posal, and promised an annual subsidy to the imperial exchequer of ten millions more. Maximilian openly and gratefully accepted the aid of the party whose designs he had thwarted and whose power he had defied; and its interest and his own, in matters of statecraft, became identical. Aside from motives of ambition and honor, one of the governing factors in his decision to remain was the refusal of Juarez to guarantee protection to the Mexicans devoted to the emperor and his cause; and at his trial, Maximilian, in words that will always mark the true heroism of the man, said: "I had no course left but to remain and do all in my power to protect a large proportion of the Mexican people."

CHAPTER VIII.

Return to the capital—Mobilization of troops—Liberal successes—Desertions by French and Austrians—Bazaine's order—San Jacinto—Marquez's persuasion—Advance to Queretaro—Reception there—The siege—Brilliant feats of arms—Salm-Salm and the Mexican generals—Maximilian's bravery and humanity—Decoration by his officers—Address to citizens of Queretaro—The crisis—Sortie—Lopez—Treachery—Betrayal of Maximilian—Capture of the Cruz—Rally on the Cerro de la Campana—Surrender to Escobedo—Prisoners of war—Order for their execution—Questions involved—Delay secured—Devotion and service of Prince and Princess Salm-Salm—Overtures to Diaz, Escobedo, and Juarez — Attempt to escape — Court-martial granted—Maximilian, Miramon, Mejia—The defense—Verdict of guilty—Sentence of death—Pleas for pardon—Juarez's refusal—Causes.

AFTER a brief visit to the Bishop of Puebla, Maximilian returned to the capital, on the 5th of January, to arrange for the meeting of the Notables to declare the popular opinion as to the form of government. Orders were issued for all the troops to concentrate there, and Marquez was made a general of division, and charged with their mobilization. Miramon had already taken the field to check the onset of the Liberal forces. The question had now

become simply one of military ability and strength.

The story of the gallant struggle to the final contest on the hills at Queretaro is soon written. The French garrisons and outposts were withdrawn, and immediately occupied by the Liberals, whose marches were marked by plunder and assassination, the murder of Imperialists, and nameless atrocities. The main body of the French troops were on the way to the coast for embarkation; the congress of Notables, owing to the disordered condition of the provinces, could not be convened; and Bazaine, who was furious at the refusal of the emperor to abdicate, and his own failure to carry out Napoleon's injunction to this end, issued a decree that all Frenchmen who had enlisted in Maximilian's service by His Majesty's permission, on return to their regiments would receive the same rank and pay as before, and join the forces in their departure. Thousands who had sworn allegiance to Maximilian and had received the bounty for enlistment, left his service, and under the protection of the French flag, and under the orders of a marshal of France, openly deserted. Little else could be expected of the horde of adventurers that

made up the foreign contingent. The action of Bazaine made impossible the organization of any considerable force other than from the Mexicans themselves. One third of the imperial army—Frenchmen who had enlisted for two years under very large bounties—returned to the "army of occupation" under this infamous order. The emperor at once issued a decree granting the same privileges to his own countrymen, and a large number left for Europe with the Austrian contingent, with the emperor's bounty in their pockets.

The order of evacuation by the French forces was the signal for action by the watchful Republicans; and the detachments and guerrilla bands were swiftly reorganized, and, under the command of Escobedo and his generals, undertook to reconquer the fields they had lost. The decisive battle in the field was fought at San Jacinto, where Miramon was defeated with terrible losses; and at Puebla, later, the imperial cause received a fatal blow in the defeat of the garrison and the capture of the city by the forces under Diaz, to whom, after a long siege, and the sacrifice at Queretaro, the capital itself was surrendered, and the triumph of the Liberals made complete.

Miramon and Mejia were finally driven to defence in Queretaro, and it became necessary to determine at what point the final stand for the empire should be made. Military authorities are agreed that if the defense had been made in the City of Mexico, a possible success might have resulted; Diaz could not have brought his heavy siege train from Puebla, and, at the worst, a line for safe retreat to Vera Cruz would have been left open, and in the last extremity the emperor could have escaped his fate, or dictated honorable terms of surrender. In settling this decisive question the emperor was guided by the counsels of Lares, president of the council of ministers, to whom the emperor had also referred the vital questions of ending the war and establishing some form of government, through the intervention of Congress, involving his own abdication and terms of amnesty with Juarez; and of Marquez, who had already in mind a scheme for his own glorification and profit.

Marquez persuaded Maximilian that if he showed the Mexicans that he had implicit confidence in them, by taking command in person, and that he did not rely solely upon his foreign troops, he would forever attach them to

him and to his cause. His chivalric nature was fired at such a thought, and, to the amazement of his friends, he permitted Marquez, with 5000 Mexican troops, to leave the capital, reserving a garrison of only 2200 foreigners and 5000 Mexicans. Maximilian accompanied the column, the only foreigners he took with him being a troop of Austrian cavalry as a personal escort, his doctor, secretary, and Hungarian body-servant.

This movement, so weighted with fate to the empire, and so surprising to all who expected a vigorous defense of the city, was made known on the 13th of February, 1867, through an imperial decree. The objective point of this expedition was the old city of Queretaro, where Miramon had taken refuge after his terrible defeat at San Jacinto; where Mejia had hastened with his small but victorious force; and where Mendez, then commander-in-chief, was endeavoring to concentrate all the imperial troops. After a sharp engagement at Calpulalpan, in which the emperor displayed great personal bravery under a heavy fire, and a march in which the imperial troops were harassed by daily attacks, the column reached Queretaro on the 22d of February, 1867.

Even the extravagant predictions of the wily Marquez bore the look of truth in the welcome of the people, always friendly to the imperial cause, and in the assurances of loyalty that were plentiful on every hand. The struggle for the mastery, for imperial station, for honor, and at last for life, was made in this ancient stronghold, where the tides of battle had so often ebbed and flowed; the star of empire set beyond its encircling hills, and on one of their peaceful slopes the final act in the drama of the French intervention in Mexico was soon to be performed.

It were profitless to tell in detail the story of the siege, with its horrors and distress, its heroism and cowardice, its achievements and its sacrifices. There were, all told, but nine thousand men in the imperial army to withstand the Liberals under Escobedo, forty thousand strong. Brilliant feats in warfare, sortie, and repulse; the assault and capture of San Gregorio; the dashing charge of Salm-Salm, with his regiment of cuirassiers; the battle to the death of the infantry in the streets and trenches; the savagery that gave no quarter; the starvation and slaughter of non-combatants; the rascally desertion of Marquez, who was

sent to the capital for aid in raising the siege; the quarrels among the Mexican generals; the hand-to-hand conflict on the Cimatario; the re-capture of the Panteon; the gallant defense of the Cruz; the attempts to break through the lines; the councils of war; the overtures to the enemy; the final surrender through treachery—all these have passed into history, and lift into bold relief the central and commanding figure in that tragic picture. With the emperor, in that group of historic characters, stand his trusted and loyal friend, Salm-Salm, and Miramon, Mejia and Castillo, Marquez and Mendez, Vidaurri and Lopez—Mexicans and Indians, faithful and true, jealous and vindictive, merciless and cowardly in the coming test of their qualities as soldiers and as men.

In the angry storms of the Adriatic, in the hazards of naval service, in the perils of political revolution, in every emergency, Maximilian had been noted for his coolness and courage; but it was in this supreme crisis, amid the horrors of the long siege,—which, in suffering and savagery, has few parallels,—with dishonor or death as the alternative, that the gentler virtues of his humanity as well evoked the

admiration even of his bitterest foes, and consecrated the manhood that closed his life with a prayer for their forgiveness.

Every personal convenience and comfort was set aside. The emperor gave up the house chosen for headquarters, for a hospital, and lived in a miserable room in the Cruz, on the usual soldiers' rations. The sick and wounded were the objects of his personal care. He ministered to their needs, appointed his own physician in charge of them, and cheered many sufferers with kind words, or a decoration for some meritorious service. At night and in the daytime he visited the lines and trenches alone, and challenged the sentinels, talked with the soldiers; and each day he rode on horseback to the most dangerous points, exposed to the heaviest fire. Only Mejia's wit induced him to modify this practice. "*Consider, Señor,*" said he, "*if you get killed, we shall all fall to fighting, to see who will be the next president.*" There was the truth of Mexican history in the sentiment. Each day, in the Plaza de la Cruz, where shot and shell fell thick and fast and the enemy's infantry fired at every one who exposed himself, he walked with seeming unconcern, in vain courting the

death that would not come. "*I will have no one shot, even though I know him to be guilty. If things go well here, good; if badly, I shall have nothing on my conscience,*" was his answer to the request of some of his officers that certain deserters who had been taken should be immediately executed. Near the close of the siege, when it was known that vengeance was the dominant sentiment of Mexico and the life of Maximilian its only satisfaction, and he was entreated to take the cavalry and force his way to the capital, as the only chance of escape, and leave the remainder of the troops to continue the defense, he refused, saying: "I do not deceive myself. I know if they catch me, they will shoot me; but while I can fight I will not run away. I would rather die. It is against my honor to leave the army. What would become of this city, so faithful to us? And our wounded we cannot take with us. It is impossible."

And so marked, even among the veterans of so many fields, was the quiet, unostentatious bravery of their chief, so gallant his bearing when often exposed to instant death, that they resolved to bestow upon him some special token of their admiration. The most prized

of the decorations granted under the empire, was the bronze medal for valor, bearing on one side the head of Maximilian, and on the other a laurel wreath with the legend Al Merito Militar. On one occasion, when the officers who had won this distinction were assembled to receive it, and the ceremony was over, General Miramon stepped forward, and presented the medal to the emperor himself, with these words:

"Your Majesty has decorated your officers and soldiers, as an acknowledgment of their bravery, faithfulness, and devotion. In the name of your Majesty's army, I take the liberty of bestowing this mark of valor and honor to the bravest of all, who was always at our side in all dangers and hardships, giving us the most august and brilliant example, a distinction your Majesty deserves before any other man."

The 10th of April, 1867, was the third anniversary of his acceptance of the crown of Mexico; and on that day he issued to the citizens of Queretaro an address, which clearly defined the motives that governed him in his final effort to save the empire, and serve the people over whom he had been called to reign.

"Three years of arduous labor, of great difficulties, have passed. Already one fruit has resulted from this

period, in that I am able to demonstrate to my fellow-citizens the consistency, the honesty, and the loyalty of the intentions of my government. . . . For three years I have had to struggle painfully against influences hurtful to our country; but triumphed over, at last, so that not one blot remains upon our glorious national flag. I have been able to combat with constancy and good faith, because I based the strength of my rights, and the foundation of my legality, by the innumerable acts which, transmitted to Miramar by worthy sons of the nation, affirm and re-affirm in the historical documents of the great majority of the Mexicans my mission as their chief. At the moment of the evacuation of our territory by the foreigners, when one of my most sacred tasks—that of watching over the integrity of our country, and protecting her threatened independence—was completed, I believed that my further remaining at the head of the nation would be an obstacle. I have called since, in consequence of this doubt, a legal council, composed by my care of men of all parties, and of the most pronounced political colors, to place in their hands and on their responsibility a free and frank decision on this question, so delicate and important for my conscience. The opinion of the council being prompt, and almost unanimous, that it would be a grave short-coming on my part to abandon in the actual moment of crisis the post to which the nation had called me, I consequently consented to dedicate myself a second time to the arduous task, which obstacles innumerable render more difficult every day; but, at the same time, yielding to my most cherished and innermost impulses before leaving Orizaba to return to the capital, I convoked the nation to a free and

constitutional congress, intending to submit with readiness to the final decision of my fellow-citizens, and proposing to lay before them, also, all the acts, documents, and accounts of my Government, which, with a clean conscience, I could submit to their judgment and to that of the entire world. You, sirs, know why that congress was never freely and fully organized according to my intentions, because our antagonists were not, like us, willing to submit to the national will. The truth is, that acts already become historical, rendered it difficult for them to press for judgment before a free and impartial congress. Our duties and our tasks are now, in consequence of this, more clear. We have to defend our national independence, as well as our liberty, and to restore to the nation that free action and dignity which have so long been prostrated under the absolute terrorism exerted by the cohorts of social revolution. On the 16th September, 1865, I said to you that every drop of my blood is now Mexican; and if God should permit new perils to menace our dear country, you should see me fight in your ranks for her independence and her integrity. Those who surround me in the difficulties and perils of to-day in Queretaro see that I have fulfilled my promise. The following year, on the same day of memorable record, I said 'that without blood, without pain, no human triumph, no political reformation, no lasting progress had ever been accomplished'; adding, also, that I was 'still firm in the struggle which the vote of the nation had called me to carry on, and, notwithstanding all the difficulties, I would not falter in my duties, since it was not in the moment of danger that a true Hapsburg would abandon his post.' And here I am, struggling

cheerfully by your side. Let us continue to advance with determination on the road of our rights, and God will recompense our efforts, giving us as our reward the peace and liberty of our country. Let our rallying cry always, and on all occasions, be the immaculate motto, 'Viva la Independencia.'"

The crisis came on the 14th of May. It was the sixty-seventh day of the siege, and the fifty-second since Marquez left for Mexico for reinforcements and money, and no tidings had been received from him. Food and forage were nearly exhausted, and it was clear the garrison could not hold out much longer. A council of war was held; and it was decided that the whole army should move out at midnight, and cut its way through the Liberal lines.

The story of the officers and men massacred in cold blood at San Jacinto and Puebla, put unconditional surrender out of the question. All the male citizens between the ages of fifteen and fifty were enrolled and armed to occupy the lines and cover the sortie; and this hazardous task was assigned to the gallant and faithful Mejia,—"Pap Tomasito," as the Indians loved to call him. If the attempt succeeded, it would compel Escobedo to raise the siege,

and the emperor and his army might force their way to the capital. It was a stormy night, with everything favorable for the desperate enterprise. The garrison was called to arms, the artillery moved up, and all waited the signal to advance in silence. The emperor and his staff rode to the head of the column about midnight; and, as they halted for a moment, five deserters were brought in. They were closely questioned, and stated that, in the hope of a reward, they had brought the important news that San Luis was besieged; that Juarez himself was there, and in such extremity that he had ordered Escobedo to raise the investment of Queretaro and come to his assistance. Their story seemed true; and a council of generals was called, and it was decided to wait two days more; against the remonstrance of Salm-Salm and others, the orders for the attack on the lines were countermanded; and the troops returned to their stations. The appearance of these deserters, at a critical moment, with their ingenious account of affairs at San Luis, was the first step in a conspiracy to betray the emperor and his cause, and surrender the city to his enemies.

The central figure in that picture of cowardice and treachery was a Mexican, Miguel Lopez. Lopez was a cavalry officer in the Mexican army, and had attracted the emperor's attention by his fine face and bearing, and his acts of daring on several occasions; and in the early days of the empire, without examination of his previous history, he was given important posts, and marks of confidence and distinction were bestowed upon him. He was made governor of the castle of Chapultepec, honored with the command of imperial escorts, and finally appointed to the colonelcy of the empress's regiment,—the most valued of all commissions in the service. He was granted many gifts in money and estates; the emperor acted as godfather to one of his children; he was made commander of the imperial guard, organized for the emperor's personal protection; he received the cross of the Legion of Honor from Bazaine; and at the opening of the siege he had been chosen, from all others, to command the key of Queretaro,—the convent of La Cruz. And yet he was the man who, while loud in his demonstrations of loyalty and affection, opened negotiations with the enemy, and sold his friend and benefactor to dishonor and