

American consuls and citizens there. I therefore deem it my duty, sir, to point it out to you, and would be infinitely obliged if you could furnish me with explanations on this subject.

Be pleased to accept, sir, the assurances of my high consideration,

L. DE GEOFROY.

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

*Mr. Romero to Mr. Seward.*

[Translation.]

MEXICAN LEGATION TO THE UNITED STATES OF AMERICA,  
Washington, March 15, 1864.

MR. SECRETARY: I have the honor to inform you that I have this day received the note from your department dated 12th instant, with which you were pleased to send me copies of various documents which the Secretary of War had communicated to you relative to events which happened at Matamoras on the 12th of January last, as also an extract from the communication upon the same acts addressed to your department by the consul of the United States at that city, and copy of the note in which the minister of France at this capital complains of the passage of the forces under General Herron into Mexican territory.

From the documents transmitted by the Secretary of War, it seems that the presence of such force in the city of Matamoras was requested by the governor of the State of Tamaulipas, Don Manuel Ruiz. In awaiting the more complete information which you are pleased to announce, I shall not again touch on this matter, in my correspondence with your department, so long as I am without the instructions which I have sought from my government on this point.

I will have the pleasure of transmitting to you the explanations and reports which may be in my power on this subject, thus observing the intimation you give me in your said note.

With this occasion, it is gratifying to me to renew to you, sir, the protestation of my most distinguished consideration.

M. ROMERO.

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

No. 6.—*Claims of United States citizens against Mexico.*

Mr. Romero to the Minister of Foreign Affairs of the Mexican Republic, October 23, 1862.

Mr. Romero to Mr. Seward, February 26, 1863, (with enclosures.)

Mr. Seward to Mr. Romero, March 9, 1863.

*Mr. Romero to the Mexican Minister of Foreign Affairs.*

[Translation.]

No. 340.]

MEXICAN LEGATION IN THE UNITED STATES OF AMERICA,  
Washington, October 23, 1862.

At a conference which I had this day with Mr. Seward, I read to him a translation which I had prepared of the note which you addressed me, under No. 332, dated September 27 last past, in relation to the claims of the mint, which the minister of the United States, residing in your capital, had presented to the supreme government. Having con-

cluded my reading, I stated to Mr. Seward that I had to make some explanations of details not referred to in your note.

Mr. Seward said to me that there was no necessity for my giving him such explanations; that what he had heard was sufficient for him to say that this government desired that the just claims which the loyal citizens of the United States have against foreign countries should be duly acknowledged and paid; but that, with reference to Mexico, the President, in view of the actual state of affairs in Mexico, did not propose either to exact urgently the payment of such claims, or to use force to obtain it, and that the policy of the United States in that respect had been indicated in the answer which this government gave to the allied powers against Mexico, upon being invited by them to take part in the alliance, which document is known to you.

He also stated to me that the only instructions which this government has communicated to Mr. Corwin upon the claims, which have already been published, (the first of the documents annexed to the message of the President of the 14th of April last upon the present condition of Mexico,) were so liberal and conciliatory that they would assuredly be satisfactory to the government of the Republic; that this government was entirely satisfied by the reading which I had just made to him of the good faith of the government of Mexico.

Mr. Seward asked me whether I proposed to send him said note. I answered in the affirmative. He replied, Very well; if I shall have occasion to say anything more or different upon the subject I will ask a further interview with you. We will leave it to rest under that understanding, which you may communicate to your government.

The minute of this note has been submitted to Mr. Seward, to see whether he found our conference to-day to have been faithfully recorded, and it has appeared to him correct.

I reiterate to you the assurances of my very distinguished consideration. God, liberty and reform.

M. ROMERO.

The MINISTER OF FOREIGN AFFAIRS, Mexico.

*Mr. Romero to Mr. Seward.*

[Translation.]

LEGATION OF MEXICO,

Washington, February 26, 1863.

MR. SECRETARY: In conformity with what I said to you at our interview to-day, I have the honor to send you copies of some notes exchanged between the legation of the United States in Mexico and the government of the republic respecting the nationality of Don Ignacio de Loperena, who pretends to be a citizen of the United States for the purpose of eluding the duties imposed on him in his character as a Mexican.

The certificate of the consul of the United States at Cadiz presented by Loperena seems insufficient to prove the nationality of this person, for the reasons you will see in the notes of Mr. Fuente. Mr. Corwin had, besides, intimated in his confidential note to Mr. Fuente his apprehension that the certificate was false. Loperena is a native of the State of Chiapas, in Mexico, and has never been out of the republic for five years, so that he cannot have been naturalized in the United States, because, in accordance with section third of the act of Congress of the 14th of April, 1802, entitled "An act to establish a uniform rule of naturalization and to repeal the acts heretofore passed on that subject," which is still in force, it is necessary for a foreigner who is to be naturalized that he shall have resided five years in the United States; and Loperena cannot have resided such term in this country for the reason that he has not been absent from Mexico, because he went away for the first time at the close of 1858, in company with Mr. Forsyth, who was minister of the United States to Mexico, and from that time till this five years have not passed away, besides which, he has returned some time since to the republic, and has been residing as heretofore at the capital.



I do not doubt, sir, that when you are informed of these details you will give instructions to Mr. Corwin, if he has not already done so on his own motion, that he shall cease to consider Loperena as a citizen of the United States, whereby he will avoid the inconvenience occasioned to the government of Mexico in the execution of her laws, through the protection granted until now by the legation of the United States to Loperena, and through the protests of Mr. Corwin.

I avail of this opportunity to repeat to you, sir, the assurances of my most distinguished consideration.

M. ROMERO.

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

CONSULATE OF THE UNITED STATES OF AMERICA.

I, Ebenezer S. Eggleston, consul of the United States of America for Cadiz and the dependences thereof, do hereby certify that Ignacio Loperena, now temporarily residing in this city of Cadiz, has this day deposited in this consulate his certificate of naturalization, duly issued out of and under the seal of the supreme court of the city of New York, declaring him to have been duly admitted and made a citizen of the United States of America.

In witness thereof, I have hereunto set my hand and the seal of this consulate this twentieth day of September, in the year of our Lord one thousand eight hundred [L. s.] and sixty-two, and of the independence of the United States the eighty-seventh.

E. S. EGGLESTON,  
United States Consul.

WASHINGTON, Febrero 26 de 1863.

Es copia:

ROMERO.

CONSULATE OF THE UNITED STATES OF AMERICA,  
Mexico, January 13, 1863.

I, the undersigned, consul of the United States of America for the city of Mexico and the dependences thereof, do hereby certify that the foregoing is a true and faithful copy of the original filed in this consulate, the same having been carefully examined by myself and compared with said original and found to agree therewith, word for word, and figure for figure.

In witness whereof, I have hereunto set my hand and affixed the seal of this consulate [L. s.] the day and the year above written.

MARCUS OTTERBURG,  
United States Consul.

WASHINGTON, Febrero 26, de 1863.

Es copia:

ROMERO.

[Translation.]

LEGATION OF THE UNITED STATES OF AMERICA, January 9, 1863.

SIR: At this moment I have been shown the certificate of the consul of the United States at Cadiz, proving that Mr. Loperena is a citizen of the United States. This testimony must be conclusive with me, and, in my judgment, should be so with all it may concern.

Thus, then, I find myself under the necessity of protesting, officially, against any dispositions relating to the effects Mr. Loperena may have here, based on the idea that Mr. Loperena is not a citizen of the United States.

The consul of the United States will show you the certificate to which reference is had. I renew to you, sir, the assurances of my respect.

THOMAS CORWIN,  
Envoy Extraordinary and Minister Plenipotentiary of the United States of America.  
His Excellency S<sup>r</sup> FUENTE,  
Minister of Foreign Relations, Mexico.

WASHINGTON, February 26, 1863.

A copy:

ROMERO.

[Translation.]

NATIONAL PALACE, MEXICO, January 12, 1863.

SIR: A difficulty has occurred about taking under consideration the protest contained in the note you were pleased to address to me on the 9th instant, which I have directed to be privately communicated, but as your excellency's illness has not allowed it to be brought to your knowledge, I find myself obliged to state it in writing.

This difficulty is derived from the want of the regular and customary form in the document exhibited by Don Ignacio Loperena to establish his character as a citizen of the United States, because he has brought before me the original document, and neither the signature of the American consul at Cadiz nor the seal of the consulate stamped on this paper come authenticated by the minister of the United States at Madrid, or, better still, by the department for foreign affairs at Washington. I beg you to consider that if the legation which you worthily discharge can very well certify the office, signature, and seal of a consul of the United States in the republic of Mexico, the same does not occur when treating of consuls in other countries.

Please accept the assurances of my very distinguished consideration.

JUAN A DE LA FUENTE.

His Excellency THOMAS CORWIN,

Envoy Extraordinary and Minister Plenipotentiary of the United States of America.

WASHINGTON, February 26, 1863.

Copy:

ROMERO.

[Translation.]

NATIONAL PALACE, MEXICO, January 17, 1863.

SIR: Since the letter I had the honor to address to you on the 12th instant, whose object was to offer to your consideration an important remark upon the irregularity manifest in the document shown by D. Ignacio Loperena to prove his character as North American, the chief officer of this department has received from D. Juan Potts a verbal message which he was bringing to me from your excellency, and in virtue of which I must think that you no longer take interest in granting your protection to that person on account of the new nationality he attributes to himself. It is true that Mr. Potts announced a prompt answer from you on this matter, and I was expecting its receipt, not as exclusive evidence of your abandonment of this matter, but as an act which might, or not, follow the message above mentioned, without that it should be necessary for me to be thus confirmed. Still, the want of prompt reply in a case so urgent would have appeared to me, by itself alone, as a mark of acquiescence in my observations; and, nevertheless, a recent and transcendent circumstance makes a reply in every respect indispensable from your legation, therefore I beg you to send it as early as possible. A paper of this morning, "The Herald," has published the notice which appears in the printed extract annexed to this communication. The manifest tendency of this notice is to keep back the bidders on the effects of Loperena, ordered to be sold for the fiscal liabilities of this individual, and this without other reason than your excellency's protest relating to him, which interested parties suppose to be in full force. Allow me to say that I cannot question for a moment the conviction I have that your excellency does not insist upon the protest mentioned. Not only the potent want of form would oppose this, as I had the honor to point out in my previous official letter, but besides the other reasons of public notoriety of the reality of the fact, and the conclusive qualification under the laws of the United States; for D. Ignacio Loperena did not leave Mexico, to which he belongs by birth, until about the year 1859, when he went to the United States in company with Forsyth, and since then the five years, which the law of the United States determines for the residence of foreigners in their country, before they can be lawfully naturalized, have not passed.

In this reasoning I have chosen to suppose that Loperena had lived without interruption in the United States through the period elapsed since he went from Mexico until this time. For these reasons you will perceive it is impossible for this government to admit the naturalization spoken of, and that it has entire confidence in the justness of your excellency, which will prompt a declaration which will admit the manifest justice of this republic.

Be pleased, &c., &c.,

JUAN ANTONIO DE LA FUENTE.

His Excellency THOMAS CORWIN,

Envoy Extraordinary and Minister Plenipotentiary of the United States of America.

MEXICO, January 26, 1863.

Copy:

JUAN DE DIAS ARIAS.

WASHINGTON, February 26, 1863.

Copy:

ROMERO.



*Mr. Seward to Mr. Romero.*

DEPARTMENT OF STATE,  
Washington, March 9, 1863.

SIR: I have the honor to acknowledge the receipt of your note of the 26th ultimo, in relation to the nationality of Don Ignacio de Loperena, which has already been the subject of personal conference between us.

Upon examination of the correspondence of Mr. Corwin, I do not find that he has made any communication to the department on the subject; and, in the absence of such information, it is deemed proper to request a report from him upon the case. In directing Mr. Corwin to make this report, it will be intimated to him that while he yields protection to *bona fide* citizens, he will not suffer citizenship to be fraudulently assumed for the purpose of shielding Mexican citizens from the obligations due to their own laws and government.

I avail myself of this occasion to offer to you, sir, a renewed assurance of my high consideration.

WILLIAM H. SEWARD.

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

No. 7.—*The temporary withdrawal of Mr. Romero from Washington.*

Mr. Romero to Mr. Seward.....	April 23, 1863.
Mr. Seward to Mr. Romero.....	April 23, 1863.
Mr. Romero to Mr. Seward.....	May 8, 1863.

*Mr. Romero to Mr. Seward.*

[Translation]

MEXICAN LEGATION IN THE UNITED STATES OF AMERICA,  
Washington, April 23, 1863.

MR. SECRETARY: I have the honor to inform you that my government, acceding to the repeated applications which I have made to it to permit me to return to Mexico for the purpose of taking an active part in the defence of my country against the foreign invader, has been pleased to grant me temporary leave to return to the republic.

I have instructions from my government to leave, during my absence from Washington, the Mexican citizens resident in the United States under the protection of the representative of one of the American nations friendly to Mexico accredited to this government, to be designated to the Department of State, before I leave New York. I will also leave in the keeping of the same representative the archives of this legation in Washington.

Proposing to make immediate use of the leave granted to me by my government, I beg you to order passports to be sent to me, for myself and for Don Jesus Escobar y Armendaris, attached to this legation, who will return with me to the republic.

I avail of this opportunity to repeat to you, sir, the assurances of my most distinguished consideration.

M. ROMERO.

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

*Mr. Seward to Mr. Romero.*

DEPARTMENT OF STATE,  
Washington, April 23, 1863.

SIR: I have the honor to acknowledge the receipt of your note of this date, informing me that your government, yielding to your repeated applications for permission to return to Mexico for the purpose of taking an active part in the defence of your country in the unhappy war now existing there, has granted you a temporary leave of absence, during which the interests of Mexican citizens are, under your instructions, to be placed in charge of one of the representatives of the American States, to be named hereafter, and requesting passports for yourself and for Don Jesus Escobar y Armendaris, attaché of the legation, who will return with you.

Whilst I cannot but express my sincere regrets that your relations with this government are to be temporarily suspended—relations in which, both in your official and personal character, your abilities, zeal, and amiability, have rendered you most acceptable to those who have had intercourse with you—I cannot but sympathize with and appreciate the motive which has prompted your patriotic determination, and I offer my best wishes for your safety and success in carrying it into effect. When your object shall have been accomplished, it will give me pleasure to welcome your return hither.

The passports you request are enclosed. Due respect will be paid to the representations which may be made on behalf of the interests of Mexican citizens by the person to whom that duty is delegated.

I avail myself, sir, of the occasion to repeat to you the assurances of my distinguished consideration.

WILLIAM H. SEWARD.

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

*Mr. Romero to Mr. Seward.*

MEXICAN LEGATION IN THE UNITED STATES OF AMERICA,  
New York, May 8, 1863.

MR. SECRETARY: I have the honor to inform you that, in compliance with the instructions which I received from my government to return to Mexico, and which I communicated to your department in my note of the 23d of April last past, I requested of Señor Don Federico L. Barreda, the minister resident of Peru, that during my absence from Washington he should remain in charge of the protection of the Mexican citizens residing in the United States, and of the trust of the archives of the Mexican legation, which charge Mr. Barreda had the goodness to accept. I have, therefore, to request you to be pleased to recognize him as charged with the protection referred to, until such time as my government may otherwise direct.

I avail myself of this opportunity to renew to you, sir, the assurances of my most distinguished consideration.

M. ROMERO.

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

No. 8.—*Case of the Mexican prisoners confined at Fort Delaware.*

Mr. Barreda to Mr. Seward.....	September 18, 1863.
Mr. Seward to Mr. Barreda.....	September 21, 1863.
Same to same.....	September 24, 1863.



Mr. Barreda to Mr. Seward.....September 28, 1863.  
 Mr. Romero to Mr. Seward, (with one enclosure).....February 15, 1864.  
 Mr. Seward to Mr. Romero (with one enclosure).....March 15, 1864.  
 Mr. Romero to Mr. Seward.....March 17, 1864.  
 Same to same, (with two enclosures).....April 25, 1864.  
 Mr. Seward to Mr. Romero.....April 28, 1864.

*Mr. Barreda to Mr. Seward.*

[Translation.]

{ Stamp of }  
 { Legation of Peru. }

NEW YORK, *September 18, 1863.*

SIR: Francisco Navarro Sanchez, Julio Nores, José Antonio Candido, and Jorge D. Lustin, prisoners of war in Fort Delaware, have addressed the consul general of Mexico in this city, stating to him that they are Mexican citizens, the first a native of Reynosa, and the others natives of Matamoros; that at the beginning of the war they were in the city of New Orleans, which they could not leave on account of the blockade; that they were obliged to take up arms for the term of one year; that on this being concluded they were forced to continue in the army for the time the war should last; that they do not wish to be exchanged or to return to the south, and that their desire is to be set at liberty in order that they may return to Mexico.

Not having the means of verifying the assertions of the applicants, I address your excellency, trusting, from your equity, that you will be pleased to order the case to be investigated, and that if their statements should turn out to be true, you will direct the men who have been forced to render service that was not exacted by law to be set at liberty.

Navarro Sanchez belonged to company G of the 3d regiment of infantry of Louisiana, army of the west. He will give information of the corps in which the others have done military duty.

I avail myself of this opportunity to renew to your excellency the assurances of my esteem and respect.

F. L. BARREDA.

His Excellency the SECRETARY OF STATE  
*of the United States, Washington.*

*Mr. Seward to Mr. Barreda.*

DEPARTMENT OF STATE,  
*Washington, September 21, 1863.*

SIR: I have received and have commended to the attention of the Secretary of War your note of the 18th instant, asking for the release of certain Mexicans confined in Fort Delaware as prisoners of war.

I avail myself of the occasion to offer to you a renewed assurance of my very high consideration.

WILLIAM H. SEWARD.

Señor Don F. L. BARREDA, &c., &c., &c.

*Mr. Seward to Mr. Barreda.*

DEPARTMENT OF STATE,  
*Washington, September 24, 1863.*

SIR: I have the honor to inform you that the Secretary of War has notified this department that your request touching certain Mexicans now in confinement as prisoners of war in Fort Delaware will receive the attentive consideration of his department.

I avail myself of this occasion to renew to you, sir, the assurance of my highest consideration.

WILLIAM H. SEWARD.

Señor Don F. L. BARREDA, &c., &c., &c.

*Mr. Barreda to Mr. Seward.*

NEWPORT, *September 28, 1863.*

SIR: I have the honor to acknowledge the receipt of your communication of the 24th instant, informing me that the Secretary of War has notified you that my request touching certain Mexicans now confined as prisoners of war in Fort Delaware will receive the attentive consideration of his department.

Thanking you, sir, for your prompt attention to this subject, I have the honor to be your excellency's obedient servant,

F. L. BARREDA.

His Excellency the SECRETARY OF STATE  
*of the United States, Washington.*

*Mr. Romero to Mr. Seward.*

[Translation.]

MEXICAN LEGATION TO THE UNITED STATES OF AMERICA,  
*Washington, February 15, 1864.*

MR. SECRETARY: Under date of the 24th September, of the year last past, the department deemed proper to answer to Don Federico Barreda, then charged with the protection of Mexicans, that his application in regard to certain Mexicans confined as prisoners of war at Fort Delaware would be taken into consideration by the Secretary of War, as that functionary had informed you.

Very lately I have received from those interested the letter which I have the honor to enclose, in copy, from which it must be inferred that as yet the case of the individuals to whom I refer has not been solved. I beg, therefore, that it may please you to tell me whether in fact no determination has been taken about that of George D. Lustin, Julio Norris and José A. Candida, or, in case no decision has been yet made, that you will be so good as to indicate the same to me, that I may not occupy the attention of the department with this matter but so far as may be strictly necessary.

I avail of this opportunity to repeat to your excellency the assurances of my most distinguished consideration.

M. ROMERO.

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



FORT DELAWARE, February 10, 1864.

Señor ROMERO, Minister to the United States:

The undersigned, a prisoner of war, was residing in the city of New Orleans at the commencement of the present war between the northern and southern States, and was forced to enter the rebel army in 1862, and served in the same until July, 1863, when he surrendered himself a prisoner of war to the northern forces, and took the oath of allegiance to the government of the United States. He would state to your excellency that he is a citizen of Matamoras, in the State of Tamaulipas, in the republic of Mexico, which you have the honor to represent at the city of Washington, and that on the 8th day of the present month he communicated the foregoing facts to the Secretary of War of the United States and to Major General Butler, commanding at Norfolk, Va. I would be under many obligations to you if you will call the attention of the government at Washington to my case and have me released from prison. I am a loyal citizen of the Juarez government, and desire to continue so.

I would assure your excellency that there are two other citizens of Mexico now confined in prison here, whose cases are the same as mine, and would respectfully ask you to use your influence and ministerial authority to have them released also. They are named Juloi Norris and José A. Candida, both citizens of Tamaulipas, and loyal to the Juarez government.

I would have addressed this communication to you in the Spanish language, but there is no one here to interpret it to the examining officer, who examines all letters sent from this post to another post.

Hoping your excellency will give his immediate attention to this, and with my best wishes for your health and prosperity, I am your most obedient servant,

GEORGE D. LUSTIN.

WASHINGTON, February 15, 1864.

A true copy:

IGN. MARISCAL, Secretary.

Mr. Seward to Mr. Romero.

DEPARTMENT OF STATE,  
Washington, March 15, 1864.

SIR: Referring to your note of the 15th ultimo relative to certain Mexican citizens confined as prisoners of war in Fort Delaware, I have the honor to inform you that, having submitted the subject to the Secretary of War, I have received from General Canby, under the Secretary's instructions, a communication dated the 11th instant, copy of which is herewith enclosed.

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.

WAR DEPARTMENT, WASHINGTON CITY,  
March 11, 1864.

SIR: The Secretary of War instructs me to acknowledge the receipt of your letter of the 16th ultimo, inviting attention to an enclosed translation of a note from the minister of Mexico, of the day previous, requesting information as to the determination of the government in regard to George D. Lustin, Julio Norris, and José A. Candida, alleged Mexican citizens, now in confinement as prisoners of war at Fort Delaware.

In reply thereto, the Secretary instructs me to inform you that the commissary general of prisoners has been advised that these cases will be held in reserve for the present, and the prisoners will not be sent south for exchange against their consent.

I have the honor to be your obedient servant,

EDWARD R. S. CANBY,  
Brigadier General, A. A. G.

The SECRETARY OF STATE, Washington, D. C.

Mr. Romero to Mr. Seward.

[Translation.]

MEXICAN LEGATION TO THE UNITED STATES OF AMERICA,  
Washington, March 17, 1864.

MR. SECRETARY: I have had the honor to receive the note you were pleased to address to me on the 15th current, enclosing to me a communication from General Canby relative to four Mexican citizens who are held at Fort Delaware as prisoners of war. Those individuals represented to this legation in September last that they were residing in New Orleans when the civil war broke out in the United States; that they could not depart from that port in consequence of its blockade established by the United States navy; that they were compelled by the agents of the insurrection to take up arms against the government of the United States for the term of one year; which having come to its end, they compelled them to continue in the secessionist army during the time the war might last. As a proof of the sincerity of such representations they stated that they would not be exchanged, nor return to the south, and desired to go back to Mexico.

As they did not present proofs of the truth of their assertions, Mr. Barreda, minister of Peru, in charge at that time of the protection of Mexican citizens in the United States, thought fit to confine himself, in the note which he addressed to your department of the 18th September aforesaid, to request that an investigation of the case should be made, and that if the result showed the statements of the parties interested to be true, they should be set at liberty.

On the 24th of said September you were pleased to announce to Mr. Barreda that the Secretary of War had informed him that application relative to those Mexicans would receive due attention from his department.

On the 10th of February last past, one of the parties again addressed this legation, stating that they still remained imprisoned, and alleging circumstances which tended to prove their foregoing assertions, such as having taken the oath of fealty to the government of the United States, in consequence whereof I think it proper to address myself to your department inquiring whether the honorable Secretary of War has yet decided the case referred to. The communication to which I now reply informs me "that the Secretary of War has given instructions to the commissary general of prisoners that these cases be reserved for the present; that meantime the parties are not to be exchanged against their will." From this it appears to follow that the Department of War does not think proper to make the investigation which had been solicited, which to me seems not credible, because it would be the means most adequate to determine satisfactorily this incident, it being, besides, notorious that if the parties are left indefinitely in prison, their condition will be worse than that of those who indubitably have served voluntarily in the rebellion, who may be exchanged at any time.

According to my information in similar cases, in which prisoners have been made of subjects of other nations, and chiefly of Great Britain, they have been set at liberty when it has been shown that they served in the ranks of the insurgents by compulsion of greater force, and the justice of the government of the United States is too well known to admit belief that it will proceed in a different manner in its treatment of Mexican citizens.

I therefore deem it my duty again to beg the government of the United States to cause proper investigation to be made in this business, and in case it proves the truth of the statements made by the parties interested, that it cause them to be set at liberty.

I avail of this opportunity to renew to you, sir, the assurances of my most distinguished consideration.

M. ROMERO.

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



*Mr. Romero to Mr. Seward.*

[Translation.]

MEXICAN LEGATION IN THE UNITED STATES OF AMERICA,  
Washington, April 25, 1864.

MR. SECRETARY: In my note dated on the 17th of March last past, I had the honor to inform you that, in my opinion, the determination adopted by the Secretary of War in the case of the Mexican prisoners confined at Fort Delaware was not entirely conformable to that which the considerations of equity demanded, which militate in their favor, inasmuch as they had suffered so long an imprisonment without any investigation having been made of the truth of the facts which they allege in their defence.

Subsequently I have received the letters of George D. Lustin, copies of which I annex to this communication. By the first of these letters it will be seen that one of the prisoners has already died while awaiting the final determination as to his fate, and that Lustin complains of being quite sick. These circumstances, I trust, will influence the government of the United States to have the cases of the three remaining prisoners attended to, by judging them by means of the investigation which they solicit, and which I have had the honor to indicate, or by putting an end otherwise to the painful situation of expectancy in which they find themselves. My object in this note is none other than to again call your attention to this business by requesting your influence, to the end that it may lead to a decision as promptly as it may be possible, and in the terms of justice which are to be expected from the government of the United States.

With this motive I renew to you, Mr. Secretary, the assurances of my very distinguished consideration.

M. ROMERO.

HON. WILLIAM H. SEWARD, &c., &c., &c.

FORT DELAWARE, April 20, 1864.

RESPECTED SIR: Permit me again to call your attention to my case, and to request you to press it upon the government of the United States, and procure a decision as early as possible. An exchange is in progress, and having no desire or intention of ever going back to the southern army, I am the more anxious to obtain my release before the prisoners are sent from here for exchange. I presume a load will be sent off in a few days from here, and I know not how soon all may be sent. I do not know what evidence the government will require me to produce to warrant it in releasing me, and securing itself against any further service on my part in the rebel army. Having once taken the oath of allegiance, as heretofore stated, and claiming Mexican citizenship and the protection of your excellency, being able to substantiate beyond a doubt that I am a citizen of the government which your excellency has the honor to represent, I think would be a sufficient guarantee of my sincerity. I am willing to submit to any test that may be imposed upon me, compatible with honor, which your excellency may approve, whereby my allegiance to your excellency's government will not be compromised or impaired.

Hoping that your excellency may be able to procure a speedy decision by the government, I am yours, most respectfully,

GEORGE D. LUSTIN.

Señor ROMERO, *Envoy Extraordinary*, &c.

Copy:

IGN. MARISCAL.

FORT DELAWARE, March 27, 1864.

SIR: Yours of the 23d is to hand, and I tender you my acknowledgments for your promptness in laying my case before the government.

I am very desirous of securing my release before summer, as my health is quite delicate, and I fear that I may not be able to stand it through the season. If you can expedite my release it will confer a favor. I am not afraid of being sent south, as I have no wish to go back, and do not anticipate that I will be forced to go. The statements in mine of the 10th ultimo are strictly true, and the utmost reliance can be placed in them, and can be substantiated by indubitable testimony which will be furnished you if you can secure an investigation of my case, and it should be necessary for you to be put in possession of it. Francisco Navarro Sanches was sent to Point Lookout, Maryland, and I have learned that he died there of small-pox. The regiment to which he was attached were all sent to Point Lookout.

Again thanking you for your attention, I am, sir, your most obedient servant,

GEORGE D. LUSTIN.

Señor ROMERO, *Minister at Washington*.

Copy:

IGN. MARISCAL.

*Mr. Seward to Mr. Romero.*

DEPARTMENT OF STATE,  
Washington, April 28, 1864.

SIR: I have the honor to acknowledge the receipt of your note of the 25th instant, with its enclosures.

I have communicated a translation of the former, and a copy of the latter, to the Secretary of War, referring, at the same time, to your previous note of the 17th ultimo upon the same subject, which had been duly submitted to the War Department without eliciting any information.

I shall hasten to communicate to you the reply which may be received to these representations.

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

WILLIAM H. SEWARD.

Señor MATIAS ROMERO, &c., &c., &c.

No. 9.—*Protection of Mexican citizens in California.*

Mr. Romero to Mr. Seward, (with four enclosures)..... March 12, 1864.  
Mr. Seward to Mr. Romero..... March 17, 1864.

*Mr. Romero to Mr. Seward.*

[Translation.]

MEXICAN LEGATION TO THE UNITED STATES OF AMERICA,  
Washington, March 12, 1864.

SIR: I have the honor to send to you a copy of a note I have received from the Mexican consul at San Francisco, in which he informs this legation of the illegal proceedings of which two Mexican citizens were victims at a place in the State of California called Campo Chino, which proceeding ended in the