese, 10; miscellaneous, 58; total, 927; no Germans; letter from Lansing October 31, 1919; Americans in Mexico when Diaz retired, 31,707; September, 1919, 8,862 ..... 7 865
Casualty lists do not include Americans killed on border and in Mexico between the dates of October 1, 1916, and February 14, 1917 ..... 7 866
Schuls, J. G. 8 1065
From Mexico City; gives testimony on conditions in 1916; disarmed by Carrancistas and robbed; wife robbed on train; worse now than in past; Diaz O. K.; Madero no better than the rest 8 1065
Schultz, W. A. 10 1494
Went to Mexico in 1907, organized the Comanche Land Co., 11,000 acres, in Tamaulipas; titles dated back to 1639; took in farm supplies under Diaz; no trouble until Madero revolution 10 1495
Treated well by Huerta soldiers, bad by Carrancistas; left after Veracruz incident; made him cry "Viva Carranza and Gomez" at point of gun; robbed him; names men who made his wife cook for them. 10 1496
Relates killing of Sawyer; threatened Mrs. Sawyer: no one punished.. 10 1498
Conversation with Nafarrate, clean out all Americans 10 1498
Assisted American women out; spit on by Mexican, saw de la Rosa drilling soldiers on drill ground at Cuidad Victoria, Tamps., 1916, identified by Evariste Storms, an American also; drilling for attack on United States 10 1499
All colonies under Diaz régime prosperous, just the reverse now; gives names of partners 10 1500
Tells of Blalock colony; hid in mountains 10 1501
Gen. Cesar de Lara, Carranza commander there, robbed them; mentions Hacienda El Conejo, robbed, and destroyed 10 1502
Schrivner, Mrs. Julia A. 12 1906
Lives Tucson, husband killed by Mexicans who escaped to Mexico, no arrests made, killed at Homestake Production Co. mine, Arizona; owns half interest in mine but so near Mexican border no one will buy it; gold and silver; tells of murder of two Frasier boys by Mexicans, near Ruby, Ariz.; shot her husband in back, set fire to store, robbed them 12 1908
Seggerson, Christopher 10 1509
Son killed in Juarez by Villistas, driving in automobile when shot; first battle of Juarez; name Charles Christopher Seggerson 10 1509
Sheahan, James D. 16 2395
Owner of 362,000 acres; paid $350,000 gold, near Jiminez, Chihuahua; developed water for irrigation for one-third of property, Agua Fria River 16 2395
In addition spent $300,000 in improvements; had imported stock.... 16 2396
Refutes John Lind as to Americans not being benefit to natives 16 2397
Natives prepared to work for Americans 16 2398
Conditions under Diaz good; natives honest 16 2399
Trouble began 1913 after Madero; caused by Carrancistas; crops and stock taken 16 2400
Villa and Carranza forces the same 16 2401
Hacienda total wreck 16 2402
Disagrees with Lind as to revolutionists of North having high ideals; gives true conditions 16 2403
Six hundred head, 3-year old steers, stolen by Carrancistas and shipped to Fort Worth, Tex.; Russian Jew also robbed of 4,000 head of cattle. 16 2404
Appealed personally to Bryan without any result and who intimated we were robbing the Mexicans 16 2406
On committee of twenty-one who waited on Bryan, who asked "why are you not honest in what you came for" and accused us of coming for intervention, which was untrue; gave no advice only to bring Americans and a Scotchman out of Mexico 16 2407
Confirms statement Bryan, 1903, and present attitude; "just the reverse"; Mexicans on starvation 16 2409
Schools on ranch discontinued after revolution 16 2410

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Simons, W. R.	10	1662
Member of American Legion, made to take his button off in Mexico City; also another soldier same; made to move from Hotel Regis on account insults, and ignored at hotel	10	1662
Americans ordered to move from Hotel Regis to give room for foreign officers (Japs); Government and bandits cooperating; tells about murder of Bowles and robbery of paymasters at Tampico	10	1663
Bad treatment of Jenkins; Senator Fall criticised in Mexico; held up in getting berth out of Mexico	10	1663
Slattery, Michael J.	13	1995
Miner, in 1901, to Mexico, came out April, 1914; Zacatecas, Jalisco, and Colima; his companies had invested about $7,000,000; quotes invitation of Diaz to Americans to go to Mexico and invest; Diaz wonderful President	13	1996
Describes mining in Mexico; all large mines in Mexico due to American development	13	1997
All railroads and large enterprises due to Americans; Mexicans would not do it	13	1998
No special privileges; profits reinvested; raised wages from 6 cents to $3 a day; shows operation commissary	13	1999
Good treatment of Mexicans by Americans	13	2001
Attitude of laborers good toward Americans under Diaz; not much faith in school system as generally written about	13	2001
Mexicans honest under Diaz toward Americans; different since	13	2001
Bandit means soldiers under all leaders; felt no insecurity up to revolution; change, 1910; from men closely connected with Madero was told that anti-American riots were inaugurated to show world outside of Mexico that Diaz was not capable of protection; Diaz defeated by propaganda	13	2002
Americans gave athletic show in Guadalajara, 1910; relates circumstance; medal; two months afterwards house stoned and disturbance; rioting two days and nights; Viva Madero que Mueran los Gringos; all factions robbed him	13	2003
Americans neutral; good class of Americans in Mexico, against Bryan strong	13	2004
Wrote letter in Commoner, 1903, quotes Bryan; quotes Democratic platform on Mexico; 400,000 dominates 16,000,000; best element driven out; August 27, 1913, Bryan ordered Americans out to keep United States out of trouble	13	2006
Mexicans wanted Huerta; Lind wanted to bribe Huerta; criticizes Wilson	13	2007
Describes loss of Americans in Mining; lost all he had	13	2008
Criticizes Mexican Government for attitude toward witness who testified before committee; could have remained in Mexico in peace by erecting a British flag	13	2009
Criticizes Bryan for attitude; Gov. Mier, under Huerta, told Americans to remain; he would protect even if they were not protected by the United States; United States consul begged us to get out to save our country trouble	13	2010
Blames the United States Government for Veracruz incident; elected Irish consul; received protection from Huerta; Americans lost all when they got out	13	2011
Talks of Tampico incident; governor advised to get out at Manzanillo; tells of flight with women and children	13	2013
Left $7,000 with storekeeper to take care of his laborers; best friends ridiculed them for leaving; in mob at station when leaving country; rescued from mob by British consul; dug trenches; prepared for siege; Germans celebrating with Mexicans over sinking of Louisiana and other ships	13	2014
Tells of Newspaper articles over German success; young Ahumada, son of the governor, educated in the United States, Harvard, showed telegram from his father, a senator in Mexico City, sinking of Louisiana. "We are putting it all over you"; chest out; Germans would not fraternize with Americans; saw Germans in cantina celebrating with Mexicans	13	2015

Slattery, Michael J.—Continued. Part. Page.
Mexicans would have nothing to do with United States consul; British consul had to get them out; Gov. Delgadillo, of Colima, issues orders for Americans to become Mexican citizens, get out, or be killed; quotes order 13 2016
Disarmed and mistreated en route; paid $350 to get out of State; United States repaid it later; relates mob violence en route; had 239 Americans with him; lived in three rooms 13 2017
Related trouble with jefe politico and governor at Manzanillo; insulted. 13 2018
Paid them $1,000 to allow him to place the Americans on a Chinese ship then in port; robbed again 13 2019
Sixteen Americans held as hostages, as they thought a battleship was approaching; mistake; again burned American flag; threw ashes in face 13 2020
Furnished full statement of sufferings to Bryan; see his reply; relates life on Chinese ship 13 2020
Water low; little children begging for water; signaled flagship Albany, Pacific Fleet, United States, asked for food, water, blankets; did not get them; would not take them on board; proceeded to San Diego, Calif.; radio from United States to Albany quoted 13 2021
Relates bad treatment and insults from United States officers in charge at San Diego; called tramps; no business in going to Mexico, etc.; allowed 25 cents a day, second class passage to homes; Americans on that trip worth $27,000,000; paid own transportation home; refused to accept any money, including witness fees, before this committee 13 2022
Related committee visit to Washington; insulted by Bryan; talked with Senators Borah and Mondell 13 2023
Relates how he got his statement into Bryan's hands; had to write for receipt; criticizes Richard Harding Davis, and press for saying, "This from a refugee" 13 2024
Press reports and magazines 13 2025
Wife invalid account treatment; names several Americans same malady; some dead 13 2026
Jack Delany in insane asylum; Billie Hoeing died of broken heart.. 13 2026
Letter quoted from 150 women who were on trip from Mexico; tells of destruction of churches by Carranza; never collects from any one for speeches; Bryan, while Secretary of State, did 13 2027
Made address before Catholic societies in Baltimore; relates outrages on nuns; Bryan refused to let them return to Mexico 13 2028
Relates correspondence with Bryan to get back into Mexico; did go without passport; entered at Eagle Pass; went only as far as Aguascalientes; returned; his head miner killed; discusses ratio of exchange in Mexico under Carranza 13 2030
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Reds or Colorados, Cheche Campos, a brother, and El Toro arrived Santa Rosalia; disarmed witness; robbed and destroyed small towns; robbed grist mill, stores, killed cattle, etc. at Nuri 17 2621
Government can not restore, conditions in Sahuaripa district bad; no law or order 17 2622
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Oil producer, 1914 to 1918, Tampico; corroborates Mr. Walker to Mr. Polk, November 5, 1917; manager Penn-Mexico; made contributions to Manuel Pelaez; severed connection with that company January 1, 1919; made under same conditions as related by Mr. Walker.	1	296
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Sturgis, Cora Lee	7	919
Went to Mexico with husband, father, and mother in 1906; owned in fee 3,000 acres of land, State of Chiapas; owned 300 head of cattle; half of land under cultivation; protection and prosperity under Diaz, reign most excellent; very good under Madero; first trouble began under administration of Carranza	7	920
June, 1918, place raided by Zapatistas; everything stolen, even to personal belongings; Mrs. Sturgis, her husband, and mother held prisoners for over eight months, during which time they were given such food as would be fed to a dog; Mrs. Sturgis was compelled to cut wood and do other manual labor around the rebel camp; her husband became an invalid from treatment received; was forced to carry message to Zapata and other rebel leaders and when returned found that her mother had died of starvation	7	929
Reported matter to Chargé Summerlin, Mexico City, also State Department, Washington; these reports were made in person by Mrs. Sturgis	7	928
Everything total loss and now compelled to live off charity of friends and relatives in the United States	7	935
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Customs inspector in charge Big Bend district of Texas	10	1521
Raid on Petit ranch, May, 1918, by Mexicans from Mexico; cattle stolen; later Carranza authorities offered to return cattle for $10 per head	10	1523
Raid on Granger brothers ranch, July, 1919	10	1524
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At no time were American authorities able to get any assistance in running down raiders, who were being given moral support by Carrancistas	10	1526
Taylor, Dr. James M	9	1404
Secretary board of foreign relations, Methodist Church, 1920	9	1404
Went to Mexico on special mission for church to investigate conditions; visited many cities in southern part of Mexico	9	1405
That Americans who had established colonies in Mexico had been a blessing to the country from a religious and educational standpoint; that he went to Mexico with the impression that they were exploiters, but came away with a different opinion, the result of his investigation	9	1405
Noticed the extreme danger to travel on trains even in the vicinity of capital, this is 1920; also extreme poverty prevailing in city of Mexico	9	1411
Was arrested and fined $500 for taking kodak pictures, although had a permit from the Government	9	1413
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Not an American citizen; broker; no place of business	19	2761

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Business, amusement, San Antonio, 1910–11; air lift; organized the American Anti-Intervention Association; he and Dr. Brumby, of Austin, Tex., whole organization 19 2762
Cards sent out; had float 19 2763
Knew Madero 19 2764
Memory fails him; clipping newspapers 19 2765
Set himself to have United States offer him citizenship; imparted secret to Bonillas 19 2766
Knew nothing of Mexico only what Madero told him; went to Mexico 1914 with Jesus Aguilar, nephew of Madero, to Culiacan 19 2767
Had to have interpreter; Carranza revolution to get back to constitution of 1857; quotes letter January 31, 1914, to Bryan protesting against extradition of Gen. Salazar, etc 19 2770
Quotes clipping from Globe, charge Uranta 19 2773
Dudley Field Malone, Mr. Wright, Mr. Conova 19 2775
A. B. C 19 2776
Hotel Knickerbocker; Gen. and Mrs. Angeles at Aguascalientes convention 19 2779
Only one song to sing 19 2780
Photo Angeles 19 2781
Eulalio Gutierrez 19 2782
Llorente, J. F. Del Valle, etc 19 2783
Chairman tries to enlighten him on Mexico 19 2784
Bag stolen, Mexican shot 19 2785
International commission to settle conditions 19 2786
Quotes resolutions Duval West; Americans killed with bullets in Mexico; Americans raided from Mexico to United States 19 2787
Called down 19 2787
Committee declines to hear further 19 2788
Insults chairman, called down, fails to substantiate 19 2789
Quotes resolution congratulating Ambassador Wilson, Mexico Society of New York 19 2789
Ambassador Wilson's speech recognition of Huerta; Salazar robberies; letter to President of United States July 17, 1917, by Senator Fall; interests in Mexico 19 2793
Newspaper clippings 19 2794
Chairman makes statement and quotes resolution after Columbus raid. 19 2795
Pershing in Mexico, 14,000 strong 19 2796
Calles against Carranza, Guillermo Hall 19 2797
Telegrams Guillermo Hall, Calles, Cabrera, Garcia, Barragan, Fernandez, reference to $5,000 paid Hall for excursion, San Antonio to Mexico 19 2798
Amount received by witness from Mexicans 19 2800
Quotations Alfredo Robles Dominguez 19 2801
Telegram from Oliver to Fall asking authority to refute false statements published in Mexico press and answer 19 2802
Witness offers solution 19 2803
Angeles sacrificed to great cause 19 2806
Thomson, Arthur 14 2093
Testified wrote book entitled "Crime against Mexico" 14 2093
Sold 5,000 copies to Mexican consulate and Mexican embassy 14 2094
Got his intervention ideas from reading De Bekker 14 2095
Native of Australia; not naturalized; been in United States 10 years; never been in Mexico; can not speak Spanish 14 2098
Obtained data for his book from reading John Kenneth Turner, Gutierrez de Lara, and other Socialists 14 2099
Admits know nothing of Mexican Constitution of 1857 ..... 14 2101
Approves Carranza constitution of 1917 and states United States meddling 14 2104
Did not believe in World War and obtained exemption from draft 14 2122
Thompson, Wallace 13 1909
News editor Mexican Herald six years prior to leaving Mexico in 1910; returned to Mexico in 1918 as vice consul at Monterrey 13 1909
Testified that in time of Diaz, country was perfectly safe for Americans. 13 1909
Chairman read witness article on Mexico written by W. J. Bryan in Commoner of January 30, 1903; witness stated that he agreed with Bryan in so far as the article was concerned, and could not account for Bryan's attitude after becoming Secretary of State 13 1914

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Testified re anti-American parade held in Monterrey in fall of 1918, backed by German influence	13	1918
Re I. W. W. agitation in Monterrey in 1915 headed by de Lara backed by German influence	13	1920
Re currency condition in Monterrey in 1918 and after	13	1921
Re Mexican consular officers grafting	13	1924
Tigner, J. F	10	1538
Owned a large ranch located in Big Bend section of Texas; ranch raided several times beginning in 1917	10	1538
Followed raiders into Mexico on one occasion; ranch foreman was killed and Tigner had horses shot from under him	10	1539
Compelled to sell ranch at sacrifice as too dangerous to live on it	10	1538
Tolen, Henry L	14	2051
Immigrant inspector stationed at Yuma, Ariz., testified relative to kidnaping of Rodolfo Ibarra from Yuma, Ariz., by Capt. Calles, of Carranza army; Ibarra was taken to Mexico and executed	14	2054
Calles arrested at Yuma, Ariz., and placed under $5,000 bond, which he forfeited; still is in command of Carranza troops on Mexican side	14	2066
Testified to kidnaping and execution of Luguen and Herrera by Capt. Calles	14	2065
Re assistance rendered Calles in these kidnaping by Col. B. F. Fly, of Chamber of Commerce of Yuma, Ariz	14	2068
Re crossing at will of armed Carranza soldiers; no American soldiers stationed in vicinity of Yuma	14	2069
Tupper, Henry Allen	2	497
Pastor First Baptist Church, Washington, D. C.; first went to Mexico 30 years ago; Diaz most remarkable man ever met	2	498
Went back to Mexico 1912 as representative International Peace Forum; met Pascual Orozco in Juarez; obtained 3,000 word statement of principals	2	498
Went to Mexico in 1913 and obtained similar statement from Carranza; states purpose was to get factions together	2	499
Stated refused to accept pay for services in efforts to bring about peace	2	499
Admitted accepting valuable presents of jewelry for himself and daughter from Carranza at Saltillo, Mexico	2	500
Accepted check for $3,400 from Carranza in Veracruz, Mexico	2	502
Denied acquaintance with David Starr Jordan	2	502
Introduced printed interview published in the Watchman, of New York, in 1915, wherein his entire activity is alleged to be told by himself, particularly his part in obtaining recognition for Carranza	2	512
Admits is now disappointed in results after his efforts to have Carranza recognized	2	520
Admitted never heard of article 130 of constitution of 1917 relative to ministers	2	520
Chairman read into record report of O'Connor and J. C. Weller, of American Red Cross, describing conditions and how Red Cross was run out of Mexico by Carranza	2	522
Chairman read into record telegrams exchanged by committee and El Universal relative to attitude of committee	2	527
Witness introduced into record number of letters from Senator Sheppard, W. J. Bryan, President Wilson, and others	2	551
Taylor, Joe	8	1315
Relates Norias raid, was in the fight; went back across into Carranza territory; understood that Gen. Nafarrate, of the Carranza army, was responsible for raids	8	1315
Turner, George	10	1561
Ex-United States soldier, Tenth Cavalry	10	1562
Names officers of his troop; at Carrizal, relates speech of Capt. Boyd	10	1563
Gives account of fight at Carrizal; wounded; took clothes off prisoners; 9 days in jail; 17 wounded	10	1564
Treatment of prisoners in jail; beat and kicked; ate beans off ground; released	10	1567
Valls, J. A	8	1199
District attorney, forty-ninth judicial district of Texas, Laredo, Tex.; qualifies as expert on Mexican matters; relations with President Diaz; letter from Diaz	10	1200

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Letter from Diaz; first heard of plan of San Diego, 1915; discovered branch of that organization in Laredo, Tex.; received letter of warning. 10 1201

Quotes anonymous letter; shows Federico Gutierrez Zapata, Carranza officer, Nuevo Laredo, Mexico, promised Lieut. Rucker to intercept them; later lead plan of San Diego bunch into San Ignacio, Zapata County, Tex.; American soldiers killed in that battle; Carranza officials, Col. Cruz Ruiz and Col. Frias led the attack on American garrison at San Ignacio, Tex. 10 1202

Four Carranza soldiers given the death penalty at Laredo for San Ignacio raid; shows Zeferino Zambrano, treasurer general of Mexico, recruited men in plan of San Diego in Monterrey; Zambrano and a Carranza general brought these men to Monterrey, there others were recruited; full account; court reversed case; prisoners delivered to Col. Ferguson, United States Army, returned to Mexico; acclaimed heroes in Mexico; see Arce *v.* State of Texas. 10 1203

Not generally known in Texas; Mario Mendez, director general of telegraph, anti-American; Webb Station raid. 8 1204

Gives further account of San Ignacio raid; purpose to kill American soldiers; plan of San Diego read into record. 8 1205

Flag found at San Ignacio and Webb Station after raids; men participating in above raids were led by Carranza soldiers, Isabel de los Santos, Zeferino Zambrano, and others; Zambrano afterwards governor of Nuevo Leon. 8 1207

Relates further Webb Station raid, Webb County, Tex., by Lieut. Col. Villarreal, who had Carranza commission in pocket; mentions Gen. Maurillo Rodriguez as directing the bands; Webb Station raiders now in Texas penitentiary; Villarreal in Carranza uniform. 8 1208

Webb Station raiders captured, confessed that they had been under Gen. Torres in Mexico City; mentions El Progreso, published in Laredo, Tex., violent against President Wilson, etc.; citizens escorted Leo D. Walker and Emeterio Flores, editors, to river and threw them in and made them go to Mexico; complained to Arredondo, who made complaint to our Government; nothing done. 8 1209

Opinion that all raids were in furtherance of the plan of San Diego; refers to indictment of signers of the plan of San Diego in United States court, Brownsville, Tex., 13th of May, 1916; the Agustin S. Garza that signed the plan of San Diego was known in Mexico as Leon Caballo; heard that Fortunato Zuazua (Gen.) was engaged in raising money for the plan of San Diego. 8 1210

Reports that Nafarrate was killed by Carrancista officer in Tampico to keep him from divulging the fact that Carranza had ordered the raids into Texas under the plan of San Diego in 1915–1917; Mrs. Nafarrate's name mentioned often in trial of San Ignacio raids, also Webb Station raid; Jose Ayala Villarreal connected with Zuazua frequently connected in trials. 8 1212

Col. Maurillo Rodriguez, nephew of Carranza; Gen. Juan Barragan's name mentioned in trial of raiders; Candido Aguilar's name also connected. 8 1213

Heard that Mauro Mendez attempted to get one Forseyck to come to United States to blow up buildings; knew Luis de la Rosa with connection to raids; commission found in pocket of Cerda at San Ignacio signed by de la Rosa and Isabel de los Santos, both high officers in Carranza government; de la Rosa, Esteban Fierros, and Leocadio Fierros, Zeferino Zambrano were together at time of raids; Manuel Amaya, introducer of ambassadors for Carranza government; Amaya was also mentioned prominently in plan of San Diego; quotes Lansing note saying that Carranza did not try to intercept raiders and arraignment; note in full. 8 1214

Extradition impossible from Carranza of murderers. 8 1223

Mention Dionisio Martinez, murderer of American in Wilson County, Tex., now holding commission under Carranza; also Crecencio Barrera, murderer of American, in Zapata County, also official under Carranza; relates robbery of Ignacio Benavides ranch near Laredo, and in few days Carranza officials at Guerrero were riding horses; refused extradition for thieves by Carranza; chairman calls attention to witness to Zimmerman note, who remembers it, comparing it to the plan of San Diego; reads into the record letter to Manuel Aguirre Berlanga, reference to Lino Caballo, signed by V. Carranza, under date of June 14, 1919. 8 1224

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Testifies as to German propaganda during the war along the border... 8 1225
Vann, W. E. ... 8 1296
Reference to raids on lower Rio Grande 1915–16 ... 8 1296
Conferred with Carranza officials reference to raids; Nafarrate promised to assist officers against raiders, but did not; two raiders killed in Carranza uniform; raiders told him military were with them; refers to confession of Chino Flores ... 8 1297
Relates confession of Pedro Paz reference to bandits; hand bombs found at train wreck; rail loosened, pulled with wire ... 8 1298
All extradition refused 10 or 11 but last two, Gov. Osuna, of Tamaulipas, granted for Pedro Paz and Antonio Rocha, two raiders ... 8 1299
Relates killing of Antonio Rocha on Mexican side by Mexican officers as he was being delivered to witness ... 8 1300
Relates killing of Toribio Rodriguez on Texas side by above two men, Paz and Rocha ... 8 1301
Veater, Capt. S. H. ... 10 1478
1902 went to Colonia Chuichupa, Chihuahua; 200 people there; ranched there 13 years; revolutionists began to rob; gave up arms and ammunition ... 10 1479
Colonists left, except 42; rioting; colonists successful in business, sawmills, also improved machinery for farming, and dairying; names six colonies in Chihuahua: Colonia Juarez, 300; Colonia Pacheco, about 150; Colonia Diaz, 300 families; Dublan, 300; Colonia Garcia; Colonia Chuichupa; all in flourishing condition under Diaz ... 10 1489
Bank at Colonia Diaz robbed; homes destroyed; used schoolhouse for stable; irrigation dams blown up; estimates in his colony loss $500,000 alone; refugees broke, bad conditions; Government United States had to feed them ... 10 1482
Much property turned over to Rojas through force; gave horses and mules away to Mexicans; made efforts through Gen. Calles but to no avail to recover stock; stock taken to Sonora ... 8 1484
Gives account of murder of Johnnie Brooks; account of murder of Ben Griffith, soldier knocked out gold tooth with sword, put tooth in pocket; had row over it and threw it back in grave ... 8 1486
Brought some cattle out, paid $20 gold duties to Mexican official at Juarez ... 8 1488
Gives account of assassination of Stevens, George Redd, Mr. Cain, John Cramer, John Henry, Hays ... 8 1488
Appealed for protection to Huerta, Madero, and Carranza, but to no avail; home destroyed and burned, etc.; Abelino Rascon killed in Cumbre Tunnel affair ... 8 1490
Made efforts to recapture cattle stolen through Col. del Arce and Maj. Tagle, of Juarez; gives account of trip; everything in colonies destroyed; homes burned, etc ... 8 1492
Gives account of killing of his Jersey cows, milch cows, instead of beeves, no remuneration ... 8 1492
Wadsworth, R. M. ... 10 1532
Gives account of killing of Sitters and Hulen and Jack Howard, and wounding of Harvis in Big Bend by the Chico Cano outfit; Chico Cano holds commissions under Villa and Carranza, either one in charge of the Ojinaga district; he acts ... 10 1532
Walker, Norman ... 12 1821
Gives account of battle of Juarez on May 8, 9, and 10, 1911; 18 Americans killed and wounded in that fight in El Paso; for the last nine years El Paso people have been in nearly constant dread, and necessary for soldiers to be there to render protection; Americans killed and wounded in Agua Prieta and Naco, Ariz ... 12 1821
Wallis, H. J. ... 8 1342
Was wounded in train wreck near Brownsville, 1915, time Dr. McCain was killed and others; details story ... 8 1342
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"Colonia" (American colony near Tampico), 15 families, relates hanging of one German-American and another German citizen, both robbed but American German hung up ... 8 1162
Relates fight with Mexicans in which he killed several, defending his home and family (Carranza soldiers led by an officer) ... 8 1163
Robbed Negro man and ravished his wife ... 8 1165

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Came to United States after family had been robbed, and his trouble with Carranza soldiers 8 1166
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Quotes statement and attitude of Mr. Polk in conversation or conference with oil men on intervention; Polk said when they failed, then it was up to Congress; refers to documents passing between the Petroleum Association and department to show efforts of Mexican Government to get possession of oil rights on his land (Watriss Appendix B) 2 468
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Properties of the Atlantica Compania Mexicana Productora y Refinadora de Petroleo, purchased from Mexican owners, have been denounced under article 27 and decrees of Carranza; filed Amparos; applications to drill on own property denied; shocked because news suppressed by our own Government from Mexico; Associated and other press refrained from publishing news on request of our Government; refused to publish comments on article 27	2	591
Panuco Boston Co. stopped by military and fined $500; chronological statement in detail follows actions of his company and the oil men, continued on page 594; pamphlets issued by Mr. Frederick R. Kellog, true, filed with committee, but not in record, marked "Williams Exhibit No. 2"	2	595
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Williams Exhibit No. 6 filed with committee but not in record; same with Exhibit No. 8; oil men only trying to get real facts before American people	2	597
Relates murder of Leroy Moye near Tampico; quotes letter from British as to robbery	2	598
Relates robberies of pay rolls by order of Carranza, so reported there	2	599
Quotes Mexican Review of Aug. 19, 1919; Weeks on oil matter	2	600
Explains Carranza's desire to get Americans to accept his idea; telegram from William Phillips, Acting Secretary of State, to witness, reference to unsafety of Americans near Tampico	2	602
Quotes extract from Amparo, translated to our point of view; Government may rob foreigners if they are recipient of the stolen property; extract accused of rebellion by not accepting article 27 and decrees, signed by division of petroleum No. 2277, Mexico, June 26, 1919; letter from Robert E. Speer to Mr. Chester O. Swain, 26 Broadway, reference to whether Association for the Protection of American Rights in Mexico was in favor of intervention, etc.; answered by Mr. Walker and witness, in record; criticizes Dr. Inman; other correspondence by witness on this subject	2	605
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Chairman quotes extract from speech of President Wilson, Helena, Mont., about American liars	2	606
Witness quotes extract from William Burgess that Constitution might have been written by Emma Goldman and Berkman	2	607
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Details loss of her husband as mentioned by Mrs. Bailey; lost child by death, caused by lack of attention	8	1032
Mentions murder of Catron; Carrancista officials in charge Aguascallientes time of disappearance husband; Gen. Urbina and one-legged Orozco; Benito Diaz, governor	8	1033
United States Consul Edwards refused to hear her story; told her he could do nothing for her, Juarez; Mrs. Willis, an invalid, caused by her mistreatment in Mexico; Red Cross sent her home	8	1034

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Wilson, Henry Lane 15 2249

Conditions under Diaz ideal; most of the development done by Americans; had it not been for them Mexico would have remained in an uncivilized state; downfall of Diaz, 75,000 Americans there, official; Americans there away above the average; 2,000 railroad men, 5,000 farmers, 5,000 miners, 8,000 in other lines, many doctors, dentists, engineers, and all professions there in abundance; none of the lower type of Americans, as compared to our cities; false that Americans secured special favors by bribery and concessions; did not exploit the country or people 15 2250

Explains concessions; estimated that one billion two hundred thousand American capital in Mexico when Diaz left; all others combined about same amount; all nations; gives estimates on population of all nations in Mexico; population, American, in the city about 10,000; explains about railroads in Mexico 15 2252

Gives his idea as to fall of Diaz, "old men, inefficiency, and race demands," "Mexico for Mexicans"; 80 per cent ignorant; invitations of Diaz to Mexico 15 2254

Business in Mexico in hands of foreigners; gives beginning of and progress of Madero revolution to downfall of Diaz; Madero of unsound mind, visionary; made incendiary speeches, in jail, out in few hours; appealed for popular sympathy for Indians; endowed with personal honesty and excellent morals; Madero did not overthrow Diaz, he was overthrown by wave of anarchy and desertion of friends; Madero proceeded against Reyes candidacy just as Carranza is against Obregon to-day; much anti-Americanism later days of Diaz 15 2256

Diaz government very much pro-American 15 2256

Gives evidence of unsound mind of Madero, Ambassador Calero as instructed to misrepresent conditions in Mexico; many atrocities committed while Madero was in power; conditions went from bad to worse; Madero was more despotic than Diaz toward end of régime; general anarchy all over Mexico; not a dollar for public instruction, not an acre of land divided; no freedom of press, some suppressed; organization of "La Porra," by Gustavo Madero. Formed to discontinue anti-Maderism 15 2258

La Porra composed of hired assassins and cut-throats hired especially for their purpose; gives outline of revolution with Madero and Huerta in company with English, French, Spanish representatives; Blanquet by his actions upon arrival overthrew Madero; Huerta took advantage of the situation. Col. Burnside reported that the revolution could not be suppressed, therefore called the ambassadors together again; report to witness from Burnside in full, date Mexico City, June 5, 1913 ..... 15 2262

Diplomatic corps advised Madero unofficially best to turn the government over to congress; selected Spanish minister to deliver request or advice; upon his arrival met the senate who had been refused admittance, their advice was to have been the same; Spanish Minister, Mr. Cologan, secured an audience. Madero was insulting; Madero sent telegram to United States accusing witness of controlling diplomatic corps, and wanted to land troops at Veracruz; later withdrew it and apologized, next day supreme court went to Madero with same request; badly received; Col. Riverol and Col. Izquierdo went to Madero with four privates, same request; took pistol from his pocket, shot both colonels and two or three privates; escaped to corridor and captured by Gen. Blanquet; placed in prison; gives conditions of people at that time, children starving, etc., felt great responsibility; sent for Diaz, Huerta, and Blanquet .. 15 2263

Three actual breaks, forced by persuasion and threat, finally agreed and made contract depositing it with witness; 50,000 Mexicans celebrated that night and gave thanks to the United States for bringing peace to Mexico; all ministers of strong nations thanked witness, and sent letters, in record 8 2264

Copy of resolution, mass meeting American colony, February 28, 1913; telegram to President United States, signed by American colony; case submitted by American colony reference to sending committee to Washington 8 2266

Wilson, Henry Lane—Continued. Part. Page.
Argument to Bryan by committee, the retention of witness as ambassador, April 2, 1913 ..... 8 2268
Resolutions of thanks inserted in the record, from British subjects, Protestants, Catholics, Y. M. C. A.; not a dissenting voice; explains procedure under Mexican constitution as to seating president; urged Huerta to protect the lives of Madero and Suarez; relates the murder of Madero, in transfer from one prison to another; shot by officer in charge 8 2271
Letter from Von Heintz, January 8, 1916, from China to witness, commendatory of his action in Mexico City; relates relations between Madero and Villa, latter in revolt against Madero at time of his death, but changed to protest against Huerta 8 2274
Justifies action with Madero, who had not kept faith with United States; resolution brotherhood men, resolutions sent to President United States; another resolution by same parties asking that he be retained; remonstrated with Madero about throwing Americans wrongfully in jail; one case of friction 8 2276
Quotes from book by Calero on murder of Madero; enumerates five questions that he wanted settled prior to recognition of Huerta 8 2278
Enumerates them, successful in five of the six questions when Huerta was in power; goes into the latter part of the Taft administration 15 2280
First portion of Wilson's administration critical 15 2281
Diplomats met in Mexico City and sent telegrams to their Governments after they had recognized Huerta, and the United States had not, asking them to request the United States to either recognize Huerta or come down and make peace 15 2282
Sent to Veracruz on July 4, by Wilson, to keep him from having to reply to Huerta's speech on that day in Mexico City 15 2283
Contradicts William Bayard Hale about telegram he sent to Washington; Huerta protected Americans 15 2282
Huerta was very pro-American and the greater part of the Mexican people were in favor of him; did not receive any backing or assistance from Wilson Government; explains; refutes Guy Inman's story as published in his book, page 134, in which he attempts to give facts on the Madero-Diaz-Huerta episode in Mexico City, 1913; "Ciudadela" calls Inman a liar in diplomatic language 15 2284
Sworn statement as to witness's attitude in affair here inserted, signed by United States consular agents in Mexico City; untrue story sent out by Robert H. Murray; secured judgments, and apologies from many, including John Lind; made false report to ladies in Mexico City; witness ordered Murray out of embassy; goes fully into the mutilated records of all messages from and to the department, and discusses how Murray might have secured them; uncoded messages sent by Bryan; Bryan several times requested witness to invite Mexican Government (Huerta) to join United States in conferences and to recognize the new Republic of China, and to join the universal peace movement, all this while he was fighting Huerta 15 2286
Mentions several private representatives sent to Mexico without his knowledge, which action discredited him 15 2289
Protested to the United States, but no relief; reads letter into the record under date of July 1, 1913, directed to Wilson reference to William Bayard Hale; received no answer, did not expect any; called to Washington after Hale's report for consultation; asked to make report to President on Mexican situation. President had only read reports confidential at time of Madero overthrow; had not read any in two years; here he inserts in record his recommendations to Wilson 15 2290
Later sent to Foreign Relations Committee 15 2294
Agreeably received; later Wilson told Senators Bacon and Flood he did not care for any further exploitation of my views 15 2294
President requested investigating committee not to hear anything further from me 15 2294
Committee was Democratic at that time; quotes Calero's book, page 68, reference to Carranza; opinion on Carranza 15 2294
Mentions telegrams United States consul and Carranza after death of Madero 15 2294

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Relates his connection with Huerta and Carranza at that time; discusses John Lind; Tampico incident and United States policy; relates conditions of Mexico, cost of troops on border, schools and churches, desecration of same: Carranza downfall would be an admission of Wilson's Government's mistaken policy	15	2296
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Relates again conversation with President, who said "Huerta would not carry out his promises"; no notice given by Taft for Americans to get out of Mexico; condition of Mexico later days of Taft bad; why Carranza went against Huerta	15	2304
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Again quotes Calero, pages 68 and 61, reference motives of revolution; compares his idea and that of Calero on this subject; Secretary Lansing's note, June, 1916; relates difference in Indians in Mexico	15	2308
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Member of League of Free Nations and Mexico committee; delivers document and report on education in Mexico	1	159
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Makes statement as to his knowledge of Mexico as an educator and missionary, 1884–1902, 14 years	1	160
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Discusses different Indians	1	166
Knows nothing of labor organizations	1	170
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One was a Carrancista officer; had commission as such in his pocket	10	1520
Wright, Mrs. Mary	8	1020
Depredations on person and property; women lived in cane field to escape Madero revolutionists; raided several times	8	1020
Governor San Luis could not protect us	8	1023
Our Government refused; told to get out	8	1023
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Robbed completely; fruit orchard burned, fences cut	8	1026
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EXECUTIVE SESSIONS.

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Serious trouble begun 1914	15	5
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Killing of Americans common there	15	21
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Officer would welcome American Army to Mexico	15	37
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Went to Mexico in 1883; railroaded for 21 years; bought 1,700 acres and leased 2,500	D	422
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First arrested by Huertistas in 1914; party held 19 days and released; only known reason for arrest was because troops had landed at Veracruz	D	430
Huerta troops took ballot as to whether all Americans of Colony should be massacred. Ballot 150 to 25 against. Massacre prevented by friendly Mexicans	D	433
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Returned to ranch in August, 1914. Everything destroyed. Stock stolen by Huerta soldiers under Zaragosa and Higinio Aguilar	D	436
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After refugees were loaded into boats to be taken to steamer, Carranza colonel searched them all for money, taking all found; took 45 cents from 3-year old girl; entire party landed in United States for second time penniless	D	445
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Finally forced to leave for good in June, 1919; loss $259,000, earnings of 47 years labor	D	486
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Employed in land and legal department; gives reason why he wants to testify in executive session; informed by attaché of foreign relations in Mexico City that any Mexican appearing before Fall committee would be considered as a traitor and that an American so appearing had better not return to Mexico; would be murdered if known; relates conditions in ———; passes freely from Carrancista to Pelaez lines, to and fro; gives location of different cuartels, both factions; people generally for Pelaez; not considered as bandit; gives protection to all people; Carrancistas murder, rob, and commit depredations	11	4
Describes Santa Maria Indians. Chief very bloodthirsty and cruel; black Indian; joined the Carrancistas; Williams and American captive held 35 days; given two tortillas a day; fell in weight from 160 to less than 100 pounds; chief's name Higinio Malgosa; barbarous to prisoners; won't allow any Carrancistas in his district; Tepecintella, another small tribe of Indians, in same section about as Santa Marias; Huasteca Indians against Carranza, for all have had relatives murdered and property destroyed by them; ——— ships Pelaez ammunition through custom house at Tampico, in knowledge of customs officer, bought up, few at a time, from Carranza soldiers, etc	11	8
Describes Carrancista methods as to graft, robbery, etc	11	11
Describes Gen. Pablo Gonzalez and Gen. de Lara; gives account of Carranza soldiers shooting at Mr. Mikel, a British geologist	11	14
Describes manner of sending pay rolls to camps; danger, etc.; refused to allow airplane to be used	11	18
Details arrest of himself and two Americans by Carrancistas; insulted and detained several days; documents taken; mistreated; finally released	11	21
Details another arrest of witness and Parker by ———, a Carrancista; made him go ahead of column to Pelaez stronghold; loaned them two mules to ride to camp later and found mules had been stolen from his company; relates robbery of Aguila camp by Ortiz, who formerly was a sandal-footed butcher from town of Colima; details many robberies by Carrancistas; also blowing up of train by Cedillo brothers; lieutenant colonel in charge of train, ———, renegade American ex-soldier	11	31
Carranza pay rolls padded; soldiers allowed to rob instead of being paid salary; great many refugees from oil fields who have lost their homes and working for living; Americans taking up claims with their Government are at once blacklisted by Carranza; 10 Americans robbed	11	35
Robbers were Carrancistas masked; known by their dress	11	39
Robbery Walter Fitch; embezzlement of Gloria from New Laredo of $30,000 from company; never punished; United States officials, Mexico City, feel humiliated by attitude of their Government; refutes Fletcher about conditions in Mexico; opinions of Americans in city he has stated untruths	11	40

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Details conditions, financial and otherwise, opinions, etc.; Bolshevism rampant in ———; working class publicly espouse cause; much propaganda there: all workmen have to belong to Bolshevik union; relates boatman took charge of company boat and charged for passage although being paid salary	11	46
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General business and looking after Mormon colonies in Mexico; gives general description of Mormon colonies; population, 4,000; Colonia Dublan, Juarez, Pacheco, Garcia, Chuichupa, Diaz, Morelos, and Oaxaca; prosperous under Diaz; manufacturing establishments, life, and customs of colonists; murders, atrocities, etc	9	614
Mr. ———	D	693
Went to Mexico with father, mother, and two brothers in 1908; established ranch at Atascador colony, State of San Luis Potosi, mother and sister compelled to leave in 1913	D	694
Father arrested by Huerta colonel in 1913; held 43 days; beaten and taken to Mexico City in box car	D	695
Held in prison there; O'Shaughnessy promised to obtain release; did nothing; finally released through Mexican captain who was friendly	D	703
Only assistance received was order to get out of Mexico, which he obeyed	D	706
Died in San Antonio, Tex., in December, 1919, as result of treatment	D	708
Brother executed by Villistas under Col. Tomas Urbina because had no horses to give him on ranch	D	711
Mr. ———	R	2
Was for two years constructing quartermaster, United States Army; during 1918 and 1919 stationed at Nogales, Ariz	R	2
Was wounded in battle of Nogales in August, 1918; described battle	R	3
Mexicans had trenches and fortifications for over a year	R	8
Present disorder in Mexico due to lack of respect by Mexicans of central government	R	10
Central government was respected in time of Diaz	R	11
Sees no reason why individual American merchant can not get along with individual Mexican merchant; cites experience of his own to illustrate that it can be done	R	13
Does not consider that the business relations between Arizona and Sonora are relations with Mexico; that Sonora handles its own affairs	R	22
Mr. ———	H	2
Went to Mexico in 1906, purchased ranch near Las Palmas in San Luis Potosi; took cattle, horses, and farming implements from States	H	7
First trouble in 1916 when commenced robbing place; compelled to hide in brush for days to save life	H	14
July, 1919, son, ———, murdered by men under Carranza general, Manuel Larraga; lost everything	H	39
Mr. ———	4	1
Minister and professor, now in Mexico four years; Methodist; executive board had charge of or general direction of all the schools in Mexico; outline of work	4	2
Increase of schools from 10 to 20 per cent; gives account what has been done; can not carry on work in certain districts account bad conditions, unsafe; to quite an extent, money for his work contributed by individuals and churches throughout country (United States); no financial aid from Mexican Government; attitude very kindly	4	4
Only cooperate in certain districts	4	6
Diaz method very ambitious but not carried out, account Catholic Church and lack of funds; purpose of Carranza in revolution to inaugurate extensive educational enterprises but not carried out	4	8
Teachers of old Diaz regime, but not paid; impossible to carry out plans by Osuna, Saenz, and Barranco; plan in Inman's book very elaborate, page 165, but not carried out only limited extent; lacked finances and teachers	4	8

Mr. ——Continued. Part. Page.
Impossible to get teachers, some educated in United States, others in Europe under Diaz but insufficient in number..... 4 10
Generals had to be paid before teachers..... 4 12
Explains what happened to schools in Mexico City; Osuna brought down from north, wanted to put in system as in United States, others wanted the French system, much disagreement, bill in Congress to do away with "National Preparatory," lost, but was made impossible to carry it out; Osuna made governor of Tamaulipas, to get him out of the way; was not successful in that position; successor in school matters incompetent..... 4 14
Prof. Moises Saenz was in charge after Osuna, but resigned to go into evangelical board work at reduced salary; teachers are paid "I. O. U's." and per cent of salary. Many schools closed time of strike, have not been reopened..... 4 16
Carranza favored his friends in teachers; discriminated against old Diaz men who were let out; latter most competent; money received by government used to pay military authorities; income of government three times more than under Diaz; Carranza generals extravagant, fine homes, etc. All discouraged, must have firm hand. Told Inman he could not do anything for he was surrounded by bad people..... 4 20
Relates answer of Carranza to committee, "Good people did not assist him to get into power, bad people did, knows latter grafters and dishonest, but will stay with them to the end." This his general policy; Carranza has no great power; on account of closing of Mexican schools, American schools received more pupils..... 4 22
Refutes Inman on character of Americans in Mexico; prefers an honest business man in Mexico to four preachers; not possible to prosper in educational work unless assisted by material progress..... 4 26
Jefe Politico under Diaz changed under Madero to Jefe de Armas, same..... 4 29
Agrees with Inman that Mexicans rather work under Americans than Mexicans; says Inman's statement on page 175 his book "Authorities making headway under odds, etc., Americans who remained in Mexico have most hope for country under Carranza" "Absolutely untrue"; all Americans in Mexico can see no hope for Mexico under present régime. Mexicans also agree to financial intervention in Mexico necessary..... 4 32
If this intervention failed, armed intervention was inevitable; Banco Nacional looted, taken over as all banks were. French plan not feasible of loan by United States without strong government like Diaz had at time; favors armed intervention when all else fails; Department of State has not shown strong hand; an ultimatum should have been given before Carranza was recognized; a great many things should have been done that were not; criticizes administration; notes, instead of ultimatums that meant something, have been indulged in causing Mexican government to believe we do not intend to do anything; Mexicans have told witnesses we did not because we were afraid; military move all that can eradicate their ideas; stay out of Mexico if we are going to withdraw soon; training Mexicans so that they can withdraw from Mexico..... 4 36
Mr. ——..... 12 2
Objection to publication of testimony, fears death at hands of Carrancistas, might be denied admission, reason; came out 1913; no serious disturbances north Mexico under Huerta..... 12 5
Objection to Huerta by United States caused some trouble..... 12 7
Carranza attack on Monterrey 1913 and 1914; Carrancistas destroyed much property Monterrey..... 12 8
Financial; Carranza paper money, metallic reserve..... 12 9
Ordered to leave Mexico, employees did not do so; cry of "wolf" not heeded..... 12 15
Great injustice to Americans in Mexico, charge that they were exploiters; favors sending Americans as pioneers..... 12 17
Americans had to submit to unlawful exactions..... 12 18
In addition to full payment on tobacco in stamps, had to pay "gratification;" nothing like this under Diaz or Huerta..... 12 19

	Part.	Page.
Mr. ——Continued.		
Constitution of 1917, little effect on his business	12	20
Shutting down of American enterprises detrimental to Mexican laborers; American operations bettered laborers and country	12	21
Carranza imported much tobacco free of duty, which put legitimate dealers out of the running; this done by concessions to favored few	12	22
Concessionaires approached him to sell concession twice	12	23
Luis Cabrera head of treasury department at that time	12	24
Has $275,000 invested there	12	25
Conditions in Mexico not improving	12	26
Favors this government going in there	12	27
Mr. ——	10	722
Relates death and circumstances of death of Pvt. Troib, Medical Corps, Company D, Nineteenth Infantry, United States Army, by Carranza lieutenant, Juan Azpeitia, of Juarez, December 28, 1918; full court proceedings, etc	10	722
Mr. ——	Q	10
Re killing of Americans, Rooney and Bowles; no one ever arrested; generally was done by Carranza soldiers	Q	3
Re killing of Dan Foley, American citizen by Mexican; no one arrested for crime	Q	4
Re anti-American sentiments of Gen. Pablo Gonzalez; re attack on Mr. Starkweather, American citizen, in public plaza of Tepetate by Gonzalez, who was in drunken rage	Q	5
Americans in Mexico have lost respect for their own government due to treatment they have received and no protection	Q	7
Mr. ——	10	604
Been all over Mexico; came out in 1915; father ran out of Mexico in 1916; was in cattle business in Durango; threatened to hang father, took wedding ring off finger, wanted to undress him, finally released him; he left country but returned to save his 850 head of cattle; robbed him of everything and killed his milk cows	10	604
Relates the murder of Charlie Chee, Chinaman, the arrest of two Englishmen, McClure and Henderson; his father robbed again; started to execute two Englishmen but released them and murdered Chee; all factions practically same	10	606
Relates murder of Edward Hayes at Madera by Santana Caraveo, also murder of a negro; another man killed at same time	10	610
Details robbery by Cheche Campos of Madera Co. store, sent loot away in cars	10	611
Certain degree of safety in large centers; danger of being murdered in rural districts; expects another revolution; no help for country from within	10	612
Mr. ——	2	1
Attorney, New York and Washington; landowner; property seized; manager and important employees killed; took matter up with State Department, finally Mr. Polk made representations to Mexico City, referred to Candido Aguilar, Governor of Veracruz, for adjustment; later was referred to Acuña, Minister of relations, who resigned and Aguilar took his place; nothing further heard from it	2	2
Crops were sold to firm in which Aguilar was partner, later traced to New Orleans and attached; witness won and years later property returned to him; last inventory shows much property lost	2	4
While suit was pending several Carranza officials offered to appear as witnesses; favor witness, if large sums of money were paid them; full report of this matter filed with State Department, United States; refuses to give names of clients for fear they would be murdered	2	6
Mr. ——	K	33
Conditions as to safety of life bad until battle of August, 1918, when American troops invaded Nogales, Sonora; since that time conditions are some better	K	36
Exports through Nogales for 1918 $22,000,000; for 1919, $18,000,000; leading export during 1918 was garbanzo, $6,677,000	K	37
Of the $12,000,000 majority was mineral from American-owned mines	K	37
Re Gen. Calles forcing collector of customs, Nogales, Sonora, to deliver to him $15,000 gold; refused to give him a receipt; collector afterwards came to the United States to keep from being executed for reporting matter	K	39

	Part.	Page.
Mr. ——— Continued.		
Re stores in Nogales, Ariz., keeping open on Mexican holidays and those who did not being boycotted by Mexicans; Mexican customs guards refused to allow goods purchased in these stores to cross line..	K	45
Re American citizen Frank Diamos, who operated a picture show in Nogales, Ariz., showing a picture that was not pleasing to the Mexican consul, who afterwards would not let Diamos or any of his relatives cross into Mexico and told Diamos if he did cross Gen. Calles would have him executed	K	46
Re Collins, an American citizen, who had a fight in Nogales, Ariz., with a relative of a German living in Nogales, Sonora, being arrested and held in jail in Nogales, Sonora, at instigation of Mexican consul who was friend of German; Collins finally deported from Mexico; matter never reported to State Department	K	48
Re kidnapping of Huerta et al. from Douglas, Ariz., and execution in Agua Prieta, Sonora, by Gen. Calles, 52 and 60; re conversation between Gen. Cabell and Mexican consul, Nogales, Ariz., relative to insulting letter written American consul re American soldiers crossing line; also re Huerta kidnapping	K	59
Obregon exported $5,000,000 worth of garbanzo from Sonora in 1918; all went to Spain and Cuba; handled by W. R. Grace Co., of San Francisco, Calif	K	71
Obregon was given permission to import 5,000,000 pounds of lard, 200 car loads corn and flour during 1918; there was a surplus of rice in Sonora and when Americans tried to export same to relieve food situation in the United States, Gen. Calles said it would rot before he would allow a pound to go to the United States	K	74
No question that another revolution will take place before many months	K	77
Mr. ———	R	50
Owner and operator chain motion-picture shows in Nogales, Naco, Douglas, and Bisbee, Ariz	R	51
On one occasion was showing picture entitled "Fighting Through"; picture showed American soldier forcing Mexican to salute American flag; Mexican vice consul in Nogales, Ariz., was present and created disturbance; stationed himself in front of theater and picketed place, advising Mexicans not to patronize theater; later refused to allow him to cross line into Mexico on account picture being shown	R	52
Mr. ———	G	2
Re being ambushed by men in Carranza uniform, October 25, 1918...	G	3
Matter reported to Carranza commander; nothing done, was not even interviewed by Carranza officials	G	4
Re ravishing of the Misses Gourd at Atascador colony during Huerta régime	G	6
Most of murders and robberies in Tampico district have taken place since time of Carrancistas	G	7
Re destruction of Atascador and other colonies by Carrancistas	G	9
During time Manuel Pelaez controlled Tepetate oil district no robberies or murders; Americans enjoyed peace until present Mexican Government took charge; Carrancistas would send escort with pay rolls of mining companies who would themselves steal pay roll	G	12
Re election held in Tampico in January, 1920, where all political leaders opposing Carrancistas were placed in jail until after election.	G	14
Mr. ———	E	672
Lived in Torreon, 1892 until 1916; safe under Diaz; had more protection while Villa was in charge than under Carranza	E	672
Was present in Torreon during massacre of 303 Chinese by Maderistas under Emilio Madero; massacre was investigated by De la Barra ...	E	675
Huerta troops under Munguia held town and looted banks, etc., November, 1913, to April, 1914	E	675
Villa had control from April, 1914, to September, 1915; forced loan of 3,000,000 pesos	E	677
Villa evacuated town in September, 1915; Carranza occupied until December, 1916, when again captured by Villa; good order under Villa	E	681
Ordered out by State Department April 23, 1914	E	682

	Part.	Page.
Mr. ———Continued.		
Re purchase of 250,000 acres of land for guayule, part of same being claimed by one Hernandez, relative of Madero; fighting in courts, finally being forced to settle with Ernesto Madero; loss estimated at $1,000,000; claim on file known as Acatita claim	E	688
Mr. ———	P	178
Mining engineer; in Mexico 15 years; properties in State of ———	P	178
In June Federal troops burned one of mines; was arrested and started to San Blas	P	180
Entire party was captured by rebels; affiant escaped and made way to Tepic; with aid of German consul made way to American cruiser, where took refuge and was brought to United States	P	181
In June, 1918, Gen. Calles, while on way to Mexico City, burned and destroyed the other mine owned by affiant, taking away everything that could be moved; protests made to both Mexican and American State Departments; no relief	P	182
Had been repeatedly robbed prior to destruction of property; rebels would take all supplies they could carry, stack the rest in the street and burn it; these matters always reported with evidence to American State Department	P	183
All surface property now destroyed and mines flooded with water; has caretaker living on property	P	184
For some time one mine was in charge of rebels and the other in charge of Federals; mines 20 miles apart; forced to pay taxes to both sides	P	188
Witness exhibits several photographs of his destroyed property, of Mexicans hanging to trees	P	189
Re holding of Whitford, an American citizen, prisoner by rebels, who would cut off a finger at a time and send it into Tepic to his company; after sending all his fingers he was finally murdered; witness exhibits photo of place where man was held	P	190
Mr. ———	9	482
Residence, Hachita, N. Mex.; went to work for the Land & Cattle Co. in 1909, D. R. McCormick, foreman; ranch in Mexico; was at Campbell's wells, 7 miles north of Corner Ranch just prior to Villa's raid on Columbus; was at Warren's Alamo Hueco, N. Mex.; in jog Sunday before, but at Campbell's wells first he heard of it; at Culberson's ranch a captain showed him a telegram from Slocum, stating that Villa was coming north on his way to Washington by way of Columbus; this was two or three days prior to raid; took mules over to Culberson's ranch, 16 miles from Alamo Hueco	9	483
Locates lines and places; goes into Mexico to find McKinney	9	485
Struck a trail at Biznaga Larga, about 1,000 horse tracks, going north; followed it 6 miles; 3 miles east of Corner ranch they turned southeast from Corner ranch; quit trail because saw fires west, seven big camp fires; stayed all night at Campbell's, saw them break camp next morning with spyglass; later turned out they were Carrancistas and not Villistas	9	488
Turned back when they found Villa's trail; describes Villa's route toward Columbus; went to Alamo Hueco and reported to United States officer what he had seen; then informed that Villa had raided Columbus and was coming to Hachita that night	9	497
Did not know that McCormick had been captured; captured Luz Ortiz, Simon Verdugo, who were in raid; delivered them to United States officers; later knew that McKinney, Corbet, and O'Neil had been captured and killed by Villistas	9	499
Andy Peterson, Akard, and Jenson killed near Corner ranch	9	505
Relates happenings of Silvestre Quevedo and about 18 men and at different ranches under his supervision	9	506
Relates poisoning of several horses by mistake	9	507
Continues statement leading up to and including murder of above-mentioned men	9	509
Quevedo strung Mexican up to make him tell where Fonville was	9	516
Lem Spillsbury found the three bodies	9	517
Tom Kingsbury disappeared, supposed to be dead	9	518

	Part.	Page.
Mr. ———Continued.		
Describes Villa's trail to Columbus; followed it after raid	9	519
Carrancista depredations; Birchfield stuff taken by Jose Ines Salazar; took 251 horses	9	524
McCormick held for ransom; he took the money one time, Stevenson thereafter	9	529
Mr. ———	F	728
Testified regarding holdup by Carrancistas and demand for $30,000; was eyewitness to killing of Lee Moye at this time by Carranza soldiers	F	732
Testified re shooting of John Eads by Carranza soldiers	F	733
Mr. ———	9	573
Manager ——— ranch, ——— district of ———, 17,000 cattle; now less than 1,000; arrested by Carranza Red Flaggers, held for ransom September 20, 1915	9	575
Foreman taken also; Manuel Gutierrez, Carrancista, was in charge; paid $10,000 for release	9	576
Wife shocked; has never gotten over it; house looted; trouble, loot, robbery ever since	9	577
Went after bodies at Carrizal with others; recovered bodies and brought them to El Paso	9	578
Teeth knocked out; Mexican offers to sell them; gold crowned	9	581
Col. Rivera, Carrancista, was in charge, after murders	9	582
Heard of monument to be raised to Gomez, who was leading murderers at Carrizal; never knew honest or honorable Carrancista; no protection	9	583
Not one punished by Carrancistas; one only by Villa, and later he was executed for his zeal in assisting us	9	584
Gen. Ornelas, Villista, turned over Juarez to Carranza; later made Carranza official; later killed by Villa	9	585
Depredated upon by Villa, details; battle, Villa Ahumada; row between Villa and Martin Lopez; Angeles peacemaker; 12 miles to Carranza garrison; did nothing	9	586
Villa took property valued at $30,324.75 when he went south	9	588
No attempt to intercept Villa by Carrancistas; details route of Villa, Lopez, and Angeles; Carrancistas did not want to eliminate bandits	9	590
Everybody against Villa and Carranza; want peace	9	592
Losses $996,442; no reimbursement	9	593
Complaint to State Department referred to Gen. Espinosa, who did the robbery, and Murguia, who "cursed me out," saying, "Refer your complaints to me;" asked Gen. Gonzalez for protection; sent 50 soldiers, who "stole $5,000 worth of property from us"; asked to say nothing about it; not paid; inspector general broke into store and took what he wanted; took cooking utensils; camped in patio; used house for closet	9	594
After battle of ——— took everything and destroyed balance; favors intervention as the only way; Frank Knotts and Bruce Smith held for ransom by Villa; witness and foreman arrested by Lieut. Col. Nicolas Quiroga, Carrancista, for trying to release Americans; given much trouble; American consul, Chihuahua, James Stewart, did nothing; refused to see him after release; 100 families on ranch, all loyal	9	596
Document from Martin Lopez, ordering that property be not removed by witness; suffer the consequences	9	602
Mr. ———	G	18
Went Mexico, 1917, in charge metals department ——— Oil Co., Tampico district	G	18
Testified re robbery Cortes Oil Co.; several Mexicans were arrested by Carrancistas, but all released; murder of Ed House and Stevenson of Texas Oil Co.; matter reported, nothing done	G	18
All Americans in Tampico district loyal; all in draft age came out and went to war	G	20
Had to sign waiver holding Carranza government not responsible for any harm to self or family upon entering Mexico; conditions so bad had to get out	G	22

	Part.	Page.
Mr. ———	S	2
Engaged in mercantile business at Colonia Morelos from 1906 to 1913; described flourishing condition of colony, how homes, schools, and churches were built, etc.; first trouble when colony was destroyed by Salazar; made trip with American consul to inspect colony after destruction; what few houses that had not been destroyed were occupied by Mexicans; consul made full report to State Department, sending photographs of destruction, etc.; Mexicans stated they were occupying property under authority of Gen. Calles, who had given it to them	S	2
Colony consists of 122,000 acres of land under valid titles; is at present time still occupied by Mexicans	S	8
Battle of Agua Prieta; Americans killed	S	9
Predicted another revolution in few months, based on knowledge of conditions and what Mexicans have told him	S	11
Believes that presence of Gen. Dieguez, Carranza commander sent to Sonora, will cause revolt of Sonora from balance of Mexico	S	13
Believes that only solution is intervention, although from interest personally would not like to see it	S	16
Can not see solution of anti-American situation in Mexico due to fact that young generation now growing up in Mexico are having hatred of Americans taught them	S	17
Mr. ———	9	563
——— Now candidate for governor of ———, was ordered by Carranza June, 1919, to organize "Defensas Sociales" in Chihuahua; he made speeches saying he was going to divide up all Gringo property, etc.; asked for 100 horses; refused; he confiscated 49, all they had; June, 1919, robbed again of cattle; kicked; Murguia demanded apology; permission was given to feed hungry people; witness purchased 1,000 hectoliters of corn, sent to governor for distribution; every grain was sold and not one grain reached the starving people; Mexicans on ranch absolutely loyal; hundreds killed defending property, taking care of the widows and orphans	9	564
Mexicans caught stealing cattle, 1920, arrested by his men; jailed; confessed; later released, and bill, $48, sent him with word that if in future he sent thieves to jail to send money for their board; this shows attitude of Carrancistas; no hope for relief or reform	9	566
Not sufficient horses left on ranch to run it; took all imported stallions and improved stock	9	567
Attitude of Mexicans along Pershing route very friendly; begged Pershing to stay and give protection; 1 per cent of people in favor of revolution, balance against it; 25,000 inhabitants in districts named, 99 per cent against Carranza; Gen. ——— not a Carrancista, but an anarchist, popular because he promises to divide the property to Mexicans; large properties	9	568
Conditions flourishing prior to Madero revolution; thieves always punished under Diaz, but very little violations; never knew of a holdup; safer there than in United States; not punished now; Government stands in with that class and assists them; had thorough acquaintance with all through that district	9	570
Went there 1903; 65,000 head of cattle; taken prisoner by Orozco in 1910	9	532
Relates capture, treatment; wanted ransom; saved by Orozco, sr.	9	533
Assisted wounded soldiers; finally released; Madero apologized	9	534
Orozquistas, 250, had battle with witness; Rojas made the attack	9	535
Gives description of battle and losses	9	536
Killed several Mexicans; escaped to main ranch	9	537
Had several fights with Mexicans; threw bombs in house	9	539
Ran Castillo across river, where he was captured; same that burned train in Cumbre Tunnel; deported to Cuba by United States; Villa published a demand for him	9	543
Always received protection and assistance and good treatment from Huerta	9	544
Villa notified him that he could not maintain armed forces in Mexico; that started the trouble with Villa	9	545

Mr. ———Continued. Part. Page.
Villa's army maintained from his ranch after battle of Celaya; robbed many times 9 546
Execution of Mr. ———, bookkeeper 9 547
Gen. Manuel Medinaveitia then joined Carranza forces and is now an officer; Castillo issues offer to Carranza offering services to expel Yankees from Veracruz 9 550
Quevedo, Carranza official, is a general 9 553
Daughter of foreman, ———, taken by Martin Lopez and violated; kept 10 days; later took 200 girls from Namiquipa and kept them with army; many died; many not over 10 years old; later abandoned in mountains and many died from abuse or starvation; American killed at Nahuerachic, Chihuahua, by Gen. Julio Acosta forces; robbed ranch; later battle with Gen. Pedro Favela of Carranza forces, who whipped him and recaptured all loot, which he kept for his own use, "Botin de Guerra" 9 555
Appealed to Gen. Murguia; did no good; Favela killed hundreds of cattle, sold hides, gave meat away, shipped hides; very offensive; protested about killing cattle; put messenger in jail, kept him in jail 27 days, threatened to execute him for protecting American interests; cost $1,000 to save his life; Gen. Corona also depredated same as Gen. Avila 9 556
Home guards named by Favela and Corona, worst men in country; they continued to depredate under authority; Villistas took 280 head big steers; Carranza gave him amnesty and appointed him to a command and in return he turned over the beeves for 10 pesos a head; Carrancistas refused to give them back; later sent soldiers and took them back and they were slaughtered in Chihuahua; worth $80 or $90 a head 9 558
Williams robbed of cattle by Carrancista general, Herrera; paid him $10 a head to get them back; later sent soldiers and took them back and slaughtered them in Chihuahua; Gen. Quevedo killed milk cows on ranch; vindictiveness; treated Mexicans as bad as Americans because they were "our friends"; several pages of robberies by all factions 9 559
Mr. ——— 7 1
Mining engineer; professionally in Mexico, 1906 to 1916; in Jalisco, Aguascalientes, Michoacan, Sonora, and Chihuahua; no trouble in time of Diaz, much trouble after revolution started; had peace in Sonora when Villa was there 7 2
Generally understood that United States was backing Villa until Carranza was recognized; break with Villa caused raids on Americans by Villa when United States allowed Carranza soldiers to cross the United States soil 7 4
Arrangements made for American miners to enter Mexico at El Paso at the Obregon dinner, January 9, 1916; United States in favor of Americans returning to Mexico; Mexican general at Juarez notified Americans that passports were not necessary to enter Chihuahua; previous to this passports to enter for entire party had been secured, 20 going to ———, one to Chihuahua 7 6
About 40 Americans were in party going to Mexico; on same train Gen. Trevino told Dr. Watson that 1,000 troops had been sent ahead for protection; not allowed to carry arms; felt secure; salesman told him later in El Paso that he had received advice from a Carranza officer that it was not safe to make the trip 7 8
Nineteen Americans were in party for ——— 7 12
Five miles beyond Santa Isabel had trouble 7 13
Relates details of massacre 7 15
Antonio Lopez was in charge; does not think Villa was responsible for it; ex-colonel told him Villa was not there; no Mexican on train was killed; sure massacre was prearranged, for reason that when the Mexicans took Americans from train one remarked: "We are one short," indicating they had a complete knowledge of how many secured passports; the 1,000 soldiers were not seen along the line 7 17
Doubts statements made by Trevino; two Mexicans at Isabel rode up and asked if any soldiers were on board and to size up train 7 21

	Part.	Page.
Mr. ———	8	816
Lives Mesilla Park, N. Mex.; property in Chihuahua; doing business there since 1880; at breaking out of Madero revolution had 40,000 head of cattle on ranch; none on ranch now; brought eighteen or twenty thousand to the United States; under Diaz good; then nearest Federal garrison was Chihuahua, 210 miles; no protection since; no notable difference between Carrancistas and Villistas; amount of loss filed with committee about $700,000; lost control of ranch and used it	8	818
Silvestre Quevedo killed Chinaman; Villa sent Lopez ahead; lined up ——— people; accused them of being traitors because they were loyal to witness; Villa arrived next forenoon; hung men up by wrists to bells; whipped them with a sword to make them tell where arms and ammunition were hidden; got no information; lined up five and killed them; sixth man was given letter to Col. Saenz at Casas Grandes, that he, Villa, would be there by next forenoon and wanted to see him; widows and orphans of these men are pensioned by company and are in New Mexico	8	820
Had two large farms; people happy and contented; good wages; 100 families then; now only five; received no protection from Carranza Government	8	823
Carranza officer by name Cisneros shipped carloads of stuff from this ranch to Durango; Carrancistas committed vandalism; gave lists of members of company and residence of each; deriving no revenue; paying $6,000 per annum; 600,000 acres in ranch; State Department kept fully advised; horse stock improved; some costing four or five thousand dollars a head; ranch stocked with all red Durham cattle	8	824
Mr. ———	N	1
Correspondent Chicago Tribune; went to Mexico December, 1919; introduced copy of report made by ———, giving list of all outrages against companies during the years 1918 and 1919 (insert 1); also written report made by Mr. ——— relative to outrages committed on American colony at Atascador (insert 2); personally visited Atascador colony and found same deserted, confirming report made by ———	N	3
Re attempt to murder man named McDonald near Tampico, in December, 1919; McDonald stated that the Mexicans tried to murder him because his brother had made a statement to an investigator for the State Department and the Mexicans had found it out; the local magistrate in the district in which McDonald lived showed him a verbatim copy of the report made by the State Department investigator not later than 30 days after his brother had made his statement; the report had evidently passed through official channels back to the Mexican Government, although his brother had been promised that he would be protected in every way	N	5
Large companies operating in Mexico able to pay for protection; small man not able to operate because can not afford to pay	N	7
Statement of ———, ranch in Chihuahua and Sonora, that in 1910 had 100,000 head cattle and in 1920 less than 12,000, due to depredation of bandits and present Mexican Government	N	7
Mr. ———	L	24
Read into record list of killed and wounded on American side of line in Nogales district during past three years	L	27
Re killing of Frazier brothers on American side of line in Nogales district by bandits; to trailing bandits to line where American troops were compelled to stop	L	40
Gen. Jesus Ferrera, chief of staff of Gen. Dieguez, is very anti-American	L	43
Re smuggling of ammunition by Mexican consul at Nogales, Ariz., also by paymasters of Mexican army	L	47
Re fight between Yaqui Indians and Carrancistas during February, 1920; re fact that Yaqui is good worker and all right if let alone; unable to trace any murder of American to Yaquis	L	51
Re objection to American flags being displayed in Nogales, Sonora, prior to activities of Senate committee	S	21
Since appearance of committee on border, Mexicans in ——— have assumed a more friendly attitude for policy sake	S	23

	Part.	Page.
Mrs. ———	N	9
Exhibited to the committee Mexican bonds of the State of Chihuahua, City of Parral, City of Veracruz and Cordoba. Interest had been paid prior to 1910. No interest paid since that time.		
Mr. ———	K	2
Does business principally in Mexico, States of Nayarit and Sinaloa	K	2
Principal crops sugar and garbanzo; most of garbanzo crop handled by Obregon during 1918–19; money handled through Nogales banks	K	5
Knows of Cananea riots in 1906 when Dieguez, now Carranza general, was leader of Reds	K	6
Knew of lot of murders being committed near Guaymas by Yaquis in past few months	K	8
Believes Carranza government will be able to restore peace and prosperity to Mexico	K	19
Believes that present peaceful condition in State of ——— due to order being maintained by state troops	K	19
Judges Carranza government by his relations with ——— State government; admits has had no dealing with Federal Government	K	24
Does not allow any goods he sells in Mexico to cross line until money is paid	K	28
No money hardly in circulation in Sinaloa and Nayarit except American money	K	31
Mr. ———	5	2512
Travels over States, Laredo to Mexico City, Veracruz, Oaxaca, Tamaulipas, Guanajuato, Jalisco, Mexico, Michoacan, Aguas Calientes, Zacatecas, Durango, and Chihuahua; acquainted with Mexico 22 years; only prosperous place he saw was Tampico; opening of silver mines in Guanajuato by foreign capital improved a little, gave employment to 6,000 natives; former population of Guanajuato 75,000, down to 5,000 in 1916–17, now gone back to 40,000; everything shut down in Torreon; good cotton crop; Durango in very bad shape	5	2512
American sawmill only plant in operation; Zacatecas had population 1910, 35,000, now only 9,000; stores all closed; many residences vacant; no traffic on streets; all mines shut down but one; Chihuahua in poor shape; mines and smelter not running to full capacity; dangerous away from railroad	5	2515
Gives causes of smelters being shut down, lack of necessaries, lack of transportation facilities and materials; people living on prickly pear; refutes statement of Inman, page 177 his book, as to population of San Luis Potosi; conditions there very bad; people living on tunas, prickly pear	5	2517
Refutes statement of Douglas as reported by Weeks in November, 1919, that people were prosperous; crops good, etc., between Laredo and Mexico City; houses in San Luis unfinished; people without work, hungry; not contented; opinions of Mexicans that all factions were in it for what they could make, had no thought for betterment of their people; lives and property unsafe 20 miles from any railroad; speaks of definition of bandits, several captured but country not bettered; refutes Douglas again; in Oaxaca less than 10 per cent of people of country controlled by Carranza; Government can make no impression on that section	5	2522
Veracruz similar to Oaxaca; disturbances, robbing of plantations, running managers away, etc.; in Puerto Mexico Castulo Perez raided the Waters Pierce Oil warehouse, destroyed 50 or 60 thousand pesos worth of oil; attacked Minatitlan, captured 40 pesos goods; no cattle there, stolen and shipped from country	5	2524
Cattle shipped by Candido Aguilar 1914–15; conditions Jalisco average, considering conditions; American robbed there of several hundred cattle; his name is ———; along coast cattle taken by combination of Carranza officers under pretence of threatened revolution in that section; Manuel Dieguez and Juan Jose Montes leaders, three-eighths to each, balance to men who took them; Jesus Cintora with 6,000 men in Guerrero levies tribute on haciendas; he is anti-Carranza; levied tribute 50,000 on a sugar company; gets arms and ammunition by whipping Carrancistas; properties intervened by Carranza because they were old Diaz adherents	5	2527

Mr. ——Continued. Part. Page.

Properties turned over to his favored friends; robbed them of everything they had; was with rebel leader Meixueiro, who controls Oaxaca, Villa Alta, and Choapan; has 5,000 well armed men; treats people fairly well; people very anti-Carranza; will not take his money; his issue gold refused, American money only in circulation in Tampico 5 2532

Was with Felix Diaz; has very small force in Veracruz, poorly armed and scattered; half the ammunition used by rebels in Mexico Mexican manufacture, other half American, very little European ammunition there; larger part bought or captured from Carrancistas; rebels can not take offensive for lack of ammunition; gives condition of arms in hands of rebels; Americans liked there but Washington Government very unpopular on account of recognition of Carranza and not allowing them to get arms and ammunition 5 2535

Rebel leaders criticized treatment of Blanquet and Angeles by our Government, giving passports, etc 5 2539

Saw Carranza officers loot many business houses and residences when Carranza took Mexico City 5 2541

Lucio Blanco stole 170 horses; police tried to prevent looting; 30 to 150 killed, then disbanded 5 2543

Obregon arrived Mexico City August 19, Carranza later 5 2544

No change in looting and robbing houses; many men shot for minor offenses, bodies laid out on street; one officer, lieutenant colonel, shot for being drunk in Colon restaurant; no generals shot for looting or bothered; Carranza officers took fine horses from neighboring plantation 5 2545

Details destruction in Durango; churches torn down by Gov. Gavira; many dead in ruins dug up, carted to fields; influenza took from 10 per cent in Durango to 40 per cent San Pedro de las Colonias, Coahuila; malnutrition cause 5 2548

When Villa took Torreon cut off ears of enlisted men and testicles and penises with butcher knife; reported by officer who was under doctor's care one year; details raping of girls in most brutal manner by rebels and Carranza staff officer, Gen. Merigo 5 2550

Gives account of "gray automobile" affair 5 2553

Gives account of how Gen. Pablo Gonzales secured several haciendas in Morelos through his agent, Canedo; sugar deals also; 17 haciendas taken in this way; machinery disposed of, etc.; parts sold to coppersmiths in Mexico City 5 2555

Obregon and his garbanzo deals; gives details of Jack Johnson-Sanborn incident; Juan Barragan and Merigo forced them to serve Johnson .. 5 2556

Killing of McManus, Mexico City; killed by Barona, a Zapatista 5 2558

Had conference with Bryan reference killing of McManus, insulted; Government was supposed to protect Americans, but they should so comport themselves they did not require protection; Villa paid indemnity to Mrs. McManus, $20,000 gold; only indemnity paid in history of revolution 5 2559

Indemnity paid by Madero in 1911 for four Germans killed in Covadonga, $100,000 silver; Von Heintz threatened Madero that Bremen would seize Veracruz if not paid; only two more Germans killed after this incident, one "Thadun" in Colima and a storekeeper in Durango; Germans treated well in all revolutions; Mexican admire Germans for their fighting qualities and because they did not believe the great war was fought for betterment of smaller nations; again goes into condition of railroads and guards; stations destroyed 5 2561

Blockhouses, railroad repairs temporary; only 25 per cent of Mexico under control of Carranza; very little security in any part of Mexico. 5 2564

One hundred and sixty schools closed for lack of funds out of 360 in city, leaving 116,000 children without instruction; teachers charged on collection of their 75 per cent salary 5 2566

Opinion on rehabilitation of Mexico; no man from inside can put Mexico on her feet; must have outside assistance; quotes Mexico history for 100 years; no help for them from inside; condition Mexico to-day normal 5 2569

Favors plan as with Cuba 5 2572

Discusses agrarian problem, lengthy; relates Red Cross story in Oaxaca; Wilson refused to have anything to do with them, although they had the money for supplies and expenses 5 2576

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Lived in Mexico since 1897, State of Veracruz; speaks Spanish fluently; re conversation in room in Hotel Francis at Zacatecas latter part of 1915 between Gen. Francisco Murguia and Gen. Benjamin Hill of Carranza army; doctor was in adjoining room and could hear plainly; Murguia and Hill were discussing invasion of United States with assistance of Japanese and American Negroes, etc	D	550
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75 to 85 per cent of all freight handled by the national lines of Mexico is handled by privately owned trains	3	4
All pay regular tariff rates to Government; no trackage fees; expenses of guards paid by American companies; no reduction for this; majority of trains only run at night, account danger from rebels	3	5
Roadbeds going from bad to worse; bridges temporary, many destroyed, built up on ties; ties in roadbed in bad shape; engine repairs made in Mexican shops plus 15 per cent, very expensive	3	7
Gives instance of bad condition of engines; revenue turned over to Government	3	9
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Explains how and to whom they deliver freight to companies	3	13
Two Americans in Mexico City bought a lot of farming implements; few days later robbed of everything and held for ransom; not in bandit country, but within 10 miles of the city	3	15
Only small enterprises owned by Mexicans, large ones by foreigners	3	17
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Owned large ranch across line in ———, Mexico; during time Maytorena and others were fighting on his ranch helped themselves to cattle and horses, etc.; finally bribed one faction for $6,000 gold to stay away for three days till could run what cattle were left across to American side; appealed to Washington, but received no response	M	5
Taxes in Sonora increased 40 times what they were before the revolution	M	10
Mr. ———	L	2
Testified relative to different attacks on Naco, Sonora, Mex., and shooting of Americans on American side of line; was himself wounded has been cripple since that time	L	2
Mr. ———	14	2
Went to Mexico 1881, railroad man; American railroad men ran out of Mexico; roads went down immediately; Mexicans not able to keep them up	14	4
Conditions good under Diaz; began to be bad when Madero started; very little banditry; put down by Diaz	14	5
When Madero fell, people were pleased with Huerta; Huerta congress would not back him to put down revolution; he put them out	14	7
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Every one robbed, commanding officer, Gen. Larraga, Carrancista, sold to Spaniards near San Luis Potosi	14	9
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Ropes put around him and another American; gives account of experiences,	14	12
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Little security any where in oil fields	14	16
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Discusses attitude of Government toward oil companies, drilling, etc.; Buckley can not return to Mexico	14	31
Rather testimony would not be published; wants to return there; Mexican official Maderista said United States needed a President like Roosevelt. Roosevelt would tell us where to head in and we would do it	14	38
Liberty to Mexicans means license to rob, murder, etc	14	39
Mr. ———	1	1
Carranza officers responsible for robbery of pay rolls, etc.; Lieut. Col. Carraiges and two captains head of robbers; five peons employed, second time to kill paymaster	1	2
Company robbed 25,000; Carranza officer shot	1	3
Company fed Carrancistas, did not feed Palaez soldiers; five British citizens murdered, June 6, 1915	1	4
Safe robbed; commissary taken	1	5
Prior to arrangements, Pelaez robbed them, Gen. Chao and 300 men	1	6
——— and ——— explain payment to Pelaez	1	9
Plan of "Tierra Amarilla," return to constitution of 1857; Pelaez army composed of landowners, small farmers	1	12
American laborers of company had to get out, 1916–1918	1	13
Demanded protection from company before returning	1	13
Stevenson killed, many beat up; companies of Doheny, Tex., Gulf, and Cortes left on account bad conditions	1	14
Doheny godfather of Indian children, treated them well and they liked him; did much for people and country; explanation of why Carranza soldiers are against Americans	1	15
Carranza hostile against Americans; education of Mexicans in the United States causes them to hate us; ———; Bonillas educated here; married American woman; hates us	1	16
Statement of Pelaez, what he would do if we intervened; letter from Felix Diaz to Pelaez, and answer thereto	1	17

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Would not be as well protected under Carranza as under Pelaez; his pipe line 52 kilometers; Doheny pipe line 100 miles	1	19
Mr. ———	6	2
Made study of history and character of Latin Americans; in Mexico September to October, 1919; relates travels and business in church work; conditions of travel next to impossible, except from Laredo to Mexico City; all trains carried armed guards; bridges temporary, dangerous	6	3
Monterrey fairly prosperous; laborers greatly reduced; Tampico lively and good business; some Mexican laborers paid by Americans as high as $16 pesos a day, overtime, etc.; 4 to 12 pesos average wages for peons; in addition to above wages, house, lights, etc., given them, ice and water also, and corn sold to them at cost; Americans found them eight years before as peons, took them, educated them, and made finished artisans of them; peons received 25 to 50 centavos when they took charge of them eight years before	6	6
Prosperity in Tampico due to oil men; gives conditions in Pachuca, Queretaro, Torreon; only average, dull; calls Zacatecas "The city of the living dead"; only 9,000 inhabitants, against 75,000 a few years ago; no traffic, no work; only 300 men employed in that district	6	9
Cargador told him he had formerly been a foreman in a large smelter, receiving 12 to 14 pesos a day, now had to carry baggage as cargador; cause, the revolution; did not think any party in Mexico can bring peace; people living on prickly pears, tunas, very poor; no corn nor beans and tunas only to last two months; asked what would become of them when tunas were gone, answered "Quien sabe;" San Luis Potosi, poor people living on tunas, conditions bad; very little supplies in stores in Zacatecas and San Luis; church people, bad condition; no congregation; people all gone; poorly clad	6	12
Apathetic movements, half starved, pitiful; populace did not respond to music and parade of policemen; normal population of Mexico City 500,000, now 1,000,000; rural people crowded to city for lack of protection in their homes; can not imagine how they existed, no work for them; streets, very bad sanitary conditions; back streets an abomination; worst he ever saw, worse than the crude, filthy streets in China	6	15
Two hundred schools out of 360 lack funds; teachers went on strike; rapid-fire guns turned on them; Mexicans acknowledged it true some had been wounded; refutes statement of Douglas in Mexican Review of November, 1919, about good conditions there; beggars throng trains, men, women, and children; larger portion are not well dressed nor clean	6	18
Refutes statement of Dr. Winton, in his letter to League of Free Nations, under date of November 26, 1919, as to good conditions in Mexico; witness states that while he was traveling in Mexico there were 17 wrecks on trains and roads over which he traveled, showing that the country was not at peace; 13 of them were blowups and 3 removing fishplates and rails, causing destruction of several hundred lives; if that is peace, then they have peace in Mexico; Government controls about 25 or 30 per cent of the country; in those sections they have incursions of rebels	6	21
Calls attention to our consular agent, Jenkins, taken from second largest city in Mexico; gives pitiful account of starving children clawing and fighting over banana peels thrown out of window, proving that the "kiddies" were hungry	6	23
Pitiful story of hungry boy begging for fig peelings; everything of like nature thrown near track eaten by starving people	6	24
Disagrees with Inman that troubles of Mexico caused by American exploitation; says it is untrue; people of Mexico have been benefited by Americans; explains	6	25
Disagrees with Inman on class of Americans in Mexico	6	26
Only found one disreputable American and he was a lieutenant colonel in Carranza's army (see p. 136 of Inman's book); in given locality in United States would be hard to find a like class who did not measure up to class in Mexico; generally men trained for some particular trade go to Mexico; therefore better all-around class	6	27

Mr. ———Continued. Part. Page

Refutes statement made by Inman in letter to mission board, February, 1919, "Riot call," "Great missionary program to be destroyed," etc.; found general feeling among clergymen of Mexico disgusted with and very bitter toward Inman for his stories..... 6 29

Invited to a meeting in the city to protest as to Inman, but refused to hear anything as Inman was not present; feeling against him very bitter; "Wide in statement of fact, and missionaries not allowed to do propaganda work or take part in politics"; refutes Douglas statement about "Growing confidence in ability of Mexican officials to set Government on firm foundation"..... 6 31

High officials told him present Government could not make good, neither could Obregon, and the election of Obregon meant another revolution; asked if Gonzalez was elected or if Carranza stays in what would be the outcome, answers "Another revolution"..... 6 34

Another said he would fight intervention and the invader, but would surrender his arms, as he was a sensible Mexican; both Mexicans were loyal Federals and leading and influential men; another leading hacendado said intervention was the only thing for Mexico and bound to come; gives other interviews with leading men, Mexicans, all to same effect..... 6 35

Talked to many leading women of Mexico; 100 per cent wanted armed intervention by United States..... 6 35

Relates conversation with highly educated Mexican woman, who asked "How long are your American women and men going to permit us to be used as we are by our own people?" read whole story.. 6 36

This conversation typical with all with whom he conversed; landlady at hotel asked them when is that American Army going to get down here and clean this thing up? Educated Mexican women not afraid of American soldier; knows the record they left at Veracruz; more afraid of her own soldiers than the American; Carranza army made up of penitentiary birds, press gang peons, recruits who lost all they had and enlisted in the army to get even..... 6 39

Relates of boy and others whom he saw with ears cut off by Villa, and officers had their privates cut off..... 6 40

Opinion mixed as to intervention by foreigners in Mexico; great majority against it, but thought United States could settle it; Spaniards 100 per cent for intervention; only way..... 6 41

Not able to say what should be done, but if armed intervention is the only way, the quicker the better; something must be done if we expect to be or to appear self-respecting; if course right in Spanish War, Philippines, Cuba, and Porto Rico, right in Mexico; does not believe educational, religious, or charitable projects can be successful in Mexico without material benefits that come from industrial enterprises; one needs the other..... 6 43

Estimate by people who know $1,000,000,000 to $2,000,000,000 needed to rehabilitate Mexico. $150,000,000 needed for railroads alone, quotes English engineer; 15,000 miles of railroads in Mexico; recognized that force of arms necessary for distribution of money in Mexico; believes armed intervention inevitable; suggests that A. B. C. taken in on deal even if we had to pay all bills, to remove general distrust of United States..... 6 45

Bull fights not eliminated from Mexico; attended a brutal one at Aguascalientes; refutes Inman when he says atrocities, depredations, and murders exaggerated in Mexico, while in Mexico daily papers give horrible accounts of them all; gives many instances of insecurity, one wherein attempts in streets of Mexico to kidnap servant girl, she was saved by witness; this occurred at 4 p. m. at Jockey Club in heart of city..... 6 50

Mr. ———..... E 538

Carranza policy one of interference in his district, 539; Mexican officials told him they would not permit Mexican laborers to cross to fill war contracts against the German Government, as they considered Germany better friend than America..... E 539

Carranza officials offered to do personal service or favors for him but not for American Government..... E 540

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Nephews not allowed to work in Mexico, for they are for law and order; suggests private capital in hands of honest men to bring peace; only 1 per cent ran away from Mexico still honest men there	13	4
Favors importation of arms from this country to the free honest class in Mexico who would overthrow the bad ones; rebels have proven in their districts law and order prevailed	13	6
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Asks one more chance; if failure, then intervention, which would be acceded to by all good Mexicans; pleads for just one more chance	13	12
Carranza not honest in his promises to this Government; sole object to gain power in order to rob, murder, and steal	13	13
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Mr. ———	M	12
Started in 1906; no difficulty till Madero revolution; mine raided, mill burned and commissary robbed by man named Campa, who claimed to be revolutionist; compelled to abandon property in 1913	M	13
Mine confiscated by State authorities who turned same over to Mexicans who are still trying to operate it; appealed to governor who stated would not do anything; told him would appeal to State Department. He laughed and pulled from drawer of desk roll of papers and said: "Here are some claims of Americans that have appealed to their State Department; they have all been referred to me; go ahead and appeal"	M	19
Forced by Carranza official to carry message from Carranza forces through Villa lines to another Carranza force	M	22
Operated ranch in district from 1913 till 1917; had 4,500 head of cattle	M	16
Ran out of country by ———, managed to sell some of cattle; loss over $75,000. No claim filed	M	26
Re on one occasion during time of ——— Mexican soldiers took American flag and tied it to tail of horse and drove through town	M	32
Were preparing for round-up and Col. ——— army took all their saddle horses so could not round up	M	33
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