

ities, it is explained *how*, while in Europe iniquitous spoliations of riches accumulated in former ages were committed in Mexico and the other Americas belonging to Spain, they accumulated them to invest in proper objects, all in accordance with canonical legislation, especially protected by civil laws, without allowing any one for a moment to suppose that those riches, sacred in every way, would one day become the object of criminal cupidity of a few, who, to despoil its legitimate and benevolent owner, would refuse to give, not only the title of possession, but even the right to acquire that title, and that such iniquity, such absurdity, should take the haughty and ostentatious name of reform, civilization, and progress. It follows from these observations that at every step, as it is proved by our history, our code of laws, and by our public records, that during the whole time that Mexico was under the dominion of Spain, canonic legislation, supported by civil one, ruled supreme throughout the country; that the Mexican church was governed by it for the acquirement of its prosperity, its preservation, and protection; that the same legislation was applied by the tribunals, and formed part of the public laws of the country.

After the lapse of three centuries of continued, constant, uniform, and never contradicted practise of those laws, came the great event of independence, and while we mention it, it is also necessary that we should mention one of the principal causes which was predominant during the war, and which became the terminating one of the result. In both epochs, the fear that the cause of religion should be endangered if it continued to depend upon its former metropolis, was one of the principal chapters which caused the proclamation of independence, but particularly in the latter the idea is carried out with greater precision, making the Roman Catholic and apostolic religion the first of the three guarantees given in the memorable Plan of Yguala.

We all know why such word was placed in said plan, and what it was intended to signify. It was done because the constitutional Spanish courts by their acts, and several of its deputies by their discourses, commenced attacking the Catholic church, not in its dogmas, because, although it is the true mark aimed at, modern tactics only commence by wounding its discipline. It was against that then that the Spanish courts made their assaults; but Mexico, who had seen the Catholic church teaching freely its dogmas for three centuries, and exercising its discipline, Mexico—who, under the maternal rule of that church, had lived for so long a period in tranquillity and happiness, did not wish to see it endangered, and her children sought to unite with its political independence that of religious incolumity. Consequently, it was not the intention in these plans of independence, nor in the text of them, to attack that canonical legislation, by virtue of which the church holds its property, but, on the contrary, to prevent all that could possibly menace the same and give it additional support. The tribunals had the same understanding as the nation, and far from making any alteration by that great event, that part of our public laws received an additional confirmation of extraordinary solemnity in its form.

After this came a fatal succession of a series of political constitutions in the midst of our international dissensions. We have the constitution of 1824, one of 1837, another of 1843, and an act of reforms of 1847, and in all those codes of law the profession of the Catholic, apostolic, and Romish religion is textually consigned by the Mexican nation, by which it is of course understood that the church is as much mistress of her discipline as she is essentially of her dogmas, and that the nation protects it as it is, that is to say, according to its canons. The consequence of this is, that the public laws of the nation are in harmony with all political constitutions, except that of 1857, as regards the property of the church by canonical legislation.

It is true that during that period many attacks have been made against the church, and not few have been the orders issued against its rights; but it is true, also, that almost always these triumphed at last; for, far from considering the first as coming from a legal source, they were held for what they really were, anti-constitutional and illegitimate, the principles of that part of our public laws not suffering any alteration whatever.

The first attack made by the few enemies that the Catholic church has in Mexico, to carry out the iniquitous spoliation meditated by them for years back, took place after the triumph of the revolution of Ayutla by those who were then lords of public administration; but all the nation impugned the novelties introduced by the reformists to that degree that the principal author of the victorious revolution, the unfortunate Don Ygnacio Comonfort, was obliged to change his ground in December, 1857.

The spurious interests created by the legislation emanated from the plan of Ayutla were never surrendered by that of the "Ciudadela," and then commenced the disastrous campaign by which all the nation fighting on one side to preserve its social constitution, (which is a religious one,) and on the other by the innovators awaking the ferocious instincts of the vulgar masses to spoliation and slaughter, the first having subjugated the last, although not definitely for one single instant; and amidst the clash of arms, the disastrous reform laws (which are now recommended to be executed) were issued at Vera Cruz by a government that had nothing but the name, even in violation of the same constitution of 1857.

After the bloody triumph of the reformists, what we all witnessed took place, that is to say, the simultaneous banishment of the Mexican bishops, an unbounded persecution of the clergy, the imprisonment of many of them, and bloody executions of others, the savage ejection of the cloistered maidens, whose only crime was that of occupying themselves in praying for their persecutors, depriving them beforehand of all their property; the shooting down, the imprisonment, the concealment, expulsion, and wretchedness of the best citizens; the gagging of the press, using the most oppressive and overwhelming terror to suffocate the voice or complaints of the sufferer; in fact, everything was put into play by the triumphant faction to sanction their reform laws. How can those laws appear to the eyes of common sense? They are wanting in the most essential thing—justice; and to put them into practice it was necessary to have recourse to the ominous means of force. To avoid them, and for that reason only, the Mexican people were obliged to recur to the last extreme, the last supreme effort left them, and that was to solicit aid from a foreign hand; and when France extended hers she understood their true possession and felt the evils that surrounded them, helping to apply the remedy. The intervention not recognizing the administration of Don Benito Juarez as a government, (nor has it ever addressed to him one single word as such, and by that means disavowing his laws, his decrees, his acts, and everything that the idea of a government includes,) where are the antecedents, then, to suppose that the reform laws are in existence? Are they to be found in the conduct of the Mexican people, or in the genuine spirit of the intervention? In neither; and what is certain is, that the only ones that exist, and by which the church property can be administered, are the same (canonical and civil) that existed for three and a half centuries. The supreme tribunal of justice swore to obey the laws of the empire, and to cause them to be obeyed, including among these those by virtue of which the Mexican church possesses what belongs to it, and cannot withdraw its obedience to bestow it upon them that bear but the name.

The supreme tribunal of justice complies, then, with strict duty when it repeats that under no consideration will it consider the so-called reform laws in force, and adds, also, that because they wished to enslave the church, the tribunal is honored by declaring publicly and solemnly that it yields its obedience to the voice of the Mexican episcopate, who has decided that it is not lawful to comply with the circulars of the 9th of November and 15th of the present month.

If to the preceding considerations—based all upon law—we add others, which, although secondary to the duties incumbent upon the tribunals, they are, notwithstanding, of great importance in political order, and we will briefly notice some of the innumerable ones that occur to us. In the first place, the monopolist holders of the promissory notes (*pagarés*) and the monopolists of houses belonging to the church, being protected by a terrible law that admits of no procedure, delay, or form by which a defence could be made, will fall upon the hands of debtors, the greatest part of which are incapable of covering the debt in seven months, and will see their ruin consummated by the public sale of the balance of their fortune.

Secondly, such immense disaster will injure agriculture and all kinds of productive business to favor only a handful of monopolists, for it must be kept in mind that in Mexico ecclesiastic spoliation is always done in that manner, for the advantage of the few, and detriment to the multitude, whereas while they remained in the exclusive power of the church produced positive advantages everywhere.

And, finally, by carrying out the reform laws, without marking the limits and boundaries, and their revision, so solemnly promised, and which justice so imperiously demands, the revolution will increase in colossal proportions, because to the war that is now made without truce against intervention by the anti-Catholic and anti-monarchical bands, if it be not completely vanquished; the throbbings of the excited Mexican people, wounded in their religious principles and vividly outraged in their material interest, will then be added to it.

Those that may think otherwise are mistaken, for in Mexico, as well as in any other place, and with more reason than in another place, neither the consciences of the faithful nor the interests of the holders of church property will find repose unless the will of the supreme pastor of the church be made to appear in a concordat. Peace, that the immense genius of Napoleon the Great could not restore to France without the aid of the Pope, (that most elevated and respected personage on the earth,) will not return to Mexico unless he gives his assistance also.

The tribunal concludes by repeating again, with sorrow, that for the reasons it had the honor of giving in its official communication of the 10th November last, as well as for those herein set forth, cannot legally, nor is it permitted to them conscientiously to comply, or to cause the circulars of the 9th of November and 15th of the present month to be complied with.

And, by unanimous consent, we inform your honor of the same, for the knowledge of their excellencies the regents.

No. 9

Decree of the regency removing the judges of the supreme court.

DEPARTMENT OF JUSTICE AND PUBLIC INSTRUCTION

The regency of the empire to all of its inhabitants maketh known :

That considering that the first duty of the supreme magistracy of a state consists in respecting the laws and administering justice, without ever deviating from the principles upon which social order is based ;

Considering that the supreme tribunal, by its exposition addressed to the regency of the empire on the 31st of December last, has placed itself in rebellion against the legitimate government, declaring that it will never, by its acts and decisions, lend any acquiescence to, nor will it join in, decisions which have for their object the execution of the circulars and official communications ordered, or which may be ordered to be published by the regency, relative to the question of the property called clergy property, if such dispositions shall not be for the purpose of restoring the same at once and directly to the said clergy ;

Considering that the tolerance observed up to the present time by the regency with respect to reprehensible acts of this order, in the hope that its efforts would be successful in changing for the better the ideas and sentiments of the individuals reinvested with that high magistracy, has been considered by them as an act of debility, and not as an idea of conciliation, by means of which it was desired to reunite the honorable men of all opinions in order to form a truly national party ;

Considering that the regents of the empire would be unworthy of the confidence of their fellow-citizens and of the high mission they have received, if in the presence of this act of rebellion they delayed a longer time to reduce the magistracy to the limits of their attributes, which consist in applying the laws and administering justice without mixing themselves with acts which belong exclusively to the legislator, the regency of the empire decree—

ART. 1. All of the magistrates and secretaries of the supreme tribunal appointed in conformity with the decree issued by the regency of the empire on the 15th of July, 1853, are hereby dismissed.

ART. 2. The reorganization of the said tribunal shall be immediately proceeded with, the persons being ineligible to form any part of it who signed the exposition addressed to the regency on the 31st of December last.

The under secretary of state and of the department of justice and public instruction is charged with the execution of the present decree.

Dated in the imperial palace of Mexico the 2d day of January 1864.

JUAN N. ALMONTE.
JOSE MARIANO SALAS.

To the UNDER SECRETARY OF STATE AND OF THE DEPARTMENT OF PUBLIC INSTRUCTION.

And I communicate the same to you for its publication and due observance.

FELIPE RAYGOZA,

Under Secretary of State and of the Department of Justice and Public Instruction.

IMPERIAL PALACE, MEXICO, January 2, 1864.

No. 10.

Manifesto of the Regents Almonte and Salas.

MEXICO, January 21, 1864.

MEXICANS: In accepting the elevated mission which has been confided to us, of consecrating our efforts and our intelligence to preparing the way for the new destinies of our beloved country, it was our duty not to lose sight for a single moment of the intentions of the sovereign whose soldiers have come to free Mexico from tyranny in order to make it master of itself. Our line of conduct, therefore, was traced beforehand by our gratitude towards the intervention and by the interests of our country, which it was necessary not to separate from the French policy. That policy all know. In the folds of the banner which represents it are always borne the benefits of independence, and the conciliation of parties in order to scatter benefits in the midst of oppressed peoples, assuring equal justice to all and the protection of their rights by the faithful execution of the laws.

All good Mexicans have been moved with pleasure when they have seen this noble banner displayed, its colors side by side with our own. The reason was because that banner brought to our beautiful country, devoured by fifty years of revolutions, that peace and

order indispensable to our true regeneration. We, ourselves, the same as the great majority of the nation, have so comprehended it, and calling to our side in the different posts of the magistracy and of the administration those men who, in other times, had been distinguished for their wisdom and their patriotism, we were persuaded that they would comprehend the new situation of Mexico, and would loyally second us in the truly patriotic work we had undertaken, which is nothing less than the reconciliation of all parties on the ground of their common interests.

What has taken place, however? The administration of justice, that first and most imperious necessity of a people freed from tyranny, has from the beginning of our reorganization proved recreant to its noble object. The supreme tribunal, that should be the natural guide of all the other courts which are inferior to it, has forgotten nothing, and nothing has it learned. The magistrates of past times, who had been again reinvested through our confidence, have carried to the sanctuary of their deliberations the spirit of party, which is opposed to justice, and which by fostering bad passions keeps alive the evils of hatred and discord. After having exhausted all means of persuasion and tolerance with respect to these magistrates whose reform is impossible, the regency, persuaded that the well-being of our country lay in the adoption of the measures pointed out to us by that generous people who are lavishing their blood and their gold without other ambition than that of elevating us to the level of the most civilized nations, has found it incumbent to resign itself to the painful duty of removing from their public functions the magistrates of the supreme court who have refused us their co-operation.

Mexicans: Be tranquil and secure. The regency, invested with authority, will watch over your interests conjointly with the chiefs of the intervention. The course of justice will not be interrupted. In making new nominations of those who are to be charged with its administration we shall not inquire of these magistrates to what party they have belonged, but we shall exact from them that they will faithfully maintain equal rights for all, without distinction of opinions, and if it be necessary we shall recall to them—if they forget it—that the dissensions of the nation were conducting it to certain ruin, when the powerful hand of the Emperor Napoleon was stretched out to arrest it on the fatal decline.

JUAN N. ALMONTE.
JOSE MARIANO DE SALAS.

No. 11.

Official note from General Neigre to the Archbishop of Mexico.

MEXICO, January 16, 1864.

YOUR GRACE: There has just been brought to my knowledge a matter of very grave import. Certain incendiary publications, which have been put under the doors of various houses and scattered clandestinely among the public, have reached my hands.

The authors of these culpable publications magnify petty material interests which our holy religion repudiates, and appeal to the most detestable passions against the army of his Majesty, the Emperor, which has come to rescue Mexico from anarchy and to afford protection to the pastors of souls, in order to allow them the greatest liberty in their holy ministry. They forget that those prelates of whom they pretend to be the organ, and whom they make to appear as humiliated and despised, have never been surrounded with more respect and veneration.

I desire to believe, your grace, that you are ignorant of these criminal proceedings. I therefore have to denounce them to you, and to address to you an entreaty in the interest of public order and tranquillity; since, in the name of the Catholic religion, of which we Frenchmen are the eldest sons, and in the name of the prelates whom we cover with our respect, a degraded party is in movement to disturb the national repose. Tell that party, your grace, that we are watching it, and know its machinations; that the French army, in accord with the lawful government of the country, will maintain tranquillity; tell it that, although we are always reluctant to employ violent measures of repression, we shall know how, if circumstances put us under that painful obligation, to make them return again to the obscurity from which they are daring to put forth diatribes which prove them to be the real enemies of Mexico.

Be pleased to tell them this, your grace, and if they stop at your evangelical words, your grace will have done a great service to humanity, and, failing their gratitude, you will have ours.

BARON NEIGRE, *General in Command.*

His Grace the ARCHBISHOP OF MEXICO.

H. Ex. Doc. 11—24

No. 12.

Reply of the Archbishop to General Neigre.

YOUR EXCELLENCY: In reply to the communication of your excellency of the 16th instant, I have the honor to assure you, with respect to incendiary writings distributed through the city, that I have not had, nor even now have, any knowledge of them up to the present time. It would, therefore, have been necessary that I should have read them to be able to answer you, and I would thank you sincerely if you would have the kindness to send me a copy of them.

Here I would finish my letter if you did not make in yours certain assertions that, independently of the writings referred to, you throw upon the Mexican clergy. It is, therefore, indispensable to rectify these assertions in case they are not exact.

There is an acknowledged fact—one publicly notorious—which is, that we have all protested against the two individuals who assume to be a government, and against the circulars of the 9th of November and 15th of December last, and we declare categorically that the church, in its immunities and rights, is at present the object of the same attacks that it had to suffer during the government of Juarez; that never was the church so bitterly persecuted; and that we, the chief prelate, from the position in which we have been placed, find ourselves in a worse situation than at that period.

Your excellency tells me that in the exercise of their sacred ministry the pastors of souls enjoy the greatest protection and the most complete liberty, and that they have never been held in greater respect and veneration. Your excellency, then, will perceive that the two documents quoted (our manifesto and your letter) represent, with respect to the position of the church, two propositions entirely contradictory, and that of the two propositions one is necessarily true and the other consequently false.

In conformity with this statement of facts, and the deductions of logic, it results that we, a Mexican prelate, find ourselves, according to your assertion, in the alternative of denying those writings or of retracting our words.

We cannot retract, because we have spoken the truth, protested justly, and acted rightfully, and we feel in our conscience that we have been placed in the painful necessity of acting thus.

From what your excellency tells me, I infer that you are badly informed with regard to the situation of the Mexican church, and I am convinced that if you had well known the facts, the interests involved, and the motives which have determined our conduct, you would have done us justice in the opinion which you would have formed of that conduct.

I have the honor to enclose to your excellency a copy of my protest.

Your excellency will be pleased to accept the expression of my consideration.

PELAGIO ANTONIO,
Archbishop of Mexico.

His Excellency Baron NEIGRE, *General in Command.*

No. 13.

EXCELLENCY: With your excellency's note, dated yesterday, I received a manuscript copy of the publications which, in your excellency's former communication, you said had been circulated in a clandestine manner, and having taken note thereof, I say in answer, that I am exceedingly well disposed to tell my diocesans whatever it is my duty to tell them according to the purpose of my pastoral charge, whenever the restriction of the press is withdrawn, with the understanding that I shall assume all legal responsibility for whatever I say.

Your excellency will accept again the assurances of esteem with which I am, general, your excellency's most obedient servant,

PELAGIO ANTONIO,
Archbishop of Mexico.

His Excellency Baron NEIGRE, *General in Command.*

Mr. Seward to Mr. Romero.

DEPARTMENT OF STATE,
Washington, March 2, 1864.

SIR: I have the honor to acknowledge the receipt of your note of the 29th ultimo, accompanied with various documents, translated into English, relative to the present attitude of the clergy of Mexico towards the French authorities.

I beg to renew my thanks for your attention, and at the same time to repeat the assurances of my distinguished consideration.

WILLIAM H. SEWARD.

Señor MATIAS ROMERO, &c., &c., &c.

Mr. Romero to Mr. Seward.

[Translation.]

MEXICAN LEGATION TO THE UNITED STATES OF AMERICA,
Washington, March 1, 1864.

MR. SECRETARY: That the government of the United States may be informed of the conduct pursued by the French army and other agents of the imperial government during the invasion which is in progress in Mexico, I have the honor to enclose, with this note, various documents translated into English, and upon which I pass on to make a slight narrative.

No. 1 is a report presented to General Forey by Mr. Budin, employed in the treasury, who was sent to Mexico by the imperial government to consult with the said general-in-chief upon measures suitable for this branch of service and to re-establish order, as was said, in the Mexican treasury. The report reduces itself to a proposition of the barbarous measure of sequestrating all the property owned by Mexican patriots who were resisting the intervention, or were perhaps showing their reprobation of it simply by leaving their domiciles upon their being occupied by the French.

No. 2 is a decree issued by General Forey at Puebla in accordance with a like consultation. It is to be noticed that the decision was carried out with the greatest cruelty as well at Puebla as in the city of Mexico, where scarcely had the invaders entered than the decree was republished and put in execution. So impolitic and cruel this must have appeared in France, where at the time the Russian sequestration decreed against the Poles was subject of censure, although that insurrection surely had not such plain foundations as the Mexican resistance to actual invasion—so impolitic and cruel, I repeat, such measures appeared, that the imperial government rebuked it officially in the *Moniteur*, and gave orders that it should be revoked. Nevertheless General Forey only moderated it a little in an order which he issued on the 19th of August last, (No. 10.) In that document, marked 10, it is confessed that the penalty was applicable even to individuals who had absented themselves from the capital on the entrance of the French without having part in the legitimate administration, much less taking arms against intervention, and on those who were noted simply for their liberal opinions. Even in respect of these individuals it was decided that to return to their hearths they should make a declaration never to serve either in the military or civil branch against the so-called regency which was just established. Notwithstanding this mitigation, the fact is that the properties of the patriots that were sequestered even now continue under confiscation.

No. 3 is a communication from Mr. de Saligny, proposing that there be established in Mexico the same restrictions in relation to the press which are in force in France.

No. 4 is a decree in which sanction is given to these restrictions, with exaggerations in respect to Mexico. But these are not merely the rules observed on the publication of written articles, but the liberty of the press is completely suppressed, a previous censorship existing over all offered for publication, as Archbishop Labastida and other archbishops and bishops assure us in their protest of the 26th of December last, of which I sent a copy to your department, with my communication of the 29th February last past.

Nos. 5 and 6 constitute a report by Mr. Budin, and a decree founded on it, issued by General Forey, declaring void all sales and alienations posterior to the entry of the French army into the city of Mexico, whenever made by persons subject to sequestration, in conformity to the decree which has before been spoken of. The exclusive purpose of this determination is to augment the number of sequestered properties, and of victims of the like policy, making escape from their cruel effects totally out of question for the patriots and their innocent families.

Under No. 7 I enclose a decree of the same General Forey establishing courts-martial with discretionary power to pass without appeal, and on a single hearing, upon all persons who form bands of "armed malefactors," with which name it is sought to stigmatize the Mexicans who, under previous authority of the constitutional government, united as guerillas in making war upon the invaders. Under the rigor of this decree, and even in excess of its hasty provisions, many hundreds of Mexicans have been sacrificed, condemned occasionally upon the vaguest suspicion.

The document No. 8 is an order of the so-called regency of the empire to the governor of the district of Mexico, in which, under the veil of poorly feigned piety, solicitude to please the clergy is adverted to, providing that all the old Spanish legislation upon observance of festival days, so frequent in former times in Mexico, should be strictly observed henceforward, contrary to the spirit of toleration which in latter days had been prevalent.

It is well to remember that this fanatical provision so wounded the interests of manufactures and commerce that the French general disapproved it, and the so-called regency were subjected to the humiliation of revoking it, giving another proof, among so many others, that it is merely the despised instrument of the invaders.

No. 9 is a circular from the department of foreign relations of the constitutional government, providing for the observance (as a just measure of reprisal for the sequestration decree by the invader) of the laws of the country which authorized the like measure against those guilty of treason to their native land.

Lastly, No. 11 is a letter from General Forey, published by his order in the papers of the city of Mexico, in which he relates that a French soldier had been assassinated at the village of Tlalpan, at a very short distance from said city, and that, in consequence, much inquietude prevailed there among French and traitors. To punish the delinquent, whom he vaguely accuses of other assassinations without even indicating them, he announces that he has determined to fine the whole village six thousand dollars and arrest various persons of ill report, (so he calls, it is supposed, the patriots of that village,) keeping them as hostages to answer with their lives for the lives of French soldiers and their partisans the traitors.

Following (as No. 12) appears the decree issued by the French commander at Tlalpan, in conformity with those barbarous provisions. Two things are noteworthy in this: first, that the moral influence of the French army must be very weak, when it is hardly felt at Tlalpan, in the environs of the capital, and when, notwithstanding a garrison present in the village, the French and traitors were filled with terror at any manifestation of the hatred with which they were regarded by the Mexicans. The second to be noted is that savage fury of General

Forey in punishing an entire village for the act of some unknown person, in making responsible for future occurrences an uncertain number of individuals selected at caprice, or rather to punish their patriotic opinions, and in announcing, as he has with most odious complacency, that if those measures were not sufficient for their object, he would destroy the entire settlement. These acts manifest very clearly what are the means which the invaders of Mexico employ to attain their ends, and what character of injustice and barbarism predominates in this invasion, which it is an insult to good sense to call civilizing.

The interest which, in my opinion, the government of the United States must feel in the events of grave importance which are taking place in my country, makes me hope that you will receive with satisfaction the annexed documents, and the brief remarks I have thought it proper to make in this note.

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

M. ROMERO.

Index of the documents which the Mexican legation at Washington remitted to the Department of State of the United States, annexed to its note of this date, on the attacks and outrages committed by the French in Mexico.

No.	Date.	Contents.
	1863.	
1	May 21	Report of M. Budin to General Forey, proposing that he issue a law of confiscation of the property of Mexican patriots who defend independence
2	May 21	Law of confiscation issued in consequence by General Forey.
3	June 15	Report of M. Saligny to General Forey that he subject the press in Mexico to the same restrictions that weigh upon the press in France.
4	June 15	Decree issued by General Forey in consequence, in conformity with the preceding report.
5	June 16	Report of M. Budin to General Forey, proposing that he declare void some of the sales made by the Mexican government of national property.
6	June 16	Decree issued by General Forey in consequence, in conformity with the preceding report.
7	June 20	Decree of General Forey establishing courts-martial to try some of the offences committed in Mexico.
8	July 16	Decree of the regency, so-called, that festival days be observed in Mexico in the manner provided by ancient Spanish legislation.
9	July 18	Circular of the national government of Mexico calling for the fulfilment of the Mexican laws of confiscation in respect to the property of traitors.
10	Aug. 19	Explanatory order of General Forey on the decree of sequestration issued at Puebla the 15th of June previous.
11	Aug. 22	Letter of General Forey on reprisals to be made at Tlalpan for the assassination of a French soldier.
12	Aug. 27	Decree issued by the military commander at Tlalpan in virtue of the preceding letter.

IGN. MARISCAL.

WASHINGTON, March 1, 1864.

No. 1.

Communication made by M. Budin to General Forey in regard to the sequestration of the property of the Mexican patriots.

PUEBLA, May 21, 1863.

GENERAL: When you arrived in the Mexican republic with the army of which the Emperor has intrusted to you the command, in order to punish the wrongs and insults of which France and her citizens have been the object on the part of the government of Mexico, you gave ample publicity, by your proclamations and by important acts, which it is needless to repeat here, to the purpose of the intervention and the favorable views of his Imperial Majesty in regard to this country. You have not ceased to repeat that conquest was not the idea of France; that under her banner no other intentions were entertained but to cause the country to reorganize herself, by delivering it from the despotism which for so long a time has weighed upon its destinies, ruined its finances, and impeded all the material progress which its abundant resources, its rich soil, so favored by nature, should cause it to realize. In order to attain more promptly the object contemplated in the intervention, you have called for the co-operation of honorable men of all parties; you have invited the aid of all men of moderate opinions. The number of those who have come to place themselves under the loyal banner of France is relatively great, if we consider that the changes, that the revolutions, of which this unfortunate country has been the theatre for forty years, have extinguished all moral sentiment and perverted all ideas of right and wrong.

In view of your declarations, so clear and so precise, in consideration of the policy so frank and so disinterested that accompanies all the foreign expeditions of the empire, was it possible to be mistaken in regard to the intentions of France? Was Mexico authorized to treat as deceitful the words of peace addressed to her by and in the name of a power whose every aspiration is for liberty, whose forces and sacrifices have no other object than to bear the torch of civilization to an oppressed people? Clearly not; and if interested men in the support of the disorderly condition of things which you have come to attack, because it is for them a source of profit, had not interposed between a docile people whom they lead astray, and your well-meaning words which they distort, it is probable that the power which exists only by means of disorder would have been now demolished.

The time has come for the adoption against these agitators of more rigorous means—such means as, by reaching their material interests, may cause them to understand, as I trust, that the time of longanimity has passed. What the wise exhortations which you have addressed to them, what the well-meaning intentions of the Emperor which you have explained to them, has been unable to effect, will perhaps be attained by attacking the property of those men of bad faith, who persist in remaining in the hostile lines to combat the true interests of their country. The means the adoption of which appears to me necessary in regard to the men who thus far have held aloof from the intervention, has had fortunate results under other circumstances—that is, sequestration—sequestration, ransacking the entire estates appertaining to such Mexicans as yet bear arms against intervention. This means would equally reach the personal estates, as far as their incomes could be seized. You know, general, what the effect is of sequestration; it is to transfer to the hands of the state, represented here by the prefect, the administration of all the goods appertaining to those citizens who find themselves in the condition mentioned.

The conditions of sequestration may vary according to circumstances.

In the draught of a decree which I have the honor of submitting to you, and which I request you to sign if you approve its terms, I have reserved to the commander-in-chief of the army the right of mitigating its rigor in regard to such citizens as may be worthy of that favor, either because they may abandon within a fixed period the party which you have had to oppose, or because they may justify themselves for having been dragged into it by reason of force and violence.

Be pleased, general, to accept the expression of my respect and esteem.

BUDIN, *General Financial Agent.*

General FOREY,
*General of Division and Senator of France,
Commander-in-Chief of the Expeditionary Corps.*

No. 2.

Decree of General Forey in regard to the sequestration to which the preceding communication refers.

According to the communication submitted to me by the general financial agent of the expedition, it has seemed proper to me to decree:

ART. 1. Sequestration will be resorted to of all the estates appertaining to the citizens of the republic who bear arms against the French intervention, whether they render their services in the regular army or in the bands of guerillas, or others in a state of hostility towards France.

ART. 2. The personal property appertaining to the individuals comprised in the preceding article will also be subjected to this measure, as far as such property can be seized upon.

ART. 3. The political prefect of each state subject to the intervention shall constitute under his presidency a commission of four members, who shall be charged with designating the persons who should be comprised in the above-mentioned categories, and with drawing up a statement of the general condition of estates, both in the country and in the cities, and of personal property which may appertain to them.

ART. 4. This statement, agreeably to the model annexed to the present decree, will be signed by all the members of the commission and certified by the president prefect.

ART. 5. A copy of this statement shall be published in all the places of general resort throughout the country subject to the intervention, with a notification from the prefect informing tenants, lessees, and debtors of the goods and credits sequestered, that they cannot exonerate themselves lawfully without satisfactory payment of the amounts due into the hands of the administrator of internal revenue of the district wherein the things sequestered are situated.

ART. 6. A copy of the above-mentioned statement, certified by the prefect, shall be, as soon as published, transmitted to the administrator of the revenue to serve as a guide for his direction.

ART. 7. The arrangements relative to rents, hiring out, or other matter whatever, that may be further entered into by the prefects to enhance the value of the personal estates that may be unoccupied, shall also be certified in writing to the same administrator, in order that they may serve him as foundations for legal proceedings against those indebted.

ART. 8. It is expressly prohibited, under the penalties prescribed by law, to the agents appointed for the collection of the internal revenue to exact from those indebted a sum greater than that set down in the lists. Exception only is made in regard to the expenses anticipated to be necessary in order to verify the collection of the sums which may be due, and which should be collected in their entirety.

ART. 9. The administrators of the revenue shall give a receipt for every sum paid to them, and shall include all receipts of this kind in a separate account, either in their books or in their monthly statements. Such account shall be entitled, "*Collections made of sequestered property.*"

ART. 10. The general-in-chief reserves to himself the right of deciding, according to the information laid before him by the prefects, upon all petitions that may be presented to him, either for exemption from the decree of sequestration, or for the restitution of the incomes received in virtue of the preceding dispositions.

ART. 11. The present decree shall be immediately published, printed, and circulated throughout the whole extent of the country subject to the intervention, and a similar course shall be pursued in succession in all the states of the republic, in order that it may be executed in its form and tenor by the prefects that may be established in those states.

ART. 12. Fifteen days after its publication the commission, mentioned in article 3, shall proceed to draw out the statement above referred to. In it shall be included all persons who shall not, at that date, have returned to their homes, or who may not be prisoners of war.

In case, after the conclusion of this document, and its transmission to the administrator, the prefect shall be informed of the emigration of one or more of such persons as may be subject to administration in his department, it shall be his duty to draw up a supplementary statement, which shall have the same legal effect as the preceding to confer title.

ART. 13. The general financial agent is charged with the execution of the present decree, which shall be notified to the commanding officer in each district and state through the chief officer in command of the staff.

Given at Puebla, May 21, 1863.

FOREY,
General of Division, Senator of France, &c., &c.

No. 3.

Communication of M. De Saligny to General Forey in regard to the liberty of the press.

MEXICO, June 15, 1863.

GENERAL: By an order brought to the knowledge of the public, you have for a time suspended the publication of the periodicals of the country. This exceptional means was justified by the reasons naturally arising out of the condition in which the republic of Mexico was found subsequent to the departure of the government of Juarez, and previous to the establishment of the new power. It was to be feared, in fact, that abandoned to itself, and without other control than that of its editors, the press, which in well-organized states is a powerful means by which to inculcate to the masses the ideas of order and healthy policy, would be here only an instrument in the service of evil passions to agitate the country, by misrepresenting the intentions of France, and dividing good citizens, by sowing the seeds of discord among them. Under all these points of view, it was indispensable to adopt a course which allowed time to study the situation of affairs before consigning it to the discussion of the periodicals, and tracing to the press a line of conduct such as would never place it in opposition to the direction which the constituted authorities considered proper to be impressed on public affairs. There could not exist in the life of a nation more solemn moments than those which gleam athwart Mexico under the present circumstances. Her future, her prosperity, her greatness in time to come, even her very existence, constitute the prize which is to reward the efforts that are about to be made by those honorable citizens who shall accept the laborious work of toiling in the reorganization of the country on a new basis.

If, in view of such difficulties, it is the duty of every good Mexican to preach concord, and adherence to the temporary power charged with preparing the destinies of the country, with greater reason is it that permission cannot be granted to the organs of the press to branch out into controversies, which, if they are always dangerous when they attack the spirit of governments already assented to, could at the present conjuncture paralyze the best intentions, by inspiring doubts into the mind, and disseminating doctrines that may threaten, even before they are resolved upon, the bases of the institutions which the Mexican republic anxiously hopes from the friendly intervention of the Emperor.

Confining itself within the limits of decent discussion, under the seal of moderation, and without ever attacking religion, the personal character of public men, or the private life of individuals, the press may be well occupied with the general interests of the country, and making known its aspirations, until the time when the rightful representatives of the people have determined the form of the new government which it is proposed to establish. If the press properly comprehends its mission, it is called to perform the most eminent services, by propagating good ideas among the masses, and warring upon the utopias which corrupt them.

Your intention, general, is to apply to the press of Mexico the regulations established in France; it is, therefore, a reasonable liberty which is conceded to the press. Liberty is not licentiousness. Firmly persuaded of this wise principle, which is the safeguard of all interests, the writers of the Mexican press will always rise to the level of the important mission and sacred duty to which they are called, in seconding the constituted authorities, and frequently advising them, without ever forgetting the respect which is their due.

I have prepared, and I have the honor of now submitting to your approbation, the decree which regulates, in accordance with the principles laid down, the conduct of the press of Mexico. This decree is intended to have merely a transitory effect; it will be susceptible of all the modifications which the definitive government of the country may think proper to give it.

Accept, general, the assurances of my highest esteem and regard.

A. DE SALIGNY,
Minister of the Emperor.

General FOREY,
*General of Division and Senator of France,
Commander-in-Chief of the Expeditionary Army of Mexico.*

No. 4.

Decree of General Forey regulating the liberty of the press.

Forey, general of division, and senator of France, commanding in chief the expeditionary army of Mexico:

Desiring to revoke the order suspending the press, which was dictated by the anomalous circumstances in which Mexico is situated, I have thought proper, in accordance with the communication made to me by the minister of the Emperor, to decree as follows:

ARTICLE 1. Every person domiciliated in Mexico for a period of one year preceding may establish a periodical, to treat of public affairs, civil, commercial, scientific, and literary matters, after having first obtained the authority of the government to that effect.

ART. 2. Each periodical will be under obligation to have a responsible editor, approved by the administration, and whose signature shall appear at the end of each number of the paper. All original articles must be signed by their authors; reproductions from other periodicals by the responsible editor.

ART. 3. All discussion of the laws and institutions established for the country by its representatives is expressly forbidden.

ART. 4. It is likewise forbidden to the press to concern itself with what appertains to religion, as such discussion may always compromise sacred interests, or impair the honor and consideration due to the clergy.

ART. 5. A moderate discussion of the acts of the administration is allowed, without any reference, however, to the persons of the representatives of authority.

ART. 6. The journals must insert, entire and without charge, the communications that may be sent to them by the department of the government intrusted with the censorship of the press. Such communications must neither be preceded nor accompanied by any reflections whatever.

ART. 7. Any person mentioned in the articles of discussion may likewise cause to be inserted, free of charge, whatever be its length, his answer or his observations on the article which concerns him, provided, always, such answer contains nothing that may call for the animadversion of the authorities, or incur a penalty provided by the laws of the country.

ART. 8. The infraction of articles 2, 3, 4, 5, and 6 will be an occasion for warnings, which shall be notified to the responsible editor of the paper and to the author of the article condemned, and which shall be inserted at the head of that number of the paper which appears on the day following that of the notification. These warnings cannot be the object of any discussion on the part of the journal to which they are given.

ART. 9. After two successive warnings, every periodical may be suspended for a certain determinate period. If occasion be given for a third warning, before being relieved from the consequences of the two preceding, the paper may be definitively suppressed.

ART. 10. The penalties laid down in article 9 will be dictated by the executive power, according to the information laid before it by the director of the press.

ART. 11. Crimes and delinquencies, qualified as such by the laws of the land, and committed by the medium of the press, either against public morality or against private persons or private interests, will be prosecuted and judged in accordance with actual legislation in effect at the time.

ART. 12. Questions relative to matters of minor importance, such as constitute misdemeanors, are reserved for the further decision of the executive power.

ART. 13. The minister of the Emperor is charged with the execution of the present decree.

Given at Mexico, June 15, 1863.

FOREY.

No. 5.

Communication of M. Budin to General Forey in relation to sales called illegal.

MEXICO, June 16, 1863.

GENERAL: The lieutenant colonel commanding in the city of Mexico informs me, in a communication bearing date on the present day, that the goods, movable and immovable, appertaining to the persons comprised in your decree of sequestration, are being alienated by the agents of the proprietors, who think, by acting in this way, to withdraw them from the effects of the aforesaid decree. You cannot permit, general, that the arrangements by means of which you have, with sufficient reason, calculated to inspire a great number of