



The Aztec ruins of Xochicalco, Southern Mexico.

[Page 145.]

CHAPTER VIII.

DIAZ KEEPS THE SOUTH AFLAME.

Two events happened in the year of Diaz' captivity and escape fraught with momentous consequences to Maximilian and his Empire. The first was the close of the Civil War in the United States of America in May, 1865; the second the terrible Decree issued in Mexico on October 3rd of the same year as a direct consequence of which, after a year and eight months had passed, Maximilian himself was taken out and shot on the hill overlooking Querétaro.

The downfall of the Mexican Empire was, in fact, assured as soon as the defeat of the separatist cause in the United States of America, and the restoration of peace gave the Government of Washington opportunity once more to turn attention to Mexican affairs. Their policy had never altered, but opportunity had been lacking, while the internecine strife prevailed, to give effect to it.

In the long struggle for independence which Juárez maintained, the relations between the statesmen at Washington and his Government were unbroken; they recognised him as President of the Republic of Mexico and the only legitimate ruler of the country, and lost no opportunity to protest to France against the occupation of Mexico by foreign troops.

The moment had come to make the protests effective; and even had the United States Government shown any tendency towards delay their hand would have been forced by the storm

of indignation occasioned by Maximilian's Decree of October 3rd, 1865, and the ends to which it was employed.

The Mexicans called it the "Decree of Huitzilopochtli," that being the name of the Aztec war-god, who was only to be propitiated by human sacrifices.

No more fatal step could possibly have been taken. The Decree was a defiance of the rules of civilised warfare, a piece of unrestrained savagery which the peculiar circumstances under which Maximilian held his throne—a foreigner upheld by foreign bayonets—made all the more unjustifiable. It is customary to attribute its authorship to General Bazaine, whose dark figure stood behind the Emperor in this hour of trial; and, indeed, the Decree is foreign to all we know of Maximilian's temperament and character.

It informed the people of Mexico that Juárez had fled from Mexican territory and crossed the northern frontier. This in the first place was a lie, for, though driven out of Monterrey and forced back to the frontier at Paso del Norte, Juárez had never left the country nor dissolved his Government. The Republican President, the Decree declared, had withdrawn from the contest, and abandoned his country and his Government. The cause, which, curiously enough, the Decree acknowledged Juárez to have maintained with so much valour, had at last succumbed. "Henceforward the struggle will no longer be between opposing systems of government, but between the Empire established by the will of the people and the criminals and bandits who infest the country."

Those who resisted Maximilian's authority, thus stigmatised as criminals and bandits, were to be treated as such, and, wherever found, were to be shot within twenty-four hours of their capture.

It has been pleaded in extenuation of Maximilian by those who are anxious to preserve his good name that he had been entirely misled by false information supplied him by Bazaine—which is probably true—and that he intended the Decree to be employed only against marauders—which may possibly be the fact. Still it is impossible to acquit him of responsibility for

the bloody deeds which followed, and which he did not exert his authority to check.* But a few days after the issue of the Decree, and before it could have been known far beyond the capital, the Imperial troops captured in battle, in the State of Michoacan, General Don José María Arteaga, General Salazar—the last being the Military Governor of Michoacan—Colonel Jesús Díaz, Colonel Trinidad Villagómez, Captain González, and others of the Republican army.

These were officers of high standing, some of them Mexicans of the most ancient families, and all men who had fought bravely against a foreign potentate on behalf of the country of their birth. Their position as prisoners of war availed them nothing. They were tried by court-martial, condemned to death, and forthwith shot.

Horror at this infamous deed, which was sanctioned by none of the rules of war, nor justified by the political exigencies of the time, was felt throughout the country, and, indeed, far beyond its borders. It literally meant that anyone opposed to Maximilian's rule would be shot. The fate of these brave men, who went unflinchingly to their death, created a strong revulsion of popular sentiment against the Empire, and aroused the bitterest animosities against Maximilian, upon whose head troubles were fast accumulating. Bloodshed was nothing new to Mexicans, who had lived in a state of active or incipient insurrection for half a century; but they had at least fought amongst themselves, and to whatever particular faction their allegiance might at the time be due, they were Mexicans before all things. Their lives and liberties had never been held at the dictation of a foreigner. If these men were rebels they at least rebelled against a foreign domination which they had never recognised.

* The Decree of October 3rd is written throughout in Maximilian's own hand. Count Emile de Kératry declares that Bazaine protested, and the statement must be taken for what it is worth. Maximilian a few months before his death admitted his mistake. In a letter dated February 9th, 1867, to one of his Ministers he says: "The Republican forces, wrongly represented as demoralised, disorganised, and united solely by the hope of pillage, prove by their conduct that they form a homogeneous army whose stimulus is the courage and perseverance of a chief moved by a great idea—that of defending the national independence which he believes threatened by the establishment of our Empire."

Salazar, a soldier of great promise, who, though young in years, had risen to the front rank in the service of his country, wrote to his mother on the eve of his execution: "My conscience is at rest. I go down to the tomb at thirty-three years of age, without a stain upon my military career, or a blot on my name." Even the Imperialist papers published under the shadow of Maximilian's palace in the capital were emboldened to print panegyrics of General Arteaga, whom they described as "an honest and sincere man, whose career had been distinguished by humanity."

It is difficult to fathom the impulses which governed Maximilian at this time. If the Decree was being employed for purposes which he had never intended to sanction, it was within his authority to withdraw it. The Decree was not withdrawn, and the sorry tale of executions went on. Indeed, from the statement which was vouched for before his death, that as late as February 5th, 1867, orders were given that Juárez and his ministers, if captured by the Imperial troops, were to be at once shot, it would seem that he was fully determined to follow the course that he had begun.* The weak man of unstable temperament, beaten in his well-meant efforts to secure the public good, turning tyrant and staking all on a desperate resolve, is no new figure on the world's stage.†

* The statement insisted that written orders to this effect were in the hands of the Republicans. It is right to say, however, that this is in direct conflict with the testimony of Prince Felix Salm-Salm, who was attached to Maximilian's Staff, and who asserts in his "Diary in Mexico" (vol. i., p. 36) that "the Emperor had sent Miramón a strict written order to treat Juárez, if he should take him prisoner, in the most friendly manner, and to send him to Mexico."

† Only two months after the issue of the Decree of October 3rd, and when the fury which it created was at its height, the following letter, which plainly shows the Emperor's determination at that time, was sent to Marshal Bazaine:—

"Military Cabinet of the Emperor,
Mexico, December 15th, 1865.

"Monsieur le Maréchal,

"His Majesty directs me to acquaint your Excellency that in case Vicente Riva Palacios should be captured, he wishes that he should be brought to Mexico. *This exception is for special reasons, and is the only one the Emperor intends to make to the Decree of the 3rd of October, and he desires that your Excellency will give positive instructions that, if he is taken, Riva Palacios should not be put to death.*

"Chief of the Military Cabinet of the Emperor."

That Maximilian had striven honestly to rule Mexico for its own good there is no reason to question. At the outset some measure of success had attended his efforts, but the tide on which the Republican hopes had seemed to be fast ebbing had already turned. He was harassed on every side. The Clericals, who among the Mexicans had been the chief supporters of his throne, were alienated by finding that the Emperor would not—and, indeed, could not had he wished—restore to the Church the wealth of which it had been dispossessed by Juárez. The finances of the country, strained to breaking-point by the cost of establishing the Empire, were in a worse condition than ever. And away to the north the defeat of the Confederate States of America and the restoration of peace must have warned him that the end was near.

His administration had, indeed, been full of mistakes, due to infirmity of purpose, and to the fact that he never gained a real grip of Mexican character. He failed to dispossess himself of the idea that he was sitting on a European throne, and had but to give orders for the regeneration of the country and they would be loyally fulfilled. He forgot that "treason circulates in the blood of Mexicans"—as a French contemporary writer savagely expressed it—and that men who had been false to their former allegiance would be equally false to himself when it was to their advantage to be so.

Maximilian brought over from Miramar a budget of laws ready prepared, which were entirely inapplicable to prevailing conditions in Mexico. From his desk, at which he toiled laboriously, he issued excellent decrees. They were futile because corrupt subordinates to whom the powers were entrusted never carried them out. The supervising hand was wanting everywhere. He had a great opportunity of raising the Indians from their low estate and winning their undying devotion; but he let it pass by. When making costly additions to the Palace at Chapultepec he was apparently unaware that his troops on the frontier were mutinous because their pay was withheld, and were joining the Republicans.

A more suicidal act for a monarch so placed than the issue

of the Decree of October 3rd it would be difficult to conceive. It drove hundreds of Mexicans who had been favourably disposed towards the Empire to passive or active sympathy with the Republican cause, and from that day the fortunes of the little band of stalwart men who were upholding national independence in the mountains began steadily to improve.

On learning of the barbarities committed in Maximilian's name, the Congress of the United States passed a resolution, "That we contemplate the present state of affairs in the Republic of Mexico with the most profound solicitude; and that the attempt to subject one of the Republican Governments of this continent by a foreign Power, and to establish on its ruins a monarchy sustained solely by European bayonets, is opposed to the declared policy of the United States Government, offensive to our people, and contrary to the spirit of our institutions." An "army of observation" was placed on the frontier, and a general of high rank was deputed to attend on President Juárez.

Napoleon, in short, was told that he must go. Courteously, but firmly, and in language that permitted no doubt of its intentions, the Washington Government demanded that the French troops should be withdrawn. Mr. Secretary Seward, in a despatch forwarded to Paris on November 6th, 1865, informed Napoleon that the presence of a French army in Mexico was a source of "grave reflection" to the Government of the United States; that the United States could not tolerate the establishment of an imperial government, based on foreign support, in Mexico; that it declined in fact to recognise in Mexico any government that was not Republican.

France had lost all interest in the Mexican adventure. Thousands of brave soldiers had perished by sickness and in battle. A plain intimation by Mr. Seward in the following spring that the United States contemplated armed intervention in favour of President Juárez left Napoleon no alternative but to yield or risk war with a powerful State. Forced to withdraw his troops, he could only offer Maximilian a short period of respite during which to consolidate his position, or abdicate.

Early in the year 1866, Diaz was at Silacayoapan. Declared a "criminal" and a "bandit" by the Emperor's Decree, and with a price upon his head, there is little doubt he would have shared the fate of other brave men had he fallen into the clutches of his enemies, who were now driven to desperate means by the turn of events in the country, and by some minor successes obtained by Juárez on the northern frontier. As the French troops were slowly withdrawn from the confines of the empire towards the interior the Republicans closed in. Juárez with his force moved inland from the frontier town of Paso del Norte to Chihuahua. A few weeks later the surprise by General Escobedo and capture of the whole of the Imperial garrison at Monterrey, enabled the President once more to establish his Government in that town, and from there direct operations towards the south.

Diaz again took up the task, interrupted by his captivity, of upholding the Republican cause in the Southern and Eastern States. Separated from his chief by many hundreds of miles, with no communication except after months of delay, he was compelled to act on his own initiative, and make the best of the situation. Volunteers were not lacking, but he was without organisation, without transport, and without supplies, and already the country had been brought to the verge of destitution by the demands made upon it by the armies of occupation. He was for some time able to maintain only a small effective force, and take the offensive in operations more in the nature of guerilla warfare than of carefully planned hostilities. Here are passages from his diary, which show how his following was recruited in men and arms:

"When I was in Tlapa I learnt that a column of Imperialist troops under General Ortega was trying to pass through the State of Guerrero by Jamiltepec and Pinotepa.

"I therefore started to march through Ometepec with General Álvarez and some two hundred of the National Guard, with the object of meeting Ortega. On February 25th, we were encamped in a ranch known as Lo de Soto, when our advance force, at a distance of three leagues along the road, abandoned

their post without returning to camp. Therefore, I did not know of the enemy's presence until the first shots were fired on my men.

"On hearing the rattle of bullets I came out of the hut where I had sheltered, and saw the enemy's cavalry at a very short distance. They began to fire on me. I withdrew to the hut, seized my pistols, and broke through the back wall, which was made of bamboo reeds. I burst through two other reed huts, and on entering each in turn my pursuers were close behind. On rushing through the last I was unexpectedly confronted by one of my officers with ten men, mounted and armed, who had asked permission some hours before to bathe in the river about a league away, and were just returning. Jumping on the officer's horse I called out to the men to follow me, and with them charged the enemy, some soldiers of the Oaxaca battalion who had occupied a small hill in the centre of the ranch assisting our movement by firing into the enemy's cavalry. We forced the foe back to a ravine, the only passage available, and the same by which they had come, in consequence of a breach of duty on the part of my outpost.

"Once they had been driven to the other side of the ravine I remained to defend the pass. Being joined by reinforcements I passed through the chasm, putting the enemy's cavalry to flight, and pursuing them until they joined their infantry, which formed the principal part of their force. Then I began to retire myself, and collected my company in Los Horcones to resist an attack. But this did not come, so we remained in Ometepepec.

"Some days afterwards, having received a reinforcement of about two hundred infantry, I again marched on the Imperialists, surprising a detachment of forty or fifty men in Pinotepa.

"The flight of this detachment greatly discouraged Ortega's troops who were in Jamiltepec, where I arrived just as that General had left the town. I pursued him, but as I had to cross a river my pursuit was not serious; it was useful because it caused the enemy to scatter and also to leave some of their arms and ammunition on the road, which we gladly seized.

"On my return to Jamiltepec on April 13th, I found four hundred rifles that Ortega had left hidden in his precipitous flight. These arms were fresh from the factory. Afterwards I collected others from the recruits who were in flight through the towns. Among the papers which Ortega had left behind him in his lodging I found lists of people to whom he had distributed arms. These with little difficulty I was also able to collect, and thus for once I found myself with more arms than men. The last rifles were of the English 'Enfield' make. They were better weapons than those with which Álvarez had supplied me, and which I now returned.

"Meanwhile General Ortega retired defeated to Oaxaca.

"I remained two or three days in Jamiltepec, but hearing that there was a strong detachment in Putla, I marched into the valley across the mountains. From the first villagers we met we learnt that the troops had gone away the day before. This made me press on with my staff only, so as to get provisions for our men.

"I had added to my staff by this time all the leaders and officers recently incorporated and not yet placed in the fighting ranks. Consequently, we formed a band of more than thirty.

"On reaching the town of Putla, with the idea that it was unoccupied, I saw a man pass rapidly through one of the streets with a red flag, and took him for a deserter from the enemy. Wishing to capture him, I ordered a group of officers to gallop to one side of the Plaza while I took the remainder to the other side. Great was our surprise when we saw in the Plaza the whole detachment of the enemy. They were even more taken aback than ourselves, and not realising that we were only a handful of men they became alarmed and hastily withdrew to Tlaxiaco.

"Profiting by these circumstances we fired our pistols on these few hundred men. They were more terrified than ever when they saw, on arriving at the gate of the city, a body of cavalry whose attention had been attracted by the firing, coming at full speed to help us. I at once ordered them to pursue the fugitives.

"Thus, without much trouble, we occupied Putla. Thence I went to Tlapa. While there a messenger came from Colonel Visoso, who had been rebuked by the Imperial Government for the defeats he had incurred. Indignant at this reprimand, he now offered me his services, which I accepted; but on condition that he did not come alone, but with other troops, all of whom must give me a clear manifestation of good faith.

"Accordingly Visoso, a few days later, left Puebla secretly and went to Chiautla, where the garrison were friendly towards him. That same night the troops there mutinied, killing the political governor and the military commander of the place. Visoso sent this news to me, whereupon I sent out an escort to protect him on his journey, and he joined me at Chila de la Sal, bringing with him two hundred men and a mountain gun."

Diaz learnt about this time of an incident which had threatened Juárez' ascendancy in the Republican camp five months previously. Lack of communications had prevented him receiving the news earlier. Among the twenty-two close adherents, known to all Republicans as the Immaculates, by whom Juárez had surrounded himself, was General González Ortega. He had been President of the Supreme Court of Justice, but his judicial duties by force of circumstances had been allowed to lapse during the wanderings of the fugitive government among the mountains. This man seems to have become fired with the strange ambition—strange at that critical juncture—to become President of the Republic, and by the time-honoured expedient of a *pronunciamiento* claimed the executive power. Juárez, he represented, had been elected for a term of years which had expired, and, there having been no new election, he—González Ortega—succeeded to the Presidency by virtue of his judicial office as President of the Supreme Court.

A critical position would have been set up had there been rival Republican Governments at war amongst themselves. Nothing could better have served Maximilian's purpose. Fortunately for the success of the cause, Ortega did not find the supporters he expected, and the leaders of the Republican forces,

almost without exception, stigmatised his action as a piece of treachery; he fled to the United States, and from that safe refuge continued to send back protests about which none concerned themselves.

Juárez, who foresaw clearly the train of disasters which must attend any dissensions at the Republican headquarters, solved the question by issuing a decree prolonging the period of his Presidentship until, in times of peace, the usual constitutional elections could take place in the country.

This was all communicated to Diaz by the Mexican Minister in Washington, whom he answered as follows:

"May 19th, 1866.

"Señor Don Matias Romero,

"Washington.

"I have had the Government decrees published here.

"The first, relating to the prolongation of the Constitutional term of the President, has been received with obvious satisfaction. I need not speak of my own opinions, because they are always revealed in my conduct, which consists in absolute obedience, or in absolute separation from any official position when my convictions do not allow me to agree with the course of politics.

"In the present case the step taken by the President not only seems opportune to me, but seems also the only conduct that he could follow for the salvation of the Republic.

"The decree which accuses González Ortega and the other leaders and officers is, in my opinion, well authorised by military law and by the customs of war.

"I think, moreover, that the Government has done no more than was its duty in this matter.

"Your devoted servant and friend,

"PORFIRIO DIAZ."

The life of the future President of Mexico seems to have been fraught with adventure at all times. No sooner had Colonel Visoso joined him than he marched into the State of Puebla to protect the inhabitants of San Juan Itscaquixtla.

Diaz tells of this narrow escape in his diary: