

Los Angeles, California, USA

State of California, County of Los Angeles.

Alfred B. Lyon, being first duly sworn, deposes and says; That he is fifty-five years of age and was born at Lyons, Burt County, state of Nebraska, United States of America on Dec. 7, 1872. His father was Waldo H. Lyon and his mother Margarette Anne Lyon, both deceased. He further states that he is now and always has been a citizen of the United States of America, that he was a resident of the republic of Mexico from 1901 to 1919, with the exceptions of a number of short visits he made from time to time to his home at Lyons, Nebraska; that on January 7, 1928 he removed from Lyons, Nebraska to Los Angeles, California where he now resides at 5234 Longacre Avenue.

Deponent further says that after having been actively engaged in assisting in the construction of the Pan American Railroad from San Geronimo, State of Oaxaca, Mexico, to Tonalá, State of Chiapas, Mexico from 1901 to 1904, and believing that the opening of said Pan American Railroad through the rich coast country between Tonalá and the frontier of Guatemala would greatly enhance the value of land, cattle and horses, etc., in this district, he retired from the railroad service and devoted his attention to purchasing lands and developing them. During the year 1904, he purchased the haciendas San Pedro, Los Patos and Valdivia, all situated in the department of Tonalá, State of Chiapas, Mexico. The haciendas San Pedro and Los Patos joined their entire length from the mountains to the Pacific Coast and comprised approximately 63,000 acres. The hacienda Valdivia, with its "annexas," (adjoining lands bought by deponent shortly after his purchase of Valdivia) contains about 15,000 acres. Each of these haciendas he purchased "con todos sus llenos," that is with everything belonging to and contained in them, including all real and personal property, such as all cattle, horses, mules, milch cows, oxen, carts, tools, machinery, merchandise and other equipment - in fact everything on the hacienda.

Deponent further says that owing to the loss of the original inventories, as well as all his other account books, papers, documents, etc. taken away or destroyed during the raid on San Pedro and other surrounding haciendas and ranchos in February 1916, by General Tiburcio Fernandez and General Augustin Castillo, among the best known Villista commanders in Chiapas, he is unable, through no fault of his own, to state the exact number of horses, cattle, mules, oxen, carts etc. purchased with these haciendas; nor from time to time afterwards, nor the amounts expended for different improvements made at the various haciendas, nor the amounts or number of animals sold from time to time. However he was so thoroughly familiar with these amounts, in general, that he knows and states that each and every one of the amounts and numbers hereinafter given are approximately correct, and that if they err it is being underestimated and not overestimated. In fact, a great many losses, amounting to thousands of dollars, are not included in deponent's claim against the Mexican government for losses suffered during the revolutions in Chiapas from 1910 to 1919. These include merchandise always kept in the hacienda stores; many guns, rifles, revolvers, ammunition, household and kitchen furniture, clothes, trunks, many hogs, chickens etc., etc. The principal personal property purchased with the three above mentioned haciendas consisted of approximately 5000 head of cattle over 1 year old; 700 head of saddle horses and mares, 150 head of oxen, 300 head of milch cows and 70 carts.

Deponent further says that soon after purchasing San Pedro, Los Patos and Valdivia he began to improve them and expand his operations. He purchased over 1000 head of breeding capital, including the fine milking herds of Senor Juan Castillejos and Senor Antolin Balboa of La Punta, department of Tonalá, Chiapas, comprising some 800 head of the best cows in the department of Tonalá. These operations were conducted and payments made through the house of Cueto & Co of Tonalá, Chiapas. Deponent also purchased many cattle from time to time, both steers and breeding cows; so that his herds constantly increased in this manner, as well as by the large crop of calves dropped on the various

haciendas and branded each year. It was his custom each year to sell all the mature fat steers, as well as any cows or heifers found defective for breeding purposes.

Deponent further states that about the year 1906, he purchased for \$10,000 American gold the mule and grading outfit belonging to the Pan American Construction Co. And consisting of some 60 large American mules, with imported American harnesses, two large American wagons, about 30 steel axle American rock carts, complete outfits of carpenter and blacksmith tools, etc. In 1907, he purchased from Curtis Bros. Mfg. Company of Saint Louis, Missouri, U.S.A., a large complete sawmill, together with an 80-horsepower engine and 100 horsepower boiler, cutoff saws, planers etc., costing \$6,100 American gold on the cars at San Pedro but not including any cost for erection of the mill. Both of these purchased were made through Cueto & Co. Of Tonalá.

Deponent further says that during the year 1910, he transferred all his interest in the real property of the hacienda San Pedro and Los Patos to the Mexican Land Securities Company of Kansas City, Missouri, U.S.A., but retained the ownership of all the personal property of these haciendas, excepting a few saddle horses and a small amount of other personal property of but little value. The property thus retained by deponent included the saw mill above mentioned. By the agreement of sale, deponent was given two years to remove all his cattle, horses, mules and all his other personal property from the haciendas San Pedro and Los Patos, with the understanding that he could have longer time for this purpose, provided the land was not needed by the said company or by future purchasers of the land.

Deponent further says that he then increased his activities at his hacienda Valdivia to accommodate a larger number of cattle and horses and began his development at the hacienda San Pablo to accommodate more of the horses and cattle. He then moved a large number of cattle, horses, mules, milch cows, oxen, carts, tools, wire fencing and other equipment to the hacienda Valdivia, so that by the year 1914, the hacienda Valdivia contained approximately 3000 head of cattle, 250 head of horses and mules, 400 head of milch cows, 60 head of oxen, 25 ox carts, together with tools, merchandise and a great deal of other equipment. There still remained at the haciendas San Pedro and Los Patos over 2000 head of cattle and more than 500 saddle horses and mares belonging to deponent and branded with his brand, which had not been removed when conditions caused by the revolutions became so bad that no work could be done and in a short time everything had to be abandoned and what horses and cattle had not been stolen or driven away by thieves and bandits, irregular forces, or forces of the de facto or de jure government or other revolutionary force, became as wild as deer (simaron¹¹) and took refuge in the dense tropical jungles or the nearby mountains and became a total loss.

Deponent further says that when he first commenced to develop his haciendas and expand his interests in the department of Tonalá, Chiapas, or about the year 1904, Mexico was in a prosperous condition, the country was tranquil, ample protection and assistance was given to foreigners and foreign property by the highest as well as the lowest authorities. The policy of the government to aid and encourage outsiders to come in personally, invest their money, and invest in the development of Mexico and her tremendous natural resources, was manifested continually in many ways. Even petty thieving was not tolerated and was surely punished with most severe penalties. The local authorities, especially, were very friendly and gave ample cooperation and protection to strangers. Good will and friendliness prevailed among the peons and other laborers, as well as among the people everywhere, whether in town or country. Gradually, as the revolution begun by Francisco Madero and continued by Venustiano Carranza and others, progressed, the peons and laborers working upon deponent's haciendas, became more and more restless and harder to manage; more and more independent, and finally many of them became insolent and refused to work until ~~many~~ most of them went away; many of them to join the varios bands of bandits, or the revolutionary forces, others became thieves either by themselves or in small groups; while a mere handful remained at the various haciendas living a life full

¹¹ Cimmarón

of peril and hardship due to the many raids constantly being made by roving bands of bandits, revolutionary forces and others, who robbed them of every thing they had, frequently, and even killed some of them. As a result of continued raids by bandits, petty thieves, revolutionary forces, irregular forces and even forces of the de facto and de jure governments, as well as lack of laborers to care for them, the various herds of cattle and horses became unmanageable, and in time from being almost continually pursued, shot at, trapped, and harassed over a long period of time, they became wild and took to the jungles and mountains; until, where there had been thousands of cattle and horses, quietly grazing on the plains at the various haciendas, there could scarcely be seen a single animal during the day time and with difficulty at night.

Deponent further says, that from the loss of horses, cowboys (most of whom fled in fear or ran away to join some of the revolutionary or roving bands of thieves and bandits) and equipment with which to care for the cattle, rounding them up every few days in the numerous corrals and ranches to care for the calves as well as the grown animals, looking after any screw worms and wounds or sores that they might have; this together with the fear of the cowboys and ranch men to even live at the hacienda _____, let alone living isolated at the various ranches; all caused a complete abandonment of this work, with the consequent result that the cattle and horses became wild, , losses from lack of care were great and losses caused by the visits of thieves, bandits, irregular forces, so-called revolutionary forces belonging to the forces of Francisco Villa and others, who drove off, shot, slaughtered and stole large numbers of cattle and horses, practically depleting completely the various herds. In many, many cases, cattle and horse were taken by order of officers commanding government troops, who were either passing through the haciendas or were located in cuartels in the nearby towns and cities. Hundreds of horses were taken for mounts, until the whole department of Tonalá, as well as a great part of the state of Chiapas contained but few horses that could be ridden.

Deponent further says that every year sold all fat fat steers, as well as a considerable number of cows and heifers, which were no longer desired for breeding purposes due to some defect. He was, however, constantly purchasing cattle from other owners, so that his own herds gradually increased from year to year, until the disturbed conditions of Mexico, due to the revolutions over a long period of years, caused great losses to his herds so that he was compelled to abandon completely his business.

Soon after 191__ petty thieving of cattle, horses, timber etc. by people living near the various haciendas and in the nearby towns began on a considerable scale and gradually increased during the revolutions until it became one of the principal sources of losses. Deponent repeatedly complained to the appropriate Mexican authorities, both civil and military, asking that the thieves be punished and their activities curtailed. Nothing was ever done and the best he could obtain was promises which never materialized. Later on, when conditions became much worse, deponent, as well as his manager Arthur Gordon, repeatedly applied to the local and appropriate Mexican authorities for aid and protection, but could obtain none. In fact, during the some of the most important raids by revolutionary forces and forces belonging to Francisco Villa, practically all of the local officers and authorities in the nearby towns and cities fled to the timber or mountains and hid themselves for nearly a week at a time, leaving the towns without any kind of authority. Even the local police, *presidentes*, *alcaldes*, *ayuntamientos* and all local authorities fled, there remaining absolutely no authority of any kind in the towns for days at a time.

During most of the time from 1914 to 1919 the towns in the department of Tonalá had no federal troops for protection, or only a very few. In fact, many of these towns depended upon their own voluntary forces to protect themselves from bandits and revolutionary forces; and the local authorities could not protect the outlying haciendas had they so desired. As the revolution continued, and particularly after the world war commenced, the personal animus of all classes against Americans in general increased; this made the securing of protection and punishment of thieves and bandits by the local authorities impossible to procure.

The first large serious loss suffered by deponent was in the year 1914, at the time of the landing

of the Armed American Forces at Vera Cruz, Mexico, when deponent and all other Americans in Chiapas were arrested and conducted out of the country by order of the Mexican government without any warning or opportunity whatsoever, to arrange their business affairs; and compelled to leave everything abandoned for six or eight months. During this period a large number of cattle disappeared from the deponent's haciendas, numbering over 800 head. Many horses, much timber and other articles were taken during this time.

Deponent further says that the first important loss caused by raids, was a raid by so-called revolutionary forces, claiming to belong to the command of Francisco Villa and who were under the command of one Colonel Culebro, well-known Villista leader in Chiapas during the early revolution. This raid resulted in the loss of most of the best saddle horses at the haciendas San Pedro and Los Patos, together with many saddles, machetes, lariats, bridles etc. Numerous raids followed, either by the so-called regular revolutionary forces, who claimed to be followers of Francisco Villa, or by irregular forces of various kinds. One of the largest and most disastrous raids was made in February 1916 and was led by General Tiburcio Fernandez (afterwards governor of Chiapas and senator to the national congress at Mexico City) and General Agustin Castillo, two of the best known and able leaders in the state of Chiapas. Other bands operating in this region and making repeated raids were led by the Macias brothers, the so-called "Pancho Villa" of Chiapas, and many others. Most of the forces, particularly those coming from the valleys of Villa Flores and Corzo were known of the coast as "*mapachies*²," because of their depredations.

These raids were so many and covered such a long period of time that it was impossible to know what was taken at this time, what at that time, or by what forces, except on a number of outstanding occasions. Besides, thieves and bandits were constantly operating on their own account, taking advantage of the confusion caused by raids of the larger revolutionary forces.

During one of the principal raids at San Pedro and Los Patos and led by the above-mentioned generals Tiburcio Fernandez and Augustin Castillo, the main office of deponent at San Pedro was entered and all books of record and papers pertaining to the various activities of deponent, including all day books, cash books, journals, ledgers, inventories, books of sales, time books, payrolls, and all other papers, books and documents were taken and destroyed or carried away; so that when deponent and his manager Arthur Gordon entered the office soon after the raiders had withdrawn, they found only a few scattered and torn papers of little or no value. Even the two steel safes, one large and strong and the other smaller were broken open and their contents, consisting of valuable papers and documents, books of account, some money and various other things were taken and carried away.

Deponent further says that during all these raids on the various haciendas by Villista forces, irregular forces and others, or by thieves, bandits and even government forces, the barbed wire fences were repeatedly cut and during the worst years of the revolution the barbed wire (having become very scarce and high-priced because of the world war) was rolled up into rolls, stolen and carried away to be sold. At the hacienda Valdivia practically all of the barbed wire fences around the pastures of zacaton³ and Para grass, as well as numerous other long fences around and across the hacienda in various places were cut to pieces and the wire carried away a little at a time, until practically no wire was left, more than 400 rolls being thus carried away. The 500 hectares of zacaton and Para pasture at Valdivia became thus a total loss and grew up to underbrush, thorny trees and thick stunted second growth timber. The large hacienda house at Valdivia, costing approximately \$3000 American gold, as well as the many smaller houses for peones were all abandoned and became, in time, a total loss. Much of the valuable timber at Valdivia, such as Spanish Cedar, mahogany moro, lechemaria, lumbrecero, juanacastle & zacacera, was stolen or burned by the numerous fires which raged every year during the

2 Mapache in Spanish is 'raccoon,' with a secondary meaning of rascal..

3 Sacatón

dry seasons, there being no one to protect the hacienda and care for things during much of this time deponent estimates that there were over 1,500,000 feet of timber, mostly Spanish cedar, thus destroyed.

As a result of the revolutions in Mexico and Chiapas covering a period of about 10 years, as well as the unsettled conditions which continued for years after the revolution, in fact, which have continued up to date; there has been a great lack of confidence in the future, not only due to the fear of revolution among the Mexicans themselves, but to the general consternation caused among all foreign property owners in Mexico due to the extremely radical constitution adopted by Mexico in 1917, and the interpretations given that constitution by congressional legislation and by executive decrees. Especially has that part of the constitution, as interpreted by the Mexican president and congress (which provides that the owners of all lands within a zone of one hundred kilometers from either frontier or fifty kilometers from either coast, can sell said lands only to a Mexican citizen or a Mexican controlled corporation; and at their death their legal representatives or heirs will be compelled within five years to sell said land to a Mexican citizen or a Mexican controlled corporation, been particularly destructive to deponent's interests, as all his land and other property is located within fifty kilometers of the Pacific Ocean.

Consequently during all these years, deponent says he has not been able to use his lands himself or sell them to others to develop; or borrow a dollar upon this land as security. During some ten to fifteen of these years, these lands could not be used by anyone due to the revolutions and unsettled conditions for a number of years thereafter. Even after some semblance of order had been restored in the state of Chiapas, the lands could not be improved old sold due to the constant fear of what the final and definite stand of the Mexican government would be as regards the interpretation of the Constitution of 1917, in so far as it relates to lands owned by foreigners withing the prohibited zones; or does deponent know to date what that attitude will be.

The result has been that deponent has been deprived of the use of his lands all of these years, although he has up to the present date paid all taxes due to the Mexican government on said lands, and although for many years he was compelled to pay unjust taxes upon cattle, horses, oxen, tools, pastures and many improvements which had long before been destroyed as a result of the revolution; and only after many applications to the appropriate Mexican authorities, the expenditure of considerable money, and finally of visits to the hacienda by Mexican officials who reported the hacienda to be completely ruined and stripped of all cattle, horses, etc., etc., was he finally enabled to secure a considerable reduction of taxes.

Deponent further says that he invested in lands and personal property in the department of Tonalá, State of Chiapas, Mexico over \$125,000 American dollars and that he considers this investment of nearly twenty five years a complete loss, and that now in advanced age he is compelled to earn a small wage with which to barely support himself and family.

Deponent further says that the following, expressed in terms of American currency or gold dollars, is an itemized account of his claim against the Mexican government.

I - Losses at the hacienda Valdivia			
1	For 2000 head of cattle over one year old	at \$25 per head	\$50,000
2	for 100 head good saddle horses	at \$40 per head	\$4000
3	for 50 head good mares	at \$15 per head	\$750
4	for 20 yoke of oxen	at \$100 per yoke	\$2000
5	for 15 steel axle special-wheeled carts	at \$70 each	\$1050
6	for one large ranch house for foreman		\$500

7	for 10 small ranch houses for laborers	at \$25 each	\$250
8	for one large adobe hacienda house		\$3000
9	for 300 rolls barbed wire	at \$5	\$1500
10	for 500 hectares of zacaton and Para pastures	at \$40 hectare	\$20,000
11	for loss of Spanish cedar trees		\$5000
12	for loss of moro, lechemaria, zacacera and other timber		\$5000
		Total	\$93,050

II- Losses at the haciendas San Pedro and Los Patos

1	For 2000 head of cattle over one year old	at \$25 per head	50,000
2	for 300 head good saddle horses	at \$40 per head	12,000
3	for 500 head good mares	at \$15 per head	\$7,500
4	for 12 yoke of oxen	at \$100 per yoke	\$1,200
5	for 10 steel axle special-wheeled carts	at \$70 each	\$700
6	for saw mill machinery and mill		\$5000
		Total	76,4000

III - Losses at the Hacienda San Pablo

1	For 400 head of cattle over one year old	at \$25 per head	\$10,000
2	for carts, tools, merchandise etc.		\$1000
3	for 40 head good saddle horses	at \$40 per head	\$1,600
4	for 15 head good mares	at \$15 per head	\$225
5	for 50 rolls wire	at \$5 each	\$250
		total	\$13,075
		total loss Valdivia	\$93,050
		Total loss San Pedro	76,4000
		total loss San Pablo	\$13,075
		Grand total	\$182,525

Deponent prays that he be allowed, in addition to the amount of the value of the property destroyed or stolen, as above detailed, a further sum for interest on the amount of said claim over a period averaging fifteen years, at a rate of interest to be determined by the commission as it sees just and proper. In case that this interest cannot be allowed he respectfully prays that this amount be awarded to him as rental loss during that period of time.

On this _____ day of _____, 1928, before me the undersigned a notary public duly commissioned and residing in said county, personally appeared Alfred B. Lyon, to me personally known, to be the identical person whose name is signed to the foregone instrument and be duly acknowledged the same to be his voluntary act and deed. I do hereby certify that I have no interest in the claim to which the foregone document relates and that I am not agent or attorney of any person having an interest in such claim, and that I am not in any wise or in any degree related to any person having an interest in said claim.

In testimony whereof I have hereunto set my hand and seal the year and the date last above written.

Notary Public