

ARIZONA LAW REVIEW

VOLUME 12

SUMMER 1970

NUMBER 2

CONTENTS

	<i>Page</i>
IN MEMORIAM: J. Byron McCormick	243
 ARTICLES	
The Old Order Changeth: The Department of Justice Under John Mitchell <i>William H. Rehnquist</i>	251
<p style="margin-left: 40px;">In a speech delivered to the Honors Convocation of the University of Arizona College of Law, the author contrasts the role of the Department of Justice under Attorney General John Mitchell with its role under former Attorney General Ramsey Clark.</p>	
I am the Prison <i>Richard Lorne Hunt</i>	261
 SEMINAR ON THE LAW OF REAL PROPERTY ACQUISITION IN MEXICO	
Introduction	265
Investment in Real Property in Mexico: An Overview of Constitutional and Statutory Restrictions <i>Gilberto Gutierrez Quiroz</i>	270
<p style="margin-left: 40px;">The background of fear and distrust of foreign ownership and control of land and investments resulted in constitutional and statutory limitations on the acquisition of real property in Mexico. The author briefly describes the historical setting that led to the present restrictions and comments upon the various methods available for the acquisition of real property in Mexico by foreigners.</p>	
An Introduction to Secured Real Estate Transactions in Mexico <i>Octavio Rivera Farber</i>	290
<p style="margin-left: 40px;">The Mexican law of secured real estate transactions offers various methods for the perfection of security interests. The author describes the most common of these methods and briefly outlines the rights and duties of the parties to the transactions.</p>	
The Mexican Land Registry: A Critical Evaluation <i>Boris Kozolchyk</i>	308
<p style="margin-left: 40px;">The Mexican land registry system is a hybrid incorporating French, Spanish and German features into a scheme for protection of third parties. The author examines the degree of protection afforded by the Mexican system and compares it to the systems from which it was derived. He concludes, contrary to other contemporary evaluations, that, despite a sound conceptual basis, the Mexican land registry system is not properly implemented and breeds considerable uncertainty. In an appendix to the article, Professor Kozolchyk has translated pertinent portions of the most important decisions of the Mexican supreme court concerning land registration and third party protection.</p>	

The Mexican Mining Concession—Its Features,
Regulation and Practice *Gustavo J. Perez* 356

The author describes the Mexican mining concession and the requirements which must be met in order to obtain such a concession and thereafter properly mine it. Attention is directed to corporations that engage in mining operations, their common practices, and the special conditions imposed upon them by the Mexican government.

A Select Bibliography on Mexican
Real Property Law *Eugenio L. Revilla* 374

NOTE

Agricultural Financing Under the U.C.C. *Steven W. Phillips* 391

The unique problems facing agricultural lenders under the *Uniform Commercial Code* are identified and analyzed. The author focuses upon the pitfalls encountered in the creation and perfection of valid, enforceable security interests in farmers' collateral with particular emphasis on crops and farm equipment. The Code's priority scheme is investigated as it relates to conflicts between farm financiers, realty claimants and farm service lienors.

COMMENT

Check Forgeries: Variations of Rules of Liability
Based on Fault—U.C.C. Defense Sections

3-406 and 4-406 *George J. Feulner, Jr.* 417

This comment defines the operation of sections 3-406 and 4-406 of the *Uniform Commercial Code*. In applying these defense sections, issues have arisen which were not answered by the Code draftsmen. In many instances, the resultant judicial discretion has permitted withdrawal from the Code's endeavors to place losses caused by forgery upon the party most at fault and to attain uniformity among the states.

BOOK REVIEWS

Selznick: Law, Society, and

Industrial Justice *Allan M. Schwartzbaum* 434

Udall: 1976: Agenda for Tomorrow *Albert E. Utton* 437

The *Arizona Law Review* is published four times a year in the Fall, Winter, Spring, and Summer by the University of Arizona, Tucson, Arizona 85721. Subscription price \$6.00 a year. Single issues \$2.00. If subscription is to be discontinued at expiration, notice to that effect should be sent; otherwise it will be assumed a continuation is desired. For single issues and bound or unbound volumes in Volumes 1 through 11, inquire of Fred B. Rothman & Company, 57 Leuning Street, South Hackensack, New Jersey 07606. Copies of Volume 12 issues are available from the *Review*. Copyright 1970 by the Arizona Board of Regents. Second-class postage paid at Tucson, Arizona, and at additional mailing offices. The *Review* is a student-edited journal, and the views expressed herein are not necessarily those of the Faculty of the College of Law, the University of Arizona, or the Arizona Board of Regents. Postmaster: Send Form 3579 to Arizona Law Review, Tucson, Arizona 85721.