

tion of any party that could arise by its own strength, but rather under the shelter of a foreign flag, which protected him in his usurpation, and at a time when there existed, as there now does, a rightful government established in accordance with the will of the nation and conformably with the requirements of our organic law. These are the weighty arguments which fix Maximilian and the *condottieri* who follow him in the same predicament as Walker in Nicaragua, Lopez in Cuba, and Rausset in Sonora; all of whom could not fail to be considered as pirates by the respective governments of those places; and pirates are without the pale of international law.

Let not the hackneyed argument about *de facto* governments be presented to us; for besides the fact that such sort of government is not well defined by any writer on public law, reason, justice, and a due regard for the public weal teach us that a government should be regarded as *de facto* only when it can sustain itself by its own force, and present a guaranty of stability and peace, while at the same time securing the fulfilment of its international engagements, and at the same time not resting its claim to priority on the right of conquest, which is now reprobated and proscribed by the civilized world. Finally, when such a government can with prudence and energy preserve at least public tranquility, and thus make up for the loss of liberty, although not resting its own claim on the love of the people. In which of these conditions can Maximilian claim to be? Instead of recognizing the claims of justice or believing in the advantages of peace, he carried war to the very confines of the republic. Instead of putting himself in the way of fulfilling any of his international obligations he entangled himself in engagements which it was impossible for him to fulfil. * * * Converting his military expeditions into what resembled hunts after wild beasts, he has destroyed all confidence on the part of his enemies, stifled whatever magnanimity they had left, and placed them in the inevitable necessity of taking eye for eye, tooth for tooth, and head for head. And still we cannot admit that he has succeeded in setting up might over right, but rather the law of Talion to a most frightful extent.

Referring to the "cry for vengeance and the proposal to fight it out to the bitter end," spoken of in the protest, the answer continues:

Such a struggle as this had already begun long since on the part of the French, with the wicked establishment of courts-martial organized for the purpose of systematizing murder; with an ostracism which sent the defenders of our independence to the most deadly places of imprisonment in the Antilles; with the calaboose in San Juan de Ulloa, from which about one per cent. of the prisoners came out alive, and no one could tell whether the sword or the bullet, the cup or hunger carried off our fellow-citizens. It continued in the pillage, sack, and burning of whole towns, together with the assassination of our people, and was kept up by the vilifying accounts of their writers, the shameful calumnies that issued from the mouths of their generals, even in the parliamentary assemblies of France, and by the absolute ignoring of every principle of humanity, of all the laws of war, of all the maxims of morality, and all the sentiments of humanity.

Now, we have shown that the action of General Escobedo in shooting the prisoners taken at San Jacinto was authorized under the law of nations; and, moreover, that all the aggravating circumstances to which we have alluded stamp the measure as entirely legal and fully justified. In putting to death the San Jacinto prisoners there was no wish to wreak vengeance on a handful of foolish adventurers, who had hired themselves out to butcher Mexicans, but there was, indeed, the intention to annihilate, if possible, in their persons, that spirit of filibusterism so hurtful to the peace of nations.

We have shown the propriety of these executions, because, based as they were on justice, it seriously concerns the fair fame of Mexico in history. It is of value to do so, because it will serve to check henceforth the avarice and ambition of foreigners, and will serve to let the world know what is our real social and politi-

cal situation. Finally, these grand principles will serve, after the consummation of our national triumph and the re-establishment of peace, to form a text for the treaties which we may make with the remaining powers of the world.

Mexico does not admit nor recognize *de facto* governments in countries where popular representation has been established. Neither does she recognize as Mexicans any but her native sons or such as choose the Mexican nationality in conformity with the laws of the republic.

Mexico does not admit the principle that a naturalized citizen can reclaim his original nationality. Foreigners who acquire real estate in Mexico lose by the fact their title to foreign citizenship. Nor do foreigners who enrol themselves under a political banner to subvert public order or contribute toward its overthrow hold any rights, and none shall be recognized in them.

[From the New York Herald, April 25, 1867.]

Activity of Gen. Marquez—he steals away from Queretaro to Mexico with full powers from Max.—raises money and men, after changing the whole ministry—off for Queretaro or Puebla again—Max. tries to make Mexicans believe Uncle Sam means to meddle in Mexico—Juarez and Maximilian contrasted—French calumny of Juarez, &c., &c.

MEXICO, March 31, 1867.

Like the skilful practitioner, who, when a body is dragged cold and limp to the shore, and those grouped about declare the case hopeless, detects the germ of life and warms it into vigor, General Marquez has infused into the drooping empire a new existence. By his energy and boldness he has made of the passive power of Maximilian's character an actual and creative principle. No longer troubled with anxiety about European interference, he has turned to account of the imperial régime the policy of the United States in regard to the continent of America, and snatched from the unskilful hands of the liberals what should have been their strength and stay. Postponing every consideration to the salvation of what he called the state, he disregards every right, public or private; and, accepting the responsibility as boldly as ever Jackson did, goes directly to his aim without a thought of the danger and difficulties his mad career is preparing for Mexico in the future with European nations. In fact, Marquez believes that while the moral attitude of the United States holds in check all transatlantic intermeddling, he can deal with the Juarists and keep afloat a government of conservative elements (whatever political name shall be given it) on the current of events.

Having in vain essayed at Queretaro a compromise with the liberals, who refused to yield an iota of their pretensions in favor of traitors then allied with a usurper, Maximilian, he and his chief adherents, determined on a daring course. A decree, issued on the 19th, proclaims General Marquez lieutenant general—a title which, from his proceedings since his arrival on the 26th at the capital, would appear to confer powers but little short of the absolute disposal of life and property. It is as follows:

"For the discharge of the extraordinary and important mission which we have intrusted to General Leonardo Marquez, we name him our lieutenant general, invested with full powers according to the verbal orders which he has received from us."

"Given at Queretaro, the 19th of March, 1867.

"MAXIMILIAN."

Armed with the authority which Maximilian, emperor of Mexico by the grace of Napoleon III, is fully empowered to delegate, Marquez passed through the

liberal lines around Queretaro on the evening of the 21st, and by mountain paths fell upon the city in the manner of an aerolite. At once Mexico was awakened from the lethargy that for weeks had been weighing upon her, and it was felt that something was coming which must be a relief to the monotony of expectation which had been eating into the very heart of hope. Yet no one anticipated the very tornado of energy that was to burst upon the capital. A forced loan of \$800,000 was imposed; the press gangs pushed to greater activity; the ministry removed and new ministers appointed; General Vidaurri named to the treasury; Mr. Lares, who had been charged with the state department during the emperor's absence, reduced to his former sphere as minister of justice, with a severe reprimand for his inertness; and Mr. Campos, the finance minister, who reminds you of the skeleton of John Randolph of Roanoke, grown obese with bile and rudeness, threatened to be brought to trial for failure to supply the army of Queretaro with the necessary resources. Within thirty-six hours the lieutenant general had raised \$400,000, an army of four thousand men, and, giving out that he was on the way to raise the siege of Puebla, took the road within the next twenty-four hours for the interior, leaving the government in charge of General Santiago Vidaurri, the new minister of finance.

Mexico stood aghast; the foreign representatives called a meeting, but did nothing; some of the body feared to be provided with their passports, others had been just comfortably married, and all gave in to what was sapiently resolved could not be remedied. Meanwhile the forced loan continues to be levied, principally upon foreigners. The Bank of London and South America is put down for \$50,000; the French minister's wife, or rather her dowry, at \$8,000. On remonstrating, his excellency is informed that it is not the minister who is assessed, but the property secured to his Mexican wife before her marriage. Not yet satisfied with this rehearsal of the raising of ways and means, a contribution is imposed on the owners of city property of one month's rent for the government, and upon the tenants of half a month, to be paid within sixty days. Señor Bermejillo, a Spanish capitalist, has his house closely invested by soldiers until he pays his quota of the forced loan; the same with the family of Rincon Gallardo and others—not a loaf of bread, nothing, is permitted to pass to the hungry household, and the water is threatened to be cut off unless the demands of the government are complied with. His excellency of the treasury counselled a foreign merchant and particular friend, upon whom he had been under the painful necessity of imposing the amount of \$15,000, to take advantage of the lull that would follow the first loan and sell his property before a second imposition of the same order could overtake him on his road out of the country. These violent measures are sought to be justified by the refusal of President Juarez to listen to any overtures for an arrangement. "If," the imperialists say, "we are to be sacrificed to party vengeance and branded as traitors, we shall perish to the last man and leave the country desolate. We have offered terms; they have been rejected; the responsibility of the frightful consequences which must ensue from measures which the first law of nature justifies us in adopting belongs to the relentless Indian, Juarez, and his fierce bands of robbers." This idea now ought to be made the principle of the empire, and the reason for Maximilian's longer continuance in the country is ostentatiously developed in a communication to the minister Aguirre, dated March second, at Queretaro:

"MY DEAR MINISTER AGUIRRE: As my departure for Queretaro at the head of the recently-formed army might be falsely interpreted, both in the country by malevolent persons, and abroad from ignorance of the facts, owing to the many calumnies which our enemies disseminate eagerly respecting the conduct of our government, I believe it necessary to present a few observations, which might serve as explanation and guide in the present difficulties.

"The programme traced by me in Orizaba, after having heard the frank and loyal expressions of the councils of state, has not been altered in the least. My dominant idea is still in favor of a congress as the only solution that can settle a peaceable future, and a basis on which to rally the contending parties which now cause the misfortunes of our unhappy country. I put forth the idea of a congress, which, on my arrival in the country I was most anxious to realize as soon as I had a certainty that the representatives of the nation could be convened free from foreign influences. While the French held sway in the centre of the country, there was no possibility of thinking of a congress enjoying free deliberation. My going to Orizaba hastened the march of the troops of the intervention, and thus brought around the day when a constitutional congress could be openly spoken of; that it was impossible to take this step earlier, was demonstrated by the very strong opposition which the departing French authorities made to the idea as put forth at Orizaba. A congress elected by the nation, and affording a true expression of the majority's will, is the only remedy for our civil war, and the only way to stop this melancholy spilling of blood.

"I, the sovereign and chief called by the nation, submitted on another occasion with pleasure to the expression of its will, influenced by a most ardent desire of ending promptly this desolating struggle. I did more, I addressed myself personally, as well as through trusty and loyal agents, to the several chiefs, who say they fight in the name of liberty and of the principles of progress, in order that they, as well as I, should submit to the legitimate wish of the national majority. What was the result of these negotiations? That the men who invoke progress did not wish to do so, or could not submit to such a test, and they replied by shooting loyal and distinguished citizens, rejecting the fraternal hand which wished peace between brethren. They, like blind partisans, prefer to rule exclusively with the sword in hand. Where is then the national will? On which side is the desire for true liberty? Their only excuse, therefore, is their own blindness. On them no reliance can be put, and we have no other duty than to work with all our energies to restore as quick as possible liberty to the different centres of population, which can then express freely and frankly their will. This is the reason why I, myself, marched to this city hurriedly, seeking by every possible means to restore to our unfortunate territory peace and order, and to save the country a second time from hurtful foreign influences. From the east there came forth the bayonets of the interventor; it is necessary to place the country in such a position that other armed influences, either direct or indirect, may not attack our independence and the integrity of our native country. We now witness a harter being carried on within our territory. It is for that very reason necessary to seek in every way an end to this critical situation, and to relieve Mexico from every oppression, from whatever side it may come. In fine, a national congress will settle the destinies of Mexico as to her institutions and form of government; and, if this reunion should not take place, because we who endeavor to bring it about succumb in the contest, the good sense of the country will always give us credit, and say that we have been the true defenders of liberty; that we never sold the territory of the nation; that we strove to save her from the oppression of a second intervention, and that in good faith we presented the means of gaining a triumph under the auspices of the national will.

"Accept the assurances of my good will. I remain your most affectionate,
"MAXIMILIAN.

"QUERETARO, March 2, 1867."

We trust in all sincerity that our good emperor's intentions are purer and clearer than his style. If his moral education has not been better than the evidences given of the care bestowed upon him by his masters in logic and rhetoric, we fear that Mexico will profit but little from his intentions. With all

due deference, however, to the best intentions, his majesty of Mexico has published some few inaccuracies, which with the same tenderness of language we have employed to qualify what would be called in certain places by a Saxon monosyllable, must be pointed out in the interests of that history for which Maximilian and his scribes are even now preparing and giving to light truth-flaying documents. The studied effort to cast the odium of the continued disorders and bloodshed that deluge Mexico upon the party which has for years been struggling for the freedom of their native country from the slavery of European systems, exposes more completely either the bad faith or weakness of Maximilian. He pretends not to understand, or ignores, the elementary principle that by treating with one who is the creature of a filibuster, the liberals would at once invest an usurper with a right to propose and reject terms in a land that honors him only as a stranger. His majesty, prince or emperor, had his misgivings of the will of the people as early as his first appearance on the soil of Mexico, for he then cherished the idea of a national congress; the panacea, which is to cure the ills of a revolutionary country; that doubt could not have been removed by the refusal of Porfirio Diaz and men of the same stamp to accept his overtures, or by the repeated declarations of President Juarez against the proffered services of foreigners to come from abroad in aid of Mexican independence. The country will not hearken to his propositions to unite in a congress, because the constitution confers upon a stranger no right to convoke the representatives of the Mexican national will. The majority has expressed its will, and Maximilian tacitly acknowledges his consciousness of the feeling against him by an appeal for the congress, which must be composed of members elected as Napoleon III delights to hear the people declare their choice. Maximilian, despite every sophism, every artifice, will be responsible—if he persists in remaining in Mexico, merely to furnish to a few desperate men the shadow of a right to ruin their country—for all evils, for all blood shed, nay, for the loss of the independence, which he deprecates, and, with the obstinacy of falsehood, is clamorously throwing up as the sin and perversity of the constitutional party of Mexico. He has done enough to vindicate his personal dignity and self-respect since the withdrawal of the French, and can without disgrace withdraw from a portion of the American continent that neither requires his presence nor desires the worn-out routine of Europe. Maximilian clearly invites the intervention, whose bayonets he describes in the east; and indicates the issue to which the Mexican question has been rapidly narrowing itself within the last few months—American liberty for individual action, or European system with its trammels and gubernatorial intermeddling. At this juncture the liberal party is more averse to interference on the part of the United States than the imperialists; those believe in their ultimate triumph, while the latter have no hope against loss of country and property but in the good offices of the American government. We have spoken in detail upon the contents of the foregoing letter, as it contains the principle for which the imperialists pretend to fight and justify their continuation of a contest prolonged by the egotism and wilful obstinacy of President Juarez. He it is who, like the Aztec priest, raises the knife to rip open the body of his native country bound upon the bloody sacrificial stone. Maximilian, serene and benignant, offers a higher principle of self-sacrifice, and saves the victim by giving himself in expiation. The house of Austria and the nineteenth century claim the joint honor of having produced this political knight-errant, in atonement for the loss of the Lombardo-Venetian territory and the preservation of the American Union.

But to return to the foreign ministers. Deeply indignant and outraged by the imposition upon their several nationalities of a forced loan; these respectabilities called a meeting of what is facetiously known in Mexico as the diplomatic corps. The ingratitude of the imperial government, recognized and manipulated

from a fledgling into the image of an adult bird between an American owl and the Austrian eagle, was loudly exposed. No sooner had the French army disappeared than the Mexicans relapsed into their old "hankering" after the goods of others on their own account, and not to be remitted, as during the intervention, to Europe. These people were incorrigible. The Spanish minister, Marquis de la Rivera, said if only he had a fleet at his disposal he would * * *. This generous motion was seconded by Baron Magnus, Count Bismarck's representative, with, "if he only had," to which yearning ejaculations M. Dano, French plenipotentiary (yet in good humor from a prolonged honeymoon,) generously offered to send for the French squadron in the West Indies and place it at the orders of his colleagues. The blank visages showed that the gentlemen had got in presence of a fact that at once frightened them into an adjournment, not only without a day, but even without a protest, which has always been a favorite branch of *belles lettres* with the diplomatic individuals accredited near the government of Mexico. These very correct and dignified exponents of impotent consequentiality enjoyed the satisfaction of submission to the defiance of a government they had cradled into growth, and of establishing a precedent for the ruin of their fellow-subjects in Mexico.

The French faction here have united with the imperial conservative party, in a systematic calumination of President Juarez. The Gauls have neither forgotten nor forgiven the treaty of Soledad, which broke to pieces the convention of London, and sent the English and Spaniards home in 1862. By this skilful stroke the expedition from France had either to return as they came or resort to falsehood and treachery, to effect their design of holding Mexico as a colony, for the purpose of checking American advances, and of turning the current of silver from London to the bank in Paris. Having exhausted in depreciation of the President of Mexico every sin known to the decalogue, as comprehended under the moral law of Napoleon III, they now accuse him of habitual and frenzied intoxication. Under this influence the order was given to shoot the French soldiers taken by General Escobedo at the battle of San Jacinto, and fears are expressed in most exaggerated phrases of furious revenge and cruelties to be perpetrated should he once be allowed to enter Mexico. French policy, ever at work, would carry out its designs under this novel form of moral intervention. From the best authority we are enabled to deny the truth of so disgraceful and scandalous an attempt to vilify the President. An American gentleman, recently from daily interviews with Juarez, contradicts in the most direct and positive manner the indulgence in the degrading vice of inebriation by the man who has given an example of constancy too rare to permit the belief that he had not firmness sufficient to resist, amid all his trials, the momentary oblivion imbibed with ardent spirits. No invention, however, born of the French brain and fostered in the French heart, any longer startles those who have witnessed for four years the acts of these tricksters as practiced in Mexico.

Defeat of Marquez by Porfirio Diaz—Marquez escapes—Fears entertained for Maximilian.

VERA CRUZ, April 13—p. m.

The latest news just before sailing is the defeat of Marquez. He had succeeded in making his way out of Queretaro, and had stolen into Mexico city, raised a forced loan of \$400,000 and four thousand men. He had immediately marched to the relief of the garrison of Puebla. Porfirio Diaz, hearing of it, had hastened its capture, shot its officers, and immediately passed out to meet Marquez, who was approaching from Apozaco with four thousand men and the money raised in Mexico.

Diaz met him, and in the engagement whipped him, capturing the money, guns, ammunition, &c.; but Marquez escaped.

The general impression among the liberals is that Maximilian is attempting to escape from Mexico, and that he will not succeed; but that a fate similar to that of the sixty-three officers at Puebla awaits him. Will not the United States government suggest moderation and leniency to Juarez? or we may be compelled to rank the Mexican (where he, perhaps, as a race properly belongs) among the barbarians.

The Austrian vessel of war Elizabeth still awaits Maximilian.

More about the capture of Puebla—Reinstallation of liberal authorities in that city—Liberal troops sent after Marquez—His return to the capital cut off—The southern line of the city of Queretaro in liberal hands—An American pressed into imperial service—Max decorates him for his activity, &c.

MEXICO, April 8, 1867.

Official reports of the fall of Puebla are received, though the authorities here say that General Marquez marched into that city after General Diaz left, on the 5th of April. Puebla, attacked at fourteen different points, was taken on the evening of the 3d, and its fortifications delivered to the liberals on the 4th. Perfect order prevailed, and but few outrages.

Great rejoicings were had in San Angel on the morning of the 3d of April over the official news of the fall of Puebla. Rockets, crackers, and bells grew clamorous of the glad tidings. At once most of the constitutional forces took up their march to join the troops, who had orders to follow close on Lieutenant General Marquez, in order to co-operate in an attack made by the liberals sent to meet him. The dike of Lake San Cristobal has been cut so as to intercept his return to the capital from the plains of Afram, through which he had taken the road towards Puebla. Large bodies have been detached from the siege of Queretaro to aid in destroying Marquez, who is justly recognized as the soul of the imperial conservative party. At Queretaro the entire southern line of the city, including the "Casa Blanca," a strong point, and the Alameda, are in possession of the besiegers. These successes have been obtained at the cost of a lavish expenditure of blood, hitherto unknown in the civil wars of Mexico. Indeed, the contest is becoming relentless; even General Porfirio Diaz is reported to have hung several of the chiefs opposed to him at Puebla—whether by previous orders of President Juarez or upon his own responsibility, in view of particular circumstances of the moment, we have not yet been able to ascertain.

Mexico continues in a state of isolation. No mails come or go; what is brought into the city is at the risk of some adventurous American, who, with the characteristic recklessness of his countrymen, ventures upon the roads with the conviction that he has a right to travel unmolested anywhere on the continent of America. One of these independent travellers was embargoed on his route from the capital to Texas, with his wagons and teams, into the service of his imperial majesty Maximilian, who, pleased with his energy and intelligence, appointed the man from Connecticut chief of the transportation department and decorated the wide-awake republican with the cross of the "Order of Guadalupe" at the moment an assault and entrance into a besieged place occurred. The constitutional authorities have been reinstated under General Garcia as governor of the State of Puebla. Marquez, lieutenant general of the empire, will require all the energies of which he boasts to extricate his army and silvery convoy from the perilous position he now occupies, for the waters of the Lake San Cristobal, and swarms of liberals, are rushing in upon him, and unless he escapes to-morrow before Diaz brings up his forces from Puebla and the troops

detached from Queretaro close about him in the rear, we shall be under the painful necessity of reporting a lost lieutenant general buried in the noisy ruins of an empire.

The authorities are resorting to every measure known in Mexico to suppress the truth as to the fall of Puebla. Letters are searched for, opened and retained upon the slightest suspicion. Others are published, whose contents throw the least doubt upon the fact; and where flattering paragraphs cannot be wrested from the true tenor of a letter, they are manufactured, for the purpose of keeping alive the illusion of the government party and depressing the morale of the liberals. A fair specimen of these imperial arts is taken from the *Diario del Imperio*, of Saturday, the 6th of April. It is given in a column headed "Not official:"

"PUEBLA.

"The most excellent General Marquez entered Puebla with his cavalry on Thursday, the 4th instant, at one o'clock in the morning, D. Porfirio Diaz having raised his camp at 10 o'clock on the night of the preceding day. From reports worthy of credit it is known that D. Porfirio Diaz and D. Juan José Baz were grievously wounded by the falling of a wall, and that the former took the road toward Tlaxcala, whence messengers were sent in search of physicians and instruments for an amputation."

As long, however, as we can keep the most excellent general cornered at "San Nicolas," on the other side of the waters of San Cristobal, where positive information places him, with hundreds of liberals surging about him, the *Diario del Imperio* can flirt with falsehood. The editor no doubt fulfils his contract with the government, while destiny patiently awaits the fulfilment of that entered into between Time and the Empire.

WASHINGTON, July 12, 1867.

SIR: Permit me to suggest the propriety of an alliance between the United States and Mexico, for mutual protection against invasion and rebellion. Such an alliance was proposed by me to our government at the beginning of the slaveholders' rebellion; but an inordinate confidence in our strength and the supposed weakness of the rebels—from which was predicted a speedy termination of the war—prevented its adoption. If adopted, the rebellion would have been suppressed during the first year. With the United States and Mexico combined, the preponderance of power would have been so great that the rebels must have been compelled to lay down their arms as early as the first year. If so, then three-fourths of the loss of life, and three-fourths of the cost of the war would have been saved. Likewise, if an end had been put to the rebellion during the first year, or even the second, it would have prevented the invasion of Mexico by France, which never would have been attempted but for our rebellion, and thus the late desperate struggle of Mexico for national existence against the most powerful monarchy of Europe, and which, after such great sacrifices, has just ended so gloriously, would have been averted. As such alliance, however, was not proposed by our government, and unfortunately was not offered by Mexico, the advantages which might have resulted therefrom was lost to the two republics. But wisdom is generally learned by experience, and frequently at great cost, and often when it is too late. This favorable opportunity for mutual alliance having passed, the question is whether it would not be of great advantage to the two republics at this time and hereafter. True, rebellion has been suppressed in name in the United States, and revolution and inva-