

Address delivered by James P. B. Hyndman, from Station WHAP, New York City, Wednesday, Aug. 25, 1926, on Americanism. Subject:

MEXICO

And he said unto me, It is done. I am Alpha and Omega, the beginning and the end. I will give unto him that is athirst of the fountain of the water of life freely. (Revelation 21:6.)

Christ's Christianity and Roman Catholicism cannot exist together. The divine precepts of Christ Jesus, and the blasphemies of popery, are antithetical, antagonistic, and irreconcilable. Christ's teaching is the Gospel of eternal life; popery and Jesuitism are in league with death. As utterly hopeless is a compromise between Christianity and popery, as is concord between Christ and Belial, or light with darkness. Christ is Truth; popery is a lie.

The Western Hemisphere was discovered, under command of the eternal Christ, by Leif Ericson, the young Norseman, in the year 1000; colonized by the Pilgrim Fathers, in 1620, and established by the Protestant patriots, on the principles of pure Christianity as expressed in Free Masonry, in 1776. Our Monroe Doctrine, written under the direct impulsion of Christ, and by command of God, forbids the presence of the European System, or Roman Catholicism, in "any portion of this (the Western) Hemisphere," as being "dangerous to our peace and safety." Therefore, in this mighty pronouncement, was begun the fulfilment of St. John's prophecy:

And the seventh angel poured out his vial into the air; and there came a great voice out of the temple of heaven, from the throne, saying, It is done. (Revelation 16:17)

This evening's address will deal with the Mexican Question from a three-fold standpoint: First, a plain, impartial and truthful synopsis of the history of Mexico from the earliest times down to our day; Second, Mexico, as well as Central and South America, and, we might add, Canada, in the light of our Monroe Doctrine; and Third, the judgment of Roman Catholicism, or anti-Christ, and its expulsion from America, as foretold in the Revelation of the beloved disciple, John.

By way of introduction, I wish to make it clear, that we, as a nation, have no right to interfere or intervene in the internal affairs of Mexico. The problem that is at this moment being worked out in Mexico, is entirely Mexico's affair, and it must be solved by the Mexican people. Nevertheless, one of our basic documents is that known as the Monroe Doctrine. Under the aegis of this pronouncement of President James Monroe, in December, 1823, the extension of the European system to "any portion of this (the Western) Hemisphere," is distinctly and expressly forbidden. I quote the

immortal and Christ-inspired words of President Monroe:

The American Continents, by the free and independent condition which they have assumed and maintain, are hence not to be considered as subjects for future colonization by European powers. We should consider any attempt on their part to extend their system to any portion of this hemisphere as dangerous to our peace and safety. With the existing colonies or dependencies of any European power we have not interfered, and shall not interfere. But with the governments who have declared their independence and maintain it, and whose independence we have, on great consideration and on just principles acknowledged, we could not view any interposition for the purpose of oppressing them or controlling in any other manner their destiny by any European power in any other light than as the manifestation of an unfriendly disposition towards the United States.

In a letter written on August 4, 1820, to Mr. William Short, Thomas Jefferson said:

The principles of society there (in Europe) and here, (and your speaker adds, which involves the ecclesiastical system and are based upon it) then, are radically different, and I hope no American patriot will ever lose sight of the essential policy to interdict, on the seas and territories of both Americas, the ferocious and sanguinary contests of Europe.

Our Monroe Doctrine was written a little more than one century ago. In that short period, which, in Bible chronology is but a tenth of a day, we have seen the power of Spain, the notorious agent of the popish system and the executor of its inquisition, expelled from the Western Hemisphere forever. The continents of the Western Hemisphere belong wholly to Christ, beginning with the United States of America, the American Federal Republic. These continents are Christ's peculiar land, wherein, at his second appearing, which is now close at hand, he will establish the Kingdom of Heaven on earth. There-fore, we behold, with awe, and with spiritual joy, the beginning of the utter expulsion of the anti-Christ system or popery, from the face of the whole Western Hemisphere, in strict conformity with the demand of the Monroe Doctrine, which was written by inspiration of Christ. As the little cloud warned Elijah of the coming storm, which he had predicted, so the present upheaval in Mexico is but the forerunner of the complete freeing of the American continents and peoples — including Canada — from the yoke of that essentially European system of political, civil and ecclesiastical despotism, known as Roman Catholicism, or Jesuitism, with its false doctrine of the "divine right of kings," who gain their power from the "supreme pontiff," so-called.

The history of Mexico forms one of the most interesting chapters in the story of the struggle of mankind, against the "powers of the darkness of this world." In the year 700 A.D., or thereabouts, the Toltecs settled in Mexico, and

brought with them a high civilization. They remained until about the year 1200, when they migrated to Central America, and the Aztecs took their place, and inherited much of their civilization. Humboldt says of the Aztecs, that their roads and highways rivalled those of the Romans; they were skilled in the arts and sciences, including astronomy and mathematics; they excelled in manufactures, which included threads and cloth, (the speaker has seen, in Mexico City, a map of the City of Mexico, worked in tapestry, by the Aztecs); they had a complete system of the signs of the Zodiac, identical with the Egyptian; a calendar stone, which is preserved to this day in the City of Mexico; pyramids, and other evidences of Egyptian culture, which as all students know, were really of Hebrew origin, the Great Pyramid of Gizeh having been built by Job. They were adepts in political and governmental science, having an elective or democratic monarch, or empire, which extended from the Atlantic to the Pacific, through a belt of territory in Southern Mexico. For more than two centuries, they had enjoyed a high degree of freedom and self-government, when, in 1520, the Spaniards, under Cortez landed on their shores, and subdued them by unspeakable cruelties. Their emperor, Montezuma, was kept a prisoner in the palace, where he soon succumbed. His successor begged Cortez to dispatch him with his own dagger, seeing he had robbed his people of their dearly-loved liberties. But Cortez and his followers lusted after the fabulous wealth of these people, whom Columbus, in his ignorance, had named Indians; and he subjected their chief to cruel torture, in order to compel him to reveal these treasures. But the Indian refused to break his silence, and he was executed.

Then began a reign of ecclesiastical oppression, which lasted for three hundred years. The Spaniards were always the representatives of the Romish hierarchy, and their conquests and colonization's were always in the name of so-called religion and of the pope. The Indians were reduced to the lowest degree of slavery and peonage, being removed from the ecclesiastical judges and governors by four steps, or four taskmasters. Fear and superstition, expressed through sacerdotalism, were the means of keeping the people in subjection. The absolute conquest of the entire Western Hemisphere, and its subjugation, to the authority of the pope, on the Scriptural basis, assumed to apply to him, that "I (God) will give thee (the pope) the heathen for thine inheritance, and the uttermost parts of the earth for thy possession," was the object sought by the conquerors. One author estimates that 15,000,000 Indians were destroyed, during the Spanish regime, by means of the sword, the stake, the horrors of the mines, and the Inquisition.

In 1810, a native Indian country priest, named Hidalgo, at the head of 100,000 Mexicans, raised the standard of independence, but he was quickly crushed, and executed two years later. Nevertheless, the spirit of independence had taken deep root in the Mexican heart, and the struggle continued, until, in 1821, Mexico formally announced her independence from Spain, and, in an outburst of national hysteria, proclaimed her deliverer, General Augustine Iturbide, Emperor. The usurpation by Iturbide of the powers of the Congress regularly constituted, under a Constitution adopted in 1824, resulted in his exile, and later, when he attempted to re-enter Mexico in disguise, in his apprehension and execution.

Mexico had won her independence; and now began a struggle between the

"Church Party" and the Radical Liberals, or patriots, with a third, or Moderate party. This struggle lasted for thirty years, during which period the Roman Catholic clergy gained control of about half the wealth of the nation, in real estate, jewels, silver and other precious alloy, alter railings for their churches, and costly vessels for church service. In 1853, the venerable patriot, General Alvarez, was elected President; and with his accession to power, which lasted only two months, begins the story of the great Mexican patriot, Benito Juarez, called the Mexican Washington. Juarez was a full blooded Indian. At the age of 12, he could neither read nor write; but being ambitious and intelligent, he was placed in the care of a rich patron, who gave him every advantage. So quickly did he progress in his studies, that he became the foremost Jurist in Mexico, besides being fired with patriotic zeal, to free his people from the ecclesiastical yoke of the Romish system. At the time that General Alvarez was elected President, Juarez was Governor of Cajaca. President Alvarez called him to become his Secretary of State, over the Departments of Justice, Ecclesiastical Affairs and Public Instruction. From this time, on to and through the period of the fiasco of Maximilian and the Empire, the story of Juarez parallels that of our own Washington. Cowardice and treachery, added to the implacable opposition of his foes, the clergy, or so-called "Church Party", and his own pure patriotic zeal, molded him into the outstanding patriot of Mexican history. If Washington had his Lee and his Benedict Arnold, Juarez had his Comonfort and his Santa Anna.

On November 22, 1855, President Alvarez proclaimed the Juarez Law, which abolished the whole system of class legislation, suppressed the military and ecclesiastical fueros, or privileged and special tribunals of the clergy and the army, and established, for the first time in the history of Mexico, the equality of the people before the law.

The Congress of 1824, under President Farias, adopted a law, by which 14 millions of dollars was to be raised from the property of the clergy; and in the event of the impossibility of the negotiations, then said property was to be sold, until the required amount was obtained. The clergy stirred up the people, to oppose the law and resist the government; and the property found no buyers.

In 1863 on the pretext of enforcing payment of certain debts, England, Spain and France sent warships to Mexico, to intervene in her affairs and replace the government of President Juarez with a monarchy. On representations made by the Mexican government, England and Spain withdrew, but France remained in Mexico City. The history of Spain, during this period, is closely interwoven with that of Mexico, for the struggle of the patriots of both Spain and Mexico against ecclesiastical and kingly tyranny, was going on simultaneously. The Holy Alliance sent the French Army into Spain in 1863, and compelled the Spanish patriots to restore Ferdinand VII to absolute power. In 1863 the French Emperor instructed his General in Mexico City to proclaim an Empire. A Council of three -- Almonte, the Archbishop, who represented the pope, and General Salas, an Indian chief — appointed a "convention" of notables, loyal to the Church Party, who proclaimed Mexico an Empire, and offered the crown to the Archduke Maximilian, of Austria. with the history of the short-lived Empire (1863-1867) we need not deal, except to observe, that the whole scheme, undertaken at a time when our own nation was torn by civil war, which was a part of

the same papal scheme, was for the purpose of destroying and abrogating our Monroe Doctrine, and reestablishing in the Western Hemisphere, the European system of kings and papal authority. But then, as today, Christ was on the field, to defend his land and the papal plot was frustrated, in the united States of America, by our beloved Lincoln, and in Mexico, by the noble Juarez. In the first, the Union was preserved, and in the second, the Empire was destroyed, the Emperor executed, and the Republican government restored.

The Constitution, as adopted in 1857, was largely based upon the Constitution of 1824. It provided for a free, republican government, very similar to our own, for separation of church and state, and for free public education. From Juarez to Carranza, or, from 1372 to 1914, many laws were passed, aimed at curtailing the arrogance and resistant attitude of the Church Party and the Roman Catholic Clergy; and these laws were incorporated, under the presidency of Victoriano Carranza, in the Constitution of 1917. Under the Constitution of 1857, every person who is a member of a profession, must register with the civil authorities. This is the chief clause against which the Church Party today is arrayed, and is the principal cause of contention, since to submit to it, implies submission of ecclesiastical to civil authority, which is anathema to the Roman Catholic hierarchy.

President Calles, as Governor of Sonora, expelled the priests from his State, and enforced prohibition in Sonora, making that State bone dry.

In John's description of the destruction of the "beast" and his kingdom, given in the 19th chapter of Revelation, we read:

And I saw heaven opened, and behold a white horse; and he that sat upon him was called Faithful and True, and in righteousness he doth judge and make war.

And I saw the beast, and the kings of the earth, and their armies, gathered together to make war against him that sat on the horse, and against his array.

And the beast was taken, and with him the false prophet, that wrought miracles before him, with which he deceived them that had the mark of the beast, and them that worshipped his image. These both were cast alive into a lake burning with fire and brimstone. (Revelation 19:11, 19, 20)

It was my intention to start my lecture with a brief synopsis of Mexican History, to bring out more clearly the reasons for our legislation. I love the history of my country for its romance; its big heart appeal and for the wonderful light it throws upon the life of a people misjudged, slandered, and abused by the prejudiced and the ignorant. But my time is so short that I will have to adhere to dry facts and will limit my theme to demonstrating the necessity for our legislation.

Let us take the religious situation first, and for this purpose I will quote from the pamphlet written by Mr. Arturo Elias, Consul General of Mexico:

An attempt is being made by the Catholic Hierarchy to rally Protestants in this country to their support in opposition to what are falsely termed "Religious Laws" in the Mexican Constitution. It was necessary to place these laws there because the Hierarchy of the Catholic Church departed from their spiritual mission and sought temporal power through special privileges.

This Hierarchy who inflicted the inquisition upon Mexico and who for many years tried to prevent teachers of other religions from establishing themselves there have now raised the false issue of "religious liberty" and upon these grounds are asking the Protestant clergy to join with the Catholic Church Hierarchy in arousing agitation against the Mexican Government whose only crime is carrying out the provisions of the Constitution.

In the interest of fair play I wish to place before you certain facts that will prove beyond the shadow of a doubt the real attitude of the Catholic Church Hierarchy toward the Protestant clergy in Mexico. One of the prominent members of the Catholic Hierarchy who specializes in Mexican affairs wrote a book a few years ago under the title "The Book of Red and Yellow". This book was published by The Catholic Church Extension Society of the United States of America. The author was Bishop Francis C. Kelley, very much in the public prints at this time denouncing the Government of Mexico and talking about the attacks on "religious liberty".

When Bishop Kelley wrote the book some laws had been promulgated against the asking of offerings or tithes. Because the Protestant clergy in Mexico refused to join with the hue and cry of the Hierarchy against these laws, Bishop Kelley charged that they wanted the laws because "they (the Protestants) desire the destruction of the Catholic Church." And again in referring to these "offerings" the Bishop insultingly asks "In their (the Protestants) mad desire to kill off the Catholic Church are not many of these reverend "generals" and "colonels" killing the goose that laid the golden egg for them? Bishop Kelley's reference to the Protestant officials as "generals and colonels" is due to his ridiculous claim at that time (the last revolution) "Almost to a man have these former salaried officials of American Protestant missionary societies entered the ranks of revolutionists"

Bishop Kelley in this book bitterly attacks the work of the Protestants in Mexico. He says nothing of the fine social work they have carried on there. But let the Bishop talk for himself. "For years they (the Protestants) have been working, but their

achievements have been practically nil. By this time people ought to know that a Latin is Catholic or nothing. When he loses his allegiance to the Church (the Catholic) he becomes an infidel or an atheist. Those who are swayed from the Catholic faith by Protestant missionary efforts land in the rank of open infidelity, enemies to all religion. If Protestants believe that the Catholic Church is Christian at all, why do they follow a plan which they know will destroy Christianity with the Church?"

Bishop Kelley further charges that Protestant missions have made no friends for the United States in Mexico but have raised up resentment against this country. The "resentment" that has been raised up has been by the efforts of the Catholic Hierarchy who resent the presence of any clergyman in Mexico but those of their own faith. Not content with this Bishop Kelley makes the outrageous charge that "Their (the Protestant Missions) very presence is taken as an insult by the enlightened people."

The writer is not addressing you either as a Catholic or a Protestant but as one who believes that all religious beliefs should be allowed to flourish among a free people. He believes however that the real sentiments of the Church Hierarchy should be known to those who are being appealed to for help in the fight the Hierarchy is making against the Mexican Government for the special privileges that it has enjoyed for so many centuries and which it has so sadly abused.

Arturo M. Elias
CONSUL GENERAL OF MEXICO

"Article 130 of the 1917 Constitution may be said to be the center around which the present storm in Mexico rages, its first paragraph restates the first paragraph in Article 123 of the 1857 Constitution, which we have referred to as the genesis of all the laws aimed at curtailing the special privileges of the ecclesiastical establishment in Mexico. It reads:

"The Federal authorities shall have power to exercise in matters of religious worship and outward ecclesiastical forms such intervention as by law authorized. All other officials shall act as auxiliaries to the Federal authorities."

Then the article goes on to state that:

"The Congress shall not enact any law establishing or forbidding any religion whatsoever."

It states that:

"The law recognizes no juridical personality in the religious institutions known as

churches."

and provides that:

"Ministers of religious creeds shall be considered as personality in the religious institutions known as churches."

and provides that:-

"Ministers of religious creeds shall be considered as persons exercising a profession, and shall be directly subject to the laws enacted on the matter."

Thus far Mr. Elias. By a special coincidence, on Nov. 26, 1926, Bishop Manning stated to the *New York Times* referring to the Malborough case, the following:

"Marriage is a civil contract, as well as a religious one, and the claim of any foreign Court, ecclesiastical or civil, to pass upon the validity of marriages, etc."

The exposition of this practical case seems to justify the paragraph of our Constitution referring to marriages and all other acts relating to the civil status of individuals.

"In these same declarations, above referred to, Bishop Manning goes on to say:

"This assumption of jurisdiction by a Vatican court has most serious implications and will be rightly resented by great numbers of our people. Our religious liberty in this country must be uncompromisingly defended against any such interference. This incident is a sharp reminder to those who love freedom, of the importance of maintaining complete separation of Church and State."

On November 27 an editorial under the title MARRIAGE A CIVIL CONTRACT appeared in the *Times* and I will quote from it to show how the editorialist feels when the same problems that confront us in Mexico are brought home to him. Amongst other considerations, he says:

"All modern States have taken control superior to that of any church over this whole question."

Then he goes on to say:

"The laws of England, like those of the United States, will see to it that all the rights and consequences which flow from a perfectly legal and duly consummated marriage are maintained in their integrity. Here is no case of a divided jurisdiction between

Church and State. That of the State is supreme and must remain so." If this be true in the United States, why not In Mexico?

This editorial clearly brings home that all modern States have taken a control superior to that of any Church; it also justifies that portion of Art. 130 of the Constitution of 1917 referring to marriages and all other acts relating to the civil status of individuals and brings out plainly why the law recognizes no juridical personality in the religious institution known as Churches.

Now, regarding the portion of Art. 130 which reads: "only a Mexican by birth may be a Minister of any religious creed in Mexico."

"No Ministers of religious creeds shall either in public or private meetings or in actual worship or religious propaganda, criticize the fundamental laws of the Country, the authorities in particular or the government in General; they shall have no vote, nor be eligible to office, nor shall they be entitled to assemble for political purposes".

This may seem rather drastic. Let us see the reason; we will find it in History.

There are two kinds of clergy in Mexico; the Mexican priesthood which in most instances has been patriotic, and the foreign clergy which forms the magnates and princes of the Catholic Church who have only sought their own benefit and have caused the country no end of strife and trouble, I will prove this statement.

I will not dwell upon the religious mutiny of the year of 1624, when Archbishop La Serna stirred a mob against the Viceroy Marquis of Gelves and expelled this latter from his own palace. The trouble was over the monopoly of seeds; the viceroy claimed that he had the right to this monopoly and the Archbishop made the same claim; in other words it was a fight between the Church in Mexico and the State, as to who had the right to exploit the poor ignorant Indians. I will only note in a passing way the expulsion of the Jesuits from Mexico decreed by His most Catholic Majesty the King of Spain, in 1808. The clergy started another mutiny but the Pope confirmed this expulsion, which goes to show that they must have been very obnoxious as it is not the practice of the Church to condemn its own, even if they be guilty.

On the 15th of September 1810, a Mexican Catholic priest Father Hidalgo proclaimed the Independence of Mexico; Fathers Matamoros and Morelos, also Mexican Priests, were his followers. All of them as well as their followers were excommunicated, unfrocked and sentenced to death. I have with me, copies of the edict of the Inquisition excommunicating Hidalgo and of his sentence of degradation. Both of these documents, drafted by the magnates of the Church, are very interesting but as there are ladies in my audience I cannot read them to you for they are conceived in such unclean subjects that my respect for women forbids me to repeat them in their presence. Should any one of those present be interested in reading these documents I place them at his disposal, either after I have finished my lecture today or at any time in the future. The foreign: Catholic clergy were the avowed enemies of Mexican Independence, and yet in the Declaration of Independence they managed to insert a clause to the effect that only the Catholic

religion will be tolerated in Mexico.

In 1847, during the War between the United States and Mexico, President Gomez Farias, in a supreme effort of patriotism, obtained a loan promising to repay five pesos for each peso loaned in order to equip the army to curb the invasion of the national territory. Congress enacted a law authorizing the Government to sell property of the Church to the amount of 15,000,000 pesos to provide funds for the campaign and this was done because the Church was the only institution in Mexico that had any sufficient capital to finance the State. The clergy preached, wrote in the press and in several other ways incited the people to rebellion until the army, which had been organized with such tremendous sacrifice and effort, instead of marching to fight the invaders, revolted and fought against its own countrymen in the streets of the City of Mexico. Must I recall again the incidents of the Mexican Empire when the clergy imported an Austrian Archduke Maximilian and caused war that cost thousands of human lives, culminating in Maximilian's execution at the Cerro de las Campanas?

This, from an historical viewpoint. Let us make some moral considerations. When Christ was asked one day "Shall we summons a legion of angels or will you make fire rain upon the City because it did not receive us?" and Christ answered; "Ye know not to what spirit ye belong" and the Catholic glossarist say, referring to this passage: "The spirit of Christ Is not that of revenge or ferocity, but of meekness". Does this In any way suggest the present boycott started by the Catholic Church in Mexico?

St. Ambrose, a saint and one of the Fathers and authorities of the Church says: "*NIHIL ECCLESSIA SIBI NISI FLIEM POSSIDET*" which means in English "THE CHURCH OWNS NOTHING FOR ITSELF BUT THE FAITH. " Does this in any way show us how the Church acquired four fifths of the total wealth of Mexico, as stated by Baron Von Humbolt who studied Mexico under all its aspects, fully, throughly, and intelligently?

The clergy in Mexico has not taught the Catholic the spirituality of religion. To prove this I will quote from the instructions left by the Viceroy, Duke of Linares to his successor the Marquis de Valera, The Duke says: "Most Catholics here in Mexico think that by hanging a rosary from their necks and kissing a priest's hand they are Catholics". And then he goes on to say, "and I even have doubts as to how they commute the Ten Commandments by Ceremonies". That was true then, and is true today; and in this way they have left to the misguided Catholic of the poor classes of Mexico only the exterior forms of worship which constitutes religion, his consolation, his only hope. Naturally; he has been exploited, reviled, overburdened with work, kept in ignorance by those who could have helped him, the priests and the unscrupulous capitalists who have formed close alliance and his only hope of happiness lies in the reward of the hereafter. He is disillusioned; he expects nothing in this world and is treasuring his happiness for the next. Can you realize now, how much the salvation of his soul means to him? And his only hope for salvation lies in the exterior forms of worship: Mass, confession and sacraments. And the Mexican clergy has been heartless enough to refuse the poor man, and I say the poor man

because the rich are still having their masses and their sacraments at home because they can pay for them. Behold the poor Mexican Catholic without hope of salvation and without consolation in this world. I beg to correct the foregoing statement. There is one consolation in this world, left him; his pulque, the national drink, the curse of Mexico; his pulque that makes him forget his God and feel like a god while the effect lasts ***** and pulque la not Included in the boycott list because the pulque lands are owned by the friends and abettors of the clergy.

Now, to make the entire situation clear, I will say that the Government Is not fighting the Catholic or any other religion; that it has not closed the church-es to worship; that it has not interfered with the Faith. The Government legislated, according to past experience and the Church refused to comply with the law stating that it cannot do so; they have challenged the Government and suspended worship. And the Church is infallible. Yet, this same infallible Church, on the 11th of September 1753, accepted from the Crown of Spain the following restrictions: That said Crown would appoint bishops, archbishops, superiors of monasteries, etc., and furthermore that no church, cathedral, chapel, parochial church, monastery, convent, etc., could be founded without permission of the Crown of Spain, etc. Why then, the reluctance to comply with the present laws of Mexico which are far less restrictive? Was the Church infallible when it accepted the sovereignty of the Spanish Crown or it is infallible now, when it refuses to recognize the authority of the Mexican Government?

There is a claim that the Catholic Church has been a great educator In Mexico. This, I have been unable to confirm but In my research I have found in the statistics that although the Catholic Church was In practical control of the country 400 years, in the year 1910 it had 80 per cent of illiteracy and In 1926, it has only 62 per cent. In other words, it took the Catholic Church 400 years to educate 20 per cent of the population, while the present regime has been able to educate 18 per cent in 16 years. Draw your own conclusions.

I will go now briefly into the Article 27 of the Mexican Constitution, another point of controversy. Older men, wiser men, infinitely more capable than I am, have studied this question thoroughly. I shall merely repeat their opinions:

Section 1 of Article 27 reads:

1. - Only Mexicans by birth or naturalization and Mexican companies have the right to acquire ownership of lands, water and their appurtenances, or to obtain concessions to develop mines, waters or mineral fuels In the Republic of Mexico. The Nation may grant the same right to foreigners, provided they agree before the Department of Foreign Affairs to be considered Mexicans in respect to such property, and accordingly not to invoke the protection of their Governments in respect to the same, under penalty, in case of breach, of forfeiture to the Nation of property so acquired. Within a zone of 100 kilometers from the frontiers, and 50 kilometers from the sea coast, no foreigner shall under any conditions acquire direct ownership of land and waters.

Similar laws to the provisions contained in the organic law of Section 1 of Article 27 exist in other countries, to wit; in the State of Arizona, U. S. A., by

the law 4716, passed in 1913, only citizens of the United States or those who have declared their intention to become naturalized, are permitted to acquire real property. The same law establishes, furthermore, that no corporation with a capital of which more than thirty per cent is in the hands of stockholders who are not American citizens or who have not declared their intention to become such may acquire lands nor titles of them, nor interests in them and consequently provides that no foreigner may acquire title to any land or real estate within the State.

In the State of Illinois there exist similar provisions but with greater restrictions, this law only granting a period of five years in which foreigners must dispose of the properties which they have and, if they fail to do so, their lands will be confiscated to the benefit of the State of Illinois.

Investors in Mexico will enjoy protection, since the means provided by the laws and the aims of Mexico tend only to consecrate, as other nations do, the principle that the laws and courts of the country are only institutions competent to protect the interest vested in the country and resolve on matters regarding them.

Insistent publications have been made by the press to this effect that the organic law so much discussed is retro-active and confiscatory and that it requires foreigners to waive their own nationality in order that they may acquire real property in the Republic. Although the provisions of the law that are said to make it retroactive or confiscatory have not been specifically quoted, the following observations show how unjustified these charges are:

The organic law in question is not retroactive. Article Fifth clearly states that the rights dealt with by the law and which were legally acquired by foreigners prior to its enforcement shall be kept by those who have acquired them until their death. If previously acquired right is conserved until the extinction of its holder, it can in no wise be alleged that the right is injured. It has been argued in this respect that the present holder will not have the right to transfer his properties to his foreign heirs and that, in this way, a right acquired prior to the law is injured. Such reasoning, in spite of its apparent truth, is sophistical. Should a state be deprived of the liberty of modifying its laws at any time, it would be prevented from further developments in juridical matters. Every sovereign state can modify existing individual rights, and it is a matter pertaining to the state itself to weigh the advantages and disadvantages which a new law may have to the community. If it is true, and a fact perfectly accepted by International law and by all the civilized nations of the earth that it is a sovereign right of every state to legislate on inheritances to the point of absolutely transmitting the property of a deceased person to another, no one can doubt that the Government of Mexico has the sovereign power to impose conditions for the acquisition of property by hereditary right from a person deceased. In fact, in cases where the acquisition by foreigners is not absolutely prohibited by the law, the foreign heir of a deceased foreigner may acquire the real property, waters, mining concessions, etc., which consti-

tute the Inheritance by simply fulfilling a condition required by the Mexican law to facilitate to foreigners the alienation of real property which might come to them by inheritance and which they cannot keep on account of absolute prohibition of the law or because they will not fulfill the requirements of considering themselves as Mexicans in regard to those properties. Article Sixth of the law grants them a period of five years in which legally to dispose of them. As it will be seen, the law, far from injuring acquired rights, is extremely lenient to foreigners since it affords them ample opportunity to comply with the provisions of the Republic.

According to the Constitution of the Republic, foreigners are forbidden to acquire domain over lands and waters or concessions to develop mines or mineral fuels in the territory of the Republic. The State has the right, through the Department of Foreign Relations, to grant to foreigners permission to acquire the aforementioned rights. This permission is granted with the requirements that foreigners agree to consider themselves Mexicans regarding those properties. This means that the foreigners are not going to acquire any more rights, in relation to those properties than the rights which Mexican citizens enjoy; that is, they will not ask for the protection of their Government, just as Mexicans may not ask the assistance of Foreign Governments against their own, and furthermore, that the investments of foreigners in Mexico, from the moment they are made, be done with the express understanding that they will have guarantees and recourses which the laws and the Courts of the Country grant to all citizens, thus avoiding that they may enjoy a privileged situation as compared with that of the nationals.

As a closing statement I will say that on October 21st, 1926, the "Cia Petrolera del Aguila" which includes all the British oil interests in Mexico with holdings of 200,000 acres, "La Corona" representing the Dutch interests and several other concerns, have voluntarily complied with the provisions of the Petroleum Law. This requires no further commentaries.

James. P. B. Hyndman