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AFFAIRS IN MEXICO

SPEECH

OF

HON. ROBERT L. OWEN

OF OKLAHOMA

IN THE

SENATE OF THE UNITED STATES

MAY 13, 1914



WASHINGTON

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OF CALIFORNIA



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ON AFFAIRS IN MEXICO.

Mr. OWEN. Mr. President, I believe that many of the people of the United States do not fully appreciate the facts which have justified the United States in refusing to recognize Huerta, in demanding an apology, in taking possession of Vera Cruz, and in massing its forces in preparation for dealing in other ways, perhaps, with Gen. Victoriano Huerta. I feel impelled to present some of the facts which have justified our conduct and which would now justify the United States in demanding and enforcing by arms, if otherwise unavoidable, the restoration of "Government of the people, by the people, and for the people," to the hands of the people of Mexico, and the overthrow of the cruel commercialized military oligarchy now riding the people of Mexico to ruin and chaos.

When Victoriano Huerta usurped the presidency of Mexico by military revolution February 18, 1913, he found immediate opposition. The legislature of the State of Coahuila passed resolutions instantly supporting Madero (Feb. 19). This resolution made Madero's death expedient to Huerta to prevent organized support of Madero. Madero was killed (Feb. 22, 1913) at once.

It soon became obvious to Huerta that his only chance to hold his power against Carranza and Zapata fighting for the constitution was by exciting a war or some act of aggression by the United States which would enable him through misguided patriotism to rally behind himself the leaders of the constitutional movement. Huerta thought he could by exciting their patriotism make them forget or condone his crimes in resisting a common foe and thus get them to support his leadership. From many quarters since last summer the authorities of the United States have had reason to know of Huerta's wicked purpose against the United States.

Finally, when the unspeakable misconduct of Huerta's administration had not yet moved the United States to take any aggressive action against Huerta, a step was taken by one of Huerta's subordinate officers at Tampico which could not be overlooked or condoned. One of Huerta's subordinate officers, on the 9th of April, 1914, in all human probability instigated by Huerta himself, arrested at Tampico a paymaster of the U. S. S. *Dolphin* and a boat's crew, all in the uniform of the United States. Our sailors were unarmed and entered Tampico to purchase some gasoline. Two of them were in our boat with the flag of the United States at the bow and the stern of the boat, and upon our own soil under the international law. Our unarmed men, in the uniform of the United States, were then

paraded through the streets of Tampico as a public spectacle, subsequently released with an apology from the subordinate officer and later with an expression of regret from Huerta. But Huerta deliberately declined to salute the flag, under the rules of international law, as demanded by the President of the United States, for this international affront and indignity, while he temporized for 10 days with President Wilson, evidently with a view to obtaining a cargo of 250 machine guns and 2,000,000 rounds of ammunition which were expected to arrive by a German merchant ship at Vera Cruz on Tuesday, April 21. The President of the United States gave Huerta until 6 o'clock Sunday night, April 19, to make the amends required by international law. The salute was not made. On Monday, April 20, the President of the United States presented the matter to the Congress of the United States, and Congress passed a resolution as follows:

That the President is justified in the employment of the armed forces of the United States to enforce his demand for unequivocal amends for certain affronts and indignities committed against the United States. Be it further resolved that the United States disclaims any hostility to the Mexican people or any purpose to make war upon Mexico.

This resolution was justified by a preamble referring to the facts presented by the President in his message to Congress of the 20th of April.

The Senate of the United States, after discussion, voted down a substitute preamble to this resolution, offered by the distinguished Senator from Massachusetts, as follows:

That the state of unrestrained violence and anarchy which exist in Mexico, the numerous unchecked and unpunished murders of American citizens and the spoliation of their property in that country, the impossibility of securing protection or redress by diplomatic methods in the absence of lawful or effective authority, the inability of Mexico to discharge its international obligations, the unprovoked insults and indignities inflicted upon the flag and the uniform of the United States by the armed forces in occupation of large parts of the Mexican territory have become intolerable.

That the self-respect and dignity of the United States and the duty to protect its citizen and its international rights require that such a course be followed in Mexico by our Government as to compel respect and observance of its rights.

Those who voted against the amendment proposed by the Senator from Massachusetts, I feel sure did not question the truth of the statements in the preamble, but thought it unwise to repeat these grievances for fear that it would lead to immediate war, as the preamble justified immediate intervention and the President had not recommended intervention. The Government of the United States had been sincerely endeavoring in true friendship to use its good offices to restore peace in Mexico without resorting to armed force, hoping that Huerta and his associates would consent to hold an honest election and restore constitutional government in Mexico. This hope has utterly failed, and in the meantime a terrific war is being waged by armies of Mexicans fighting for liberty and demanding constitution and reform.

Mr. President, I voted against the preamble proposed by the Senator from Massachusetts, although I fully recognized the truth of its recitations, because I very greatly desired to have an adjustment of the difficulties in Mexico with as little loss of life as possible, and I desired to hold up the hands of the President of the United States in his anxious and patriotic purpose to secure the adjustment of these difficulties peacefully,

if possible. But, Mr. President, I wish that the people of the United States and that the people of the world might know that our seizure of Vera Cruz and our demand of Huerta to salute the flag had behind it the most abundant justification, and I think that the world should know what the conditions are which have confronted us on our immediate borders and which not only have justified our extremely moderate and considerate conduct in this matter but which would now justify the United States in demanding the complete restoration of peace and order in Mexico and the reestablishment of liberty and the actual sovereignty of the people of Mexico. The welfare of the whole world depends upon the establishment of the ideals of the Republic of the United States, of "constitutional liberty and order and justice between man and man." The people of the United States do not desire in any degree to control the affairs of the people of Mexico, but I do believe that the people of the United States very greatly desire the restoration of liberty, justice, and constitutional self-government in Mexico, so that the people of Mexico can enjoy the rights of life and liberty, the pursuit of happiness, and enjoy the fruit of their own labors.

The President, in his message to Congress, said:

We do not desire to control in any degree the affairs of our sister Republic. Our feeling for the people of Mexico is one of deep and genuine friendship, and everything that we have so far done or refrained from doing has proceeded from our desire to help them, not to hinder or embarrass them. We would not wish even to exercise the good offices of friendship without their welcome or consent. The people of Mexico are entitled to settle their own domestic affairs in their own way and we sincerely desire to respect their right.

Mr. President, I agree with this generous sentiment and I wish we might assist the people of Mexico to restore orderly government without such enormous destruction of life and property. At present, in the attempt to establish order, a series of daily bloody battles are in progress, with thousands of men being killed on the battlefields of Torreon, Monterey, Tampico, and so forth. The people of Mexico have no way in which to express their opinion but by battle. They have no elections in Mexico which deserve to be called by the name. The last election, of October 26, 1913, was a willful fraud and a corrupt mockery of the people of Mexico, engineered by a military oligarchy, directed by Huerta.

Secret instructions were sent out from Mexico City October 22, 1914, in Huerta's interest to have the votes counted for Huerta and to make the elections void as to the presidency by returning a deficient number of precincts, which, under the Mexican law, would leave Huerta as provisional President, and this was accomplished under Huerta's dictatorship.

Mr. President, the real difficulty in Mexico is the establishment of a commercialized military oligarchy, enjoying every form of privilege and monopoly at the expense of the rights of the people of Mexico, millions of whom are denied the rights of property, of liberty, and of life itself. Under this heartless organization the wages of the people are not sufficient to sustain a civilized human being, provide food and shelter, much less provide any opportunity for instruction or for human progress. It is the same condition which caused the great French Revolution in 1789. The murder in Mexico of American citizens, and of Englishmen and of Germans and of Frenchmen and

of Spaniards, and the wholesale robbery and destruction of property under the lawless conditions which have ensued from this primary cause are merely details of an unavoidable result. The usurpation and violence of Huerta, his insult to our flag and uniform, are details of the egregious crime against humanity which this commercialized military oligarchy of Huerta and his friends represent. The killing of thousands in Mexico City when Huerta treacherously overthrew Madero is only a detail of this criminal system.

Mr. President, the remedy for this condition is not from the top down; it is from the bottom up. Liberty, freedom, and equal rights are not bestowed by the powerful few on the many as an act of grace and justice, but are established by the many by the ballot, or, where the ballot is denied, at the point of the sword. This was done at Runnymede, when the Magna Charta was wrested from the hands of John. This was done in France, over a hundred years ago, when Louis XVI and Marie Antoinette were dethroned. This was done by the American colonists when we set up the Government of the United States. The common people established liberty in France, in England, and in the United States. And this will be done in Mexico at the cannon's mouth, by the armies of the common Mexican people demanding the right of life, liberty, and the pursuit of happiness. My sympathies are with the common people of Mexico. I want them to govern themselves, and I desire that the United States shall give a friendly hand to those who seek to establish constitutional government in Mexico.

They say that Gen. Francisco Villa, leading the constitutional armies, has been a horse thief, a bandit, a robber, a killer of men. It may be true, for Villa was only an ignorant, unlearned peon, whose sister was ruined by a Científico. Villa, I understand, when 18 years of age, killed the betrayer of his sister, and took to the mountains to save his own life, in a country where the rights of a peon were little better than the rights of a wolf. The hand of society was against Villa, and Villa made war on society. But Villa, whatever his sins of the past, is now waging a humane warfare, as he has recently learned it out of a volume given him by an American officer. Villa, at all events, is now demanding the constitution and reform. Villa, at all events, avows his friendship for the United States and its wise policies. Villa, at all events, has taken his own life in his hands and is leading thousands of other common men in the demand for the overthrow of the usurping despot, Huerta, for the overthrow of the entire system represented by Huerta of a commercialized, military oligarchy, and the establishment of constitutional government; and in this enterprise I hope for the reestablishment of the constitution and honest government, trusting and believing that neither Villa nor Carranza, nor the men fighting with them, will ever stand for the restoration in any other form of the evil system which they are gladly shedding their blood to terminate.

I wish to show that we are justified, not by our own grievances alone, but by the grievances of Englishmen, Germans, Frenchmen, Spaniards, and above all, perhaps, by the grievances of the unhappy people of Mexico, whose liberties, whose property rights, and whose lives have been, and are now, at the mercy of an armed military oligarchy, led by Huerta; that no man's life is safe in Mexico, that no man's property is safe

in Mexico, that no man, whether he be Mexican, American, Englishman, German, Frenchman, or Spaniard, has any safety in his life or his property under the criminal rule of this usurping military despot, who has declared himself vested with legislative, judicial, and executive power over the people of Mexico.

Until Diaz established his military control of Mexico and carried on a halfway benevolent commercial despotism there were 52 dictators, Presidents, and rulers in 59 years in Mexico. The Encyclopedia Britannica on Mexico, describing the causes of their difficulties, says that the—

CAUSE OF THE PRESENT REVOLUTION IS THE PRIVILEGED CLASSES VERSUS THE PEOPLE.

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Thenceforward, till the second election of Porfirio Diaz to the presidency in 1884, the history of Mexico is one of almost continuous warfare in which Maximilian's empire is a mere episode. The conflicts, which may at first sight seem to be merely between rival generals, are seen upon closer examination to be mainly (1) between the privileged classes, i. e., the church and (at times) the army, and the mass of the other civilized population; (2) between Centralists and Federalists, the former being identical with the army, the church, and the supporters of despotism, while the latter represent the desire for republicanism and local self-government.

On both sides in Mexico there was an element consisting of honest doctrinaires; but rival military leaders exploited the struggles in their own interest, sometimes taking each side successively; and the instability was intensified by the extreme poverty of the peasantry, which made the soldiery reluctant to return to civil life, by the absence of a regular middle class, and by the concentration of wealth in a few hands, so that a revolutionary chief was generally sure both of money and of men. But after 1884, under the rule of Diaz, the Federal system continued in name, but it concealed in fact, with great benefit to the nation, a highly centralized administration, very intelligent, and on the whole both popular and successful—a modern form of rational despotism.

Porfirio Diaz's reign was "popular and successful" in a certain narrow sense. It exploited the great riches of Mexico, it established many monopolies, it maintained order by killing those who dared resist the unsound system, but it eventuated in the only possible result of glorifying property accumulation and making millionaires on the one hand and on the other hand in the result of reducing the mass of the people to abject poverty, of preventing the mass of the people being educated, of preventing the mass of the people having a reasonable opportunity to enjoy life, liberty, and the pursuit of happiness. The Diaz régime or system magnified property rights at the expense of and by minimizing human rights. The necessary results of the Diaz system was his flight to avoid assassination and the succeeding tragedies we have recently been witnessing.

The people of the United States are industrious and kind-hearted, with high ideals of liberty and human brotherhood and a resolute purpose not to interfere with the liberty of others.

The great body of the people of the United States do not wish to acquire the territory now occupied by the Mexican people and do not wish to exercise any political authority over them or their affairs.

All men know, Mr. President, that when nations become involved in the violent excitement of war, when thousands of men are killed on either side, and tens of thousands are wounded, and these terrible evils sending grief to homes in every section are exaggerated, there spring up demands for indemnity and reparation that would not be made in moments of more sober reflection. If, therefore, the United States should be impelled by

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the unhappy conditions in Mexico to intervene, we should, in my opinion, declare to the world that we will not, under any circumstances, take any of the territory now occupied by Mexico.

We should do more than this—we should declare the true, plain, honest motives which inspire the people of the United States in its present attitude. And these reasons should be such as to fully justify the American Nation before the thoughtful opinion of the people of other civilized nations.

The United States is already more than abundantly justified in declaring armed intervention in Mexico, although the President has not done more than he has deemed necessary to bring about an adjustment with as little force and loss of life as possible. I am glad that the authorities of Argentina, Brazil, and Chile have been accepted as mediators between the United States and the military oligarchy which has usurped the right of sovereignty of the Mexican people, although I am not willing to appear to believe that any agreement with Huerta would have any value whatever unless backed by a cannon or to appear to believe he wishes an honorable adjustment.

It must be kept clearly in mind that our difficulty in Mexico is not, in reality, whether or not Victoriano Huerta, who has declared himself dictator at Mexico City, and who is at the head of an organized army, pretending to represent the Mexican people, shall fire 21 guns in salute to our flag. Our difficulty lies much deeper than this.

Mexico, under the form of a Republic, established a liberal constitution in 1853, an abstract of which I submit as Exhibit I. It will be observed that this constitution, in Title I, Sec. I, declares "That in the Republic all are born free," and yet the Mexican people are enslaved by cruel commercial and political monopoly, and peonage is found everywhere through Mexico. No man is really free in Mexico.

This constitution declares that instruction is free, and yet the great masses of the people have had no free instruction. And all of the other assurances and guaranties of the constitution have been gradually ignored until no man's life or property is really safe in Mexico. Fifteen millions of Mexicans are substantially denied the right of life, liberty, and the pursuit of happiness, and the bloodiest fratricidal strife has ensued from this evil cause.

The constitution, in Title I, Sec. I, guarantees the right of petition, and yet when the House of Delegates of the Congress of the Republic of Mexico petitioned Huerta for protection of the lives of the members of Congress, he immediately answered this petition by arresting and throwing into the penitentiary all the delegates who so petitioned—110 in number—on October 9, 1913.

Title I, section 1, article 13, provides that no one shall be tried according to special laws, or by special tribunals, and yet this military oligarchy had killed and imprisoned thousands, including American citizens and consuls, contrary to the constitution. In the prison of San Juan de Ulua, at Vera Cruz, our officers found 325 Mexican men imprisoned without trial, without accusation, by the Huerta military despotism, merely because they were unwilling to enlist as soldiers to support this wicked power. All of the personal guaranties have been ignored. Article 22 forbids mutilation, torture, yet the San Juan

de Ulloa furnishes overwhelming testimony of the violation of this constitutional provision.

Article 23 declares the penalty of death abolished for political offenses, except treason and murder in the first degree, and yet President Madero, declared elected as the President of the Republic of Mexico, and Vice President Suarez, elected Vice President of the Republic of Mexico, were arrested, their resignations commanded, under the threat of immediate death, and they were immediately killed, and a false account of the killing published to the world, and no judicial investigation ever held as promised to the diplomats representing all nations of the world.

Title I, section 1, article 28, declares that there shall be no monopolies of any kind, whether governmental or private (inventions excepted), and yet for the last 40 years one monopolistic concession after another has been granted, giving monopolies innumerable to private persons—monopolies in agricultural lands, monopolies in grazing lands, monopolies in timber lands, monopolies in oil lands—and it is an open secret that the oil monopolies have given huge sums in substantial bribery of the leading officials of the Mexican Government.

Monopoly has become so complete in Mexico that millions of human beings, willing to labor, own no land upon which they may labor. The same cruel and intolerable conditions of land monopoly described by Thomas Jefferson as existing in France immediately before the French Revolution exist in Mexico today, and make revolution absolutely unavoidable—make revolution absolutely inextinguishable until this crime against human life be corrected and the right of human beings to live shall be recognized and provided. The demand of the Zapatistas is for land upon which the peasantry can support life. These conditions have led to the war by Carranza, Villa, and the constitutionalists. This was the demand which Russia had to heed with her peasantry—and from which was born "Nihilism" and "Anarchism." It is the right of land to live on that caused the unending revolution of the Irish against their alien landlords and the evil policy of government that tolerated and maintained the system.

When all the land is held in the hands of the few, enabling them to dictate the conditions of life upon the millions of people who have no land, enabling them to dictate the political conditions and to seize by force, by fraud, by artifice, and craft the Government powers of the common people of Mexico, and then to use the organized powers of the common people against the common people themselves and against their interests, chaos and ruin is the unavoidable consequence.

The people of Mexico are enslaved, yet Title I, Section I, article 39 declares that the sovereignty is in the people, that all public power emanates from the people. And yet, the right of sovereignty of 15,000,000 Mexican people is usurped by Huerta and the military oligarchy that surrounds him. The sovereignty of the people is supposed to be exercised through representatives honestly chosen in fair elections, yet the election on the 26th of October, 1913, was a mockery. Secret instructions had been sent out from Mexico City to make a false return of the votes in favor of Huerta and to make the returns defective in order to throw the presidential office in the hands of the Congress elected as of that date, the preceding Congress being still

incarcerated in the penitentiary by Huerta's order. I submit the names of those still confined in the penitentiary November 15, 1913.

Members of the Mexican Congress put in the penitentiary by Victoriano Huerta on October 10 for having dared to pass a resolution to investigate the sudden disappearance of Senator Dominguez, of Chiapas, and demanding safeguard of their own lives by Huerta and still incarcerated on November 13, 1913:

- | | |
|----------------------------------|--|
| 1. Sr. Guillermo Krauss. | 41. Sr. Manuel Antonio. |
| 2. Sr. Miguel Santa Cruz. | 42. Sr. Federico Oliveros. |
| 3. Sr. Próspero A. Blanco. | 43. Sr. Faustino González. |
| 4. Sr. Miguel Campuzano. | 44. Sr. Jesús Santillán. |
| 5. Sr. Roberto M. Contreras. | 45. Sr. Martín Santiago. |
| 6. Sr. Salvador Rodríguez. | 46. Sr. Nicolás Basilio. |
| 7. Sr. Juan Palomares González. | 47. Sr. Francisco Tolentino. |
| 8. Sr. Mónico Rangel. | 48. Sr. Guadalupe Mendoza. |
| 9. Sr. Rosalfo Anguiano. | 49. Sr. Manuel Chávez. |
| 10. Sr. Manuel S. Núñez. | 50. Sr. Ramón Pacheco. |
| 11. Sr. Alberto Cravioto. | 51. Sr. Modesto Pacheco. |
| 12. Sr. Francisco Lazcano. | 52. Sr. Vincente Canales. |
| 13. Sr. Juan Urda Avendaño. | 53. Sr. Rafael Pacheco. |
| 14. Sr. J. Luz Peña. | 54. Sr. Pedro Baños. |
| 15. Sr. Salomé Torres. | 55. Sr. Jesús Baños. |
| 16. Sr. Santos Ramírez. | 56. Sr. Manuel Martínez, 1st. |
| 17. Sr. Maximiano Galeana. | 57. Sr. Manuel Martínez, 2d. |
| 18. Sr. Germán Malpica. | 58. Sr. Arcadio Martínez. |
| 19. Sr. Elías Sedano. | 59. Sr. José Soto. |
| 20. Sr. Severino Reyes. | 60. Sr. Juan San Agustín. |
| 21. Sr. Juan Rosas. | 61. Sr. Manuel San Agustín. |
| 22. Sr. José Antero García. | 62. Sr. Rosario Huerta. |
| 23. Sr. Fernando Erquiaga. | 63. Sr. Librado Heredia. |
| 24. Sr. Tadeo Gómez. | 64. Sr. J. Angel González. |
| 25. Sr. Antonio Rodríguez Ortiz. | 65. Sr. Dionisio Carrión. |
| 26. Sr. Ponciano Ramírez. | 66. Sr. Alfonso Castañeda. |
| 27. Sr. Rómulo Carpio. | 67. Sr. Adolfo Osorno. |
| 28. Sr. Miguel Millán. | 68. Sr. Miguel M. Torres. |
| 29. Sr. David Vallejo. | 69. Sr. Liborio Torres. |
| 30. Sr. Antolín Mendizábal. | 70. Sr. Francisco Pineda Rubén. |
| 31. Sr. Angel Loera. | 71. Sr. Francisco Lu (Chino, in-
válido de una pierna). |
| 32. Sr. José Loera. | 72. Sr. Jesús Pulido Cávares (in-
válido de las dos piernas). |
| 33. Sr. Florentino I. López. | 73. Sr. Gabriel Martínez. |
| 34. Sr. Juan Barrera. | 74. Sr. Angel Silva. |
| 35. Sr. Nazario Arredondo. | 75. Sr. Cosme Dávila. |
| 36. Sr. Teodomiro Hernández. | 76. Sr. Margarito Balderas. |
| 37. Sr. Manuel Cabrera. | 77. Sr. Fausto Herrero. |
| 38. Sr. Teófilo Velázquez. | 78. Sr. Salvador Acosta. |
| 39. Sr. Pablo Bello. | |
| 40. Sr. Ignacio García. | |

Many of these men were still in the penitentiary when the United States seized Vera Cruz April 20, 1914.

By Title I, section 3, foreigners have the same guaranties of life, liberty, and the possession of property. Yet large numbers of foreigners have been killed without any adjustment or diplomatic settlement being made, and hundreds of millions of property belonging to foreigners have been impaired, destroyed, or taken without compensation.

All nations should be patient with another nation torn by civil strife, and where the constituted authorities are doing what they can to establish order and justice; but Huerta's own evil conduct is the cause of these disorders in Mexico.

The constitution of Mexico divides the powers of government into legislative, executive, and judicial, yet Huerta, on the 10th of October, 1913, destroyed the legislative branch and threw the Congress in the penitentiary by military force, invested himself by decree with legislative power and with judicial power, in open and flagrant violation of the constitution which he had sworn to support.

Mr. President, Mexico is upon our immediate borders; our boundary line touches Mexico for near 2,000 miles.

Upon the invitation of the constitution of Mexico, very many thousands of our citizens, who are entitled to the protection of this Government, entered Mexico and invested hundreds of millions of property. Their property has been despoiled, their lives have been taken without redress, and now they are all fleeing or fled from Mexico for the purpose of saving life itself and we, responsible to them and for them before the whole world, with abundant power to protect them, stand face to face with a military despot whose conduct has made their flight imperative, but whose conduct against them and against us is a mild offense compared to his crime against the common people of Mexico, whose Government, such as it was, he overthrew by military force and usurped on the 18th of February, 1913.

We all remember, Mr. President, his boastful telegram to President Taft, February 19, 1913, that he had overthrown the Mexican Government.

Huerta has been trying to unite behind himself all the revolutionary forces of Mexico, and in order to accomplish that, he has been trying to force the United States to an invasion of Mexico. He was openly charged with this on the floor of the Mexican Senate by Senator Dominguez, senator from Chiapas, on the 23d of September, 1913. He wished to cause intervention in a form sufficiently mild that he could use the invasion as an appeal to the patriotism of the Mexican military leaders of all revolutionary factions and secure their cooperation without having intervention go so far as to capture Mexico City and compel a restoration of order and the reestablishment of the power of the common people of Mexico in the exercise of their acknowledged constitutional sovereignty. He would, however, much prefer being a prisoner of the United States than being prisoner of Villa or Zapata, both of whom have sworn his death for treason.

Mr. President, the United States would be justified in intervening for the purpose of protecting the rights of life and property of American citizens in Mexico. The United States would be justified in protecting the rights of Englishmen, Germans, Frenchmen, and Spaniards, whose Governments look to us for their protection. The United States would be justified, in order to end the bloody fratricidal strife and restore order and peace and constitutional government on our border.

Mr. President, the United States has borne repeated injuries week after week, month after month, and year after year awaiting diplomatic adjustment, until at last, in lieu of adjusting these immediate grievances which are of record in our Department of State and which I shall not pause to enumerate as they would fill a volume of themselves, it finally comes to the point where Huerta, with growing indifference and contempt for the rights of the American people, and in view of saving his own life by forced American intervention, permits—if he did not instigate—an international insult to the flag and uniform of the United States, and then refused redress under the rules of international law.

The world should understand that while the United States regards the insult to its flag and uniform with great gravity and is justified in demanding proper amends for this open

affront and indignity before the eyes of the world, nevertheless beyond the flag incident is a long series of grievances which the United States has been trying in vain to adjust by diplomatic process. And the world should understand further that the killing of our citizens in Mexico, the destruction of the property of our citizens in Mexico, the killing of Germans and Englishmen and Spaniards in Mexico, and the destruction of their property, for whose adjustment the United States is held morally responsible and for which the United States has anxiously desired a settlement as the nearest friend of the people of Mexico, are all factors in determining the attitude of the people of the United States.

The world should remember that this multitude of individual grievances, which has been impossible of adjustment, is due to an unstable condition of government in Mexico; that the unhappy people of Mexico, judged by their own constitution, have no government; that all constitutional guaranties in the country under the military control of Huerta have been overthrown; that the constitution of Mexico has been trampled in the dust by military power, by treason, by murder; and that the instances of which we complain—of the murder of our citizens and of the citizens of other nations and the destruction of their property—will be indefinitely continued until a stable form of government is established in Mexico. The whole civilized world has a right to complain at the ruinous slavery imposed upon the people of Mexico by the monopolies which have invaded Mexico in defiance of the constitution of Mexico—monopolies in land, minerals, timber, water powers, government supplies, down to monopolies in gambling and female prostitution—granted to a favored few who by bribery and corruption have secured these favors from the dishonest officials who have misgoverned Mexico under the form of a Republic but in sober truth as a commercialized military oligarchy during the last 40 years.

This criminal oligarchy has not been content with establishing a monopoly of all the opportunities of making a living by the labor of men—it has not been content with the commercial slavery of the people of Mexico and reducing them to peonage, but through the commercial and financial power they have established a corrupt political monopoly of the governing powers which they have concentrated in Mexico City. The power of the sovereign States of Mexico has been invaded, so that Huerta, as the President of Mexico, has not hesitated to set aside governors elected by the people and in their places put military governors. And while title 3 declares the supreme power of the federation as divided for its exercise into legislative, executive, and judicial, and that never can two or more of these powers be united in one person or corporation, nor the legislative power be vested in one individual, Huerta, by his own decree of October 10, 1913, vested in his one person legislative, executive, and judicial power in flat violation of the constitution of the people of Mexico.

Mr. President, the real basis of all the difficulties in Mexico is the stealing from the people of Mexico their constitutional rights and retaining the stolen goods by military force. The real difficulty in Mexico is the usurpation of the power of the common people of Mexico by a military oligarchy, pretending to represent the people. Under such conditions there is the absolute certainty that no change from one dictator to another

dictator will provide any true remedy so long as the head of this military group, whether Porfirio Diaz, De la Barra, Madero, Lascurain (who was president for a few minutes), or Huerta or the next successful general belonging to Huerta's group who arrests him and puts him to death will cure the evil in Mexico. The real remedy required in Mexico is to restore to the hands of the people of Mexico their right of self-government, to demand a secret, honest election system, decentralization of power, restoration to the several States of Mexico of the right to manage their own business in their own way under the constitution of Mexico. A constitutional convention is necessary in Mexico to decentralize its powers and to enable the people to exercise safeguarded self-government and to abolish by law the monopolies which have reduced to abject poverty 15,000,000 Mexicans and given stupendous wealth to a few thousand families in Mexico.

I have the faith to believe that the people of Mexico will pass the proper laws for their own protection and for the overthrow of monopoly if they are given an opportunity and that they will establish laws based upon economic and political justice, just as the people of France did.

It was the fishwomen of France, it was the peasantry of France, it was the uneducated, unlearned, common herd in France, despised by the nobility of France, who sang the *Marseillaise* in the streets of Paris, and who deposed Louis and Marie Antoinette and established in France a Government that recognized the great principles of the French Revolution—liberty, equality, fraternity; and the same spirit is in Mexico now. These people are willing to lay down their lives for liberty, and they are sacrificing their lives wholesale, and they must not be despised.

I know that there have been those who, observing the military despotism that has been parading in Mexico as a Republic, insist that the people of that country are ignorant and unpatriotic, but I have no fears for the people of Mexico. But, Mr. President, I remind you and I remind the Senate that this commercialized military oligarchy made every effort to establish an alliance with Japan at a time when we were having difficulty with Japan over the California case. Such an alliance would bring in its train the most serious consequences for the United States. To permit on our borders such an irresponsible Government as that of Huerta, controlled merely by corrupt avarice and ambition, carries with it danger to the welfare of the people of the United States far greater than the danger involved in now throwing Huerta out of power in Mexico. Have we forgotten his invitation to the officers of the Japanese vessel *Idzuma*, his week of feasting and ostentatious demonstration of excessive affection for the Japanese, at a time when he was stirring the passion and prejudice of the populace of Mexico against the American people?

When the people of Mexico really govern Mexico, under constitutional safeguards, just as our people in the 48 States govern their affairs, there will be no danger whatever from the Mexican Government. They will be our friends, knowing that we are in truth the friends of the Mexican people. Moreover, in intervening in Mexico for the establishment of peace, for the pacification of that unhappy country, for the restoration of order, for the reestablishment of liberty and for that purpose

alone; when we declare to the people of the whole world that we have no desire to acquire any part of the territory of Mexico, that we do not wish to govern them, but only wish that they shall have the right in peace, in honor, in dignity, to govern themselves, by choosing their own officials in safeguarded, honest elections, we will do more than make a lasting friend of the people of Mexico; we will give the most satisfying assurances to all of the South American Republics of the uprightness of our purposes. We will thus assure every country on the Western Hemisphere that we are moved alone by purposes of unselfish humanity; we will set the standard before the whole world of a high purpose to maintain the right of life, liberty, and the pursuit of happiness, and to promote the great principle of the brotherhood of man.

Our great Republic is founded on the ideal of human liberty, on the idea of freedom.

Over the magnificent entrance of Union Station in our Capital, where tens of thousands pass, is inscribed in granite this noble sentiment:

Sweetener of hut and of hall,
 Bringer of life out of naught,
 Freedom, oh! fairest of all
 The daughters of time and of thought.

On our gold and silver coins, from 1795 to this day, we have stamped the word "liberty," and the Goddess of Liberty and the liberty cap and the crowned head of liberty. Our Constitution bristles with it, and every State and every county and every city and every town and every village and church and every school and home teaches it as the foundation of human safety and happiness and progress. It is the ideal of the Western Hemisphere. On all the coins of the Argentine Republic, of Chile, of Colombia, of Ecuador, of Peru, of Uruguay, of Venezuela, of Bolivia, of Honduras and Guatemala, and Mexico "liberty," in some form, is stamped upon the coins and carried in the pockets of the common people and is cherished in their hearts as the highest ideal of the great Western Hemisphere.

Brazil freed her slaves without bloodshed before 1860 because of the love of her people for liberty.

The people of the Argentine Republic and of Chile erected a statue of Christ, the Prince of Peace, on their joint border line as a lasting memorial of the peace and brotherhood of the people of the two Republics. This statue, unveiled March 13, 1904, was cast out of bronze from old cannon belonging to the two countries.

The great liberty bell that sounded the cry of liberty on July 4, 1776, recast in 1753 in Philadelphia, bears the prophetic words:

PROCLAIM LIBERTY THROUGHOUT ALL THE LAND TO ALL THE INHABITANTS
 THEREOF.

A hundred years later, in 1886, the people of France who love liberty and who established liberty in France by the French Revolution, presented to the people of the United States the magnificent statue of "Liberty enlightening the world," which our people erected on a giant granite pedestal, where it holds out at the entrance of New York Harbor a blazing torch over 300 feet high, where all the world shall see and do honor to "liberty."

Mr. President, the ideals of all the western hemisphere have been torn down by Huerta and the corrupt commercial forces behind him which created him and of which he is a mere instrumentality. He symbolizes corrupt commercialism, monopoly, concessions unearned, using the property and powers of the common people not for their betterment but to their ruin and the death of liberty.

The conditions in Mexico are absolutely unendurable. Our national principles and our national safety are endangered. The welfare of all the North and South American countries would be jeopardized unless liberty and freedom shall be restored to the people of Mexico under constitutional safeguards.

The long triumph of bribery and corruption and military force over the judicial, the legislative, and the executive powers of the unhappy people of Mexico has finally led directly to open treason and the overthrow of even the forms of constitutional government and has led to the establishment of an irresponsible military oligarchy and despotism. Men of great intelligence have been led by avarice and greed and ambition through corrupt processes to monopolize and commercialize the political powers of the people of Mexico through a group of unwise and short-sighted Mexican leaders who have been willing to see the governing powers of the people of Mexico fraudulently controlled and the great values of the lands of Mexico diverted to private hands through monopoly.

Military despotism is now in control of Mexico, with all constitutional guaranties overthrown.

If military revolution is permitted by treason and murder to usurp the governing powers of the people of Mexico, if freedom is thus destroyed by monopoly in Mexico, if liberty is thus slain before our very eyes that avarice and greed may rule the land through a military despotism, overthrowing the civil law, then, Mr. President, the whole of America is in peril.

Powers similar to and to some extent the same that have corrupted Mexico and destroyed constitutional government are busy in Colombia, in Venezuela, and in some of the other Republics of North and South America, and the establishment of a military, commercial despotism in Mexico, if successful, would constitute a precedent, the danger of which should not be ignored.

I congratulate the world that neither the United States, nor Argentina, nor Brazil, nor Chile recognize the military despot who, by treason, seized the governing power of the people of Mexico and by fraud has retained it.

It is well known that the Government of Porfirio Diaz was a military despotism under the color of a Republic, yet, in the main, was conducted apparently with a view to developing the resources of Mexico and of protecting life, at least where submission was rendered to his Government.

Finally, the conditions developed by Porfirio Diaz in establishing innumerable monopolies throughout Mexico by concession of various kinds led to a state of unrest and a dangerous revolutionary sentiment that made it necessary for him to leave Mexico and live in Europe. His conduct was practical flight from imminent danger of revolutionary assassination.

He left his successor ad interim—De la Barra—and Madero was elected as an avowed progressive candidate, professing, at

least, the patriotic purpose of reform. He was elected through the defective electoral machinery of Mexico, but his weak Government was soon overthrown by the old commercial oligarchy and its secret allies and sympathizers by mutiny and conspiracy.

On February 9, 1913, at 7 o'clock in the morning, Felix Diaz, who had procured a mutiny among the troops of Madero, escaped, by collusion, from the penitentiary and immediately organized an assault on Madero's Government, with the cooperation of several thousand of Madero's troops. Gen. Huerta was in charge of Madero's troops at the palace, and Gen. Blanquet, at present the right-hand man of Gen. Huerta, was next in importance of Madero's generals. The loyalty of both Huerta and Blanquet was already questioned.

De la Barra and Huerta were, on February 10, already in consultation for the purpose of effecting some arrangement, and Diaz was quoted on February 10 as hoping for a good issue from the negotiations being carried on with Gen. Huerta. Blanquet's troops deserted to Diaz. Huerta carried on warfare with Diaz by day and was having secret conferences with his representatives by night.

Finally, on February 17, Huerta stated that the plans were fully matured to remove Madero. Blanquet's guns were turned toward Chapultepec. Blanquet's troops were put in charge of the National Palace, and the troops friendly to Madero were put outside of the palace by Huerta, Madero's commanding general.

On February 18, at 2 p. m., Huerta, the sworn commander of Madero's troops, had Blanquet arrest his chief, the elected President of the Republic, Madero, and the Vice President, Suarez, and the entire Cabinet. At the same time Gustavo Madero, the brother of the President, was arrested and immediately afterwards killed.

On February 15, Pedro Lascurain, secretary of foreign relations, appeared in the hall of the committees of the Chamber of Deputies of the Congress of Mexico and falsely represented that the American ambassador had expressed his positive opinion that 3,000 United States marines would immediately come to the City of Mexico to protect the lives and interests of Americans as well as other foreigners residing there.

This was done in order to force Madero's resignation, but Madero refused to resign. The following action was taken in the Mexican Senate:

(Appendix No. 1.)

SPECIAL SESSION HELD FEBRUARY 15, 1913, IN THE HALL OF COMMITTEES OF THE CHAMBER OF DEPUTIES. SENATOR JUAN C. FERNANDEZ, PRESIDING.

* * * Upon the reading of the inserted dispatch being finished, Mr. Pedro Lascurain, secretary of foreign relations, appeared and was granted the floor for the purpose of reporting. Mr. Lascurain stated that the international situation of Mexico was extremely critical with respect to the United States of America, for telegrams have been received from Washington conveying the decision of that Government, already being carried out, to send war ships to Mexico territorial waters of the Gulf and of the Pacific, and transports with landing troops. The secretary of foreign relations added that, at 1 o'clock a. m. today, the United States ambassador had convened in the quarters of the embassy some members of the diplomatic corps to whom he made known the impending arrival of the ships, and his firm and positive opinion that 3,000 marines would come to the city of Mexico in order

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to protect the lives and interests of Americans as well as of other foreigners residing therein.

JUAN C. FERNANDEZ, *Presiding Senator*.
RICARDO R. GUZMAN, *Senator and Secretary*.
JOSE CASTELLOT, *Senator and Secretary*.

MEXICO, February 15, 1913.

When Huerta arrested the President of Mexico, Madero, he immediately gave out a notice to the Mexican people that he had assumed the executive power, and that he was holding under arrest "Mr. Francisco I. Madero and his Cabinet," as follows:

NOTICE.

In view of the most difficult circumstances through which the nation is passing, and particularly in recent days, the capital of the Republic, which, through the work of the defective government of Mr. Madero, may well be characterized as being in an almost anarchical situation, I have assumed the executive power and, pending the immediate convening of the Chambers of the Union, in order to pass upon this present political situation, I am holding under arrest in the National Palace Mr. Francisco I. Madero and his Cabinet, in order that as soon as this point is decided and in an effort to reconcile people's minds during the present historical moments we may all work in behalf of peace, which is a matter of life or death to the entire nation.

Given in the palace of the Executive, on February 18, 1913.

V. HUERTA,
Military Commanding General
in charge of the Executive Power.

At 9.30, February 18, Huerta and Felix Diaz met at the American Embassy, where the American ambassador cooperated in having them reach an understanding to work together, upon the basis that Huerta should be the provisional President of the Republic, and that Diaz should name the Cabinet, and that thereafter Diaz should have the support of Huerta in being elected as the permanent President. Their agreement was reduced to writing, as follows:

In the city of Mexico, at 9.30 p. m., of February 18, 1913, Gens. Felix Diaz and Victoriano Huerta met together, the former being assisted by Attorneys Fidencio Hernandez and Rodolfo Reyes and the latter by Lieut. Col. Joaquin Maas and Engineer Enrique Zepeda; and Gen. Huerta stated that, inasmuch as the situation of Mr. Madero's government was unsustainable, and in order to avoid further bloodshed and out of feelings of national fraternity, he had made prisoners of said gentleman, his cabinet, and other persons, and that he wished to express his good wishes to Gen. Diaz to the effect that the elements represented by him might fraternize and, all united, save the present distressful situation. Gen. Diaz stated that his movements had had no other object than to serve the national welfare, and that accordingly he was ready to make any sacrifice which might redound to the benefit of the country.

After discussions had taken place on the subject among all those present, as mentioned above, the following was agreed upon:

First. From this time on the executive power which held sway is deemed not to exist and is not recognized, the elements represented by Gens. Diaz and Huerta pledging themselves to prevent by all means any attempt to restore said power.

Second. Endeavor will be made as soon as possible to adjust the existing situation under the best possible legal conditions, and Gens. Diaz and Huerta will make every effort to the end that the latter may within 72 hours assume the provisional presidency of the Republic, with the following cabinet:

Foreign relations: Lic. Francisco L. de la Barra.

Treasury: Toribio Esquivel Obregon.

War: Gen. Manuel Mondragon.

Fomento: Eng. Alberto Garcia Granados.

Justice: Lic. Rodolfo Reyes.

Public instruction: Lic. J. Vera Estañol.

Communications: Eng. David de la Fuente.

There shall be created a new ministry, to be charged specially with solving the agrarian problem and matters connected therewith, being called the ministry of agriculture, and the portfolio thereof being intrusted to Lic. Manuel Garza Adalpe. Any modifications which may

for any reason be decided upon in this cabinet slate shall take place in the same manner in which the slate itself was made up.

Third. While the legal situation is being determined and settled Gens. Huerta and Diaz are placed in charge of all elements and authorities of every kind, the exercise whereof may be necessary in order to afford guaranties.

Fourth. Gen. Felix Diaz declines the offer to form part of the provisional cabinet in case Gen. Huerta assumes the Provisional Presidency, in order that he may remain at liberty to undertake his work along the lines of his compromises with his party at the coming election, which purpose he wishes to express clearly and which is fully understood by the signers.

Fifth. Official notice shall immediately be given to the foreign representatives, it being confined to stating to them that the executive power has ceased; that provision is being made for a legal substitute therefor; that meantime the full authority thereof is vested in Gens. Diaz and Huerta; and that all proper guaranties will be afforded to their respective countrymen.

Sixth. All revolutionists shall at once be invited to cease their hostile movements, endeavor being made to reach the necessary settlements.

Gen. VICTORIANO HUERTA.
Gen. FELIX DIAZ.

As soon as this agreement was reached, Huerto and Diaz issued the following joint proclamation:

[From Mexican Herald.]
JOINT PROCLAMATION.

To the Mexican people.

The unendurable and distressing situation through which the capital of the Republic has passed obliged the army, represented by the undersigned, to unite in a sentiment of fraternity to achieve the salvation of the country. In consequence the nation may be at rest; all liberties compatible with order are assured under the responsibility of the undersigned chiefs, who at once assumed command and administration in so far as is necessary to afford full guarantees to nationals and foreigners, promising that within 72 hours the legal situation will have been duly organized. The army invites the people, on whom it relies, to continue in the noble attitude of respect and moderation which it has hitherto observed; it also invites all revolutionary factions to unite for the consolidation of national peace. Mexico, February 18, 1913.

V. HUERTA.
FELIX DIAZ.

The legislature of the sovereign State of Coahuila, on February 19, the very next day, denounced Huerta's usurpation and directed Gov. Carranza to use the armed forces of the State in supporting Madero as the constitutional president.

On March 24 the Legislature of Sonora denounced the usurpation of Huerta, and thereafter in succession 10 of the elected governors of the States of Mexico joined the revolution. It is interesting to observe what became of the various governors of the various States of Mexico under Huerta's usurpation. The following 10 governors were replaced by military governors and all joined the revolution:

Gov. Felipe Riveros, of Sinaloa; Gov. Venus Tiano Carranza, of Coahuila; Gov. Jose M. Maytorena, of Sonora; Gov. Alberto Fuentes, of the State of Aguascalientes; Gov. Miguel Silva, of Michoacan; Gov. Ramon Rosales, of the State of Hidalgo; Gov. Inocencio Lugo, of the State of Guerrero; Gov. J. Castillo Brito, of the State of Campeche; Gov. A. Camara Vales, of the State of Yucatan; Gov. Matias Guera, of the State of Tamaulipas; Abraham Gonzalez, governor of Chihuahua, was murdered by Rabago, a major general under Huerta, by tying the governor on the railroad track and slowly backing a yard engine over him to give him a proper realization of the horror of death; Gov. De la Barra went abroad to Paris, France; and Gov. Rafael

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Zapeda, of the State of San Luis Potosi, and Gov. Trinidad Alamillo, of the State of Colima, and Gov. Patricio Leyva, of the State of Morelos, were thrown in prison. Gov. Bibiano Villareal, of Neuva Leon, fled the country and went to New York. Gov. Carlos Potani, of the State of Durango, fled the country and went to San Antonio, Tex. Six of the other governors went to Mexico City, and the governor of Puebla and Thlaxcala and Queretaro were the only ones who remained at home out of 28 governors elected by the people.

On February 19, 1913, under the duress of the fear of death and on the promise of the safeguard of their lives, the President and Vice President of Mexico signed the following resignation:

In view of the events which have occurred since yesterday in the nation and for its greater tranquillity, we formally resign our positions of President and Vice President, respectively, to which we were elected. We protest whatever may be necessary.

FRANCISCO I. MADERO.
JOSE M. PINO SUAREZ.

MEXICO CITY, *February 19, 1913.*

I am informed that this resignation was obtained from President Madero and Vice President Suarez under the fear of instant death, but was signed by them upon the agreed condition that it should be held by the minister from Chile, a friend of Madero, in escro, until President Madero and Vice President Suarez could find safe asylum on a foreign warship. The agreement was broken, the resignation used as a basis of having Lascurain, minister of foreign relations under Madero, proclaimed provisional President. He took the oath of office and did not appoint a secretary of foreign relations, but he did appoint Victoriano Huerta secretary of gobernacion. Huerta took the oath as secretary of gobernacion, and Lascurain immediately resigned as provisional President, thus devolving the presidency upon Huerta as next in line, and he took the oath of office before Congress as President of the Republic. These simultaneous acts, of course—the resignations of the President and Vice President, procured by military force and duress, the resignation of Lascurain under the same force—can not be regarded as a legitimate conduct of public affairs, the entire procedure being void, as treason against the people of Mexico, punishable with death under the constitution and laws of Mexico.

On Saturday, February 22—Washington's birthday—Huerta, as President, had the deposed President Madero and Vice President Suarez transferred from the National Palace, not to a warship, where they might escape with their lives, but to the penitentiary in Mexico City. At 10 o'clock Huerta is alleged to have changed the commandante of the penitentiary, and at 11 o'clock Madero and Suarez were killed.

On February 24, 1913, the new minister of foreign relations, de la Barra, made a report to the members of the diplomatic corps, giving an account of the death of President Madero and Vice President Suarez, and promising the fullest judicial investigation, and that minutes of all proceedings should be furnished the diplomatic representatives of the foreign powers, it being commonly believed that Huerta had had these men assassinated, as was afterwards openly charged against Huerta on September 23, 1913, in the Mexican Senate by Senator Dominguez, of Chiapas.

The minutes of the judicial investigation have never been furnished, and the United States has no adequate official information except the statement of Huerta made to De la Barra and Señor García 11.30 Saturday night that as Madero and Suarez were being conveyed in an automobile to the penitentiary they were killed in an exchange of shots between the escort in whose custody they were held and a group of individuals unknown who had attempted to rescue them.

Huerta had assured Madero and Suarez their safety before using their resignations. He was responsible for their safeguard. Huerta also fully advised, because Madero's mother and Suarez's wife had gone to Ambassador Wilson and prayed him to intercede with Huerta to spare the life of Madero and Suarez and to allow them to go to Europe, stating "that this was the expressed condition attached to their resignation," and Ambassador Wilson made the appeal to Huerta.

I am informed that De la Barra advised Huerta that unless he were satisfied the murder of Madero was not at the connivance of the Government he would immediately resign with two of his colleagues.

It is interesting to see what became of this cabinet, arranged in the pact between Huerta and Diaz and whose members had been named by Diaz.

Of this cabinet named by Felix Diaz under the pact, the Secretary of Foreign Affairs, De la Barra, is in France, the Secretary of Finance, Obregon, is a general in the Constitutional Army making war on Huerta, and recently refused to consider cooperating with the Federal troops against the United States; Rudolph Reyes, of the Department of Justice, has been killed; the Secretary of Public Instruction, Estannol, has fled to the United States; the Secretary of Communications, De la Fuente, has gone abroad; the Minister of Agriculture, Alvarpe, has resigned; and the Secretary of Fomento, Alberto Gill; the Secretary of Interior, Alberto Gienodes; are out of the cabinet and gone.

Felix Diaz, who made the pact with Huerta, fled from Mexico for fear of assassination by Huerta's orders.

The American ambassador, Wilson, made a strenuous effort to have Huerta recognized. As dean of the diplomatic corps, he made a speech of congratulation to Huerta upon his accession to the presidency. He urged our State Department to recognize Huerta. He instructed all American consuls to do everything possible to bring about a general acceptance of Huerta, and advised them that Huerta would be immediately recognized by all foreign Governments. On February 24 Ambassador Wilson advised the Government that the Madero incident had produced no effect upon the public mind and that Consul Holland had telegraphed that Huerta's government refused to accept the adhesion of Gov. Carranza, of Coahuila; was sending troops against him, and that Carranza had evacuated his capital. When the secretary of the British legation expressed the opinion that his Government would not recognize Huerta on account of the murder of Madero, Ambassador Wilson expressed the opinion that it would be a great error, endangering Huerta's government, upon the safety of which all foreigners depended. Our ambassador expressed the opinion that Huerta's government was not privy to the murder of Madero and Suarez, and that either the occurrence was as stated, or that the death

of Madero and Suarez was due to a subordinate military conspiracy, and he was of the opinion also that the murder of Madero and Suarez, as two Mexicans relegated to private life by their resignations, should arouse no greater expressions of popular disapproval in the United States than the murder, unrequited by justice, of some 75 or 80 Americans in Mexico during the preceding two years.

Our ambassador ceased to be an acceptable medium of communication between President Wilson and the authorities of Mexico, and for this reason his resignation was accepted.

Huerta's usurpation of the governing powers of the people of Mexico, his military revolution, overthrowing the President and Vice President of Mexico and bringing about the immediate death of these officers elected by the Mexican people, was not approved by a large part of the people of Mexico, who, however, were, for the most part, intimidated by the military power of Huerta and by the bloodthirsty disposition shown by him and by his military clique. Huerta is the product of his environment. He had, since his boyhood, been the witness of the killing by military order of citizens who proved obnoxious to the government of Porfirio Diaz. I have no doubt that Huerta regards such conduct as entirely justifiable. There are those in the United States in sympathy with Huerta and his military commercial despotism controlling Mexico, who say that no other kind of government is possible in Mexico except a military despotism.

Against this cruel, unwise, unjust conception, I enter my solemn protest, and I declare it to be my profound belief that the people of Mexico are, in the main, an industrious, worthy, honest, good-hearted people, who would like to be at peace with the world, and who would rejoice in a stable government under constitutional guaranties, and that they have abundant intelligence to carry it out if they can be freed from the despotism now in control of their government.

No man, who has observed the sacrifices which are being made by the people of Mexico in trying to restore constitutional government, should deny their attachment to liberty and the constitutional law.

No man, who looks at the record of the elected governors of the states of Mexico, who might have bought their peace by subserviency of Huerta, who witnessed the brave and upright conduct of the Mexican congressmen imprisoned by Huerta, the brave conduct of Senator Dominguez in speaking the truth at the cost of life and the enormous sacrifices now being made by the Mexicans on the field of battle, should doubt the attitude of the people of Mexico. The people of Mexico have in them the Divine spark, they have been taught the Christian virtues and they have the same natural affections and passions as other people of like blood. They have had no fair chance.

Mr. President, the governors of Mexico were not the only ones to express their hostility to the active usurpation by Huerta. Various members of Congress in Mexico expressed their disapproval of Huerta's conduct, and representing, as they did, the people of Mexico, and even more particularly those who were the beneficiaries of the monopolistic system of Mexico, nevertheless showed were not willing to have the constitutional guaranties overthrown. The cruelty and unlawful violence of the government of Huerta was shown by the methods pursued

against them. A few instances of which I think should be enumerated.

For instance, a member of Congress, Serapia Arendon, having expressed his lack of sympathy with the Huerta régime, was warned in several ways that his life was in great jeopardy, and on the night of the 22d of August, 1913, he was suddenly seized, rushed in an automobile to the Thanepantla Barracks, where some shots were heard, and he has never been seen since.

The condition being intolerable, a member of the Senate of Mexico, Senator Belisario Dominguez, representing the State of Chiapas, finally made up his mind to do his duty by denouncing this usurpation and treason, knowing that it would cost him his life. It is reported that he made his will, bade his family farewell, and on the 23d of September delivered in writing a speech in the Senate of Mexico. The president of the Senate refused to allow his speech to be delivered, but could not prevent its being made a part of the record.

I shall read that speech:

Sept. 23, 1913. Address of Belisario Dominguez, Senator from the Sovereign State of Chiapas to the Senate of the Republic of Mexico.

Mr. President of the Senate: The matter being of urgent interest for the welfare of the country, I am compelled to set aside the usual formulas and to ask you please to begin this session by taking cognizance of this sheet and making it known at once to the honorable members of the Senate.

Gentlemen: You all have read with deep interest the message presented by Don Victoriano Huerta to the Congress of the Union on the 16th instant.

There is no doubt, gentlemen, that you as well as myself felt indignant in the face of the accumulation of falsities contained in that document. Whom does that message aim to deceive, gentlemen? The Congress of the Union? No, gentlemen; all its members are cultured persons who take an interest in politics, who are in touch with events in this country, and who can not be deceived on the subject. Is it the Mexican Nation that is to be deceived? Is it this noble country which, trusting in your honesty, has placed in your hands her most sacred interests? What must the National Assembly do in this case? It must respond promptly to the trust and confidence of the nation which has honored this body with her representation, and it must let her know the truth and so prevent her falling into the abyss which is opening at her feet.

The truth is this: During the reign of Don Victoriano Huerta not only has nothing been done in favor of the pacification of the country, but the present condition of the Mexican Republic is infinitely worse than ever before. The revolution is spreading everywhere. Many nations, formerly good friends of Mexico, now refuse to recognize this Government, since it is an illegal one. Our coin is depreciated, our credit in the throes of agony. The whole press of the Republic, either muzzled or shamelessly sold to the Government, systematically conceals the truth. Our fields are abandoned. Many towns have been destroyed, and, lastly, famine and misery in all its forms threaten to spread throughout our unhappy country. What is the cause of such a wretched situation?

First, and above anything else, this condition is due to the fact that the Mexican people can not submit and yield to and accept as President of the Republic the soldier who snatched the power by means of a treason and whose first act on rising to the Presidency was to assassinate in the most cowardly manner the President and Vice President legally consecrated by the popular vote, and the first of these two men, he who promoted and gave position to Don Victoriano Huerta and covered him with honors, was the man to whom Victoriano Huerta publicly swore loyalty and faithfulness.

In the second place, this situation is the result of the means adopted by Don Victoriano Huerta and which he has been employing in order to obtain the pacification of the country. You know what these means are; nothing but extermination, death for all the men, all the families, all the towns which do not sympathize with his Government.

Peace will be made at any cost whatever, said Don Victoriano Huerta. Have you studied, gentlemen, the terrible meaning of these words of

the egotistical, ferocious man, Don Victoriano Huerta? They mean that he is ready to shed all the Mexican blood, to cover with corpses the whole surface of the national territory, to convert our country into one immense ruin, so that he may not leave the presidential chair, nor shed a single drop of his own blood.

In his insane anxiety to keep the post of President—

I ask the Senate to listen to this—

In his insane anxiety to keep the post of President, Victoriano Huerta is committing a new infamy. He is provoking an international conflict with the United States of America.

Where was that said? On the floor of the Mexican senate, by a Mexican senator who had made his will, had made his peace with God, had bid farewell to his family, knowing that he would go to his immediate death.

The Senate of the United States wants to observe these words and hear where they come from—from the senator from Chiapas, Belisario Dominguez, who was immediately killed, who knew that he would be killed, and who was willing to die to have the right to speak the truth in the cause of humanity, and of justice, and of Mexico.

In his insane anxiety to keep the post of President Victoriano Huerta is committing a new infamy. He is provoking an international conflict with the United States of America, a conflict, in which, if it is to be solved by fighting, all surviving Mexicans would participate, giving stoically the last drop of their blood, giving their lives—all save Don Victoriano Huerta and Don Aureliano Blanquet; because these disgraced ones are stained with the blot of treason, and the nation and the army will repudiate them when the time comes.

It seems as if our ruin were unavoidable, for Don Victoriano Huerta has taken hold of power in such a way, in order to insure the triumph of his candidacy to the Presidency of the Republic in the elections to be held October 26, that he has not hesitated to violate the sovereignty of the greater part of the States, deposing the legally elected constitutional governors and supplanting them with military governors who will take good care to cheat the people by means of ridiculous and criminal farces.

And so they did cheat the people by elections that were criminal under the order of Huerta, an order which I shall presently read into the RECORD.

However, gentlemen, a supreme effort might save everything. Let the national assembly fulfill its duty and the nation is saved, and she will rise up and become greater, stronger, more beautiful than ever.

The national assembly has the duty of deposing Don Victoriano Huerta from the Presidency. He is the one against whom our brothers, up in arms in the North, protest, and, consequently, he is the one least able to carry out the pacification which is the supreme desire of all Mexicans.

You will tell me, gentlemen, that the attempt is dangerous; for Don Victoriano Huerta is a bloodthirsty and ferocious soldier who assassinates anyone who is an obstacle to his wishes; but this should not matter, gentlemen. The country exacts from you the fulfillment of a duty, though there is the risk, the certainty, that you will lose your lives.

Is this man without patriotism? Is this man without love of country? Is this man without love of justice and righteousness in government, when he makes his appeal to the Mexican Senate? Shall we despise a people capable of such a sacrifice as this great senator who died in the performance of duty deliberately?

He said:

If, in your anxiety to see peace reigning again in the Republic, you committed a mistake and put faith in the false words of the man who promised to pacify the Republic, to-day, when you see clearly that this man is an imposter, a wicked inept who is fast pushing the nation toward ruin, will you, for fear of death, permit such a man to continue to wield power? Reflect, gentlemen, meditate, and reply to this query.

What would be said of those on a vessel who, during a violent storm on a treacherous sea, would appoint as pilot a butcher who had no

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nautical knowledge, who was on his first sea trip, and who had no other recommendation to the post than the fact of his having betrayed and assassinated the captain of the vessel?

Your duty is unalterable, ineludible, gentlemen, and the nation expects of you its fulfillment.

This first duty discharged, it will be easy for the National Assembly to fulfill others derived from it, asking all revolutionary chiefs to stop all active hostilities and to appoint their delegates in order that by general accord the President be elected who is to call for presidential elections, and who is to use care that these be carried out in all legality.

The world is looking on us, gentlemen, members of the National Assembly, and the nation hopes that you will honor her before the world, saving her from the shame of having as first magistrate a traitor and an assassin.

(Signed) DR. B. DOMINGUEZ,
Senator for Chiapas.

Immediately afterwards, Senator Belisario Dominguez suddenly and mysteriously disappeared and was reported to have been killed.

On October 9th, the Chamber of Deputies of the Congress of Mexico passed the following resolution:

(1) That a commission formed of three deputies be appointed for the purpose of making all necessary investigations to find out where Senator Belisario Dominguez is and that it be empowered with all the facilities which it deems necessary for the matter in hand. (2) That the senate be invited to appoint a commission for the same object. (3) The commission of the Camara will propose what may be necessary in view of the result of the investigation. (4) That this motion be communicated to the executive so that he may impart whatever aid may be necessary to the commission or commissions, as the case may be, making known to him that the national representation places the lives of the deputies and senators under the protection of said executive who has at his disposition the necessary elements to enforce the immunity which the constitution authorizes to those functionaries. (5) That said executive be informed that in case the disappearance of another deputy or senator occurs and the national representation will be obliged to celebrate its session where it may find guarantees.

Immediately afterwards, on October 10, in the afternoon, Huerta's minister of gobernacion appeared in the chamber and demanded a reconsideration of these resolutions. The president of the Chamber of Deputies arose and adjourned the chamber, whereupon 110 deputies present were arrested by Huerta's soldiers and sent to the penitentiary. Huerta had all the exits barred and appeared in person before the Congress to enforce his demand, and his demand, in spite of his bloody character and cruel power, was not acceded to by the Mexican Congress. Huerta immediately published a decree declaring the Congress dissolved and without further power and immediately declared the judicial and legislative power vested in himself and that the constitutional guaranties against arrest of members of Congress were suspended.

These decrees were signed by him as of October 11, but were put into effect October 10, as follows:

Victoriano Huerta, constitutional President ad interim of the Mexican United States, to its inhabitants makes known that the Chamber of Deputies and Senators of the Twenty-sixth Legislature having been dissolved and inhabilitated from exercising their functions and until the people elect new magistrates who shall take over the legislative powers, and in the belief that the Government should count on all the necessary faculties to face the situation and to reestablish the constitutional order of things in the shortest possible time as is its purpose since October 26 has been set as a date for elections for deputies and senators, has seen fit to decree that articles of decree.

ARTICLE ONE. The judicial power of the federation shall continue in its functions within the limits set by the constitution of the Republic

and the decree of the executive of October 10 of this month and such others as shall be issued by him.

ARTICLE TWO. The executive power of the union conserves the powers conferred upon him by the constitution and assumes furthermore the departments of gobernacion, hacienda, and war only for the time absolutely necessary for the reestablishment of the legislative power. In the meantime the executive takes upon himself the powers granted the legislative power by the constitution in the aforementioned departments and will make use of them by issuing decrees which shall be observed generally and which he may deem expedient for the public welfare.

ARTICLE THREE. The executive of the union will render an account to the legislative power of the use which he makes of the powers which he assumes by means of this decree as soon as this is in function. Wherefore, I order that this be printed, published, and given due fulfillment. Given at the National Palace of Mexico, October 11, 1913.

(Signed) V. HUERTA.

Victoriano Huerta, constitutional president ad interim of the Mexican United States, to its inhabitants makes known that in view of the fact that the Chamber of Deputies and Senators of the Congress of the union have been dissolved and inabilitated to perform their functions, and in view of the powers which I hold in the Department of Gobernacion according to the decree of October 11 of this year, I have seen fit to decree that article 1, the constitutional exemption from arrest and judicial action which the citizens which formed the Twenty-sixth Congress of the union enjoyed in view of their functions, is hereby repealed and consequently they are subject to the jurisdiction of the tribunals corresponding to the case in the event that they are guilty of any crime or offense. Wherefore I order that this be printed, published, and duly fulfilled. Given at the National Palace in Mexico October 11, 1913.

(Signed) V. HUERTA.

On October 11 the entire diplomatic corps was received by the minister of foreign affairs, who advised them that while the act of Huerta's Government was unconstitutional, still that the Government had become impossible with the Chamber as at present constituted. The Spanish minister, at an hour after midnight, October 10, called on Nelson O'Shaughnessy, the American chargé d'affaires, and they went together and demanded guaranties of the minister of foreign affairs for the lives of the arrested Congressmen. What a spectacle before the civilized world is this midnight visit to prevent wholesale assassination! The promise was given, but only a list of 84 was presented as those in prison. What became of the 24 others arrested I do not know, but I should like to know.

On October 13 Huerta charged the members of Congress with sedition and treason, and stated that they should be tried. Huerta's secretary informed O'Shaughnessy that most of the deputies arrested had been set at liberty, but in point of fact they acknowledged having 84 of the 110 arrested in the penitentiary at midnight, October 10, and on November 13, 1913, the members of Congress whose names I have already given were recorded still in the penitentiary, and many of them were still in the penitentiary when we took Vera Cruz.

The President of the United States had refused to recognize Huerta for the reasons well known, and had been urging a new election so that the people of Mexico, even under the defective election law, might choose a successor to Huerta.

On October 10, 1913, when Huerta had put the Mexican Congress in the penitentiary, he issued a decree for the election, on October 26, of a new Congress and of a President.

On October 14, 1913, he issued the following decree, modifying the election laws to make the corrupt control of the election absolutely certain, putting the power in the hands of his in-

struments. I ask permission to put the decree into the Record without reading.

Mr. SHAFROTH. I wish the Senator from Oklahoma would read the order which he says Huerta issued setting aside the election laws.

Mr. OWEN. The first order issued was this:

Victoriano Huerta, constitutional President ad interim of the Mexican United States, to its inhabitants makes known that the Chamber of Deputies and Senators of the 26th legislature having been dissolved and inhabilitated from exercising their functions, and until the people elect new magistrates who shall take over the legislative powers, and in the belief that the Government should count on all the necessary faculties to face the situation and to reestablish the constitutional order of things in the shortest possible time, as is its purpose, since October 26 has been set as a date for elections for deputies and senators, has seen fit to decree that articles of decree.

ARTICLE ONE. The judicial power of the federation shall continue in its functions within the limits set by the constitution of the Republic and the decree of the Executive of October 10 of this month and such others as shall be issued by him.

ARTICLE TWO. The executive power of the Union conserves the powers conferred upon him by the constitution and assumes, furthermore, the departments of gobernacion, hacienda, and war only for the time absolutely necessary for the reestablishment of the legislative power. In the meantime the Executive takes upon himself the powers granted the legislative power by the constitution in the aforementioned departments and will make use of them by issuing decrees, which shall be observed generally and which he may deem expedient for the public welfare.

ARTICLE THREE. The Executive of the Union will render an account to the legislative power of the use which he makes of the powers which he assumes by means of this decree as soon as this is in function. Wherefore I order that this be printed, published, and given due fulfillment.

At the same time he issued a decree declaring that the right of safety and immunity from arrest of members of congress was set aside and abrogated and, as I have stated, put the whole congress in the penitentiary. He says:

I have seen fit to decree that article 1, the constitutional exemption from arrest and judicial action which the citizens which formed the twenty-sixth congress of the union enjoyed in view of their functions, is hereby repealed.

Mr. SHAFROTH. And yet some people want such a man recognized as the president of Mexico?

Mr. OWEN. Oh, yes; some people want him recognized. I do not know why. I suppose they do not know about him, but I thought it well enough to let the people of this country know something about Huerta. For that reason I have thought proper to present these various documents, showing his conduct as the alleged head of the Mexican Government. Here is the decree which he issued as to the election laws, putting the power in the hands of his military governors and jefe politicos that they might be able to make false returns of the elections:

Victoriano Huerta, Constitutional President ad interim of the United Mexican States, to the inhabitants thereof: Know ye, that to the end that the extraordinary elections of senators and deputies to the Congress of the Union, convoked by decree under date of the 10th instant, be carried out with all regularity, I have seen fit to decree the following:

"ARTICLE 1. In accordance with article 5 of the decree of the 10th instant, the extraordinary elections of deputies and senators will be subject to the conditions of the electoral law of December 19, 1911, with the additions and modifications which follow.

"ART. 2. The elections shall be by direct vote; they shall be held at the same time as those for president and vice president of the Republic; the same electoral divisions shall serve for them as were formed under the law to that effect of the 31st of May last, and the same designation of polling officials and scrutinizers which was made

under the provisions of the same law shall subsist. Candidates must register.

"ART. 3. The registration of the candidates provided for in article 68 of the electoral law of December 19, 1911, shall be carried out before the 20th of this month, and the handing over of credentials which is ordered in the same article, as well as the designation of representatives of parties or candidates, shall be complied with at the same time these latter are inscribed.

ARTICLE 4. The voting shall be subject to the terms of the electoral law of December 19, 1911, and in accord with the following rules: New polling regulations. "1. The polling official shall hand to each voter, in addition to the lists which correspond to the election of President and Vice President of the Republic, the various lists for the casting of votes for deputies and senators and shall proceed to collect the votes in urns or boxes which shall be separate and distinctly marked, one for the election of President and Vice President, another for the election of deputies, and a third for the election of senators.

Second. When the polls are closed definitely, the total count of the votes cast for President and Vice President shall be made in accordance with the law of the 31st of last May, and afterwards the count shall be made of the votes for deputies and senators, respectively, the result of the latter being made known in separate documents, which shall be remitted, together with the designation of the electoral district and the voting slips to the highest authority residing in the place designated as capital (cabecera) of the electoral district (that is, to his military governors), and if there be no cabecera they shall be turned over to the highest municipal authority. Juntas to count ballots.

Third. The count of the votes cast in each electoral district shall be made by a junta formed by the highest political authority to which the foregoing fraction refers, or in default of him by the first municipal authority and by two councilmen (concejales) named by the ayuntamiento of the cabecera of the electoral district. The default of any of the members of this junta shall be made good by the regidores of the ayuntamiento, according to the order of their enumeration, and in default of these, by those who will have held such position the preceding year, according to their enumeration. The designation of the two councilmen who are to form part of the junta shall be made by the ayuntamientos in public session and by secret ballot on Thursday the 23d of the present month. Jefe Politico to preside.

Fourth. The junta shall assemble in junta shall be made by the ayuntamiento on Sunday, the 26th of the present month, at 6 o'clock in the evening, being presided over by the jefe politico, and in his absence by the highest municipal authority. It shall designate secretary from among its members and shall commission another of its members to examine the returns as they be received, and the junta shall reassemble on the 2d day of November next to make the count, after the rendering of the report which the commission shall present.

Fifth. The junta shall abstain from making any remarks respecting the defects which affect the votes cast or those which may be alleged by the parties or candidates registered, and shall limit itself to making them known in its minutes, so that they may be passed upon definitely by the Chamber of Deputies or by the corresponding legislature, according to whether it is a matter of election of deputies or senators. Credentials in quadruplicate.

Sixth. After the count has been made of votes cast, the deputies proprietary and substitute shall be declared elected and the number of votes cast for each one of the candidates for senator proprietary and substitute shall be declared and the corresponding reports shall be made. The report in regard to deputies shall be made in four copies; one shall be sent to the Chamber of Deputies, together with all the election documents and vote certificates; another copy shall be sent to the Ministry of Gobernacion; and the other two shall be remitted to the citizens elected deputy proprietary and substitute, respectively, so that they may serve as credentials. The report of the election of senators shall be made in three copies, one of which shall be sent to the Senate, one to the Ministry of Gobernacion, and the third to the Legislature of the State, that that body may make its declaration relative to the election of senators proprietary and substitute. To report before November 10.

Seventh. The junta shall make its report as soon as it shall have received those of all the municipalities of the electoral district or a report to the effect that the elections were not held, but in any case it must present its report by the 10th of next November. The result of the count made by the junta shall be published immediately after its session shall have adjourned on the doors of the municipal palace and as soon as possible thereafter in the official organ of the corresponding federative entity.

ART. 5. The juntas for examining the votes shall make their counts strictly in accordance with the reports from the various booths and abstain from making any comment on the votes emitted, under pain of a \$200 fine for each member of the junta who violates this rule. The respective chamber or legislature, as the case may be, will hand over to the respective judges of the district any violators of this law, so that the fine aforesaid may be duly enforced. Therefore, I order that be printed, published, and duly carried out.

Given in the National Palace of Mexico, October 12, 1913.

(Signed) V. P. HUERTA.

On October 22 there were sent out private instructions to the governors of various States instructing them in effect to make false returns in Huerta's interest, and to make sure that the election of President would be void by returning an insufficient number of precincts, as follows:

PRIVATE INSTRUCTIONS FROM THE FEDERAL GOVERNMENT TO GEN. JOAQUIN MAAS, MILITARY GOVERNOR OF THE STATE OF PUEBLA, TO THE END THAT HE MAY TRANSMIT THE SAME TO THE JEFES POLITICOS OF THE STATE.

First. If any municipal president has entered into agreements with any of the militant political parties his removal from office shall be discreetly sought, and in the case it should not be possible, cautious efforts shall be made to secure complete solidarity between said presidents and the jefes politicos.

Second. It is especially recommended that the persons in charge of the polls should be completely and absolutely reliable, so that they may follow the instructions given to them.

Third. If there should be sufficient time for it, strict orders should be given that polls for rural estates should not be established in the seat of the municipality or town, but in the estates themselves of the electoral division, this for the purpose of avoiding the attendance of those who are to take charge of the polls, the principal object being to prevent the elections in two-thirds, plus one, of the polls constituting the district. Therefore the greatest number of polls shall be ———. To meet the provisions of the law and conceal the above-mentioned commission, a complete list should be published, giving the names of the persons who are to have charge of the polls in accordance with article 13 of the electoral law of May 31, 1913, it being understood that only the appointments corresponding to the third part or less shall be sent to the sections, among which are to be included the polls in the urban wards.

Fourth. In all the polls which may operate blank tickets shall be made use of in order that the absolute majority of the votes may be cast in favor of Gen. Huerta for President and Gen. Blanquet for Vice President.

Fifth. In spite of the fact that article 31 provides that the returns should be at once and directly sent to the chamber of deputies, the chairman of the polls shall be instructed that the returns be sent to the political prefecture, which returns shall be quickly examined by the jefe politico, and if the same are found to be in accordance with the instructions given therein, he shall return them to the chairman, informing them that they must send them directly to the chamber of deputies. If upon making the examination it should appear that the third part of the polls have not acted right, they shall fail to send the number of returns that may be necessary to the end that the chamber of deputies may receive only one-third or less of the total.

Sixth. Political parties and citizens shall be given full freedom in the polls which may operate, allowing them to make all kinds of protests, provided they refer to votes in favor of any of the candidates appearing before the people; but care shall be taken that such protests do not refer to the votes mentioned in paragraph 4 of these instructions.

Seventh. If upon examining the returns the jefes politicos should find that the votes do not agree with the instructions, before sending them they should fix them up to the end that the note of transmission, the minutes of the election, etc., should agree with the instructions.

Eighth. Persons shall be chosen who may inspire absolute confidence and may be well versed in the electoral law to make a quiet and reserved inspection of the polls which may be in operation and to present before them all sorts of protests, in accordance with article 30 of the electoral law, it being understood that all protests should refer to the candidates who may be in the field, but never in regard to votes mentioned in paragraph 4.

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Ninth. After elections they shall make a quick concentration of the polls which were in operation and shall communicate this information to the Government if possible on the same day and in cipher and by special courier.

Tenth. Under their most strict responsibility the governor of a State who may receive these instructions shall comply with them under the penalty of discharge of office and other punishment which the Federal Government may see fit to apply.

MEXICO, *October 22, 1913.*

By October 15 it had become obvious, and the representatives of nearly all of the powers except Great Britain had reached the point where they considered armed intervention by the United States as practically inevitable. It was already obvious that Huerta would not permit Diaz to stand as a candidate for the Presidency, notwithstanding his agreement with him of February 18, 1913.

Diaz had named the cabinet, it is true, but the cabinet was set aside one by one, and Diaz was instructed to go to Japan and then to Europe and finally dared not to return to Mexico, but receiving a command from Huerta to return to Mexico to resume his post in the army, Diaz came to Vera Cruz, was put under instant surveillance by Huerta's forces, but, by a skillful maneuver, fled by night to a warship and saved his life; he profoundly believed that he was on the point of being assassinated and did flee by night just before the election, and is now in the United States.

On October 23 Huerta advised the diplomatic corps of Mexico City that he had dissolved the Congress of Mexico, because it was disloyal and revolutionary, 50 deputies having joined the revolutionists. He stated that he was not a candidate for the presidential office; that votes for him would be null and void, even if a majority of votes were cast for him; that he would not accept the Presidency, not only because the constitution prohibited him, but because he had given public promise to the contrary, and he requested the diplomats to give these solemn assurances to their respective countries.

Immediately before the election of October 26 the country was flooded with circulars urging the people to vote for Huerta for President. The circulars were as big as the door of the Senate Chamber, urging people to vote for this man who said he was not running for the Presidency. Immediately after the election, on October 27, Huerta's minister of gobernacion publicly announced that the election returns from Puebla, San Luis Potosi, showed a "landslide" for Huerta and Blanquette.

Mr. THOMAS. It was a case of the office seeking the man?

Mr. OWEN. Yes, the office sought the man; he could not escape it. Huerta then issued an intimidating decree to raise the army to 150,000 men, a decree which he could not carry out.

On November 20, 1913, the newly elected Mexican Congress convened. Huerta addressed them and they replied with assurances of patriotism, etc., and on December 10, the grand committee of Congress solemnly reported to Huerta that of 14,425 voting precincts, only 7,157 reported, and hence that there had been no election of a president, under article 42, clause 3, of the constitution of Mexico. This result (a result which Huerta had carefully planned, as I have explained, by modifying the election laws, and then giving secret instructions to his military governors) they elaborately explained to Huerta, could be accounted for first, because a part of the territory was in

revolution, and second, because a part of the territory was near the revolutionary country, and third, that where the territory was under Huerta's control the people had not voted for "reasons of a general nature."

They recommended that Huerta continue as President until a lawful election at some future time when Congress should issue the necessary declaration.

I submit Exhibit 4, a memorial of a committee of the people of Pueblo and Tlaxcala and addressed to John Lind, showing a very interesting Mexican point of view. I omit names for obvious reasons.

Mr. President, I have thought proper to put into the RECORD the documents showing the conduct of this man, because I do not think the people of the United States sufficiently understand the facts relating to our occupation of Vera Cruz. We are there primarily because of what might be called the straw that broke the camel's back, the open and flagrant insult before the nations of the world of our flag and of our uniform by the arrest of our unarmed men and parading them through the streets of Tampico in derision, and then refusing to make the amends required by international law. I believe that Senator Dominguez stated the truth when at the cost of his life he charged Huerta with the purpose of bringing about a conflict with the United States. And what was the purpose of bringing about a conflict with the United States? It was to save his precious neck, because Zapata, with thousands of armed men on the south, had sworn to kill Huerta for treason and murder, and Villa, with more thousands of armed men on the north, had sworn to take Huerta's life for treason to Mexico. So there is only one safe place for Huerta, and that is under our flag, that would perhaps have mercy on this miserable wretch, who deserves to be overthrown by his own people and punished by his own people for his crimes against them.

Mr. WEEKS. Mr. President, before the Senator takes his seat, I should like to ask him if he thinks that the statement he has just made will be an aid to the mediators in their labors?

Mr. OWEN. I will say, Mr. President, that I do not think the mediators will be able to accomplish anything with a man like Huerta. I will say further, however, that the history which I have put in the Record here this afternoon in regard to this man whom we have not recognized, and ought not to recognize, will in no wise affect the question of mediation. The mediators will deal with the questions that are laid before them, but the people of the United States ought to know what manner of man this is that our Government has refused to recognize, and I feel justified in giving the reasons for that refusal.

EXHIBIT 1.

CONSTITUTION OF THE REPUBLIC OF MEXICO, 1853, ABSTRACT RODRIGUEZ'S EDITION.

TITLE I, SECTION 1.—*Rights of man.*

ARTICLE 2. In a Republic all are born free.

ART. 3. Instruction is free.

ART. 4. Every man is free to engage in any profession, pursuit, or occupation, and avail himself of its products.

ART. 5. (Amended by law of Sept. 25, 1873.) No one shall be compelled to do personal work without compensation and without his full consent.

ART. 7. (Amended by law of May 15, 1883.) Freedom of publication limited only by the respect due to private life, morals, and public peace.

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ART. 8. Right to petition guaranteed.

ART. 10. Right to carry arms guaranteed, but the law shall designate what arms are prohibited.

ART. 13. No one shall be tried according to special laws or by special tribunals. No persons or corporations shall have privileges or enjoy emoluments not in compensation for public service according to law. Military trial of criminal cases allowed only for military discipline.

ART. 14. No retroactive laws shall be enacted.

ART. 16. No person shall be molested in his person, family, domicile, papers, or possessions except under an order in writing.

ART. 17. No arrest for debts. Administration of justice shall be gratuitous, judicial costs being abolished.

ART. 18. Imprisonment only for crimes deserving corporal punishment; otherwise, liberty on bail.

ART. 19. No detention to exceed three days, unless justified by a warrant under the law. Maltreatment during confinement to be severely punished.

ART. 20. Guaranties in every criminal trial—

(1) Grounds of proceeding and name of accuser made known.

(2) Preliminary examination within 48 hours.

(3) Confronted with witnesses against criminal.

(4) Given all information on record which he may need for his defense.

(5) He shall be heard in his defense.

ART. 21. Imposition of penalties by judicial authority. Political and executive authorities to impose fines and imprisonment as disciplinary measures and impose fines of not over \$500 and imprisonment not more than one month as disciplinarian measures as the law shall expressly determine.

ART. 22. Mutilation, torture, excessive fines, confiscation of property, corruption of blood prohibited.

ART. 23. Penalty of death abolished for political offenses and not imposed except in cases of treason during foreign war, highway robbery, arson, parricide, murder in the first degree, grave offenses of military character, piracy.

ART. 24. No criminal case shall have more than three instances.

ART. 26. The quartering of soldiers prohibited in time of peace.

ART. 27. Private property condemned for public use and upon compensation.

ART. 28. There shall be no monopolies of any kind, whether governmental or private, inventions excepted.

ART. 29. In cases of invasion or disturbance of the public peace, or other emergency, residents with the advice of the council of ministers and the approval of Congress or during recess of the permanent committee, may suspend constitution guaranties except those relating to life.

TITLE I, SECTION 2—*Mexicans, nationality and duties.*

TITLE I, SECTION 3—*Foreigners.*

TITLE I, SECTION 4—*Mexican citizenship, right to hold office, etc.*

TITLE II, SECTION 1—*National sovereignty and form of government.*

ART. 39. Sovereignty is in the people. All public power emanates from the people. The people have at all times the inalienable right to change the form of their government.

ART. 40. The States are free and sovereign in all that concerns their internal government, but united in a federation under the constitution.

ART. 41. The people exercise their sovereignty through the federal powers and the State powers.

TITLE II, SECTION 2—*National territory and limits of the States.*

TITLE III.—*Division of powers.*

TITLE III, SECTION 1.—*Legislative power.*

ART. 51 (amended by law of Nov. 13, 1874). Legislative power vested in the General Congress, consisting of a Chamber of Deputies and the Senate.

ART. 52 (amended by law of Nov. 13, 1874). Members of Chamber of Deputies elected every two years.

ART. 55. Elections shall be by indirect and secret ballot under the electoral law.

ART. 57 (amended by law of Nov. 13, 1874). The office of Deputy and Senator may not be held by the same person.

ART. 58 (amended by law of Nov. 13, 1874). They may not hold another federal office without consent of their respective chamber. The Senate consists of two senators from each State and two for the Federal District. Election of senators shall be indirect, the legislature of each State declaring who has obtained the majority of votes cast.

The Senate shall be renewed by half every two years.

ART. 60 (amended by law of Nov. 13, 1874). Each chamber shall be the judge of the election of its members.

ART. 62 (amended by law of Nov. 13, 1874). Congress shall hold two sessions each year.

ART. 64 (amended by law of Nov. 13, 1874). Action of Congress shall be in the form of laws or resolutions which shall be communicated to the Executive after having been signed by the presidents of both chambers, etc.

ART. 65 (amended by law of Nov. 13, 1874). The right to originate legislation belongs to the President and to the deputies and senators or to the State legislature.

ART. 69 (amended by law of Nov. 13, 1874). The Executive shall transmit to the Chamber of Deputies on the last day of the session accounts for the year and the budget for the next year.

ART. 71 (amended by law of Nov. 13, 1874). Bills and resolutions passed by both chambers and approved by the Executive shall be immediately published. Bills or resolutions rejected by the Executive may be passed by a majority in each House.

Special sessions of Congress.

ART. 72. (Amended by law of Nov. 13, 1874, Dec. 14, 1883, June 2, 1882, Apr. 24, 1896.) Congress shall have power to admit new states, to form new states upon certain conditions, to establish conditions of loans on the credit of the nation and to approve said loans, to recognize and order the payment of the national debt, to fix duties on foreign commerce, to create or abolish federal offices and to fix their salaries, to declare war, to regulate issuance of letters of marque, taking of prizes on sea or land, the maritime law of peace or war, to grant or refuse permission of foreign troops to enter the republic, to establish mints, regulate the value and kinds of national coin, to make rules for the occupation and sale of public lands, to grant pardons, to appoint at a joint session of both chambers a president of the republic who shall act in case of absolute or temporary vacancy of the presidency, either as a substitute or as a president ad interim.

The chamber of deputies has power to exercise its power regarding the appointments of a constitutional president of the republic, justices of the supreme court and senators of the federal district; to pass upon the resignations of the president of the republic, justices of the supreme court, and to grant leaves of absence requested by the president; to supervise the comptroller of the treasury; to formulate articles of impeachment; to approve the annual budget and originate taxation.

The senate has power to approve the treaties; to confirm certain nominations made by the President; to authorize sending troops outside of the Republic; to consent to the presence of fleets of another nation for more than one month in the waters of the Republic; to declare when the constitutional powers of any State have disappeared and the moment has arrived to give said State a provisional governor, who shall order elections to be held according to the constitutional law of the State; such governor shall be appointed by the Executive, with the approval of the senate or, in time of recess, by the permanent committee; to decide any political questions which may arise between the powers of a State or when constitutional order has been interrupted by an armed conflict in consequence of such political questions; to sit as a court of impeachment.

ART. 73. During the recess of Congress there shall be a permanent committee consisting of 29 members, 15 deputies, and 14 senators appointed by their respective chambers.

ART. 74 (amended by the law of Nov. 13, 1874). The permanent committee shall have power to consent to the use of the national guard as mentioned in article 72; to call by its own motion or that of the Executive an extra session of either or both chambers; to approve appointments under article 85.

TITLE III, SECTION 2.—Executive power.

ART. 76. Election of President shall be by indirect, secret ballot under the electoral law.

ART. 78. The president shall enter upon his duties December 1 and serve for four years.

ART. 79. (Amended by the law of Oct. 3, 1882, and Apr. 24, 1896.) In case of absolute vacancy except upon resignation and in the case of temporary vacancy except upon leave of absence, the executive power shall vest in the secretary of foreign relations, etc.

Congress shall assemble on the day next following to elect by a majority a substitute President, etc.

In case of resignation of the President Congress shall assemble as indicated for the purpose of appointing a substitute (acting) President.

In case of temporary vacancy Congress shall appoint a President ad interim.

A request for leave of absence shall be addressed to the Chamber of Deputies, to be voted on in the Congress in joint session.

If on the day appointed the President elected by the people should not enter upon his duties, Congress shall at once appoint a President ad interim if the vacancy prove temporary; but if the vacancy prove absolute, Congress, after appointing the President ad interim, shall order a special election. The elected President shall serve out the unexpired constitutional term.

The vacancy of substitute President and President ad interim shall be filled in the same manner.

ART. 83. (Amended by the law of Apr. 24, 1896.) Form of oath to be administered to the President.

ART. 85. The President has power to promulgate and execute the laws, appoint and remove certain officers, to appoint with the approval of Congress certain officers, to dispose of the permanent land and sea forces and national guard for the defense of the Republic, to declare war after the passage of the necessary law by Congress, to conduct diplomatic negotiations and make treaties, to call with the approval of the permanent committee an extra session of Congress, to grant pardons according to law.

TITLE III, SECTION 3.—*Judicial power.*

ART. 90. The judicial powers vested in a Supreme Court and in the District and Circuit Courts.

ART. 91. The Supreme Court shall consist of 11 justices, etc.

ART. 92. The Supreme Court justices shall serve for six years and their election shall be indirect in accordance with the electoral law.

ART. 95. No resignation of a justice allowed, except for grave cause, approved by the Congress or the permanent committee.

ARTS. 97, 98, 99, and 100. Jurisdiction of federal tribunals.

ART. 101. Federal tribunals shall decide all questions arising out of laws or acts violating individual guaranties and encroaching upon or restricting the sovereignty of States invading the sphere of federal authority.

TITLE IV.—*Responsibility of public functionaries.*

ART. 103 (amended by the law of Nov. 13, 1874). Members of Congress, of the Supreme Court, and of the Cabinet shall be responsible for the common offenses committed by them during their term of office and for their crimes, misdemeanors, or omissions in the exercise of their functions. The governors of the States shall be responsible for the violation of the Federal Constitution and laws. The President shall be likewise responsible, but during his term he can be charged only with treason, violation of the Constitution, of the electoral law, and grave common offenses.

ART. 104 (amended by the law of Nov. 13, 1874). In case of common offense, the Chamber of Deputies shall sit as a grand jury and declare by majority whether proceedings should be instituted. If the vote is affirmative, the accused shall be placed at the disposal of the ordinary courts.

ART. 105 (amended by the law of Nov. 13, 1874). In cases of impeachment, the Chamber of Deputies shall act as grand jury and the Senate as a tribunal. If the grand jury declares by a majority vote, the accused shall be impeached.

ART. 106. No pardon can be granted in cases of impeachment.

ART. 107. Responsibility for official crimes and misdemeanors enforceable only while in office or one year thereafter.

ART. 108. In civil cases, no privilege or immunity in favor of any public functionary shall be recognized.

TITLE V.—*States of the Federation.*

ART. 109 (amended by the laws of May 5, 1878, and Oct. 21, 1887). The State shall adopt a republican, representative, and popular form of Government.

ART. 110. States may fix between themselves their respective boundaries.

ART. 111 (amended by law of May 1, 1896). States can not enter into alliances, treaties, or coalitions with another State or foreign nation; coin money, issue paper money, stamps or stamped paper; tax interstate traffic and commerce.

ART. 112. States can not without consent of Congress impose port duties; have troops or vessels of war, except in case of invasion or imminent peril.

ART. 113. States are bound to return fugitives from justice.

ART. 114. States are bound to enforce the Federal laws.

ART. 116. The Federal Government is bound to protect the States from invasion. In case of insurrection or internal disturbance it shall give them the same protection, provided request is made for same.

TITLE VI.—*General provisions.*

ART. 117. Powers not expressly granted to Federal authorities are reserved to the States.

ART. 122. In time of peace no military authorities shall exercise other functions than those connected with military discipline, etc.

ART. 124 (amended by act of May 1, 1896). The Federal Government has exclusive power to levy duties on imports, exports, and transient goods, and regulate or forbid circulation of all kinds of goods regardless of their origin, for sake of public safety or for police reasons.

ART. 126. The constitution, the laws of Congress, and the treaties shall be the supreme law of the Union.

TITLE VII.—*Amendments to the constitution.*

ART. 127. Amendments must be agreed to by two-thirds vote of the Members present in the Congress and approved by a majority of legislatures of the States. The Congress shall count the votes of the legislatures and declare whether the amendments have been adopted.

TITLE VIII.—*Inviolability of the constitution.*

ART. 128. The constitution shall not lose its force and vigor even if interrupted by a rebellion. If by reason of public disturbance a government contrary to its principles is established, the constitution shall be restored as soon as the people regain their liberty, and the people figuring in the rebellion shall be tried under the constitution and the provisions of laws under the constitution.

EXHIBIT 2.

[Translation.]

RESOLUTION STATE OF COAHUILA.

Venustiano Carranza, Constitutional Governor of the Free and Sovereign State of Coahuila de Zaragoza, to the inhabitants thereof, know ye: That the Congress of said State has decreed as follows:

The twenty-second Constitutional Congress of the Free and Sovereign State of Coahuila decrees:

ART. 1. Gen. Victoriano Huerta is not recognized in his capacity as Chief Executive of the Republic, which office he says was conferred upon him by the Senate, and any acts and measures which he may perform or take in such capacity are likewise not recognized.

ART. 2. Extraordinary powers are conferred upon the Executive of the State in all the branches of the public administration, so that he may abolish those which he may deem suitable, and so that he may proceed to arm forces to cooperate in maintaining the constitutional order of things in the Republic.

"ECONOMIC:" The Governments of the remaining States, and the commanders of the federal, rural, and auxiliary forces of the Federation, should be urged to second the attitude of the Government of this State.

Given in the Hall of Sessions of the Honorable Congress of the State, at Saltillo, February 19, 1913.

A. BARRERA, *Deputy, Presiding.*

J. SANCHEZ HERRERA, *Deputy, Secretary.*

GABRIEL CALZADA, *Deputy, Secretary.*

Let this be printed, communicated, and observed.

SALTILLA, February 19, 1913.

VENUSTIANO CARRANZA.

E. GARZA PEREZ, *Secretary General.*

EXHIBIT 3.

[Translation.]

RESOLUTION STATE OF SONORA.

Special committee.—The executive of the State is pleased to submit to the settlement of the local legislature the present conflict of the State in relation to the supreme executive power of the Republic, the statement whereof appears in the official note referred to the opinion of the undersigned committee. The committee has before it a case which is extraordinary and without precedent in the history of this legislature, and therefore there are no precedents to be consulted in order to enlighten its opinion in the matter, so that in order to express the present opinion we have been obliged to measure its transcendent importance and to consult the laws and opinions which may add light and force to our deficiency in the matter in question, so that we may

offer, and submit to the deliberation of this assembly, a proposition which shall emanate from our consciences honestly, patriotically, and calmly.

The axis about which the question propounded turns is the legality or illegality of the appointment of Gen. Victoriano Huerta as provisional President of the Republic. We believe, like the Executive, that the high representative capacity conferred upon the aforesaid Gen. Huerta can not be recognized as constitutional.

As a matter of fact, the apprehension of Messrs. Francisco I. Madero and Jose Maria Pino Suarez, President and Vice President of the Republic, and their cabinet, took place in contravention of article 103 of the constitution of the Republic and the supreme law of May 6, 1904. In these texts it is prescribed that the President and Vice President of the Republic may be impeached only for high treason, express violation of the constitution, attack upon the electoral freedom, and grave offenses in the realm of common law. This provision was violated, for Messrs. Madero and Pino Suarez were apprehended without any impeachment having been made before Congress, which grand jury ought to have decided whether proceedings were to be taken or not against the said officials. From the second of the documents sent as exhibits by the governor of the State it is seen that subsequently it was desired to clothe with a pretended legality the designation of Gen. Huerta by saying that Messrs. Madero and Pino Suarez had resigned their posts; that the presidency had passed to Mr. Lascurain, minister of foreign relations; that the latter had resigned; and that Gen. Huerta had thereupon been designated President. Now that, in our opinion, the culminating point of the question has been defined, it becomes appropriate to connect it with the government of the State of Sonora. The aforementioned article 103 of the federal constitution says that the governors of the States are responsible for infraction of the federal constitution and laws. Would not the recognition of Gen. Huerta as President of the Republic, now that it has been established that said presidency was occupied in express violation of the constitution, imply responsibility on the part of the governor of the State of Sonora? The constitution has been violated, and to approve this violation is to become an accomplice in the crime itself. Now, the undersigned committee believes that it behooves the Executive to make the declaration urgently demanded by the secretary of the interior of the Huerta cabinet according to the last of the exhibits sent to said Executive. But inasmuch as this assembly is in turn confronted with a question of the greatest concern to the destinies of the nation, and as it has a high patriotic duty to perform in these solemn moments of our history, the undersigned committee, on the strength of Section XIII of article 67 of the political constitution of the State, and in view of the statement made by the Executive in the official note serving as a basis for this report, has the honor to propose a bill (draft of a law) of the tenor given below. Honorable chamber, we believe that we have honestly and patriotically fulfilled our duty to pass upon the momentous matter submitted to our opinion. We are firmly convinced that the proposition which we have framed is that which is warranted by the dignity of our State; and if owing to the deficiency of our knowledge there should be any error in the opinion submitted to the most illustrious of you, we at least have the satisfaction of having fulfilled the duties imposed upon us by our conscience. The bill which we submit to the deliberation of the honorable chamber is as follows:

LAW AUTHORIZING THE EXECUTIVE TO REFUSE RECOGNITION TO GEN. VICTORIANO HUERTA AS PRESIDENT OF MEXICO.

ARTICLE 1. The legislature of the free and sovereign State of Sonora does not recognize Gen. Victoriano Huerta as provisional president of the Mexican Republic.

ART. 2. The executive is urged to utilize the powers conferred upon him by the political constitution of the State.

DECREE NO. 1.

ARTICLE 1. The branches of the Federal administration are provisionally (placed) in charge of the State and (made) subject to the laws and provisions of the latter.

ART. 2. The making of any payment, for the purposes referred to in the foregoing article, to any office not subject to the executive power of Sonora and existing therein is prohibited.

ART. 3. The said executive power shall provide for the organization and operation of the services belonging to the executive of the Union, attending to everything concerning the branches referred to.

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DECREE NO. 2.

ARTICLE 1. The frontier custom houses of Agua Prieta and Nogales are hereby qualified and opened up to international import and export trade.

ART. 2. In all matters contrary to the special laws and provisions of the State there shall be observed the general customs orders of June 12, 1891, and the schedules concerned, together with their additions and revisions in force.

ART. 3. The import duties are reduced 20 per cent and the 5 per cent additional which has been being paid is hereby abolished.

ART. 4. The exportation of cattle and horses shall be assessed as follows:

- (a) Cattle, \$2.50 a head.
- (b) Horses, broken in, \$10 per head.
- (c) Horses, wild, \$5 per head.

I therefore order this printed, published, and circulated for due enforcement.

Given at the palace of the executive of the State, at Hermosillo, March 24, 1913.

IGNACIO L. PESQUEIRA.

LORENZO ROZADO, *Secretary General.*

NOTE.—This document above is taken from the *Diario de los Debates* (Journal of Debates), of the City of Mexico, which in turn took it from the Official Gazette, of Sonora, and it was at the permanent session of the legislature of Sonora, held on March 5, that the committee gave the opinion referred to, and it was approved.

EXHIBIT 4.

MEMORIAL FROM A COMMITTEE REPRESENTING THE PEOPLE OF THE STATES OF PUEBLA AND TLAXCALA TO MR. LIND.

SIR: In our name and in that of the people of the States of Puebla and Tlaxcala, whose general and almost unanimous sentiments we voice, we address you with the request that you bring to the attention of His Excellency Woodrow Wilson the fact that, as a matter of equity and justice, and considering that he has heard the side of public functionaries and sympathizers of the Huerta Government and of some of the rebels in the frontier of our country, as well as the opinions of Americans residing among us, we, as the genuine representatives of the true people, be given a chance to give our views on the political situation of the country, as it would not be in keeping with the well-known sense of justice of His Excellency Woodrow Wilson to listen only to one side and to ignore the opinion of the Mexican people, expressed in divers ways, and which we know is regarded by you as the principal means to guide your opinion concerning the international issue of the day.

We trust that you as well as His Excellency President Wilson will regard this memorial as a mark of courtesy, shown in this way to you, the President of the American Union and the people of the United States, whose Chief Executive we regard as a sincere and great friend of ours.

We abstain on account of official persecution from sending you our credentials as the representatives we claim to be.

Although we feel certain that the Department of State in Washington must be in possession of ample information concerning the present political situation of Mexico, we nevertheless do not consider it officious to refer to the events which took place between the 9th and the 18th of February last, in order that you may hear the opinion of the people on the following points, to wit: 1st. The illegality of the Government of Gen. Huerta; second, the legality of the revolution of the Constitutional Party; and, third, the serious consequences which would naturally follow the recognition of the Huerta Government by that of the United States, and which would tend to definitely establish the same.

THE ILLEGALITY OF THE PRESENT GOVERNMENT.

First. The revolution of 1910 was an act by which the Mexican people invoked the right it had under article 39 of the Constitution of the Republic, which reads as follows:

"ARTICLE 39. The sovereignty of the nation is essentially and originally vested in the people. All public power emanates directly from the people and is instituted for its benefit. The people have at all times the right to alter or modify the form of its government."

If the revolution headed by Gen. Felix Diaz on February 9 had been popular, it would have been legitimate and justified, because then it would have been initiated by the only body of men who, under the constitution had the right to start it—that is, the people—and therefore

any Government emanating from a revolution of this kind will be recognized as a legitimate and justifiable Government.

As a matter of fact, the ostensible and apparent authors of the above-mentioned revolution were Gens. Bernardo Reyes, Felix Diaz, Manuel Mondragon, and Gregorio Ruiz, together with other officers of the army, who caused the men in the School of Aspirantes, of one regiment of light artillery, two regiments of mounted artillery, three regiments of cavalry, and the Twentieth Infantry to mutiny.

The people remained in an attitude of expectancy, due to its surprise and lack of organization, but its sympathy was with President Madero, and if it did not go to his rescue it was because the President did not call on the people. It was also because he still had faith in the discipline and loyalty of the rest of the army.

But while it is true that the people did not take up the defense of the Government, it did not join the rebels, for which reason the revolution was strictly military, and for this reason it lacked the sanction of article 39 of the constitution of Mexico. The rebels did ask the people to join them, but they were not in sympathy with it, and therefore the Government which resulted from the movement in question is lacking in constitutional foundation.

Second. Due to the fact that on February 15 of this year, His Excellency Henry Lane Wilson, convened several members of the diplomatic corps in the building of the embassy and informed them of the coming arrival in Mexican waters of several American vessels and transports with troops for landing, and that it was his firm and decided opinion that 3,000 marines would land on Mexican soil and march to the capital, the Mexican Senate, during an extra session held on the above-mentioned day, decided to ask the resignations of the President and Vice President of the Republic. This act was nevertheless unsuccessful.

We inclose herewith copy of the minutes of the session referred to, as inclosure No. 1.

In view of the above failure nine senators went, on the 18th of February last, to the office of the military commander of the City of Mexico, Gen. Victoriano Huerta, in order to induce him or convince him with all kinds of glowing promises to force the above functionaries to resign. Huerta finally acceded, and with his protection and complicity the above-mentioned senators called on President Madero in order to force him to resign. Having failed in their efforts, they called on Gen. Garcia Peña, minister of war, and told him that the army of the nation should depose the President of the Republic, but the honorable general refused to take the hint.

The decision of the Senate to which we have referred, as well as the acts of the nine senators which followed it, are unconstitutional, inasmuch as article 72, nor any other provision of the constitution, empowers the Senate or any of its members to request or force the President of the Republic to resign. Any senator or authority who does not act within the law and commits acts of violence or of a criminal character is criminally responsible for them, even though he may commit them in his capacity as a senator or authority of any character.

Third. The senators and Gen. Huerta having taken note of the firm attitude of the minister of war in favor of the President, Huerta and the senators, considered from that moment as rebellious to the executive power, directed Gen. Aurelio Blanquet to arrest the President and Vice President at the National Palace and to do this in the name of the army.

When this was done Huerta assumed power and sent all over the country the notice appearing as inclosure 2.

The above acts of violence are also unconstitutional inasmuch as they violate the provisions of the constitution of Mexico.

Therefore, the government which emanated from the second revolution is like the Felix Diaz uprising, contrary to the principles sanctioned by the constitution.

Fourth. The transitory government of Gen. Huerta was sanctioned by a pact signed by Huerta and Diaz, the former aided by Lient. Col. Joaquin Maas and Engineer Enrique Cepeda and the latter by Attorneys Fidencio Hernandez and Rodolfo Reyes.

Both rebel generals agreed through this pact to prevent by all means the reestablishment of the legitimate government represented exclusively by President Madero and Vice President Pino Suarez; and it was also agreed that Gen. Huerta would assume power at the earliest possible convenience. (Huerta had already assumed it on his own authority.)

We inclose herewith a full copy, under Inclosure 3, of the above agreement, called the pact of Ciudadela.

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It is evident that in order to establish the government of Gen. Huerta the constitution was completely ignored and supplanted by the Ciudadela agreement, which confined itself to sanction the military uprising, the acts of violence of Gens. Huerta and Blanquet, to depose the President and Vice President of the Republic, to divest them of their investiture, and to permit Huerta to usurp the executive power of the nation.

Things have developed since February 18 in such a way that there is no room for doubting that the above pact has been the directing force of the present government.

In fact, the first clause of the above-mentioned pact indicates without doubt that the murders of Messrs. Madero and Pino Suarez, immediately after the decision of the legislature of the State of Coahuila became known in the capital, and by which decision, dated the 19th of February, Gen. Huerta was not recognized as President of the Republic, were perpetrated with no other purpose than to prevent the reestablishment of the legitimate government.

ALL OF THAT IS CONTRARY TO THE PRINCIPLES SANCTIONED BY THE CONSTITUTION OF THE REPUBLIC.

Such is the origin of the government of Gen. Huerta, and it matters not that 72 hours later they may have attempted to give it a constitutional form, inasmuch as the old principle of international law which reads, "That which is null in principle is void in its effects," and more so if it is borne in mind that the whole thing was done to put into effect the pact of the Ciudadela, which is not, so to say, the Federal pact, which is the fundamental and supreme law of the land.

Now, then, all events from February 18 ahead and which gave rise to the government of Gen. Huerta, and in spite of the claim they make that it is a matter of "consummated facts," are criminal, illegal, and void and they are so considered in article 128 of the Mexican constitution, a provision which to this date seems to have been ignored, notwithstanding its importance as a fundamental law.

The article in question reads as follows:

"ART. 128. The constitution shall not lose its force and vigor, even though because of a rebellion its enforcement may be suspended. In case that by means of a public disturbance a government contrary to the constitution may be established, as soon as the people regains its freedom, the observance of it shall be enforced, and in accordance with it and with the provisions which may have been dictated pursuant to it, all those who may have figured in the government established by the revolution, and those who may have been their accomplices shall be tried."

This shows your excellency the full force of article 128 of the constitution against the government of Gen. Huerta, and this also shows the motives of basis of the constitutional rebellion which is growing in the heart of the people, and which shall not permit the continuation in power of Gen. Huerta, nor any other government emanating from a military rebellion.

Therefore, to make an effort to legitimize or to recognize the international character of a government which has emanated from a military rebellion, simply because of "consummated facts," means to set aside the constitution of Mexico, and to legitimize and recognize a crime which, though it may have been perpetrated, does not fail to be punishable, nor does it cause article 128 of the constitution to be inoperative.

An act of this kind would be the equivalent of recognizing the right of a thief to the thing stolen.

Therefore, the above pretension, being founded on so frail a foundation, is repudiated by morals, civilization, and common law; and for this reason the Washington Government would be responsible of committing a most lamentable moral and legal error should it recognize the government of Gen. Huerta as a legitimate government, and would recognize it as an international entity.

THE LEGITIMACY OF THE REVOLUTION OF THE CONSTITUTIONALISTAS.

First. If the people were lacking in organization at the beginning of the uprising in order to defend the rights they were divested from by the army which overthrew the Executive elected according to the laws, so soon as it has been able to organize itself into a body it has risen in arms against the usurper, invoking the principle sanctioned by article 39 of the constitution.

The above rights are at the base of the revolution and are deeply rooted in the heart of the Mexican people whose attitude tends to prove that neither public opinion nor the mass of the people have ever sanc-

tioned the present Government. There are a few newspapers in the City of Mexico speaking for the Government, but they do not represent the sentiments of the people or of the popular mind; they are voicing purely and simply the personal views of their publishers, all of whom are under the orders of the minister of gobernacion (Urrutia).

Second. The constitutional government of the free and sovereign State of Coahuila, acting in observance of a decree of its legislature, dated February 19, this year, by which the governor of the State was authorized to disregard the Government of Gen. Victoriano Huerta and not to recognize any of the acts emanating from this Government. Article second of the same decree of the legislature of Coahuila authorized the governor to arm troops in order to maintain the constitutional order.

Third. The Legislature of the State of Sonora, legally constituted and acting in accordance with the law, approved a decree by which the Government of Gen. Huerta was not recognized. A copy of the decree is herewith inclosed.

Fourth. Article 128 of the federal constitution vests the people with power and tacitly expects it to defend and maintain the integrity of the laws, when it reads "as soon as the people may recover its liberty."

Two constitutional decrees emanating from two legally constituted governments of two States are a sufficient base for the present revolution of the Constitutional Party. Those two decrees are its legal foundation.

III.

SERIOUS CONSEQUENCES OF THE DEFINITE ESTABLISHMENT OF THE GOVERNMENT OF GEN. V. HUERTA.

In the first place it would establish precedent for all the armies of the world, that they could rise in arms and depose their respective rulers and place themselves in their stead, if they would feel that the recognition of the world would be forthcoming simply on the plea of "consummated facts."

What happened yesterday in Mexico could happen in the future in Germany, Russia, England, or the United States, where, with reference to the latter country, the Republican Party, sympathizing with Porfirista, or Huertista party of Mexico, places President Woodrow Wilson on a parallel with Madero, and says that the spirit of the latter has reincarnated in the American President.

What would happen with the laws of a country if they were at the mercy of the army? What would happen to a country where the army instead of being the support would be the arbiter of the government? What would it mean to relegate the will and laws of the people to the caprice of the army?

In view of the above we believe that the "Mexico case" is of interest not only to our country, but it concerns all other nations. As a matter of precaution and future policy the Government of Gen. Huerta should not be recognized.

We are of the opinion that coup d'état should be suppressed forever, leaving the question of changing or modifying the form of government to the people, as vox populi vox dei.

The third Pan-American Conference, which took place at Rio de Janeiro, took the initiative by recommending that government growing out of an act of violence should not be recognized, and we hope that America may be the first to follow this principle in connection with the "Mexico case."

Besides, the government of Gen. Huerta is politically and financially connected with many European interests. It is stated soto voce, for example, that Mexico will not press the contention about the Clipperton Islands and will allow France to win out in payment of its recognition of the Huerta government.

It appears that it is on this account that Huerta revoked the appointment he had made of Llo de la Barra, as envoy near the court of Italy.

Spain is being given all kinds of encouragement to acquire practically full control of the land interests of the country.

All of the above acts are an outrage against the Mexican nation and contrary to the Monroe doctrine.

With reference to England, it is well known how important a rôle has been played by Lord Cowdray and to what extent he would rule were the Huerta government to become definitely affirmed.

As a consequence of the above Europe would increase its political, financial, and even military influence in Mexico, much to our detriment and contrary to the Monroe doctrine.

We will therefore propose, as a part of the opinions you may have gathered while here, for the information of His Excellency Woodrow Wilson:

First. That the government of Gen. Huerta be not recognized.
Second. That if Washington recognizes the government of Huerta, it should simultaneously recognize the belligerence of the rebels.

Third. That as a matter of humanity the decree which prevents the exportation of arms, ammunition, and war material to countries south of the United States be revoked temporarily.

We say that this be done as a matter of humanity in order to facilitate the means by which the States of the Mexican Union in hands of the Constitutional Party to pacify the country and avoid further bloodshed.

If otherwise, the Washington Government, acting under a strange moral rule or other motive, would recognize the Huerta Government and refuse to recognize the belligerency of the rebels, such act would serve only to prolong the state of war in this country, as the patriotic elements of the country would never give in nor tolerate the government of General Huerta.

We will say before ending that foreign residents will have the fullest protection from the constitutional rebels, and if the requests of the revolution are granted in full or in part this will serve to bring Mexico and the United States much closer in their diplomatic relations.

Please accept the assurances of our highest consideration.

In the name of the committee:

(Names omitted.)

To the Honorable JOHN LIND,
*Confidential Envoy of the President
of the United States of America.*

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