

Deference due to the United States—Impolicy of Maximilian's execution—Maximilian's oath—His policy towards the Mexicans—His honourable intentions—Formal act of Abdication—Political reasons for pardon—Example in the case of Jefferson Davis—Pardon would be politically justified—Answer to the Advocates' Petition—Interposition of Baron Magnus—His interview with President Juarez and Minister Lerdo—His written appeal—Mexico's relations with Prussia—Official answer to Baron Magnus—Opening of the Court-Martial—Further discussions with Señor Lerdo—Hope in delay—The glory of pardon—Lerdo's objections to pardon—Advocates' extreme anxiety—Rejoinder of Señor Lerdo—The verdict of the Court-Martial—Second memorial to President Juarez—Official answer—General desire for pardon—Sentence of death confirmed—Another appeal to the President—Official letter to General Escobedo—Answer to the renewed appeal—Advocates' mournful meditations—Execution postponed—Vain hope of Foreign intercession—Maximilian pleads for Mejia and Miramon—Señora Miramon—Advocates plead for her—Their parting with the President—Maximilian's last letters—The Execution—The futility of a Mexican Empire—Advocates' departure from San Luis—Their reflections—Aspect of Mexican affairs—The Republican policy—Political prospects and contingencies—Patriotic anticipations and aspirations 79-188

POST-MORTEM.

Mission of Vice-Admiral Tegetthoff—Negotiations—Official demur to his application for the body of Maximilian—Instructions to General Escobedo 189-199

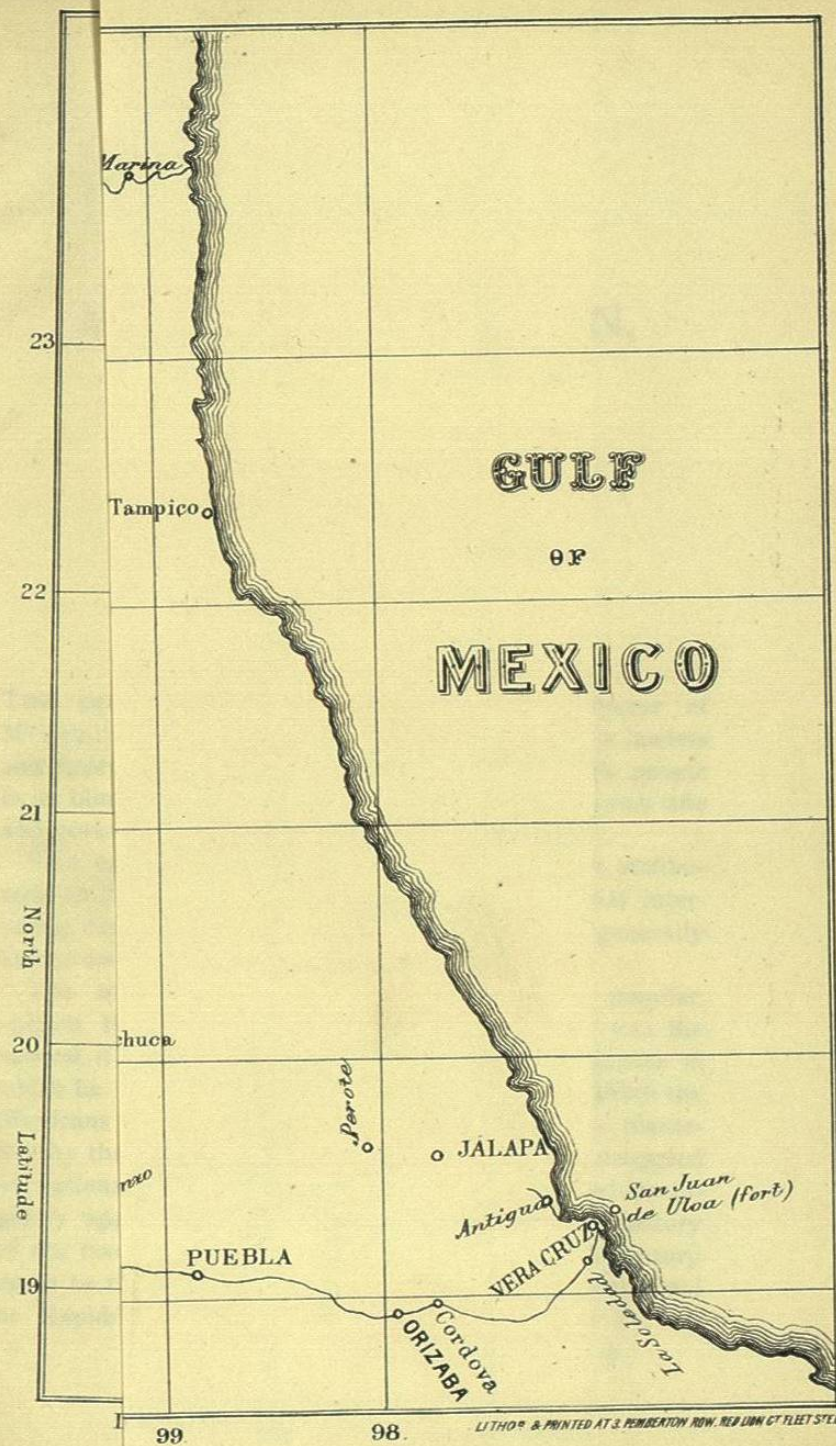
CONTENTS OF PART III.

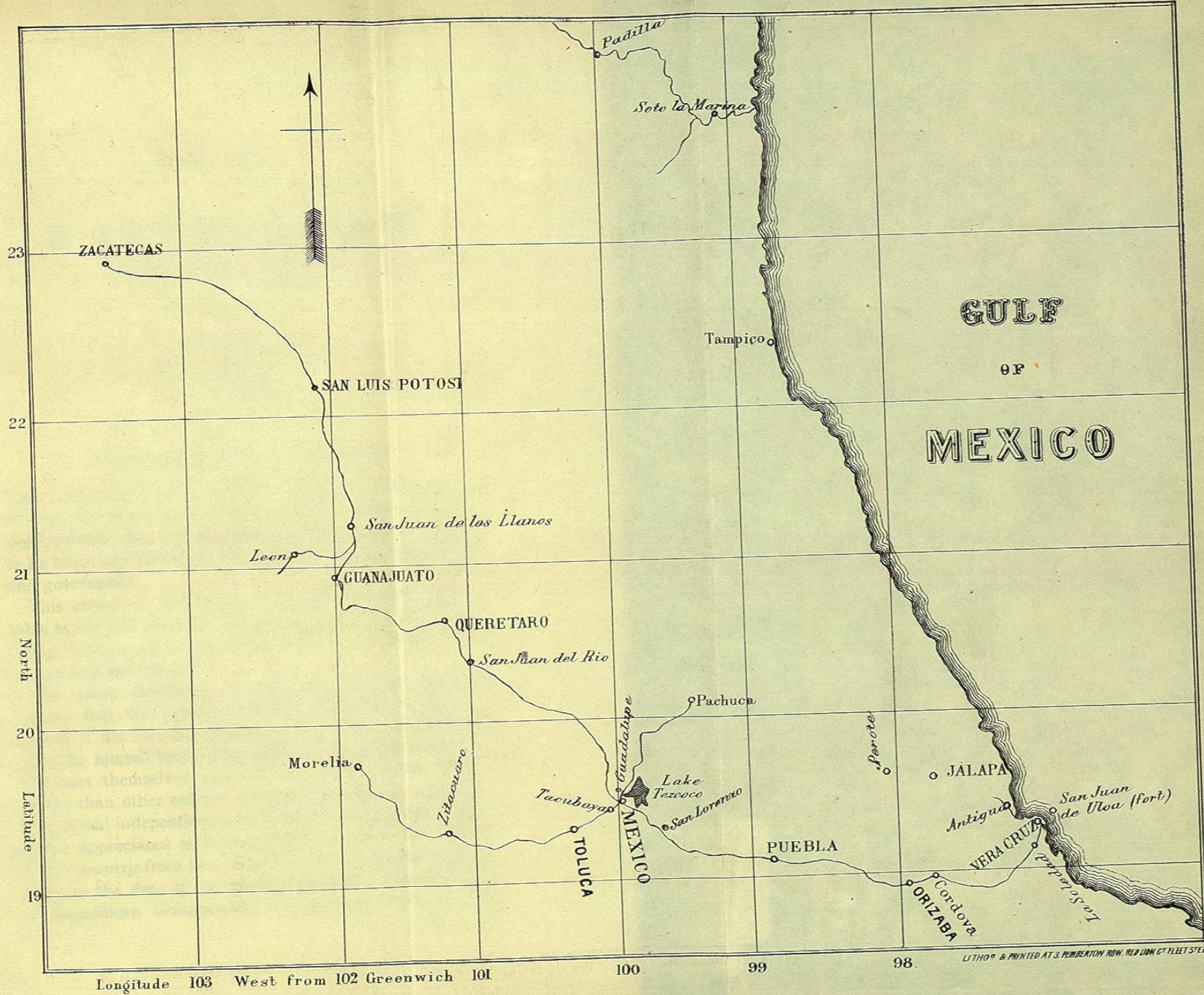
PRELIMINARY DEFENCE.

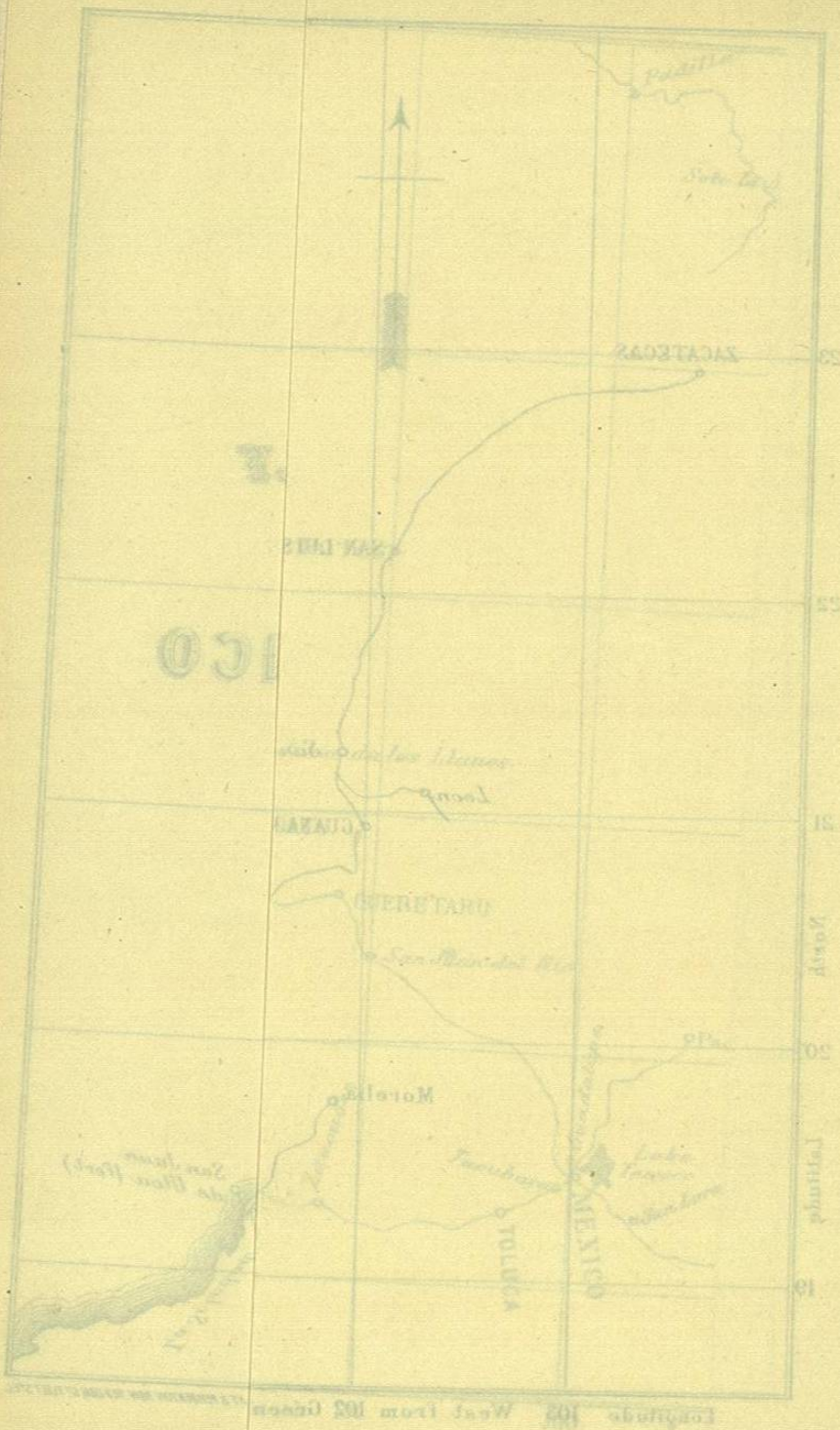
Declaration of Maximilian previous to his trial—His relation of the offer of the Crown—His scrupulous examination—His account of the reception he met with in the country—His Government—His fall—An example quoted—Question of the competency of the Tribunal—Protest of the advocates 201-214

DEFENCE BEFORE THE COURT-MARTIAL.

Protest against the law of 25th January, 1862—Court-Martial opposed—Constitution of 1857—Federal tribunals—Special laws and special tribunals prohibited—Maximilian not subjected to special rules and laws which govern the army—Abolition of capital punishment for political offences—Arguments on appeal—Maximilian deprived of the use of legitimate defence—Incompetency of the tribunal—Object of process in criminal cases—Want of proofs—Public notoriety—Escriche on "Fama," or public notoriety—Also Argenteo, Ferraris, Murillo, and Febrero—6th Article of the law of the 25th January, 1862—Colon on military tribunals—A tacit, feigned, or presumed confession—Escriche on express and tacit confession—Charges against Maximilian closely examined—Arguments—Cases of Charles V. and Charles X. of Spain, Louis XVI. of France, and Charles I. of England—Hallam and Macaulay on Constitutional Law—Social innovation—Constitution of 1857—Juan Antonio de la Fuente on Reform—The charges against Maximilian—Repudiation of Maximilian's subserviency to France—Treaty of Miramar—Maximilian's demand for the liberation of the Mexican prisoners from the French Government—His efforts to overthrow the influence of the French—His prompt attention to appeals for pardon—The law of the 3rd October, 1865—General Diaz—His victories—Maximilian's indulgence—Crime of usurpation—Maximilian's good faith—Jefferson Davis—Peroration—Conclusion 215-270







THE FALL
OF
MAXIMILIAN,
LATE EMPEROR OF MEXICO.

PART I.
HISTORICAL INTRODUCTION.

SECTION I.

General History prior to Independence.

THE execution of Maximilian, sometime Emperor of Mexico, has been but too commonly regarded as a lawless and ferocious act, perpetrated by a semi-barbarous people in its blind and insensate intolerance of all wholesome rule and government.

This erroneous impression is, to a great extent, attributable to the fact that the chequered history of that interesting country and community is by no means generally known and understood.

The more charitable, though, probably, less popular, opinion that the deplorable episode referred to was the natural, if not inevitable, outcome of a series of events in which he himself had neither part nor lot, and in which the Mexicans themselves were but little if any more blameworthy than other nations who have successfully struggled for national independence, can scarcely be duly and intelligently appreciated without a brief review of the history of the country from the early part of the present century down to the date of the establishment of a Constitutional or Republican Government, to supersede which he was