

all our brave citizens will hail as the last resting place that separates us from the reconquest of our national territory, that will never more be profaned by traitors. This victory will hasten the fall of Vera Cruz, now ready to open its gates to the patient and brave soldiers of our division. After such a brilliant and splendid victory our country will soon enjoy that long-desired peace so necessary to its prosperity, and will have the respect and admiration of the whole world. Citizen Benito Juarez, President of the republic, has given us the example. We now hail the triumph of right and justice in the republic. Let us hasten to proclaim the complete triumph of law and morals, so that we may proudly exclaim, "Long live Mexico—great, omnipotent, and happy!"

The news came by telegraph to-day, addressed as follows, to our worthy governor and military commander:

[Despatched from Tacubaya June 20.—Received at Orizaba the 21st, 1867, at 10.18 a. m.]

"Citizen General GARCIA:

"The capitulation of Mexico has just been signed. Its garrison, composed of Mexicans and foreigners, surrender unconditionally, and remain prisoners at the disposal of the supreme government of the republic. General Diaz is now leaving Chapultepec for Mexico to make the necessary arrangements for the preservation of public order.

"BENITEZ."

By previous telegram from citizen Licenciado Benitez, the secretary of citizen General Diaz, received this day, we have the following particulars:

"Marquez was abandoned by his adherents on the 19th. Tabera solicited a conference, that took place on the morning of the 20th; but General Diaz, not accepting the proposed conditions of surrender, renewed the bombardment that had been suspended till three in the afternoon from early morning. This brought the besieged to their senses; and at half-past six they offered to surrender."

RICARDO B. SUAREZ,
Editor and Proprietor.

Mr. Saulnier to Mr. Seward.

No. 48.]

CONSULATE OF THE UNITED STATES OF AMERICA,
Vera Cruz, June 27, 1867.

SIR: I have the honor to inform you that the imperial commissary, Don Domingo Bureau, fled from this city on the evening of the 25th, taking refuge on board the Austrian steamer of war, Elizabeth, on her departure from here for New Orleans. General Don Luis Perez Gomez remained in command of the forces in this city and the castle of San Juan de Uloa. Yesterday morning a friend of his called on me and solicited an interview; said interview took place at the house of the British consul, in the presence of Commander Roe of the United States steamer Tacony; Captain Ainsley, of her Britannic Majesty's ship Jason; the commander of the French corvette Phlegston; the English, French, and Prussian consuls, and myself. General Don Luis Perez Gomez then formally delivered the city of Vera Cruz and the castle of San Juan de Uloa to the British, American, and Prussian consuls, only stipulating time sufficient to allow the foreign troops to embark. This is being done at this present moment, say 8 o'clock a. m., on the Mexican steamer Tabasco, for Mobile.

Immediately that the embarkation is effected the consuls will advise the city authorities that the city is at their disposition, and that they forthwith send a

deputation to wait on General R. Benavides and invite him to enter and take possession of the city.

I have the honor to be, with great respect, your obedient servant,
E. H. SAULNIER,
United States Consul.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington, D. C.

Mr. Saulnier to Mr. Seward.

No. 51.]

CONSULATE OF THE UNITED STATES OF AMERICA,
Vera Cruz, July 2, 1867.

SIR: I have the honor to inform you that this city is perfectly quiet; as yet no one has been molested for political offences; the most of the chiefs had embarked from here previous to the entry of the liberal forces. General Ignacio Ala Torre has been appointed governor and commandant general of the State of Vera Cruz; he is expected to arrive here to-day. Dr. José A. Gamboa, of Oaxaca, is the new collector of customs in this city.

A succession of feast days, since the entry into this city of the liberals, say from the 27th to 30th of June, inclusive; illuminations, &c.

I have the honor to be, with great respect, your obedient servant,
E. H. SAULNIER,
United States Consul.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington, D. C.

[Supplement to the Revista.—Translation.]

COUNTRY, INDEPENDENCE, LIBERTY!

Constitutional order is now established in Vera Cruz. At this moment the worthy General Benavides and his brave soldiers are in the city. The meritorious Zamora battalion came in yesterday. After three months of privations and suffering, liberty and independence, those precious treasures of which we have been deprived for six years by the errors and unpatriotism of wicked Mexicans, are again restored to us. Now the conquered are fugitives; we will respect them; let history be their judge.

The Archduke Maximilian, chief of the faction that sought to burden us with a monarchy, has been judged, condemned, and executed. Peace to his tomb! Other chiefs have paid the forfeit of their lives for the crime of making common cause with the invaders.

Let us respect their memory! Our duty now is to forget past errors, and to labor faithfully to reconcile Mexicans and consolidate the government. Citizen Benito Juarez is the saviour of his country. May God reward him!

Citizens Benavides, Garcia, Baranda, Milan, and others, are the redeemers of Vera Cruz. Glory be to them! Zaragoza, Arteaga, Zalazar, Ferrer, Berna, and many others, died the death of the righteous. May their names be immortal!

Now our city is clad in colors, in homage to our brothers of the southern brigade, a testimony to the valor and patriotism it has ever shown. Let us bless the names of our saviours, and let us not forget that republicans are generous, great, and magnanimous.

Peace and reconciliation; union and generosity; concord and toleration; peace to the nation; long life to Juarez, and to our valiant brothers of the Casemate and Vergara!

Citizen Alexander Garcia, general of division in Vera Cruz, and governor and military commander of that State, to its inhabitants, greeting:

Know ye, that, wishing to relieve the wants of heroic Vera Cruz, and alleviate its sufferings, endured for so long a time of siege, thus giving a proof that the government tries to ameliorate the condition of its citizens, and efface every trace of past misery, in use of powers with which he is invested, decrees:

Only Article. All meal, flour, sugar, corn, rice, beans, lard, coal, salt, and all food of prime necessity, brought into Vera Cruz, but not from foreign ports, shall be free of all duty for the space of fifteen days, beginning from the publication of this decree.

Let this be printed, published, circulated, and observed.
Done in Vera Cruz, on the 28th June, 1867.

ALEJANDRO GARCIA.

R. B. SUAREZ, *Secretary.*

Mr. Seward to Mr. Saulnier.

DEPARTMENT OF STATE,
Washington, July 12, 1867.

SIR: Your despatch of the 2d of July has been received, together with several interesting papers which accompany the same. Your proceedings therein mentioned are approved.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

MR. E. H. SAULNIER,
United States Consul, Vera Cruz.

Mr. Otterbourg to Mr. F. W. Seward.

No. 33.] CONSULATE OF THE UNITED STATES OF AMERICA,
City of Mexico, June 21, 1867.

SIR: The capital of Mexico was surrendered yesterday, the 20th, at 7½ p. m., to General Porfirio Diaz, in command of the liberal army, after a vigorous blockade of more than seventy days.

General Marquez had suddenly disappeared the evening previous, leaving General Tabera with a demoralized garrison to bear the weight and odium of a defence protracted far beyond the rules of civilized war.

Referring to the diary, enclosure No. 1, for details connected with the siege, I have the honor to submit to the department a report of my proceedings during the delicate and perilous crisis through which this consulate has passed without compromising, I trust, the neutrality or dignity of the United States government.

Persuaded finally of the fall of Queretaro, the French minister, in his anxiety as to the fate of Maximilian, requested officially that I would accompany the Prussian minister and the counsel who had been called to that city by the prisoner, and exert my good offices to the benefit of the archduke of Austria.

In a conference with these gentlemen and others of the diplomatic corps, my objection to the proposal turned upon the want of instructions in the matter from Washington, and upon my opinion that the Mexicans ought, uninfluenced by outer pressure, to enjoy the undivided credit of lenity and forbearance, were they inclined to pardon Maximilian's errors; and that the susceptibility of the Mexican people already exhibited upon the subject clearly indicated the prejudice both to the archduke and the future relations of the United States with Mexico, did the agent of my government at this city make any move which could even remotely be interpreted as an interference with the sovereign action of the nation. These observations, recognized to be just by the eminent lawyers Mariano Riva Ralavio, Martinez de la Torre and E. Ortega, were concurred in by the foreign representatives present, who nevertheless urged me to procure from General Diaz a safe conduct through his lines for Father Fischer, regarded, inasmuch as he had been Maximilian's private secretary and constant attendant, as an important witness for the defence. The correspondence, enclosure No. 2, shows my compliance and the reply of General Diaz to the solicitations which anticipated the denial prepared to the same request by the functionaries within the limits besieged.

Generals Marquez and Lacunza, with whom as president of the ministry Maximilian had intrusted an act of abdication to be made public in any contingency like the present, were now alarmed lest the absence of these eminent personages should strengthen belief in a report, the truth of which they were actively enlisting falsehood and every species of deception to suppress, and interposed every obstacle from this departure from the city. The Prussian minister with the lawyers, the Austrian and the Belgian chargés d'affaires, notwithstanding numerous artifices put in play to detain them, succeeded in leaving on the 27th of May, and were within two days followed by the chargé d'Italy. Applications were also addressed in the last resort to the consulate, as the agent of the only government whom Marquez feared or any longer respected, to obtain permission for the consuls named by General Miramon to proceed to their mission at Queretaro. To my note, enclosure No. 3, making the request and explaining the motives therefor, no reply was returned. General Marquez already thought it unnecessary to respect either the rights or usages of society. From this moment the horrors of the situation frightfully increased. To the hunger of the masses were added the terrors of the wealthy. Maize and other articles available as food were seized for the soldiery or sealed up by speculators; from the rich, money was extorted day after day. Those who felt guilty of having anything left were afraid to appear abroad, and barred their doors alike against the authorities and the populace.

It became clear that I must no longer hesitate to claim openly for citizens of the United States exemption from arbitrary imposts and imprisonment, and the declaration was made public that all who ordered or effected outrages upon those residing under the protection of the American flag would be hereafter held responsible in their persons and property. At the same time our citizens were notified that there was no exception in their favor to the payment of contributions which could not be qualified as illegal.

Threats proceeding from General Marquez against the consul and all Americans were now reported. I considered it prudent to prepare for the safety of the government property and the liberties, perhaps the lives, of our people, and to that end invited Americans to enroll as a guard on duty and in readiness to be summoned at a moment's notice from the consulate. Twelve men were selected of the many who offered their services, arms and ammunition provided, and every necessary preparation unostentatiously taken for the defensive. Anxious withal to defer an issue which must change the neutrality held by the consul and all prudent American citizens, I offered to General Tabera, at the suggestion of many respectable Mexican gentlemen, to visit Tacubaya, provided the

city were surrendered on my return, with unquestionable evidence of Maximilian's captivity. These conditions not proving acceptable to the so-called Lieutenant General Tabera, it thus became evident that Marquez's object was alone to secure his own safety, though the city were impoverished and its inhabitants perishing.

Thoroughly aroused at length by the report of the French agent at Tacubaya corroborating the news of Maximilian's captivity and pending trial, still a fact systematically ridiculed by the military power in Mexico, the French minister sought through the medium of this consulate a free passage beyond the besiegers' lines, with the intention of visiting Queretaro and averting, if possible, the fate of the prisoner. The whole correspondence connected with this subject is embraced in enclosures Nos. 4, 5, 6, 7, 8.

Enclosures Nos. 9 and 10 show why my mediation proved ineffectual to serve the minister. The commander of the liberal forces officially, indeed, refused to accede to the French minister's request, which on the refusal of the authorities within the city to grant the necessary passports was conveyed secretly to General Diaz by a volunteer messenger, at his own risk and hazard, but consented that Mr. Dano might pass through his lines to any point beyond the ground on which the liberal army was actually quartered.

The opinion hitherto entertained, that upon the Austrian soldiers of the garrison alone depended a protracted defence or an early release from the tyranny of Marquez, now spread into a general conviction. General Diaz, it was known, was resolved not to attempt to take the city by assault, and the garrison had failed in a sortie upon the lines of the besiegers. Could the Austrians be held to the standard of Maximilian, the populace would be kept in subjugation and the situation indefinitely prolonged. It was therefore of the highest importance to shake the confidence of the officers of this corps in Marquez's proceedings and expose their mistaken loyalty by documents in evidence of the captivity of the brother of their Emperor. Letters written in German by Maximilian and forwarded by the Prussian minister, the one to the Austrian Colonel Khevenhuller and another to myself, asking the interference of this consulate in behalf of a fellow-prisoner, Prince Salm-Salm, who had served in the federal army, were seized and destroyed by Marquez before the contents could be availed of. General Diaz, too, when besought to communicate officially to the American consulate the facts which must at once disarm resistance and absolve the Austrians from longer obedience, declined, with the remark that General Marquez had declared that he would neither receive any communication nor recognize any signature as official proceeding from the enemy's camp. So far General Marquez had been encouraged by impunity to a repetition of any outrage upon the persons and property of the inhabitants of Mexico; an order signed by him to arrest the consul and all Americans was stayed only through the firmness and moderation of the political prefect. Enclosed No. 11 showing that we were abandoned without the slightest guarantee to the caprice and enmity of a military power, which failed to every obligation and recognized no responsibility, I concluded to demand passports (enclosures Nos. 11, 12) for myself and all, being under the protection of the flag, who chose to leave the city. A guard was kept night and day, and a promise was given by General Diaz that on a preconcerted signal he would understand the consulate was attacked and would immediately come to our assistance. Those in power now redoubled their efforts to sustain the faith of friends and to confound the wakening belief to the gross deceptions practiced upon the population. One Colonel Arellano was announced to have penetrated into the city with the news of Maximilian's approach with a victorious army and numerous train. The press rejoiced over this happy event, and every expression of joy was exhausted; the wavering were ashamed of their doubts, and credited the most extravagant story offered to their acceptance. The Austrians, startled at their own disloyal thoughts,

relapsed into a blind obedience. On the other hand, the passports asked for Americans were on various pretexts delayed, through the representation of different persons to the officials, that when the American consul left, the single barrier between Marquez and the victims of his outrage would be destroyed.

Still in need of money which could be obtained no more by the application of forced loans, daily contributions and other financial frauds, General Marquez gave orders to arrest and hold in prison a number of inhabitants, regardless of nationality, whom he had determined to keep without meat, drink, or rest, until they produced a certain amount assigned to each for payment. The Prussian consul regained his liberty after twenty-four hours' imprisonment at the price of \$6,000; few escaped, according to their means and the influence of friends. It is reported that Marquez raised over one hundred thousand dollars by this operation.

From enclosures Nos. 13 and 14 it will appear that American citizens and interests did not escape this inquisitorial process, which prompted the language deprecated as threatening in the reply of the prefect. At this critical moment the Austrian chargé arrived at Tacubaya from Queretaro, whence he had been expelled, (enclosure No. 16, confidential,) with the other diplomats, by General Escobedo, and succeeded with great difficulty in remitting to this consulate, for Colonel Khevenhuller, official confirmation of Maximilian's imprisonment and proximate execution.

This testimony put in possession of General Tabera was communicated to General Marquez, who forthwith absconded. Negotiations were at once entered into for the Austrians with General Diaz, and this unparalleled history of credulity and submission on the one part, and of duplicity and tyranny on the other, was abruptly brought to a close. On the evening of the 19th an armistice was agreed upon, which gave occasion on the following day to an interview between Generals Tabera and Diaz. Meanwhile the political prefect, General O'Horan, had notified General Marquez that, convinced of Maximilian's captivity, he would no longer recognize him as lieutenant general. At mid-day of the 20th, when the result of the interview was known, I suggested through a friend to General Tabera to surrender on the conditions offered by General Diaz, fearing lest the instructions which the latter had asked by telegraph of his government at San Luis Potosi would not approve the lenient terms which he seemed inclined to concede. Notwithstanding, the whole day continued to be wasted by General Tabera in deliberations and attempts to secure favorable conditions, until at 6 o'clock p. m., as a last resort, an appeal was made to me by General Tabera in person to ask the liberal chief "what one republican had a right to demand of another." I accepted this mission, not feeling at liberty, as I remarked to General Tabera, to refuse my intervention at so critical a moment, when, after experiencing the horrors of the past, we were exposed to the dangers of sack and murder by a disbanding soldiery from within, and were threatened with an assault by the liberals from without.

General Diaz, whom I met at his batteries, said in reply to my petitions for guarantees for the city, that General Tabera's object had been merely to gain time; he had prolonged the armistice beyond the time agreed upon; and that the surrender must now be unconditional, for in less than a quarter of an hour he would open fire upon the city. In reply to my remark, that the troops might disband before he could enter the city, General Diaz commissioned me to tell General Tabera that he, General Diaz, would hold General Tabera responsible with life for the disorder that might ensue thereupon.

The Austrians, in whose name I spoke, he said, would be exposed to an attack from his troops if they left the city in the morning of the 21st, as agreed, for Tacubaya; they should shut themselves up in the palace and hoist the white flag; he guaranteed their lives, and would send them under an escort to Vera

Cruz. All papers relative to this subject I will transmit to the department with my next mail.

Within an hour after my return with the answer to General Tabera's appeal, the city was surrendered after a furious cannonade, General Tabera himself a prisoner and the Austrians shut up in the palace, with the white flag hoisted in token of their neutrality.

I have the honor to be, very respectfully, your obedient servant,
 MARCUS OTTERBOURG,
U. S. Consul in charge of U. S. Legation.

Hon. F. W. SEWARD,
Ass't Secretary of State U. S. of America, Washington, D. C.

[Enclosure No. 1.]

Details connected with the siege of Mexico.

MEXICO, June 21, 1867.

My last despatch, dated May 26, left matters in such a state that an early solution seemed almost certain. The situation, however, has gone on dragging beyond all expectations until yesterday, when at last the so-called imperial authorities gave up the city of Mexico to General Porfirio Diaz. The liberal troops have entered this morning in the most orderly manner, and the republican government remains, consequently, established anew in the capital of Mexico.

After announcing this happy and long expected event, I must recur briefly to the facts which have marked the three last weeks of the siege.

On the very day I wrote last, the Boletin Oficial declared in his evening edition that "the emperor was coming at the head of his victorious army to the rescue of the capital." That official misrepresentation was the starting-point of a system of falsehood and deceit, which has been carried on up to the last moment with the most audacious and shameless pertinacity. At the same time, however, the authorities began to take horses from every house, and even horsemen in the street, with such activity that they seemed to entertain the idea of a general sortie, in order to escape from the city. This supposition was corroborated the next day, when a sum of \$150,000 was forcibly taken from the house of Barron, Forbes & Co., notwithstanding the protest of the British consul. Everybody thought these were preparations to go. It seemed, in fact, impossible that the three or four men who protracted the resistance only for their own sake could expose a city of 200,000 souls to the horrors of hunger, which were already beginning to be felt.

Besides, the evidences accumulated every hour about the fall of Queretaro, and the captivity of the emperor. On the 27th, MM. Martinez de la Torre and K. Mariano Riva Palaus (two eminent lawyers, and the last one father of the chief of the same name) received an invitation to go and present the defence of Maximilian. They consequently left on the 31st, and were followed by Baron Magnus, Prussian minister, Caroz Lagan, Austrian chargé d'affaires, Mr. Koorickse, Belgian chargé d'affaires, and Mr. Foroest, French consul at Mazatlan. All these gentlemen went to Queretaro in order to offer the emperor a proof of their sympathies, and tender him their support as far as it could go. It seems that they were at first allowed to see him, but some effort having been made to bribe the garrison in favor of the prisoner, they received peremptory orders to leave Queretaro within two hours. The princess Salm-Salm was at the same time arrested, as being implicated in the same complot.

Neither the public notoriety of all these facts, nor the increasing sufferings of the people, could deter General Marquez from his fixed purpose to hold the power and misuse it to the last. Flour and corn were almost exhausted and began to reach prices never known before. Bread ceased to be found at the bakers' since

the 11th; corn continued to be sold irregularly in some deposits until the 5th, but the crowd which accumulated at those points was such that the majority could not get even a handful of grain. Deaths by starvation began to be announced in the suburbs, and matters reached soon such a point that every kind of food had to be resorted to by people of every class. Bean cakes, barley bread, horse meat became gradually the almost regular diet of even the richest families, the most lucky those who, by foresight, had kept in store a small provision of biscuit. What was meantime the condition of the crowd can be more easily conceived than depicted. Dog and cat meat have been of no uncommon use during these three weeks. But even so famine was daily on the increase, until at last the authorities felt the necessity of leaving free scope to the emigration of the perishing multitude. Thousands of men and women left the city every day, and it is calculated that almost a third of the whole population had gone out, though this diminution of consumers relieved in no way the condition of those who remained.

On the 9th, about dawn, the city was awakened by a heavy cannonade along all the lines, accompanied by the rolling of musketry toward the north. The fire kept up for about an hour and a half, when it began to slacken, and ceased altogether about 7 a. m. It was soon known that a sortie had been made by a large part of the garrison and repulsed with heavy loss. What its real object was has been diversely stated; the general opinion and the most probable is, however, that the chiefs intended to escape from the city and to take themselves to the mountains. Be it so or not, the attempt was not renewed, although new sorties were announced at various times, and the siege assumed more than ever the monotonous character of a blockade, scarcely varied now and then by some momentary cannonading.

On the 7th and 8th there were some symptoms of riot among the populace, on account of the increasing scarcity of every kind of food. The Iturbide theatre, where corn was said to be stored, was attacked and partly sacked, but General O'Horan soon appeared and quieted the crowd by offering to direct in person the investigations. He effectively began to go from one house to another taking possession of every provisions he found and distributing them promiscuously to the people. This kind of organized pillage continued the whole day, but was not resumed the next morning. We had only a new cando from General Tabera, ordering every inhabitant to give to the authorities whatever he had in store. This order produced no effect and could produce none, for the very simple reason that almost every kind of eatable was exhausted in the city. Flour had reached the fabulous price of one dollar and seventy-five cents to two dollars a pound. Corn was worth thirty to thirty-five dollars per hundred weight. What meat could be had must be paid one dollar a pound for, and horseflesh, after selling at six cents, had already gone up to eighteen or even twenty-five cents. The impossibility to confront for a long time such a way of living was becoming more and more apparent; I therefore decided, on the 10th, to ask passes in order to go out of the city with my family and those of our citizens who were anxious to seek more favorable quarters. Most of them put down their names on the list which I kept open for three days at the consulate. This step was more of a precaution than of a real intention to carry it to this end, and in fact I made no particular effort to urge the delivery of passes. It had at the same time a political bearing in showing to the so-called imperial authorities that the United States consulate ceased even to acknowledge them as a *de facto* government, and could not consent to participate, were it only by its presence, in the imposition they continued practicing toward the people.

Mr. Dano, the French minister, wished also to obtain permission to get out, in order I believe to go to Queretaro. He obtained his pass from the city authorities, but General Porfirio Diaz declared he could not give him a safe conduct, and could only communicate his wish to San Louis. In the end Mr. Dano had to stay.

On the fourteenth there came suddenly a new levy of horses, while forced contributions were exacted from almost anybody on whom the government agents could lay their hands. Some of the most respectable foreign merchants were arrested, imprisoned at Fort Santiago, and kept there for hours, even for days, without food, without a mattress, and even without a chair. Among them was Mr. Bennecke, an old and most honored gentleman, who could not even be protected by his title of Prussian consul. He had to pay \$6,000 in order to recover his liberty. So general was the money hunt that almost everybody who had anything to lose was obliged to conceal himself to escape prison.

As, notwithstanding the means employed, the profits were poor, General Marquez resorted to an almost incredible trickery. It was publicly and officially announced on the fifteenth that General Ramirez de Arellano, commander of the artillery corps at Queretaro, had entered Mexico on the preceding night disguised as an Indian peddler, and that he brought positive news from the emperor. Said news was that Arellano had left Maximilian and his army on the ninth at Maravatio, forty-nine leagues from Mexico; that they were making their way toward the capital, and that they could be expected here within four or five days. The farce was carried to the last extreme by ringing the bells, firing fire-crackers, and promenading through the city with music and hired hurrahs for the emperor. So bold was the affirmation, in fact, that many of those even who knew best were for a time uncertain of what they ought to believe.

Some thought at first that the real object of this trick was to reanimate the soldiers, especially the Austrians, in order to make a last effort to break up the besieging lines. But the following two nights having passed without anything of this kind, it soon became apparent that such an idea must be given up. Neither the men nor the horses were now able to confront the besiegers, in consequence of their utter exhaustion; they could scarcely stand up, and it was not an uncommon thing to see either man or beast fainting in the streets from want of food. It therefore became evident that the situation was to drag on as long as General Marquez saw fit, unless some unforeseen circumstance interfered.

Colonel Kavenmuller, of the Austrian cavalry, had so far shown himself most reluctant to admit the captivity of the emperor. At last he began to be shaken in his faith, and informed me that if a proof of the fact were given, he and his men could immediately resign service, as they had only engaged to protect Maximilian. As this was the most likely way to bring matters to an issue, I communicated Colonel Kavenmuller's request to General Diaz, who immediately returned a most positive answer, sending a letter from the Austrian chargé himself, who certified that the emperor was a prisoner. General Diaz added that the foreigners in the imperial service had nothing to fear, provided they put down their arms before the city was taken.

The consequence was that Colonel Kavenmuller notified General Tabera of his unwillingness to serve any more, since he was sure that the emperor was a prisoner.

[Enclosure No. 2.—Translation.]

CONSULATE OF THE UNITED STATES,
Mexico, May 30, 1867.

YOUR EXCELLENCY: Having been officially notified that the minister of Prussia and the counsel of the Archduke Maximilian, whom the constitutional government designs to try by court-martial on the point of sitting at Queretaro, are about to leave this capital, I believe it to be my duty as a republican, of whom a letter has been solicited for the purpose, to recommend Father Fischer, that your excellency grant him a safe conduct to accompany the gentlemen aforesaid to Queretaro as a witness indispensable to the defence; a request I feel more emboldened

to make, since, always alive to the interest and honor of the great republican party, I should regret deeply that its enemies could accuse it of having acted with passion or partiality, which would undoubtedly be the case were the presence of a constant and ocular witness of his conduct be unfortunately denied to the accused.

With assurances of the most distinguished consideration,
MARCUS OTTERBOURG,
United States Consul.

His Excellency General PORFIRIO DIAZ,
Chief of the Army of Operation of the East, Tacubaya.

[Translation.]

REPUBLICAN ARMY, EASTERN LINE—GENERAL-IN-CHIEF.

Possessed of the contents of the estimable note which you were pleased to address me, recommending Father Fischer, in order that a "safe conduct" be issued him for the purpose of attending the trial of the Archduke Maximilian, it is my duty to manifest to you that the laws of the country forbid my conceding such documents in favor of the persons who have served the archduke during the time when he was styled emperor of Mexico; and although I should resolve to issue that which is solicited, it would be useless beyond the States within the limits of my command.

Not long since my government declared, on account of a passport with which D. Buen Aventura Sarabia, who had been prefect of the State of Durango by appointment from Maximilian, shielded himself, that such documents have no validity in connection with persons who have infringed the laws of the republic.

You know, likewise, that in order to communicate to Baron Magnus his call to Queretaro, I consulted the opinion of the President of the republic, and only by his authorization I resolved to expedite the corresponding passport.

I protest to you, with this motive, the assurances of my esteem,
PORFIRIO DIAZ.

MARCUS OTTERBOURG,
Consul of the United States, Mexico.

[Enclosure No. 3.—Translation.]

CONSULATE OF THE UNITED STATES,
Mexico, June 5, 1867.

GENERAL: Several persons of distinction have called on me to say that General Miguel Miramon has been lately taken prisoner, and has invited men learned in the law to go from this capital to defend him.

In deference to the request of individuals worthy of respect, and prompted by a spirit of humanity, I cannot hesitate in communicating these reports, and requesting that passports be issued to the counsel of General Miramon to leave the capital as early as possible in the discharge of their mission.

With assurances of consideration,
MARCUS OTTERBOURG,
United States Consul.

His Excellency General LEONARDO MARQUEZ.