

" If it were possible to see in two parallel lines the courses here indicated, following in one the mark traced out by blood, and in the other that left by mercy—that of extenuation—the Citizen President would shrink with horror from the sight of the first, which could have no less direful effect than that of filling Mexican hearts with sorrow and bitterness, extinguishing for the future the most flattering hopes of union and the happiness of our country.

" We must repeat that there has never before existed in the nation more generous sentiments of adhesion to the Code of 1857; and that it behoves the Citizen President of the Republic, the constant defender of Liberal principles (far from intensifying the punishment of the vanquished, and exciting the anger and revenge of the victors), to procure solely the reparation of those evils that have befallen the sons of this unfortunate country. Are these evils to be remedied by showing to them the tomb of the Archduke of Austria? Would it be a satisfactory reparation to say to the people of Mexico, 'Queretaro is the sepulchre of one whom Mexico saw for three years exercising the power of a usurper, calling himself Emperor'? Would the nation prefer the swift death of Maximilian, although the history of events, from the year 1861 to the present date, should remain entombed with him in the mystery of a military process? By the death of a man—executed in hot haste—would the country be content to forfeit the right to its heavy claims, and disarm itself before all the world, when this Archduke of Austria himself has said: 'I desire that Mexico should judge me without the precipitation of a process which is simply a military one, because I am anxious that it should be made acquainted with revelations of importance for its existence and welfare'? When can there be a cause of greater interest to the Federation? Then, of what use are its tribunals? What interest can there be in a mysterious execution, which may, hereafter, be wrongly interpreted? The

" sentence of death passed by a court-martial will, transiently, satisfy the impatience of a few; but that cannot be the desire of the country. The death of Maximilian, a prisoner, may by some be called a just national retribution; but it can never deserve the honour of grave meditation by statesmen. If death ought to be the punishment of Maximilian, the process which prepares it should be, at least, worthy of the most notable case of violation that can be found in the history of the American continent. No enquiry has yet been made into the origin of that invasion which three great European nations sent to our shores; nay, rather than make such an important investigation, and ascertain the immense responsibilities the contemplated execution might give rise to, this trial chokes up the source of all information, to the grave and irreparable injury of the whole Republic. Let Maximilian live, and it becomes obligatory on his honour to elucidate the truth, and, in his name, we promise that he will do so; for in the instructions he gave to us, he repeatedly remarked, that he considered it an imperative duty that the mysterious history should be made known—the secret part of our international relations. What would other countries in the world give to have at hand a living pledge of such interest for their future! How many advantages might be obtained for the existence of Mexico as a truly independent nation, from the life of a Prince connected by so many titles with the reigning Sovereigns in Europe!

" The American Republic itself has manifested great interest in the life of this Prince; and if the note which it passed for that recommendation has, possibly, in the slightest degree wounded the honour of the nation—which has viewed it as an admonition—it is proper that the representatives of this Republic should, with all the calmness which they ought to possess, recognise therein, not an assumption of superiority, but a good desire, on account of the sympathies and friendship it has demonstrated in

"favour of our Independence, by asserting the rights of Mexico against the Intervention.

"Dictation is not acceptable, even in a moral point of view, let it come from whatever Government it may, and in this particular the best interpreter of public opinion has been the Supreme Government. This is, undoubtedly, the highest title which Mexico has for her worthy President, and the Ministers who have attended him during so perilous a crisis.

"But should not good counsel, therefore, be listened to?—Should any recommendation be despised? Does the power of this friendly nation and the style of its note furnish any reason to depreciate the value of its good offices? If the recommendation be founded on a moral principle—if it be true that Republican principles abhor those gibbets which are raised by political passions—should a truth, notwithstanding, be ignored, simply because it has been expressed in a style which might give offence?

"The spirit of the public men of Mexico is far superior to the susceptibilities of those who view matters biassed by a proclivity to take umbrage in formulas at the expense of justice. For a question of style, the services received in adversity should not be forgotten; and if anything has been asked for, which can be approved in conformity with justice and Liberal principles, that voice should be listened to with all the attention merited by the interest of brothers, who ought to have a common bond of union.

"Can there possibly be any person who would wish to reply to that note with the instant death of Maximilian? But there is no fear that so illustrious a Government can even listen to that clamour of passion, which, even if it were patriotic, resembles delirium more than a prudent and discreet expression of real love of country.

"On occasions in which Mexico can manifest its gratitude, there is nothing more judicious than to evince it: and now a most favourable opportunity does present itself for

"Mexico to demonstrate that it is grateful for the kind offices of friendly nations.

"The execution of Maximilian would certainly be a demonstration of power; but, it must be repeated, it would not be an act of political prudence or of wisdom on the part of the Government. To disarm the country of its undeniable rights—which might be made use of hereafter—by executing the Archduke of Austria, may be all very well; but if the nation could be heard, its best interpreters would not be those who desire that death, and who fain would sacrifice the opportunity of presenting Mexico as magnanimous, and worthy of the position to which she is called.

"In those solemn moments of confidential interview which an accused person has with his advocates, we were forcibly impressed by the tone of truth in which the Archduke said to us: 'I regret from my soul that my death should be the cause of any painful days to the Republic. My life would never be hurtful to the country, for whose happiness I offer up a thousand prayers!'

"The aspect of our international affairs is gloomy enough, but that best support to our plea for the clemency of pardon is an answer to the charges made against our client. The minute particulars of such would require so much space that we must forego them, and confine ourselves to the most prominent points in issue.

"'I am accused,' said Maximilian, 'of a crime which it is attempted to identify with, or make at least similar to, that of treason against the country; but I can only be tried for my personal conduct, and the acts of administration dictated by me.'

"He particularly requested us to call the attention of his judges to various acts, which he pointed out; but, now that the pressure of time, and the necessity of coming to this place, to obtain an interview with the Citizen President and his worthy Ministry, have rendered it impossible for us to return in time to join in the defence, as we were denied any further adjournment or time to produce

‘ any proof, we may be permitted to insert here some of those points on which the Archduke hoped to be acquitted of such unjust charges, as, according to his judgment, could not possibly be considered in the brief and hasty examination of a court-martial. He pointed out, in the first place, as a repudiation of any idea of acting contrary to the National Independence, his spontaneous oath, made before the Commission of Notables on the 10th of April, 1864, saying :

“ ‘ I Maximilian, Emperor of Mexico, swear to God by the Holy Evangelists, to procure, by every means that may be in my power, the welfare and prosperity of the nation—to defend its independence, and to conserve the integrity of its territory !’

“ His discourse, delivered on the 16th of September, in the town where the Independence of Mexico was proclaimed, fifty-four years before, by the meritorious patriot Hidalgo, was a remarkable one.*

“ He assured us that with France he had never entered into any compromise or compact which would imperil his honour, and that, in relation thereto, it would be of great interest to the Republic to be fully informed of the history of these four years ; that he had not entered into any treaty engagements with foreign Powers which might occasion the slightest embarrassment to Mexico.

“ Respecting internal politics, he was most anxious for the decree of the 6th of July, 1864, to be read, in which a general amnesty was granted ; and in order to take away every motive of discord by which any ill-feeling might be revived, he dictated a circular, dated the 27th of that month, as follows :—

“(Circular.)

“ ‘ Secretary of State for the Home Department, Mexico, July 27, 1864.

“ ‘ It being the most ardent desire of His Majesty the Emperor, and his most constant anxiety, to obliterate

* Vide p. 49.

“ ‘ even the traces of the dissensions which for so long a period have afflicted the country, and to unite in the bonds of fraternity the great Mexican family, he cannot observe with indifference, that on reference being made to certain individuals, odious epithets are employed, which are at variance with his policy and benevolent sentiments.

“ ‘ On these accounts it is, that in the decree issued on the 6th instant, calling around him those who had fought and are still fighting against the Empire—not having committed crimes—the word “pardon” is not mentioned.

“ ‘ His Majesty therefore commands me to caution you not to exact from those who lay down their arms, and wish to retire into private life, any other declaration than that they will live quietly and pacifically, without entering into the question of their opinions or sentiments.

“ ‘ His Majesty also commands me to recommend to you the greatest circumspection and moderation in official language ; eliminating those phrases and epithets with which, up to the present moment, the factions have been upbraided, and which only serve to fan the flame of discord.

“ ‘ His Majesty finally commands that this vigilance be extended to all the publications of the Press, by visiting on the violators such punishment as their faults may deserve, and may be requisite for the maintenance of union and concord amongst the Mexicans.

(Signed) “ ‘ JOSÉ M. GONZALEZ DE LA VEGA,
“ ‘ Sub-Secretary of State for the Home Department.’

“ Another circular, dated the 2nd of December of the same year, was issued, conveying precisely the same sense, which stated, in its first paragraph :—

“ ‘ The Emperor has observed, with profound displeasure, the measures dictated by your Prefecture, respecting the chiefs, officials, and *employés* of the former Government, who have sought security under the

“ ‘protection of the Empire. The return of these persons
 “ ‘implies, in itself, a solemn declaration of obedience,
 “ ‘without its being necessary to exact from them other
 “ ‘demonstrations, which, by possibly humiliating them,
 “ ‘are of no benefit whatever for the public peace,’ &c. &c.

“ ‘There is one charge—that of the publication of the
 “ ‘law of the 3rd of October, 1865—which he explained to
 “ ‘us, thus. That an erroneous impression respecting the
 “ ‘abandonment of the national territory by the President
 “ ‘of the Republic was, probably, the only ground for a law
 “ ‘which he, the said Maximilian, had afterwards to repeal;
 “ ‘taking advantage of every opportunity that presented
 “ ‘itself to moderate that rigour, which (as he said to us) was
 “ ‘taken from another law given previously by some one of
 “ ‘the Mexican Governments.

“ ‘He decreed full pardon for political offences, although
 “ ‘by the same law all petitions were prohibited.

“ ‘So far was he from entertaining any displeasure, so to
 “ ‘speak, at the defence made by Mexico in the war against
 “ ‘foreigners, that he cherished the respect with which those
 “ ‘heroic actions inspired him; and his demonstration of
 “ ‘sympathy for the memory of General Zaragoza is well
 “ ‘known.

“ ‘He said to us: ‘Personally, Señor Juarez will not
 “ ‘meet, amongst the multiplicity of laws and decrees pro-
 “ ‘mulgated, with a single sentence derogatory to his reputa-
 “ ‘tion. I have always considered the constancy of his
 “ ‘efforts to be honourable.’ And on speaking of his high
 “ ‘estimation of them, he added: ‘My only object in return-
 “ ‘ing from Orizaba was, not to complicate the affairs of the
 “ ‘country with any fresh element of discord—such as was
 “ ‘attempted to be raised by the French forces, by obliging
 “ ‘me to leave the country, in order to hasten the result of
 “ ‘the operations initiated by several months of anticipa-
 “ ‘tion. I returned with the firm determination of procur-
 “ ‘ing an amicable understanding with the Chief of the
 “ ‘Republic, by means of a Congress; which would give

“ ‘peace to the country, and which idea had been accepted
 “ ‘with gusto by the persons who accompanied me. Military
 “ ‘strife, and the firm resolution of Señor Juarez not to
 “ ‘accept any arrangement whatever, caused me to lose all
 “ ‘hope. Nevertheless, not despairing, with this object I
 “ ‘came to Queretaro, and commissioned the Licentiate
 “ ‘Don Antonio Garcia to prepare the way for mediation.
 “ ‘Nothing was attained, and the result is the process now
 “ ‘raised against me. Feeling a presentiment of the un-
 “ ‘fortunate position into which I might fall, if the Con-
 “ ‘gress or any other medium of pacification should not be
 “ ‘accepted, I purposely deposited my Abdication in the
 “ ‘hands of a person who possessed my confidence, in case
 “ ‘of my being taken prisoner. It was a voluntary act on
 “ ‘my part, to which I was desirous that the interpretation
 “ ‘of compulsion should not be given by any one. Every
 “ ‘step was directed towards a pacification, which I had
 “ ‘not the good fortune to accomplish.’

“ ‘It is now time that we, the advocates for the defence,
 “ ‘without any further remark on our instructions, should
 “ ‘apply ourselves solely to the pardon solicited—not for
 “ ‘those whom the sentence may have declared to be
 “ ‘absolved, but for him who, being condemned to death,
 “ ‘prays for life. We entreat that that punishment, reserved
 “ ‘by the thinking men of this century solely for certain
 “ ‘crimes of the common order, may not be executed on the
 “ ‘person of the Archduke of Austria.

“ ‘We come, in the name of Humanity, of the Democracy,
 “ ‘of Liberty, of the Constitution, to ask for the suspension
 “ ‘of the stroke of death on Maximilian! This is not the
 “ ‘only punishment the law can impose; and in asking
 “ ‘pardon for his life, we would remind the Citizen President
 “ ‘that this mercy, which he can grant, is one of the noblest
 “ ‘prerogatives of his power.

“ ‘Clemency is the virtue of Republicans, from whence
 “ ‘irreparable evils never emanate; these being always the
 “ ‘mournful consequences of the power of tyranny, which,

" by rigour, marks the footsteps of unbridled passions, and
" overwhelms society with grief.

" Reflection has produced, after a certain time—even
" in the minds of the most discontented—the profound con-
" viction that peace can only proceed from the triumph of
" the principles of the Constitution; and the great hope of
" the country is that, the difficulties of the situation being
" moderated by the observance of the same principles as
" it proclaims, they may be a bond to unite the contending
" parties without giving place to the menacing agitation
" of violent passions.

" What a prosperous future would be in store for the
" Mexican people, if, to the wisdom of the Government and
" to the prestige of its triumph, it were possible to add the
" precise and unswerving observance of the principles sus-
" tained by the Constitution!

" The mercy of pardon may be for our country an inex-
" haustible fountain of good, which is most esteemed when
" most required. To-day society asks for peace, and this
" is not attained by the sacrifice of life, which spreads
" sorrow and consternation throughout the land. By the
" shedding of blood—if there be any who would applaud—
" the people in general would witness the yawning of an
" unfathomable abyss of misfortune; because rigour is an
" evil of direful contagion, which carries the conquerors
" where they think not—where they believe not—where
" they know not; but everywhere grief and desolation are
" encountered.

" In all crises of great moment, there exists an insensi-
" bility which is only dissipated when the party governing
" speaks as a father who loves the people he governs; when
" that terrible threatening of death—the offspring of discord
"—is scared away; when the excuses of the misguided
" are received with benignity. Mexico is a nation where,
" scattered abroad, the majority of her sons weep over the
" misfortunes of a fratricidal war: and the scenes of fresh
" executions would be a prophetic announcement of new

" calamities, which would embitter the existence of the
" victors as well as of the vanquished.

" We ask pardon for the life of Maximilian; and that,
" without doubt, will be well received by this generous
" country, which already understands the full value of the
" philanthropy of Liberal principles. In these days the
" prison-doors of Jefferson Davis have been thrown open;
" and his liberation has been applauded by the very people
" who experienced the horrors of civil discord.

" We, the defenders of Maximilian, in interposing this
" appeal on his behalf, discharge a painful but an honour-
" able duty, since we were undoubtedly chosen because we
" stood aloof from his politics; our anxiety, therefore,
" must naturally be increased by his misfortune. Being
" obliged, unfortunately, to visit this city, time would not
" permit us to be present at the court-martial, and this
" sacred duty will have been performed by our colleagues
" for the defence.

" It may possibly be weak in consequence of the hurried
" manner in which it is made, without the opportunity of
" supporting it by proofs which our client has considered
" to be of much interest both for himself and the country.
" Would to God that his judges—convinced of the im-
" possibility of deciding actions superior to their military
" competency—might mitigate the severity of a law (the
" offspring of exceptional circumstances), which was framed
" *ad terrorem* against those who might act treasonably
" towards their country! Maximilian and his acts of
" administration are, in our opinion, beyond the intention
" of the Legislature, which, on promulgating the law of the
" 25th of January, 1862, in the great struggle of our country
" with the foreign forces, simply wished to terrify, or to
" impose such penalties, during a transitory crisis, as should
" not leave, to our injury, the traces of an administration
" which, however illegal it might be, subsisted during a
" period of years, with the cognisance of several Govern-
" ments in other parts of the world, and with the passive

"obedience of some of our own States, although that submission might not really be spontaneous.

"The proceedings of a Government of long-standing usurpation cannot, certainly, be comprised within the narrow limits of that law; and this circumstance, with many others, strongly justifies a pardon, which is not only a case of humanity, but highly politic, and such as will be acknowledged by our country, our sister Republics, and the world at large.

"If we were not detained here by our anxiety to achieve the salvation of the life of the Archduke Maximilian, we, with the necessary data for his defence at hand, however scanty they might be, should have endeavoured to support this solicitation by descanting on the advantages which would arise to the country by not closing with the tomb of Maximilian all inquiry into an important era in the history of Mexico—a most critical and cruel situation, from which she has emerged with honour. Providence watched over her life as a nation, and the particulars of so many episodes in this partial suspension of the Republic, ought to be treasured as so many proofs of valour in the army, of intelligence in the statesmen, and of abnegation and patriotism on the part of the Mexican people.

"In order that our history may be resplendent with honour, we ask for the pardon of the Archduke of Austria. If it be obtained, the nation will know how to appreciate the valorous actions of her worthy sons during the struggle, and their generosity in the days of victory.

"The Republic and the Democracy have deep roots in the Mexican bosom, and it is not necessary to shed blood or to erect scaffolds to give solidity to her institutions. They will live without further danger, because experience has taught the Mexicans—divided at other times—that the greatest of evils is to confide their troubles to the alleviation offered by foreign bayonets. These have experienced the energetic resistance with which they were

"opposed by the decision of the Mexican people, whose indomitable resolution not to accept any other institutions, or any other Government, than those which its sovereign will might appoint, has undoubtedly established for ever a new era for this country, which witnessed the invading army retreating in a manner that has already been criticised by the world. There is, therefore, now no danger to overcome; and the life of Maximilian, if the Citizen President should think fit to grant a pardon, in case he should be condemned to the punishment of death, will be the highest testimony that the Government, which knew how to resist an unjust foreign war, was generous towards the vanquished—thus ennobling the name of Mexico, free and independent!

(Signed) "MARIANO RIVA PALACIO.
"RAFAEL MARTINEZ DE LA TORRE.

"San Luis Potosi, June 12, 1867."

The above petition, the work of a few hours, together with the observations presented to the consideration of the Government at the interview a few days previously, may be termed a brief *résumé* of our verbal exposition.

The following answer was given:—

"To the Citizens MARIANO RIVA PALACIO and RAFAEL MARTINEZ DE LA TORRE.

"Secretary of State's Office and Department of War and Marine: Section I.

"In reply to your solicitation, dated the 12th instant, and presented by you yesterday—asking that, in case Ferdinand Maximilian of Hapsburg should be condemned to suffer capital punishment, by the trial to which he is subjected, the mercy of pardon be conceded—the Citizen President of the Republic has commanded me to notify to you, that it is impossible to resolve on a petition for

"pardon previously to being informed as to whether the
 "accused has been condemned or not; and that in case he
 "should be condemned, if then it be opportunely submitted
 "to the decision of the Government, to resolve as to whether
 "the clemency of pardon may be granted or not, in such
 "a case, amongst all the considerations which must be
 "weighed by the Government, the petition presented by
 "you will not be lost sight of.

(Signed) "MEJIA.

"Independence and Liberty.
 "San Luis Potosi, June 14, 1867."

The arrival of Baron de Magnus broke ground, which, although it was not new in our conferences, had lacked the weight of authority invested in a Minister from a powerful nation, in the consideration of its full value.

This gentleman, the representative of Prussia in the Empire, informed us that he could speak also in the name of Austria, Belgium, and Italy,—“in the name of all Europe,” he concluded, “if necessary, to solicit the pardon of the unfortunate Emperor Maximilian!”

On the 13th, Señor Magnus was presented, accompanied by Don Juan H. Bahansen, and the Señores Lerdo and Iglesias.

This presentation was solicited by us. We know what passed at that interview, by the particulars they gave us.

Señor Magnus was solemnly earnest whilst conversing with Señor Lerdo, and with great facility and clearness in his fluency of speech portrayed the benefits which would result to Mexico by not executing the sentence of death which might be pronounced on an unfortunate Prince; he endeavoured to demonstrate that, for the peace of the country, this would be a prudent step; and finally offered, if that pardon were obtained, the intervention of his King with the European Governments on whatever matter was desired by Mexico. He referred to the law of the 25th of January, and dwelt upon the interest with which the world at large

would regard the sparing of the life of a Prince to whom fortune had been so adverse.

Señor Lerdo listened with marked attention to all the observations made by Señor Magnus, and said: “The Government, on submitting Maximilian to a court-martial, in conformity with a pre-existing law, has acted with justice; and at present it would be impossible to deviate from its prescription. We must, consequently, await the sentence of the Court-martial. That law is applicable to Mexicans, and there is no reason to justify an exception in favour of the very ringleader of the rebellion.”

Señor Magnus explained the history of our relations with Prussia—her services many years since in a question with the United States; and invoked the remembrance of good-fellowship with Mexico while asking for the pardon of Maximilian, if, unfortunately, he should be sentenced to capital punishment.

Señor Lerdo, in few words, sought to demonstrate the justice of the proceedings in the form in which the trial was carried on; but, respecting a pardon, he volunteered no remark which might hold out any hopes of a life for which Señor Magnus so earnestly pleaded. He reserved this question for discussion at a Council of Ministers, and promised to lay before the President whatever might be said by the Baron de Magnus in support of his pretensions. This gentleman immediately called on the President: the interview, we understand, was at first limited to an interchange of courtesies, which presently led up to the matter in hand, comprising certain references to the Baron's conversation with Señor Lerdo. The President, although frank in his personal attention to Señor Magnus, was very reserved respecting the position of the Archduke.

Hope, which is frequently the offspring of desire, is so sensitive, that at the simple breath of contradiction it withdraws all the elements of its existence, and exposes to view the melancholy picture of the reality by which it is tormented.

Such was the impression of Señor Magnus on leaving the department of the Minister, Señor Lerdo; but his intense desire to save the Archduke re-inspired him with hope of a rescue, which he contemplated as the true fountain of general good for the Republic. His agitation under these painful circumstances was extreme.

On relating to us the particulars of that interview, Señor Magnus considered it would be prudent to make a written appeal, and during the night he dictated the following letter:—

“ To His Excellency Señor Licentiate
Don SEBASTIAN LERDO DE TEJADA.

“ San Luis Potosi, June 14, 1867.

“ SEÑOR,

“ I feel compelled to tender to your Excellency my most grateful acknowledgments for the kind reception yesterday accorded to the verbal observations I had the honour of making in favour of the unfortunate Prince who is now a prisoner in Queretaro—also to His Excellency Señor Juarez, as well as to your Excellency personally, and the Señores Iglesias and Mejia.

“ I have at this moment been informed that the debates commenced yesterday before the Court-martial, and that, in all probability, the sentence will be pronounced to-day.

“ The critical and solemn moment draws near for the final resolution of the intelligent statesmen in whose hands the fortune of war has placed the life of the illustrious prisoner.

“ Your Excellency will therefore permit me, in these supreme moments of such grave consequences, humbly to add to our frank conference of yesterday the following observations.

“ In the first place, I repeat to your Excellency that the Government of His Majesty the King of Prussia,

“ whom I have the honour to serve, has maintained, ever since the Independence of Mexico, the most friendly relations with this beautiful country. I therefore considered it my duty to hasten to this city under such painful circumstances, when the future of Mexico is at stake, to interest myself, in the name of my Government, for the life of a Prince; and in virtue of his sincere friendship, absolutely divested of any direct political motives, but solely guided by considerations for the welfare and peace of Mexico, in the most confidential manner, without any pretension, and free from all official character.

“ Faithfulness of counsel, and an uninterrupted and sincere friendship, confirmed by many years, influence my exertions to the end that the life of this Prince be conserved,—a Prince who is worthy of compassion, particularly when the Mexican nation is in a high degree interested therein; because, your Excellency is well aware, that history elevates nations in proportion to their noble and generous actions, and the greatest of all these is to have pity on the vanquished.

“ Your Excellency cannot conceal, from the powerful discernment which distinguishes your Excellency as a statesman, that the United States, as well as the European Governments, esteem the life of the imprisoned Prince as an object of the highest value; therefore, gratitude towards those who concede it will compel them to offer such guarantees as the Mexican nation may desire, to preserve its Independence and Liberty.

“ My distinguished Government has always felt a sincere interest in the peace and welfare of Mexico, which it even now retains; and if my mediation, as persistent as it is respectful, to save the life of the captive Prince, should have effect, I doubt not that the Government of His Majesty the King of Prussia will with pleasure exert itself, and co-operate for the welfare and peace of Mexico to the uttermost of its power.

"Therefore, for the well-being—for the future of Mexico
 "—for the sake of humanity, permit me, your Excellency,
 "again to repeat, in full confidence, my most respectful sup-
 "plications—availing myself of the opportunity to assure
 "your Excellency of my high consideration.

(Signed) "A. V. MAGNUS."

A reply to this was received, on the following day, in
 these words:—

"San Luis Potosi, June 15, 1867.

"Señor Baron A. V. MAGNUS, &c., &c., &c.

"SEÑOR BARON,

"In the communication which you have been pleased
 "to address to me under yesterday's date, you again refer
 "to what you put before me at the conference of the pre-
 "vious day, in a manner entirely confidential and free from
 "all official character, respecting the position of the Arch-
 "duke Maximilian of Hapsburg, submitted to trial in
 "Queretaro.

"Both at the conference, and in the communication,
 "you have referred to the friendly relations of the Govern-
 "ment of Prussia with Mexico from the date of its Inde-
 "pendence.

"The persons who compose the Government of the
 "Republic duly appreciate those relations of friendship
 "which the Prussian Government maintains towards it.
 "They also appreciate and respect the sentiments by which
 "you are guided in taking an interest in the fate of the
 "Archduke in his misfortune.

"Duly replying to your communication of yesterday,
 "I will again repeat, as I already had the opportunity of
 "showing you in our previous conference, that in a case of
 "such grave importance, and so worthy of the deepest
 "attention, as that of the fate of the Archduke Maximilian
 "and of all the prisoners in Queretaro—the persons who

"compose the Government of Mexico have meditated
 "together, and will continue to regard what you have ex-
 "pressed as to all the considerations which they should
 "have before them, in order to weigh with the most mature
 "deliberation all the motives for clemency and benignity
 "consistent with the duties of justice, and the necessity to
 "secure peace to the Republic.

"I avail myself of this occasion to assure you, Señor
 "Baron, that I am your very respectful and obedient ser-
 "vant,

(Signed) "LERDO DE TEJADA."

On the 14th we received a telegram, informing us that the
 trial was proceeding. That telegram was as follows:—

"Telegram from Queretaro, received in San
 Luis Potosi on the 14th of June, 1867,
 at 10 P.M.

"To Señores Don MARIANO RIVA PALACIO and Licentiate
 Don RAFAEL MARTINEZ DE LA TORRE.

"At 8 o'clock this morning the Court-martial was
 "opened, and at 8 P.M. it has been suspended, to resume
 "to-morrow morning at eight. All the defence has been
 "read. To-morrow the Fiscal's conclusion will be read, to
 "which we shall reply if it be necessary.

"VAZQUEZ.—ORTEGA."

The law of the 25th of January, 1862, destroyed all hopes
 that anything short of capital punishment would be imposed
 on our client; and the precipitate trial being on the point
 of conclusion, it was necessary to seize every resource which
 might in any way support our prayer.

We again returned to speak with Señor Lerdo; and