

of our troops, in a body, to their withdrawal in detachments, and our corps of occupation will embark in the coming month of March. I have to add that the French government is fully disposed to have an understanding with that of the United States in view of the eventualities which may arise in Mexico.

Accept, &c., &c.

For the minister for foreign affairs, now absent, and by authority—

LA VALETTE.

No. 11.

The minister for foreign affairs to Mr. Berthamy, minister of France at Washington.

PARIS, December 5, 1866.

SIR: As you are aware, the minister of the United States has been instructed by his government to bring to our notice the subject of the new arrangements made for the return of our expeditionary corps from Mexico, and he has expressed to us the regret that they had not been officially notified of it at Washington, adding, furthermore, that he did not see in this aught but a misunderstanding susceptible of an explanation satisfactory to both parties. In order to do away with this misunderstanding the government of the Emperor has not hesitated to give the orders to the Marquis de Montholon to officially inform Mr. Seward of the instructions which I had addressed to him under date of October 16, and a copy of that despatch has likewise been handed to Mr. Bigelow. Desirous, moreover, to fully enlighten the cabinet of Washington respecting our intentions, we have also transmitted to the envoy of the United States the accompanying communication; the assurances which it contains are conformable to those contained in my despatch of the 16th of October to M. de Montholon, which I had besides already developed on the 1st of November last, in a conversation with Mr. Bigelow, of which you will find a statement in my despatch of the 8th of November to your predecessor. As I then said, if we have been obliged to defer our departure, it has been from considerations purely practical. In order to guard the security and health of our troops, we have substituted a return in a body for partial withdrawals; but neither our policy nor our intentions have changed, and the return of our expeditionary corps will be effected at the beginning of next spring. You are authorized to renew the assurance of it to the cabinet of Washington.

Receive, &c.

MOUSTIER.

No. 12.

The minister for foreign affairs to the minister of France at Washington.

PARIS, December 27, 1866.

SIR: I took charge of this ministry on the 5th of October, and one of my first occupations was to furnish to the government of the United States friendly explanations respecting our policy in reference to Mexico. The Emperor was then at Biarritz; so soon as the return of his Majesty permitted me to ask him his orders, I addressed a despatch to your predecessor, dated the 16th, in which were stated the considerations of a nature purely military which determined us to recall our corps of occupation no longer by detachments, but all together and at one time, in the coming spring. M. de Montholon has made known the tenor of this document to Mr. Seward, and the correspondence of our representative

at Washington shows that the Secretary of State of the United States had been satisfied with it. I should have preferred that M. Montholon should have immediately given him a copy of it; if I did not transmit him a formal order to do so, it is because at so great a distance a certain liberty of personal appreciation must be left to our agents. However, having supposed that I could infer from his correspondence that he had simply read it to him, I hasten to advise him by telegram to complete, by transmitting the despatch itself to Mr. Seward, the communication which he had only made to him verbally, but which I thought bore a character sufficiently official.

We have not, in fact, as the American agents seem to think, the habit of not attributing that character only to written notes, and I will remark in passing that the persistence which they show in wishing to treat in that form all affairs, has, in practice, some real inconveniences. The moment Mr. Seward had received favorably the announcement of our resolutions, I could not suppose that some days thereafter, without informing the minister of the Emperor at Washington of it, he should have instructed Mr. Bigelow to raise here objections to the manner of evacuation adopted by us.

Were these objections otherwise very serious? The important point for the government of the United States was to know when its liberty of action should be returned to it, that is to say at what time the last French soldier should quit Mexico. The date of the first departure was altogether a secondary matter, and a delay upon that subject could give rise, at most, to the expression of some fears in reference to our new intentions, and those fears, besides, were removed of themselves in view of our spontaneous explanations. It was only on the 28th of October that Mr. Bigelow came to make his verbal observations to the government of the Emperor. They were probably caused by instructions from his government; but these instructions, which were not destined to be communicated to us, have remained entirely unknown to us. We have only had, in order to answer the minister of the United States, to place before his eyes the despatch of the 16th of October.

In the mean time, M. de Montholon having left the original of that despatch in the hands of the Secretary of State, Mr. Seward, satisfied with that communication, which made known nothing new to him, but which, in his view, he perhaps considered as a necessary formality, hastened to send a telegram to Mr. Bigelow, which that agent made known to us on the 3d of December, and is thus worded:

“WASHINGTON, December 1, 1866.

“The despatch of M. Moustier to M. de Montholon, of the 16th of October, will be used properly and in a friendly manner.

“WILLIAM H. SEWARD.”

It was therefore perfectly established between the minister of the United States and ourselves that at that moment there was no longer any subject of misunderstanding between the two governments, and Mr. Bigelow then wrote to his own government that our language could not authorize any doubt as to our intentions. This took place some days prior to the meeting of Congress. There was therefore no reason why, among the documents submitted to the federal representation, a despatch of the 23d of November to Mr. Bigelow, should be made to figure—a despatch which, as I have stated above, was not intended to be communicated to us, has not been communicated, of which we have not been enabled to refute (which would have been very easy) the arguments, in the main not very equitable, and not very obliging in form, and which, in any event, at the moment it was inopportunistly made public, had no cause to exist.

I do not further insist upon this incident, the causes of which, perhaps local, escape me, and which must be consigned to oblivion, now that the relations between the two governments tend to become more and more cordial and amicable.

The speech of General Dix at his audience of reception, has given still more strength to the character of our relations with the United States. The Emperor has been entirely satisfied with it, as the reply of his Majesty proves, and I can do no less than to encourage you again to foster these good dispositions.

Receive, &c.

MOUSTIER.

Mr. Seward to Mr. Romero.

DEPARTMENT OF STATE,
Washington, March 25, 1867.

SIR: I have the honor to acknowledge the receipt of your communication of the 16th instant containing certain documents taken from the *Moniteur Universel*, relating to Mexican affairs, which the French government laid before the legislative body at the opening of the late session, for which be pleased to accept my thanks.

I avail myself of this occasion to renew to you, sir, the assurances of my high consideration.

WILLIAM H. SEWARD.

Señor Don MATIAS ROMERO, &c., &c., &c.,

Washington, D. C.

Mr. Romero to Mr. Seward.

[Translation.]

WASHINGTON, March 23, 1867.

MY DEAR SIR: I remit to you for your information a printed copy of the official report which General Escobedo, commanding in chief the army of the north of the Mexican republic, sent to the minister of war and marine from San Felipe on the 7th of February last past, of the important victory he obtained on the 1st at San Jacinto, against the rebel forces which attempt to sustain the usurpation of the ex-archduke of Austria, Don Fernando Maximilian, whose forces were commanded by Don Miguel Miramon.

I have the honor to be, sir, your very obedient servant,

M. ROMERO.

Hon. WILLIAM H. SEWARD, &c., &c., &c.

[Supplement to No. 11.—Translation.]

THE SHADOW OF ZARAGOZA.

SAN LUIS POTOSI, February 11, 1867.

To satisfy public desire, and to avoid errors and false appreciations, we publish this day the general report of the battle that took place at San Jacinto, on the 1st instant. To appreciate the worth of the labors undertaken in that hasty campaign, it is necessary to explain some of the difficulties that preceded it, and to manifest, in passing, the hopes and sentiments of which the soldiers of the republic find themselves possessed.

As soon as the city of San Luis was occupied by a division of the corps of the army of the north; while portions of it camped at different distant points,

and at the time that the headquarters with the reserve division were moving towards the interior, news was brought of an expedition of traitors, who proposed to invade the States already occupied by the independent forces; this made it necessary to move the headquarters to San Luis, leaving the artillery in the rear, with munitions, armaments, and equipage to be used to meliorate the condition of the suffering and valiant troops that, for long months filled with privations and in incessant fatigue, had no stimulus but patriotism, nor more consolation than that of giving liberty to their fellow-citizens.

Four days had scarcely passed after General Escobedo's arrival in this capital, when it was found that the enemy was advancing upon it with one of his divisions, under the command of Don Severo Castillo, and that another, under Don Miguel Miramon, was marching in the direction of Zacatecas. The ninety or one hundred hours that had passed after the arrival of the commander and his staff did not afford time to concentrate and reorganize the different sections of the northern army corps, which, as I have already said, were scattered at divers points; so it was found necessary to arrange the campaign with the force disposable in those moments, stationing one division in front of Castillo, another in the town, and a third in observation of the enemy on the road to Salinas, and the last destined to give aid to Zacatecas.

In these rapid combinations and movements we do not know which to admire most, the activity of the chiefs, who doubled their energy, or the discipline and perfect organization. The result to them could not be doubtful. Miramon was caught, whipped and routed, according to the custom which he acquired in the last battles given in favor of the constitution and reform; and Don Severo Castillo, in his disastrous retreat, is the most efficacious proof that the intrepid soldiers of the republic will now have hard work to find an enemy with whom to fight.

Thus closes this day the campaign of the insensate Miramon, who, as facts demonstrate it, in his voyage to Europe, so far from learning how, forgot how to fight; losing what little self-esteem and dignity was left him at the same time; and now the republican forces, under the powerful nucleus of the northern army corps, will have ample time and means to reorganize. And in fact, at this hour the united troops of the States of New Leon, Coahuila and San Luis Potosi, Durango and Zacatecas, Aguas Calientes, Guanajuato and Queretaro are actually in motion, and very soon, with a total of more than fifteen thousand men of which they are composed, will undertake their march towards the profaned city of Mexico, to plant there in a manner imperishable the labarum of national independence. This flourishing army, formed of all the valiant, who without truce have contended against the French and traitors, trusting not so much to the number and supreme quality of their arms as to the irresistible impulse with which they have known how to reconquer liberty for the oppressed people.

In regard to the northern army corps, we are pleased to say that, from its intrepid leader to its lowest soldier, they all long to see the city of Mexico, to make it the field of honor for the supreme national government, that ought to be received and guarded there by public opinion and the love of freemen. Thus the severe watchword being given to this army corps, whose spirit is communicated to all the forces that join it from the different States of the republic, it expects to rest only a few instants in camp, then to march with the same valor, with the same abnegation, and in better harmony, if possible, wherever the supreme government may think its presence necessary to consolidate public order once forever, contribute to the reorganization of the country, and plant its standards on the frontier and in the ports, where the best soldiers will be left to serve them for a guard, and the rest, returning to the quiet labors of the field and arts, will remain there as an example and basis of republicanism and of free democracy.

MEXICAN REPUBLIC—NORTHERN ARMY CORPS—GENERAL-IN-CHIEF.

At headquarters of the army corps under my command, established in the city of San Luis Potosi, I received notice that the enemy had evacuated the city of Queretaro in two strong columns, one under the command of Don Miguel Miramon, and the other under the command of Don Severo Castillo, by distinct roads, and both in the direction of the line formed by the place where I find myself and the city of Zacatecas. It may be the enemy feigned a march on Zacatecas, in order to oblige me to give up my headquarters to aid that city, and at the same time to make an advance on me with one of his columns and to attack me in flank with all his forces, while I was weakened by assistance sent to Zacatecas; he might likewise march upon this place with one of his columns, pretend to attack San Luis Potosi with the other, and go to join the other column, by way of Ojuelos, Campos, and Cienaga Grande, to attack Zacatecas with his entire force before mine could come up; and he might, in fine, with both columns, march upon both of the said places. Anticipating these events, I took the precautions to be ready for all eventuality. I ordered General Rivera, with his brigade of 600 cavalry, to station in this town; the cavalry brigades of 1st Coahuila and 2d Nuevo Leon, with forces both of 600 men, in the hacienda of S. Bartolo; and General Rocha, with 1,000 of the three arms of the 2d division of this army corps, at San Francisco. I appointed the citizen General Leon Guzman, governor of the State of Guanajuato, to the chief command of all these forces, giving him instructions to place General Rivera in front of Castillo's column, to observe its movements, and, if it took the road to San Luis Potosi, to attack its rear, General Guzman falling back, with all the other forces, to wait for a battle in the town of San Luis; that the same should be done if the enemy took the road by Gallinas to said town, and if he kept on to Zacatecas, General Rivera should give notice of his movements to that city, and the forces of these headquarters on his right flank; and that General Guzman, with the other forces, should harass him in the rear. The town of San Luis, thus covered from any surprise, the manner of annoying the column of Don Severo Castillo being arranged, in case he should go to the aid of Don Miguel Miramon, and learning from my explorers that the latter would certainly march on the town of Zacatecas, I ordered my second and general-in-chief of said division, C. Geronimo Treviño, with 2,500 men of the three arms of the 1st division of this army corps, to go to the aid of that place. In the town of Mesquitic, five leagues from San Luis Potosi, I ordered to be stationed the section of this cuartel general, composed of 1,000 men, and commanded by the citizen General Francisco Arce, so that he might opportunely go where wanted, whether to defend the plaza of San Luis, or re-enforce General Treviño. I learned by a message sent me by this chief from the Salinas del Piñon that the city of Zacatecas had fallen into the power of Miramon, and I set out instantly to put myself at the head of his forces, forcing on one day's journey as far as Espiritu Santo, with the forces I had stationed in Mesquitic, and I went on to Salinas del Piñon Blanco, where I overtook the citizen General Treviño. I left the town of San Luis under the care of the commanding general of the artillery of this army corps, citizen General Francisco Paz, thinking to advance myself rapidly on Miramon, to prevent him from getting supplies, which, if he had time, he could get from Zacatecas, or hinder his union with Castillo, in which case I would not be able to beat him in detail.

At Salinas del Piñon I waited for the forces I had brought as far as Espiritu Santo. From there I went a day with all of them to the hacienda del Carro, taking this road as the central of the three that lead to Zacatecas, so that if Miramon left the town to avoid a fight and join Castillo's column, he could not do it without meeting me, or encountering me in some of the cross-roads. At

that hacienda I organized the entire force, consisting of 1,500 horse and 2,000 foot, with one battery of artillery, in the following manner:

The infantry, in command of the citizen General Francisco Arce, was divided into three columns, forming the 1st of the 1st and 6th battalions, under its chief the citizen Colonel Montesinos; the 2d of the 2d and 7th battalions, its chief the citizen Colonel Edelmiro Mayer, and the 3d, the supreme power battalion, and the 1st light of Saltillo at the orders of the citizen Colonel Macias. As an infantry reserve the 1st light battalion of Leon, commanded by the citizen Colonel Miguel Palacios.

The cavalry was divided into four columns, commanded by the citizen Colonel Pedro Martinez, and composed the 1st of the corps of the northern legion, its chief the citizen Lieutenant Colonel Francisco Olivares; the 2d of the corps of Parras, its chief the citizen Colonel Emiliano Laing; the 3d of the 2d corps of Zaragoza, its chief the citizen Lieutenant Colonel Antonio de Leon; the 4th of the 1st Zaragoza corps, its chief the citizen Lieutenant Colonel Francisco Martinez; and, as a reserve, the corps of Galeana hunters and 1st Durango, at the orders of the citizen Lieutenant Colonel Hipolito Charles. Don Juan Villanueva, the citizen battalion commander, captain of the 1st of this force, was chief of the artillery. The command of the entire division was intrusted to the citizen general 2d in chief of the army corps, Geronimo Treviño.

Having thus organized the forces, without loss of time I left the Carro hacienda on the 31st of January last, and passed the night at Santa Elena, where I heard during the night that Miramon had left, with all his forces, on the evening of that day, in my direction, but not marking the road he had taken.

At 4 o'clock on the morning of the 1st day of February I continued my march. At the Estancia de Jarillas I found the enemy had taken the road to Aguas Calientes, and, making a short cut, I managed to overtake him at the hacienda of San Diego. I had been perceived, and he seemed to be waiting for me at that point. I made an exploration of the field, protected by rifles that General Treviño had ordered to deploy. On coming in sight of the enemy I sent the 1st, 2d, and 3d companies of cavalry, under its chief the citizen Colonel Pedro Martinez to my left, taking possession of a small elevation till I could weather the right of the enemy. I ordered an advance in the centre, the 1st, 2d, 3d infantry taking the flanks, posting two pieces of artillery on the brink of a pond to protect it. The reserve cavalry was sent to the right, under the citizen General Miguel Blanco, who put himself at the front of it, telling me two days before he was a good Mexican, offering me his services in any way he could be useful, and I gave orders to this chief to double the position of the enemy, out of reach of his artillery, supported by the 4th column of cavalry, that was kept as a reserve. On perceiving these movements, the enemy suddenly fell back, concentrating at the hacienda to make a retreat, and notwithstanding the rapidity of my evolutions, I succeeded in sending several volleys of artillery among his columns.

Fifty carbineers of the 2d column of cavalry, protected by fifty others of the same arm, continued to harass him closely in his retreat. I gave orders to the citizen Colonel Martinez to continue his march on the left to the heights on the enemy's rear; to the citizen General Blanco to continue to the right till he got as far as the same heights with Colonel Martinez, so as to shun, in this way, the ambushes the enemy might lay, and I ordered the citizen General Treviño to go forward with the parallel columns of infantry and the fourth cavalry, which was in reserve.

The resistance which the enemy offered to our riflemen was obstinate, and our men obstinately persecuted him as far as San Francisco de los Adames. Here I wanted to take advantage of good ground before the enemy could reach the strong position of Cuisillo ranch, where he might cause us great loss. I sent orders to the citizen General Blanco to conquer the obstacles that the

ground presented to him, to advance his column in a trot till he doubled the position of Cuisillo; to Colonel Martinez to advance by the left till he should come to the main road, and to the citizen General Treviño to make the fourth column advance, following up the charge that I was to make in a few minutes, by aid of the infantry.

On entering the plain, my columns of cavalry marched to the heights designated. I arranged for Colonel Martinez to put himself at the head of the 4th column, which was to charge in the centre, and I formed a line of battle in front of the enemy, at the same time that he did the same.

Two sections of the northern legion supported the left of my line, and two sections of the Parras carbineers my right. The column of cazadores advanced to turn the position of the enemy. I ordered a charge, and notwithstanding the obstinate resistance made by the enemy, making use of artillery, ten minutes after my order was given the enemy was completely routed. A portion of our forces pursued him, another struck the tents, and the greater part of those that remained, not engaged in the fight, continued their march to encounter the Castillo column in the direction in which we heard it was coming to protect the chief whom we had just conquered.

By document number 1 you will be informed of the number of prisoners we took from the enemy; by number 2, of the artillery, armament, munitions, and supplies which were captured; by number 3, of the killed and wounded; by number 4, of the transports and pack-mules that the enemy left in our power. We also secured 21,936 dollars, which I have sent to the care of the commissary of this army corps.

On our side we have to lament the loss of two officers killed, sixteen men killed and seventeen wounded, all of the line, taking from the field the bodies of ninety-six French and forty-six traitors.

All the citizen soldiers who took part in this combat with an ardor worthy of the holy cause which they are sustaining with a great contempt of life, struggled with diligent rivalry to distinguish themselves as the first. All did their duty, and to their patriotism and valor the country owes another day of glory and a signal victory, the consequence of which can be nothing less than the early and felicitous termination of the war in favor of the cause of the republic.

Constantly occupied in business very important to the service ever since the day of the battle up to this time, and marching every day, it has not been possible for me to make a report till now.

I pray you to be so good as to give an account of it to the citizen President for his information and consequent ends.

Independence and liberty! San Felipe, February 7, 1867.

MARIANO ESCOBEDO.

Citizen MINISTER OF WAR, *Zacatecas*.

No. 1.

ARMY OF THE NORTH—FIRST DIVISION, OFFICE OF MAJOR GENERAL.

HACIENDA OF SAN JACINTO, *February 3, 1867.*

List of the prisoners of war, traitors and French, taken in the battle of the 1st of the present month:

Traitors	350
French	122
Traitor officers	4
Total	476

NOTE.—The traitors above mentioned have been equally distributed among the different corps.

MIGUEL PALACIOS.

No. 2.

NORTHERN ARMY CORPS—FIRST DIVISION, OFFICE OF MAJOR GENERAL.

HACIENDA OF SAN JACINTO, *February 3, 1867.*

List of artillery, arms, munitions, and other effects taken from the enemy at the hacienda of San Jacinto, on the 1st of February, 1867:

Mounted artillery.	Good.	Useless.
Bronze cannon, calibre of 12.....	3	
Bronze howitzers, calibre of 15.....	5	
Mountain howitzers, calibre of 12.....	12	
Dismounted artillery.	Good.	Useless.
Bronze howitzer, calibre of 16.....	1	
Implements for the service of the pieces.	Good.	Useless.
Swabs, with ramrods	17	
Aiming levers	16	
Drag-ropes	5	
Port-fires	2	
Chest for howitzer cartridges of calibre 16	1	
Chests of cartridges for mountain howitzers of calibre 12		12
Trestles		8
Munitions for artillery.	Good.	Useless.
Ball cartridges for cannon of calibre 12	104	39
Canister cartridges for same	32	20
Cartridges, with powder only, for same	46	
Loaded grenades for howitzers of calibre 15	109	14
Charges of grape-shot for same		28
Cartridges, with powder only, for same	67	33
Charged grenades for mountain howitzers of calibre 12	322	70
Charges of grape-shot for same	75	40
Cartridges, with powder only, for same.....	70	
Munitions for infantry.	Good.	Useless.
Ball cartridges for fuses of 15 drams	6,000	18,500
Ball cartridges for Enfield rifles.....	1,900	
Ball cartridges for Minié rifles	8,000	9,500
Powder.	Good.	Useless.
Cannon powder made in the country, (arrobas)	6	
Gunpowder made in the country	6	
Arms for infantry.	Good.	Useless.
Percussion muskets of 15 adarmes, with bayonet.....	61	
The same, without bayonet	93	
The same, transformed	56	
Enfield rifles.....	96	
Minié rifles, without axes.....	32	
Odd muskets of different calibres		37

For cavalry.....	Good.	Useless.
Musket barrels shortened.....		3
Sabres, with steel sheath.....	23	

Park effects :
60 pigs of lead, 300 pounds.

MAJOR GENERAL MIGUEL PALACIOS.

No. 3.

NORTHERN ARMY CORPS—MEDICAL STAFF OF THE CORPS.

HACIENDA OF SAN JACINTO, February 2, 1867.

List of persons wounded, French and traitors, on the field of battle of the 1st instant :

	Wounded.	Officers killed.	Soldiers killed
French prisoners, gendarmes.....	33	1	4
Traitors.....	24	1	3
Total.....	57	2	7
	=	=	=

Deduct those dead in the hospital, 9, leaves 48.

Attest :

VIVIANO BERLANGA.

PALACIOS.

No. 4.

ARMY OF THE NORTH—FIRST DIVISION, OFFICE OF MAJOR GENERAL.

HACIENDA OF SAN JACINTO, February 3, 1867.

Account of carriages and mules taken from the enemy at the hacienda of San Jacinto, on the 1st of the present February :

Vehicles :

Army ambulance.....	1
Carriages.....	3
Two-wheeled carts.....	57
Four-wheeled wagons.....	8

Mules :

Draught mules, for artillery service.....	64
Draught mules, for wagon service.....	216

NOTE.—The pantaloons, shirts, drawers, sarapes, &c., in the carts, this headquarters cannot give a total of, because they were immediately distributed after the action by orders of the citizen general in chief, which distribution was effected by the citizen Lieutenant Colonel Francisco Ortega.

MIGUEL PALACIOS.

Printing establishment of the government, in charge of José M. Davalos.

Mr. Seward to Mr. Romero.

DEPARTMENT OF STATE,
Washington, April 1, 1867.

SIR : I have the honor to acknowledge the receipt of your communication of the 23d instant, transmitting a copy of the official report of General Escobedo of his military operations on the first day of February last, near San Jacinto.

I avail myself of this opportunity to renew the assurance of my high consideration.

WILLIAM H. SEWARD.

Señor Don MATIAS ROMERO, &c., &c., &c.

FORCED LOANS IN MEXICO.

BUREAU OF CLAIMS, March 27, 1867.

Our treaties with Mexico do not contain any direct stipulation against the levying of forced loans from American citizens. The third article, however, of the treaty of 1831 (8 Stat., 410) provides that "they shall not pay higher or other duties, imposts, or fees whatsoever than those which the most favored nations are or may be obliged to pay; and shall enjoy all the rights, privileges, and exemptions, with respect to navigation and commerce, which the citizens of the most favored nations do or may enjoy." A forced loan is not strictly included within the terms "duties, imposts, or fees;" and if immunity should be claimed under the clause securing such "privileges and exemptions" as the citizens of the most favored nations enjoy, it might be alleged, with some plausibility, that "privileges and exemptions, with respect to navigation and commerce," do not necessarily include exemptions in respect to taxation, or to loans enforced as a necessity, arising from inability to procure funds by taxation. I think, however, this is no more than plausible. A loan, properly speaking, is a commercial transaction. It does not, as it seems to me, lie in the mouth of the Mexican government to allege that it is taken out of that category because it is enforced. It is not the less a bargain because one party enters into it against his will, as against those who apply the duress.

If this be so, then our citizens are protected from such impositions, because Mexico guaranteed to British subjects, by the tenth article of her treaty with Great Britain of December 26, 1826, (3 Hertslet, 252,) that "no forced loans shall be levied upon them."

It seems to me, however, not wise, if it can be avoided, to allow the right of our citizens to immunity from such a contribution to rest upon argument. To my mind the capacity of a nation, in case of extreme necessity, (and of this, in the nature of things, it must be the exclusive judge,) to possess itself of any property within its territorial jurisdiction, subject only to an equitable obligation to restore the property, or its value, is a clear and invaluable attribute of sovereignty. I cannot doubt that, as a government wanting horses or ships may take the horses or the ships where it finds them, without regard to the objection that it imposes a burden upon the owners, from which others are exempt, and is, therefore, unequal; so it has good right to impress the money of those who happen to have coin, without regard to the objection that those whose property consists of ships or horses escape the contribution for the time being. Any limitation upon this ultimate right of eminent domain ought to be expressed in the most unmistakable terms. This is done in the tenth article of our treaty with the Argentine Confederation, concluded July 27, 1853, (10 Stat., 1009,) in these terms :

"The citizens of the United States residing in the Argentine Confederation, and the citizens of the Argentine Confederation residing in the United States,