

A 4, No. 39.

LEGATION OF THE UNITED STATES OF AMERICA,  
Mexico, February 21, 1863.

MY DEAR COLLEAGUE: On the day of the departure of the Prussian minister, but after he had left the city, I received from him a note, a copy of which I enclose herewith.

In compliance with the request contained in the note of the Prussian minister, I have to ask that you will meet the members of the diplomatic corps, now in this city, at my rooms, (Calle Donceles, No. 23,) on Monday, the 23d instant, at 12 o'clock m., there and then to take into consideration the request contained in Mr. Wagner's note.

I have the honor to be your friend and colleague,

THOMAS CORWIN.

A 5, No. 39.

[Translation.]

MEXICO, February 21, 1863.

MY WORTHY COLLEAGUE: I have had the honor to receive your esteemed communication, by which you invite me to assist at a meeting of the diplomatic corps which is to take place at the United States legation on Monday at noon.

I have no certainty of being in the city on the day and hour indicated, because I must go to-morrow into the country; but made aware of the object of the meeting through the despatch of the minister of Prussia, which you were pleased to send me in copy, I can make up my opinion on the matter, which is, that the diplomatic corps, to whose good offices the minister of Prussia has appealed in favor of European subjects who are at present without a representative in Mexico, would be able to render purely friendly private services, in accordance with the laws of the republic, in cases in which, in conformity with international law, diplomatic action might be interposed, and especially when the Mexican government, by its courteous concessions, should accept such offices which do not legitimately spring from the mission of representatives of nations, to whom the subjects treated of have no relations.

Please so expound my opinion to the diplomatic corps, and accept the assurances of consideration and respect which I have the honor to subscribe myself your very respectful, humble servant,

MANUAL NICHOLAS CORPANCHO.

His Excellency the Hon. THOMAS CORWIN,  
Dean of the Diplomatic Corps, &c., &c., &c.

A 6, No. 39.

[Translation.]

MEXICO, February 24, 1863.

Mr. MINISTER: As I proposed yesterday, I have the honor to acknowledge receipt of your communication, dated 21st instant, in which you are pleased to send in copy that which was on the 17th addressed to you by his excellency Baron Wagner, placing, for reasons expressed therein, the Prussian, Russian, French, Spanish, and Belgian subjects, resident in Mexico, under the protection of the diplomatic corps, and of each of its members.

Confining myself, Mr. Minister, to the side note of his excellency Mr. Wagner, I think that the respective consuls of the subjects to whom it relates will suffice to protect the interests of their countrymen; and for those Europeans who, by force of circumstances, find themselves without representatives, either consular or diplomatic, it is to be expected that the enlightened Mexican cabinet will grant them the proper protection given to every peaceable foreigner. Moreover, I think I ought to say to your excellency that if any of the first, as well as the second, should come to me asking aid and assistance, I shall believe myself bound to interpose, as far as might be possible, my good and friendly offices with the Mexican executive government, which I hope will look with pleasure upon the frank statements I might make to it in respect of peaceable and inoffensive foreigners.

By this occasion I have the honor to repeat to your excellency, my colleague, that I am your obedient servant,

FRANCO DE P. PASTER.

His Excellency THOMAS CORWIN,  
Envoy Extraordinary and Minister  
Plenipotentiary of the United States of America.

A 7, No. 39.

[Translation.]

CONSULATE AND CONFIDENTIAL AGENCY OF VENEZUELA,  
Tacubaya, February 27, 1863.

MY ESTEEMED COLLEAGUE: In consequence of what was agreed at the meeting we had on Monday, the 23d instant, to take into consideration the contents of the note dated the 17th last month, of Mr. Wagner, minister of Prussia, asking for the protection of the diplomatic corps for the foreigners to which the same refers, a copy of which you sent me, what was stated by yourself in the matter, and what was written by the absentee, Mr. Corpancho, chargé des affaires of Peru, and also ignorant of what was written by M. Paster, representative of Ecuador, my opinion on the subject is precisely analogous with yours, and that written by the representative of Peru.

Deign to accept the assurance of my distinguished consideration,

NARCISO DE F. MARTIN.

Hon. THOMAS CORWIN, &c., &c., &c.

B 1, No. 39.

[Translation.]

NATIONAL PALACE,  
Mexico, February 24, 1863.

Mr. MINISTER: Upon leaving this capital, the Baron E. de Wagner, minister resident of his Majesty the King of Prussia, made known to the government of the federation that he had recommended to certain consular agents the protection of his countrymen, and other foreigners to whom he had dispensed it, by special commission of the respective governments, adding that for extraordinary cases he had placed them under the protection of the legation in your charge, the individuals and the consuls referred to.

I beg you will please to see in annexed documents, No. 1, the pretension of Mr. Wagner on this matter, and in No. 2 the reasons for which the government of the republic could not accept a proceeding so irregular and so dangerous. Mr. Wagner made no reply to those reasons, nor sustained his contested resolution even. But on the second day of his journey there was received at the department the note which is translated in document No. 3—a note in which Mr. Wagner, carrying to a high pitch his contempt of rules, usages and conventionalities, abandons the idea of all special protection, in order to place under the safeguard of the diplomatic corps and of the people of Mexico the foreigners who were under the protection of the legation of Prussia.

Doubtless it is unnecessary to controvert the irregular commission which at the outset that minister had confided to you from the moment that commission was not accepted by you, nor adhered to by the agent who had it to confer; and although, in fact, he may have transferred it to the diplomatic corps, I cannot for a single instant apprehend it would attain better issue, being, as it in truth is, improper, offensive to the government of Mexico, and in every view impracticable. I entertain a sincere and well-founded confidence that your excellency will not lend your respected aid in giving authority to proceedings of this nature. But my duty and the orders of the president oblige me also to declare that in order to protect Prussian subjects, and other foreigners, to whom the Baron Wagner alludes in his said communications, the government of the republic will invariably maintain what I had the honor to state to the minister himself in the official letter I addressed to him, under date 12th of the current month. Until these affairs be not arranged in some other way, with the approval of the governments which are at peace with Mexico, the protection of which I speak has in its favor the spirit of the federal government, and means adequate to make it effectual in conformity with international law and our own laws.

In confiding foreigners, in the first place, to the loyalty and honor of the people of Mexico, Mr. Wagner does this nation the justice which he has so often denied to it; but Mexico does not need this testimony, nor accept it, when presented in derogation of the government she has chosen as the depository of her confidence and authority, because this government, which he affects to cast into oblivion, is the true representative of the nation in her foreign relations; because on all sides it would be reputed a rude violation of the law of nations should a foreign minister make an innovation to the people, and not to the government near which he should be accredited; and, in fine, because this omission, in the present case, would suggest the offensive presumption that the federal government does not look to the protection of foreigners, when the whole world inclusive is spectator to the contrary. Mr. Wagner, who in his note of the 9th instant, after indicating what he had resolved to do to assure the protection of Prussian subjects and other foreigners, said to me literally these words, "I flatter myself with the



hope that this measure will be no more than a simple formality, and that the foreigners referred to, who may have recourse to the good disposition of your department, will have secured to them the direct protection of your excellency."

I avail of the occasion to renew to your excellency the assurances of my most distinguished consideration.

JA. DE LA FUENTE.

His Excellency THOMAS CORWIN,  
Envoy Extraordinary and Minister  
Plenipotentiary of the United States of America.

B 2, No. 39.

Mr. Corwin to Mr. Fuente.

LEGATION OF THE UNITED STATES OF AMERICA,  
Mexico, March 7, 1863.

SIR: I have the honor to acknowledge the receipt of your note of the 24th of February, 1863, communicating the substance of a correspondence between your excellency and Mr. Wagner touching the proposed protection of Belgian, French, Prussian, and Spanish subjects, resident in Mexico, by the diplomatic corps now in this city.

I declined the protection of those subjects, when proposed to be clothed with that power by Mr. Wagner, not, however, because I conceived my assumption of such powers would give any just cause of complaint to the supreme government of Mexico, but on the ground that in the present relations of Mexico with European powers, and also with the government of the United States, I deemed it proper that the subject should be first submitted to the cabinet at Washington, and its instructions thereupon forwarded to me.

I have deemed it my duty to inform the other members of the diplomatic corps of the request of Mr. Wagner. I have received from each of them their opinions on the subject, copies of which are accompanied herewith.

I deem it due to that candor which should characterize the intercourse between the republics of Mexico and the United States to state to your excellency the course I deem it my duty to pursue on this subject until specific instructions shall be received by me from my government.

If the action of the supreme government of Mexico should at any time be exerted upon any foreign subject or citizen to such extent as to place his life, liberty or property in danger, and where such action would, with equal propriety, be applied, under like circumstances, to an American citizen, I shall, if any such case unhappily arises, deem it my duty to offer to the supreme government such expostulation as, in my judgment, the case may seem to require. This I shall do, with the most perfect respect for the just powers of the supreme government of Mexico, and with a well-founded confidence in its upright motives, and its desire to do justice to all foreigners, with such moderation as may consist with self-respect and the dignity and safety of the Mexican republic. In adopting this course, I am sure your excellency will perceive that I am making no innovation upon the modern usage of civilized nations, nor doing anything which should interrupt the friendly relations which my government so earnestly desires to preserve with the Mexican republic.

I take this occasion to renew to your excellency the assurance of my distinguished regard.

THOS. CORWIN.

His Excellency Señor A. DE LA FUENTE, &c., &c., &c., Mexico.

C, No. 39.

[Translation.]

The Chief Clerk, Mexico, to Baron Wagner.

NATIONAL PALACE,  
Mexico, December 4, 1862.

The undersigned, chief clerk of the department of foreign relations, in charge of the office, has had the honor to receive and make report to the first magistrate of the republic of the note of M. E. de Wagner, minister resident of his Majesty the King of Prussia, of to-day's date, in which he is pleased to advise that on parting with his excellency the minister plenipotentiary of his Majesty the Emperor of the French he invited his excellency the minister of Prussia to charge himself with the protection of the subjects and interests of his nation, as well as those

of the Spaniards, Italians, and Swiss, confided till now to the French legation; Mr. Wagner adding his hope that, notwithstanding the difficult circumstances of the moment, those subjects and their interests would be patronized by the government.

In reply, the undersigned must say to his excellency that the existent emergencies do not hinder the Mexican government, in conformity with its principles of justice, and its sympathies for the civilized nations of Europe, from always watching over with the greatest solicitude these subjects and those interests confided to the honor and hospitality of the Mexican nation which distinguishes and esteems peaceable and industrious foreigners, to whom the government has always desired to extend and will extend those guarantees which a civilized country can offer.

Upon this understanding, and in courteous observance of the indication of Baron Wagner, proper orders are already issued to the respective authorities that, far from foreigners being molested in their persons or interests, they shall give them every protection, hoping they, in turn, will respond by their quietude and neutrality to the decided resolution the government holds that they be respected.

The undersigned profits by this opportunity, &c.

JUAN D. DIOS ARIAS.

His Excellency BARON WAGNER,  
Minister Resident of his Majesty the King of Prussia.

Mr. Seward to Mr. Corwin.

No 72.]

DEPARTMENT OF STATE,  
Washington, April 18, 1863.

SIR: I have submitted to the President your very interesting despatch of the 11th of March, (No. 39,) with its accompaniments.

While the misapprehension by the government of Mexico of the proceedings of the United States in regard to the question of shipments for Mexico, which you describe, is regretted by the President, he does not suffer himself to doubt that it will give way before the clear explanations which have been made upon the subject to the representative of Mexico here, and of which you have been advised.

Your proceedings with relation to the request of the late Prussian minister at Mexico, that you would assume the protection of subjects of the King of Prussia and of other European powers in that republic, during the suspension of the several European legations there, are approved by the President. The first responsibility of a minister is to practice fidelity to the interests of the state whose credentials he bears; the second is the exercise of perfect good faith, respect, and courtesy to the government of the country to which he is accredited. A minister is not only at liberty, but he is morally bound, to render all the good offices he can to other powers and their subjects, consistently with the discharge of those principal responsibilities I have described. But it belongs to the state where the minister resides to decide, in every case, in what manner and in what degree such good offices shall be rendered, and, indeed, whether they shall be tolerated at all. No abridgment of this sovereign right can be insisted upon, unless, indeed, the government of that state manifestly refuses to acknowledge or to give effect to some of the entirely admitted principles of morality recognized as constituting the basis of the laws of nature and the law of nations. Not only has this government no such complaint to make against Mexico, but, on the contrary, in all its intercourse with that republic it has been impressed with the evidences of a high degree of virtue and enlightenment. That government deservedly enjoys not only the respect but the good wishes, and, so far as natural affections are allowable, the sympathy of the United States in its present unhappy embarrassments with foreign powers. The President, therefore, remits you, for your government in regard to the questions presented, to the rules you have prescribed to yourself, so long as they shall be satisfactory to the government of Mexico.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

THOMAS CORWIN, Esq.



*Mr. Seward to Mr. Corwin.*

No. 77.]

DEPARTMENT OF STATE,  
Washington, May 22, 1863.

SIR: I enclose herewith a copy of a despatch, dated the 4th of March, from the United States consul at Matamoras, and a translation of the order referred to, which points out the practical discrimination in favor of the rebels in Texas, and of their illicit traffic across the frontier resulting from that order.

I have to request you to invite the attention of the Mexican government to this cause of complaint, and to request the adoption of such measures as will correct the evil.

The attention of Rear-Admiral Farragut has been called by the Secretary of the Navy to the suggestion of Consul Rice as to the importance of having a vessel-of-war in that quarter.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

THOMAS CORWIN, Esq., &c., &c., &c., Mexico.

*Mr. Corwin to Mr. Seward.*

No. 40.]

LEGATION OF THE UNITED STATES OF AMERICA,  
Mexico, April 16, 1863.

SIR: The American consul here having a leave of absence, the government here, as a *special favor*, have permitted me to send by him despatches to my government and letters to my friends. He will deliver them at Washington.

Your despatches up to No. 66 have been received. A few days since I had an interview with the Mexican secretary of foreign relations. He expressed much satisfaction at having received from Mr. Romero a note saying that no trade from the United States would hereafter be permitted, in articles useful in war, to either France or Mexico. This, I think, will probably soothe the irritation occasioned by the correspondence with Mr. Romero, which you forwarded to me, and which was delivered by me to the state department here.

The progress of the French war presents puzzles to all not in the cabinet secrets of the Emperor. It is conceded that he wishes to take Puebla. He has been before that city just one month. It has not surrendered. He has taken Fort St. Javier, said to be the weakest of those which protect the city, and, from that point, has made a lodgement within the walls, occupying six blocks in that suburb. According to our intelligence, any attempt made to advance has been repulsed; in one a company of zouaves was captured by the Mexican forces.

If the French wish to capture Puebla, the reason why it is not done seems to be because, with their present force, they cannot. Re-enforcements from France, to the number of 3,000 or 4,000, lately landed at Vera Cruz, are now on their march to join the army at Puebla. It is surmised that General Forey waits for the arrival of these troops, and will, when they reach him, make a more vigorous assault.

The Mexican people greedily devour every article of news from Europe. They hope a rupture will take place touching the further occupation of Rome by French troops, or by the Polish disturbances on the further occupation of Venetia by Austria; but, as far as I can learn, their last and surest hope lies in the establishment of our old Union, which they believe would exert a con-

trolling influence against the occupation of this country by any monarchy of Europe.

I send duplicate despatches of those recently despatched by the Acapulco route, as the transit from here to Acapulco has proved hitherto unsafe.

Your obedient servant,

THOMAS CORWIN.

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

*Mr. Corwin to Mr. Seward.*

[Extract.]

No. 41.]

LEGATION OF THE UNITED STATES OF AMERICA,  
Mexico, May 1, 1863.

SIR: \* \* \* \* \*

In relation to public matters here, nothing has occurred to change the general aspects since my last letter to the department. The French army, under General Forey, has been before Puebla for forty-five days. It has obtained possession of one fort (St. Javier) and five or six blocks of the city, in the neighborhood of that fort. Small detachments of troops are reported, from day to day, to be fighting in houses and streets, hand to hand, with the Mexican troops under Ortega, within the city, whilst General Comonfort, with a force of about 15,000 of all arms, is at or near San Martin, a short distance from Puebla. The French forces under Forey are estimated at 22,000 effective men. It is a question with military men whether the French will ever take Puebla without further re-enforcements from France. Rumor, and perhaps extracts from French papers, promise still further troops from France, but I believe there is not yet anything certainly known here as to these rumored re-enforcements.

Your obedient servant,

THOMAS CORWIN.

Hon. WILLIAM H. SEWARD,  
Secretary of State.

*Mr. Seward to Mr. Corwin.*

No. 78.]

DEPARTMENT OF STATE,  
Washington, June 8, 1863.

SIR: Your despatch of May 1 (No. 41) has been received, and your proceeding in relation to the case of Ignacio Loperano, as therein reported, is approved.

A French steamer, which arrived at New York from Havana last week, surprised the country with the news of the surrender of Puebla, with the whole of the Mexican garrison, to the French army of occupation, after the defeat of General Comonfort in a movement which he was making for the relief of that town. Assuming this information to be true, the condition of affairs in Mexico is supposed to have become by this time exceedingly critical.

I regret that I am unable to give you any definitive information concerning military events in our own country. You will have already learned of the active operations which have been instituted by General Grant and General Banks upon the Mississippi. We are awaiting the results with much anxiety



The tone of the public mind is generally pure, and the confidence of the country in our financial system is perhaps the best possible evidence of the confidence of the people in the ultimate success of the government.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

THOMAS CORWIN, Esq., &c., &c., Mexico.

*Mr. Seward to Mr. Corwin.*

No. 82.]

DEPARTMENT OF STATE,  
Washington, August 8, 1863.

SIR: Your very important despatch of the 26th of June has been received. It confirms the information, otherwise received, that the French army has entered and occupied the capital of Mexico, and that a provisional government has been inaugurated there, under the protection of the imperial forces; that the Mexican government, to which you were accredited, has retired to the city of San Luis Potosi, and established itself at that place; and that the country is now divided between two governments, which still remain in hostile attitude. The President is inclined to approve the decision you made in declining, under the circumstances, the invitation of the Mexican government to leave the ancient capital and to repair to San Luis.

What would be the most convenient and favorable position for the legation, with reference to the protection of American rights in Mexico, is a question that depends much on contingencies of war, which, though they may be imminent, cannot, at least at this distance from the theatre of conflict, be anticipated. It is not perceived how you could effectually assert those interests at the present moment by representations to the government at San Luis, which is cut off from communication with the legation, while, on the other hand, you will not be expected to address yourself, under present circumstances, to the new provisional government which bears sway at the capital.

The President fully appreciates the great and unwearied labors you have performed in your mission, and the circumstances which render a temporary relief from them desirable on your part. He has thought that probably the present juncture, when things in regard to the future of Mexico are depending on dispositions and events there, with which a minister of a foreign and friendly power cannot lawfully interfere, may, perhaps, be the most suitable one for the allowance of the indulgence which you have asked. But he desires to leave this point to your own better-informed discretion. You will, therefore, have leave of absence, to begin at such time as you may think proper after this communication reaches you, and may return to the United States to confer with this department, and to await the further directions of the President. You will make such arrangements for the custody of the archives, and the transaction of the mere routine duties of the legation during your absence, as shall seem expedient.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

THOMAS CORWIN, Esq., &c., &c., Mexico.

*Mr. Seward to Mr. Corwin.*

No. 88.]

DEPARTMENT OF STATE,  
Washington, December 23, 1863.

SIR: Your despatch of October 26 (No. 47) has been received and submitted to the President, and you will accept his grateful acknowledgments for the very

interesting information and judicious observations which it contains concerning the present condition of Mexico.

In reply to an inquiry contained in your despatch, I have to inform you that, in the absence of further instructions from this department, you will be expected to remain in the same relations as now towards the government of the United States of Mexico.

If for any cause your residence in the city of Mexico shall become intolerable or seriously inconvenient, you will be at liberty to resort to any other part of the country, or to return to the United States. No contingency is now anticipated in which you will be expected to address yourself to any other government than the one to which you are accredited.

I give you, for your information, a copy of an instruction that has been given to Major General Banks since his occupation of Brownsville, in Texas.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

THOMAS CORWIN, Esq., &c., &c., &c.

DEPARTMENT OF STATE, Washington, November 23, 1863.

GENERAL: I have received, and have submitted to the President, your three despatches of the 6th, 7th, and 9th, respectively.

I have great pleasure in congratulating you upon your successful landing and occupation upon the Rio Grande, which is all the more gratifying because it was effected at a moment of apparently critical interest in the national cause.

You have already found that the confusion, resulting from civil strife and foreign war in Mexico, offers seductions for military enterprise. I have, therefore, to inform you of the exact condition of our relations towards that republic at the present time. We are on terms of amity and friendship, and maintaining diplomatic relations, with the republic of Mexico. We regard that country as the theatre of a foreign war, mingled with civil strife. In this conflict we take no part, and, on the contrary, we practice absolute non-intervention and non-interference. In command of the frontier, it will devolve on you, as far as practicable consistently with your other functions, to prevent aid or supplies being given from the United States to either belligerent.

You will defend the United States in Texas against any enemies you may encounter there, whether domestic or foreign. Nevertheless, you will not enter any part of Mexico, unless it be temporarily, and then clearly necessary for the protection of your own lives against aggression from the Mexican border. You can assume no authority in Mexico to protect citizens of the United States there, much less to redress there wrongs or injuries committed against the United States or their citizens, whether those wrongs or injuries were committed on one side of the border or the other. If consuls find their positions unsafe on the Mexican side of the border, let them leave the country, rather than invoke the protection of your forces. These directions result from the fixed determination of the President to avoid any departure from lawful neutrality, and any unnecessary and unlawful enlargement of the present field of war. But, at the same time, you will be expected to observe military and political events as they occur in Mexico, and to communicate all that shall be important for this government to understand concerning them. It is hardly necessary to say that any suggestions you may think proper to give for the guidance of the government in its relations towards Mexico will be considered with that profound respect which is always paid to the opinions which you express.

In making this communication, I have endeavored to avoid entering into the sphere of your military operations, and to confine myself simply to that in which you are in contact, with the political movements now going on in Mexico.

I am, general, your obedient servant,

WILLIAM H. SEWARD.

Major General N. P. BANKS,  
Commanding the Department of the Gulf, Brownsville, Texas.

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